

"Gunsmoke." A perspective map of Helena, Montana. A huge old oaken rolltop desk ("My Dad's"). A street by street map bearing the legend "Virginia, City of Montana." An award, The Order of the Grizzly. And over the desk, a Winchester .73 rifle. On a chair next to the desk, a doe-colored Stetson. And Chet's face, lined, craggy, sincere.

Big Sky of Montana, Inc., has occupied most of Huntley's time for the last several months, "so much so that I guess I've been goofing off, not writing as much of the program as I'd like," he said. Big Sky, an estimated \$15-million project, is projected as a resort for the well-to-do, with a full range of athletic facilities, private apartments, permanent homes and village facilities. It will be situated 45 miles south of Bozeman, near Yellowstone National Park in southwestern Montana. Most of the surrounding towns have indicated that they're anxiously awaiting the expected boom, but some cattlemen and conservationists see the resort, backed by the Chrysler Realty Corporation, "as the Big City east coming in and ruining our country."

Huntley called his latest opponents "a small group of people who do not qualify as conservationists. As far as I can determine, they have a track record of not liking anything. They're the same people who said 'We don't like airplanes,' and 'The Jet Set will be coming in here.' What they're saying is 'Let's keep Montana as our private little club.' If that happens, they'll be up for some real exploitation."

"I've fished and climbed and camped those 11,000 acres. I know them. And they're going to be preserved. We've had engineering studies done. There will be no spoilage. We're going to use total electric energy. There will be no smoke, no noxious gases. You know, before we bought the property there were 6,000 trees due to be cut. Now we've got the timber rights and that's not what's going to happen. We're not coming in to make a buck and run." Huntley says there will be "no hunting allowed. There's moose, elk, deer, bighorn sheep, mountain lions, and bear. They won't be touched."

His father was a telegrapher, and Huntley, who was born Dec. 10, 1911, in Cardwell, Montana, moved through Saco, Scoby, Willow Creek, Logan, Big Timber, Norris, Whitehall, Bozeman and Reedpoint before winning a scholarship to Montana State College in 1929. Three years of premed led nowhere, until he won a national oratory contest and a scholarship to the Cornish School of Arts in Seattle in 1932.

He switched to the University of Washington the next year, and "since my Dad was only working two days a week in the Depression," he supported himself by working as a waiter, a telegram delivery boy, by washing windows and selling pints of his blood. In 1934 he got a \$10-a-month job with a 100-watt station, KCBC, in Seattle. In addition to his salary he was given laundry service and allowed to use sponsorship accounts to trade for food. At the time "there was no wire service for radio news, so I arranged to buy a Seattle Star and rewrote the news for a 15-minute newscast every night. For \$10 a month." Estimates of Huntley's salary currently range from \$150,000 to \$200,000 annually.

In 1938 he went to CBS in Los Angeles, KNX, "because they began a genuine news network. I was correspondent for 11 western states." His salary during this period averaged about \$65 a week and he augmented it by being the voice on scores of movie trailers, and by introducing dance bands on late-night broadcasts. During the war years he covered the West Coast CBS. In 1951 he became ABC's man in Los Angeles. During his stay there he criticized the later Senator Joseph McCarthy and was denounced as a communist. He sued his detractor and won a \$10,000 judgment. "I never collected the

money. I didn't want it, but the judgment still stands to keep the party from opening her mouth again."

In 1955 Huntley switched to NBC. "There was no specific assignment. I was just a staff correspondent." In the summer of 1956, he and David Brinkley were selected to anchor the Democratic Presidential convention in Chicago and the Republican convention in San Francisco. "The Huntley-Brinkley Report" began Oct. 29, 1956. Stop! Okay, TV buffs, whom did H-B replace? Give up? John Cameron Swayze, "hop-scooting the world for headlines."

Only recently was it learned, and it came as a surprise to Huntley, that he was third choice for the network news. Novelist John Hersey had turned down an NBC offer, and Henry Cabot Lodge was suggested before the NBC brass settled on Huntley. Over the years the H-B team became subjects for spoof and parody, their "Good nights" to each were mimicked, as were their voices. Both men maintain that their 15-year "marriage" has been happy, despite NBC insiders' reports that the men often bickered at each other. Says Chet: "We're both adults. We've never pretended that we have to travel in tandem," but, he maintains, "We've never had a harsh word."

A visible split came in 1967. The American Federation of Television and Radio Artists struck the television networks on March 29. Brinkley stayed away from work. Chet went through the Rockefeller Center picket lines and went to work. There was much bitterness as a result. Several staff writers refused to work with Huntley and were transferred to other programs. Huntley refused to honor the AFTRA picket line, despite threats of fines and union sanctions.

Huntley felt, he says, "that AFTRA didn't represent me. Newsmen just don't belong in there with actors, singers, dancers and announcers, and I wasn't about to stand still and be pushed around. I had to carry an AFTRA card to be on programs as an entertainer, like the Carson show, or the Como show. I didn't have to join AFTRA to be a journalist, and I was damned if they were going to push me into anything." Oddly enough, his feelings were shared by one of the men who will succeed him, Frank McGee, who also worked during the strike. Huntley says the time was especially difficult for him. "My home [an East Side brownstone] was picketed. Windows were broken. I got threatening phone calls and mail." Of late, he says, "people who then hated my guts have come to me and said 'You were so right.'"

Shortly afterward, Huntley was forced to sell 350 head of pedigreed breeding cattle and to close up a southern New Jersey farm because of rifle sniping and vandalism to the herd and to his ranch. He admits that "sometimes I guess it's just because I'm me" that there are attacks, "but it's part of the business."

In 1968 NBC was rebuked by the Federal Communications Commission for permitting Huntley to deliver on-the-air attacks on Federal meat inspection requirements while he had interests in a cattle feeding farm. Huntley is bitter over this. "They picked up a Jack Gould story. He said why didn't I start my report with a disclaimer. Damn! I owned one per cent of a feeding company. Does that mean that everybody who has a piece of stock in a company must issue disclaimers if he is to speak about related subjects? I don't see Congressmen filing disclaimers. I can't subscribe to that."

Huntley's name has, from time to time, been brought up as a Senatorial possibility from Montana. "Six years ago there was talk that it was going to be Mike's [Mansfield] last term. I did poke around, and found out Mike changed his mind and was going to run. That settled it for me. You'd be an idiot to run against Mansfield in Montana." Would he have run as a Democrat? "I guess

so, although I'm a registered independent. I don't subscribe to the ideology of either party."

Huntley is a realistic about his role as a commentator. "TV journalism is group journalism," he says. "It doesn't cover all the news. It's not the papers. We transmit the top." He does, however, regard himself and his NBC colleagues—"there were 75 people working here in 1955, now there are 1,000"—as "newsmen, not entertainers." He is impatient with "new" ways to do television news, such as having panels and discussions within news programs. "There's one good away, and that's to sit a guy down and have him read the news."

His optimism for television as a news-conveying medium dips when Vice President Agnew's name is mentioned. "He knew clearly what he was doing. People were disturbed by adverse news. Of course, What was the response from the Government? Let's get those guys, instead of trying to get rid of the aberrations and disturbances."

"Agnew assembled a big pool of discontent, and there seems to be a willingness to delete many provisions of the Bill of Rights if need be. You know it here in our shop. Every guy who sits down at a typewriter knows Agnew is tapping on his shoulder." Huntley adds, "Nixon is playing the whole thing like a virtuoso. I have a feeling we haven't heard it all from him yet."

He hopes he'll hear Agnew less in Montana when he goes there in a year with his wife, Tipton. Huntley has two daughters, Sharon and Leanne, by his first wife. He'll be in Manhattan rounding up backing for Big Sky for a year after he leaves NBC, and he'll be doing a syndicated television commented, it is reported, for Horizon Communications Corporation, of which he is part owner and which operates two Long Island TV stations.

And after the year? "I'm going to be on the Gallatin River working off a lot of spleen with a fishing pole."

#### THE FITZGERALD CASE: IS THE JUSTICE DEPARTMENT COVERING FOR THE AIR FORCE?

Mr. PROXMIRE. Mr. President, 225 days have passed since I wrote the Department of Justice seeking an investigation of the intimidation and firing of Mr. A. Ernest Fitzgerald by the Air Force. This case is a sad chapter in the history of the U.S. Air Force; it is rapidly becoming a sad chapter in the history of the Justice Department too.

It is clear that the Federal Criminal Code was violated when the Air Force fired Mr. Fitzgerald. Can there be any question about this when the code makes it a crime, punishable by up to 5 years in jail, to "injure" a witness on account of testifying before a congressional committee?

The only question to be determined is: Who in the Air Force made the decision to let Mr. Fitzgerald go? I am totally at a loss to understand how it can take 225 days to come up with an answer to this question.

Mr. President, is the Justice Department covering up for the Air Force? One begins to wonder.

#### THE CONTRIBUTION TO THE HEALTH OF MAN MADE BY VETERINARY MEDICINE

Mr. MONDALE. Mr. President, the University of Minnesota has a college of veterinary medicine of which we are immensely proud.

in history. Political subjects, moreover, were not touched upon.

It seems sad, though, that the program had to be so tactfully arranged as to eliminate any direct tribute to the thousands of American youth who have died in Vietnam. Yet they are true patriots of the era. For they have helped to prevent a third world war and to save the American people from suffering huge casualties. Dictatorships abroad were twice given the impression that "isolationist" had persuaded American public opinion to abandon the rest of the world. In each case, these miscalculations of American resoluteness led to world wars that could have been avoided if within the United States there had been solidarity and a nonpartisan attitude.

Today those in the "younger generation" who have been carrying on "anti-war demonstrations" haven't been reading history carefully and haven't been observing the uneasiness of European and Asian countries lately about the supposed lessening of the American military presence on both continents.

In recent years, the Fourth of July has been a holiday celebrated mostly in pleasure-seeking hours. It would, however, be a constructive precedent if the day were used also for nationally televised speeches emphasizing the progress the United States has been making in a complex world in which the growing population presents undreamed-of challenges. Here, for instance, are only a few of the problems currently before Congress:

**Pollution**—The President advocates the use of state and federal funds to curb water pollution. The program would cost \$10 billion over the next five years. Congress is working on the legislation.

**Education**—A \$4.8 billion appropriation bill is pending to finance all major federal-aid-to-education projects and to help Southern schools meet the costs of desegregation.

**Welfare**—An administration plan has been passed by the House and sent to the Senate which would provide a family of four a minimum income of \$1,600 a year. The family's income could rise as high as \$3,290 before the \$1,600 subsidy would be eliminated.

**Housing**—The Senate and House are working in conference on bills to encourage the housing mortgage market including bills to authorize \$250 million to subsidize home-mortgage interest payments of a certain type.

**Crime**—The House has passed a three-year bill appropriating \$3.2 billion for safe streets assistance, and the Senate has approved the organized crime bill. Hearings are being held on other proposals.

Lots of controversies and differences of opinion between the President and Congress prevail as to the amounts to be authorized. But in what other country in the world are there being spent, year after year, vast sums to provide for the safety and welfare of the population, which in American now has grown to more than 200 million? These are the things worth rejoicing over on the Fourth of July.

#### CHET HUNTLEY TO RETURN TO HIS NATIVE MONTANA

Mr. METCALF. Mr. President, yesterday, the New York Times published an article on the plans of Chet Huntley, NBC newscaster, to return to his native State of Montana. Chet Huntley has written of his early years in Montana, in his remembrances of his frontier boyhood, "The Generous Years." He grew up in a similar environment in northern Montana to mine in western Montana. It was nostalgic to read his book and a privilege to review it. Anyone who reads "The Generous Years" can understand why Chet wants to go home.

I ask unanimous consent that my review and the New York Times article be printed in the RECORD.

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

#### A NATIVE SON WRITES A MONTANA LOVE STORY

(Remembrances of a Frontier Boyhood, by Chet Huntley; Random House, 215 pp., \$4.95. Reviewed by Senator LEE METCALF.)

Montanans are just a little prouder of native sons and daughters who become nationally famous than are the citizens of more populous states. At the same time, the men and women who leave Montana for the cities of the east and the west coast never lose their affection for their home state. Hence the popularity of such native Montanans as Gary Cooper and Myrna Loy and Chet Huntley in their home state.

Chet Huntley has written a love story about Montana in *The Generous Years*. Here he tells about his early life at a time that was singularly innocent compared with the hectic days of the 60s and at a place that was wonderful for a boy.

Chet Huntley's family homesteaded near Saco, Montana, along the Great Northern Railroad in 1913. He tells of a boyhood in Saco that is very like the boyhood I experienced in Stevensville during the same period. In a nostalgic and perceptive book, Chet Huntley has described his boyhood and adolescence on a Montana farm and in a typical small Montana town. The work on the farm, the harnessing of the horses, coping with the eccentricities of a Model T, working with the sheep and the cattle and the chickens, the thrill of the first visit to town which will never be recaptured on later trips to the great cities of the world are stories that will evoke memories from every farm boy and girl who grew up in the west during the period between World War I and World War II.

The epilogue is an eloquent, moving and poetic tribute to Montana and will be a part of the permanent literature of Montana. I predict that portions of it will be memorized by students in future years and recited at declamation contests, and it will be paraphrased by orators and politicians in future campaigns.

In reciting the saga of a pioneer boyhood, Chet has written an evocative and enjoyable book. But when he essays into other areas, he drops the ball. At times background in the history of Montana or statistics about Montana are necessary to understand the narrative. These are added. But somehow those born in Montana who have emigrated to the east feel a compulsion to tell about the war of the Copper Kings and the Anaconda company's domination of Montana in political and economic affairs of the 20s and 30s. And when Chet seeks to summarize that period, he proves that he is a better current commentator than historian.

He tells about W. A. Clark and his rivalry with Marcus Daly and describes how Clark won election to the Senate in the Montana legislature by the simple procedure of throwing bundles of \$20-bills over the transom of legislators' rooms in Helena hotels. But then he says that Clark was met at the door of the U.S. Senate and barred by the sergeant at arms from taking his seat. In fact there was no objection to the seating of Clark. After he was seated, a petition was filed contesting his election.

Clark served in the Senate from Dec. 4, 1899, until May 15, 1900, when he addressed the Senate on a point of personal privilege and then resigned. Nor was Montana without a Senator for 11 years as a result of this struggle. Rather, it was about 17 months.

Chet's remarks about schools and school teachers will probably be reprinted by the

Montana devotees of the one-room schoolhouse. It will be circulated to the Montana legislature to answer those who want to raise teachers' salaries and increase appropriations for operation of Montana schools. His comments on teachers' unions and dedicated teachers may have grown out of current unrest in our schools.

As a story of the life of a boy on a Montana farm in years when farming was a hard and difficult life, before the REA, before modern machinery, before paved highways, this is a book that will bring back memories to men and women everywhere who spent their childhood living close to the soil while their parents coped with the elements, with drought and grasshoppers and hail and frost and had no problems with farm bills and price supports and subsidies.

Forget about the historical inaccuracies and read about this book as a reminiscence of a typical, normal and delightful early life in a special place in the world, Montana and you will understand why Montana will always have a special meaning for all of us.

Good job, Chet.

#### CHET GETS READY TO SAY, "GOOD-BY, DAVID"

(By Fred Ferretti)

Much of what he says, and many of the things he has done, bespeak in Chet Huntley a longing for another time.

Born and reared more than a half-century ago along the Northern Pacific's Montana right-of-way, he could just as easily have been any of those guys Gary Cooper played if he had not won a debating contest and drifted into broadcasting. He raises cattle and wears Stetsons. His boyhood hero was his grandfather, whom he remembers romantically as a superb saloon battler. A paternal descendant of John Adams and John Quincy Adams, Huntley reeks of independence. He subscribes to no political party. He refuses to be dropped into any ideological bag. Conservatives have called him Communist. Blacks have intimated that he's soft on segregation. He has been a Vietnam Hawk and an Indochina Dove.

He likes thrift and Boy Scouts and those anonymous doers of civic good, the Order of DeMolay. He likes the western desert and climbing hills and trout. He used to like May Day "In those innocent years before the proletariat turned it into a brash and chauvinistic holiday," and he still prefers one-room schoolhouses. "There was more happiness and contentment in those days when we had little." A philosophical maverick who is alternately square and with it, he has been called a scab by his union and a violator of the public interest by his government. Disputation has dogged his public life, yet it would appear that most often Huntley courted controversy, reveled in it, bathed in it.

Now at the top of his personal form, with only the barest hint of a downturn showing; with television news' influence at its peak; with Huntley lately emerged as one of broadcasting's more outspoken opponents of Spiro Agnew, he has decided to quit. And not surprisingly, the why of his departure has precipitated anger and opposition—out in his native Montana no less.

At the end of July, after 15 years, Chester Robert Huntley will say "Good night, David" to Brinkley for the last time and begin shilling for Big Sky, a rich man's all-service western resort out in Bozeman, Montana, that a few of the townsfolk believe will muck up the ecology of the Gallatin River Valley.

Recently, sitting in his fifth-floor office in the R.C.A. Building, glancing often \*\*\* into Radio City Music Hall, Huntley spoke of Big Sky, of Montana; of himself, his trade and his future. Except for the steel filing cases at one end of the room and a tan linen sofa flat against a long wall, it could have been the set of Marshal Dillon's office on



But few people, I think, have an appreciation of the very real contribution which veterinary medicine makes to man, not only indirectly through increasing the productivity of his livestock and the health of his pets, but directly through the eradication of many diseases which are carried by animals and which are fatal or injurious to man.

Dr. William Thorp, dean of the College of Veterinary Medicine of the University of Minnesota, recently revealed to me the significant contribution made by his field working in conjunction with all other health professions toward greater health care for our entire society. This is a contribution which we must recognize and which we must further in providing generous support to research in veterinary medicine.

I ask unanimous consent that his letter be printed in the RECORD. His testimony before the Senate Appropriations Subcommittee on Labor, and Health, Education, and Welfare and Related Agencies on June 16 elaborates upon these points. I commend it to anyone who wishes to give the matter further study.

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

UNIVERSITY OF MINNESOTA,  
COLLEGE OF VETERINARY MEDICINE,  
St. Paul, Minn., June 12, 1970.

HON. WALTER F. MONDALE,  
U.S. Senate,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR MONDALE: In my present position at the University of Minnesota as Dean of the College of Veterinary Medicine as well as chairman of the Joint Committee on Education for the American Veterinary Medical Association and the Association of Veterinary Medical Colleges I am very much concerned about the recommendations of the Executive branch of the government specifically President Nixon's recommendation this last February that \$3,000,000 would be saved by phasing out Federal institutional grants for Veterinary Medicine. These grants are very important to these institutions in meeting the Health Manpower needs of this country. Further, I am concerned that this philosophy will extend to other grants for which Veterinary Medicine is eligible under the 1968 Health Manpower Act. There are already a large number of unfunded grants for teaching facilities not only for Veterinary Medicine but for all health professions.

As one has observed Veterinary Medicine and the profession over the past 35 years, it has gradually arrived at scientific maturity. I would refer to my experience in the U.S. Public Health Service while at the National Institutes of Health where I was concerned with those diseases of animals transmitted to man of which there are more than 100. Taking into consideration the diseases of animals transmitted to man and the importance of primary prevention of illness and disability, veterinarians have a particularly significant contribution to make to human health in terms of comparative medicine as well as controlling and eradicating diseases of animals which are transmitted to man.

As an example in 1950 more than 5000 human cases of brucellosis were reported in the United States. It appeared that the only way to substantially reduce the disease in man was to reduce or eliminate the diseases of animals. Through the combined efforts of veterinarians, physicians, and health scientists, a program was established aimed at the eradication of the disease in cattle and swine populations. In 1969 in the United

States, as a result of a reduction of this disease in the animal population, less than 300 cases of brucellosis were reported in man. This is but one example of how the veterinary medical profession, working with other members of the health teams, has contributed to the primary prevention of disease in man and the reduction of health care costs associated with demands upon the hospitals and the health care personnel of the country. This also helped to prevent the mental anguish, physical pain, the pre-treatment disability, and the loss of productivity of the men and women affected by this disease.

Another example of primary prevention in man is associated with the program to eradicate bovine tuberculosis and the accompanying reduction of the transmission of the disease to children and men and women in the population. There are other examples which could be given as we continually work in the field of comparative medicine where the veterinary profession plays an important part. We are finding more and more diseases occurring in animals that are models of disease in man. A good example is bovine leukemia. Minnesota and several other institutions are working on this problem using bovine leukemia as a model system to study the disease as a comparative medical problem that will help to solve the problem in humans.

The May 29, 1970 issue of Science AAAS carried a report on "Feline Leukemia and Sarcoma Viruses: Susceptibility of Humans Cells to Infection". The following is of interest: "We have recently found that cultured human embryonic cells are extremely susceptible to infection with newly isolated field strains of leukemia and sarcoma viruses of the cat. The leukemia and sarcoma viruses thus propagated in human cells are fully infectious for human, dog, and cat embryonic cells." "Although there is not evidence to implicate feline leukemia and sarcoma viruses in human cancer, further studies are necessary to determine the possible occurrence of some horizontal spread of cancer by this mode."

The reduction or elimination of Veterinary Medicine from health manpower programs developed for the purpose of increasing the health manpower would take away an important, but not always clearly understood, link in the health chain in the total effort to provide a better national health.

I sincerely appreciate your support in the past and your consideration of this very critical matter as far as our part of the health program is concerned.

Sincerely,

W. T. S. THORP, D.V.M.,

Dean.

#### HOW CHINA CURBS STUDENT REBELS

Mr. MILLER. Mr. President, for the benefit of those—and there are some—who still are not aware of what happens to students who dare question the policies of a Communist government, I ask unanimous consent that an article published in the New York Times of June 18 be printed in the RECORD. I believe no additional comment is necessary.

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

CHINA TIGHTENS CURBS ON STUDENT REBELS

HONG KONG, June 17.—Communist China, which has enthusiastically endorsed the anti-establishment activities of young people around the world, is adopting increasingly repressive measures against its own student rebels.

Chinese authorities have been calling for greater efforts in the indoctrination of young children "to raise their class awareness" and

"to deepen their love" for Mao Tse-tung, chairman of the Chinese Communist party.

The aging Peking leaders' preoccupation with the younger generation appears to reflect a continuing concern that the present political system might not endure when they step down. They are attempting to foster generations of "revolutionary successors," who will not succumb to the "sugar-coated bullets" of enemies at home or abroad.

A recent public meeting at Changchun, capital of Kirin Province, was told by a municipal official that class enemies were "trying by every means to win over to their side the young people and children."

#### MUST OBEY UNQUESTIONINGLY

"Imperialist conspirators also pin their hopes for a peaceful evolution on our young generation," he said. "It is imperative for us to smash this illusion of the imperialists."

In these circumstances, the young must follow Peking's edicts unquestioningly. Posters seen recently by travelers in China stated: "Decisively liquidate bad elements who fan the wind of criminal opposition among the youth."

A large proportion of the many hundreds recently executed in Kwangtung Province for various alleged crimes were young people. Many of them were students who had rebelled against being sent to work in the countryside and had turned to crime to feed themselves.

Most high school graduates are expected to undergo "reeducation" at the hands of the peasants. Millions have been sent from cities and towns to the countryside. In this way, the Chinese authorities have removed potential or known rebellious elements from the centers of power, reduced the urban population pressures and increased the rural labor force.

Hsinhua, the Chinese press agency, reported that "several million graduates from senior and junior middle schools" had settled down in the countryside since December, 1968. The students are expected to spend the rest of their lives with the peasants.

#### SOME SWIM TO HONG KONG

The campaign has met with persistent resistance. Many refugees who swim to Hong Kong are former students who were sent from Canton, capital of Kwangtung Province, to work in the countryside.

Many students from Canton and other urban areas in Kwangtung have been assigned to Hainan Island. A broadcast from Hainan Island recently complained that some workers "brought all kinds of nonproletarian ideas from their old schools."

It stated: "Some said: 'To study in school for over 10 years and to work as a docker is a waste of our talents.' Others feared hardship and fatigue."

The broadcast said that "class education" and study of the works of Chairman Mao "proved highly effective" in overcoming these tendencies and other anarchist trends.

For the very young, a new program of "red children's classes" has been introduced "to cultivate their children into successors to the proletarian revolutionary cause" by giving them daily doses of Mao's thought.

#### FIVE-YEAR-OLD IS EXAMPLE

A broadcast from Hofei, capital of Anhwei Province, reporting on the results of these classes, said a 5-year-old boy from a certain peasant production team used to pick up rice from the field and take it home.

The broadcast stated: "After attending the red children's class, he has come to realize that to take home the team's crops means acting from self-interest. With this new understanding in mind, he has not brought home any more crops picked up from the fields."

Hsinhua also had high praise for five children ranging in age from 10 to 15 who "died heroically in the course of putting out a forest fire."

"People saw them run into the flames and heard them recite Chairman Mao's great teaching 'When we die for the people it is a worthy death,'" the agency said.

"In an instant, the five young heroes were surrounded by the conflagration, but people still heard shouts of 'Long live Chairman Mao!' loud and clear."

#### URGENCY OF PRESERVING THE BIG THICKET, A PROPOSED NATIONAL PARK

Mr. YARBOROUGH. Mr. President, concerned citizens are becoming more and more alarmed at the destruction of our areas of great natural beauty.

The Big Thicket of southeast Texas is such an area, and has unique scientific and esthetic values.

An excellent article on the Big Thicket by Dorthie Erwin appeared in the June 21, 1970, issue of the Dallas Morning News, on page 12-A, under the title "Time Running Out on Big Thicket Backers." This is one of the most outstanding articles ever published in any newspaper about the effort to preserve the Big Thicket. The substance of the article is superior, and the coverage given to this important issue is timely and worthy of study by every person who believes in saving the remaining undestroyed natural wonders in this country.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

#### TIME RUNNING OUT FOR BIG THICKET BACKERS (By Dorthie Erwin)

"The question now comes, is the Big Thicket to pass into legend . . . or is this area to be protected and made available to those who enjoy the study of animate nature . . . Already the thinking people of Texas and the nation have decreed that the Big Thicket must be protected . . . An early acquisition of the property is desirable . . ."

These quotes are from a report of a biological survey by the Texas Agricultural Experiment Station in 1936. The first serious scientific investigations were being made of the wet woodlands of Southeast Texas which were already famous in lore and literature from the time of the earliest southwestward migrations.

The same pleas were made at the recent Senate subcommittee hearings in Beaumont on a proposed Big Thicket national park—but the passage of 34 years and the shrinkage of the thicket have given the arguments an ironic tone and a very shrill note of urgency.

The thicket spread over perhaps a million and a half acres in the 1930s. It is more like 300,000 acres now, and real estate developments, farming, logging and drainage imperil what is left of the unique biological community.

Nowhere in the national park system is there a piece of the once-vast southern hardwood forest—"and it is unthinkable that we would ignore a chance to save some representation of this forest," Dr. Donovan Correll, Texas Research Institute botanist testified.

A thicket park is nearer to reality than ever before, some of the park proponents thought after the hearing. They had put their strongest arguments to Sen. Alan Bible of Nevada, whose parks and recreations subcommittee (of the Senate Committee on Interior and Insular Affairs) will consider a park bill introduced by Sen. Ralph Yarborough.

Sen. Bible and National Park Service Director George B. Hartzog Jr. toured parts of the thicket after the hearing.

The Park Service will review the park potential and make a recommendation for the subcommittee at Bible's request.

Meanwhile, Interior Secretary Walter Hickel has expressed a strong personal interest in seeing the thicket preserved.

But the park is no cinch. It still needs concerted effort by Texans and national conservation organizations.

Some questions are yet to be answered—the size and cost of the park, and the compatibility of recreational use with preservation of its unique ecology for serious scientific study.

Either of two proposed plans would create a park of unusual configuration. There is not enough thicket left for a single continuous park.

A Park Service study team in 1967 prepared a plan for preserving nine separate natural areas, each botanically unique, in what was called a "string of pearls." Rep. John Dowdy, in whose district the park would lie, introduced a bill in the House to preserve the "pearls," comprising about 35,500 acres (or 55 square miles).

The largest area is the Big Thicket profile unit of about 18,000 acres. Other units are much smaller, ranging down to 50 acres.

The Texas Forestry Association and the lumber companies which own most of the land in question are supporting this concept.

Sen. Yarborough's bill, however, calls for a park of at least 100,000 acres.

The conservationist organizations which are allied in the Big Thicket Coordinating Committee support this plan, saying the natural specimen areas are too small to survive alone and that the park should include the "string" to connect the pearls. The larger acreage would take in environmental corridors along the streams and highways between the pearls.

The conservationists also urge preservation of the Saratoga-Kountze-Sour Lake triangle and the entire lower Neches River floodplain as wildlife areas, for restoration and protection of native animals and ultimately for restocking of game in outlying areas.

And they want the overall area designated an environmental conservation zone, in which logging, grazing and hunting would continue, within conservation concepts.

All of Hardin County and parts of four adjacent counties are in the zone. The Alabama-Coushatta Indian Reservation is at its northwest corner.

The corridors and natural specimen areas would amount to almost 100,000 acres, and the triangle would add about 40,000 acres.

The conservationists think the specimen areas should be acquired in fee, and that financing could come from the U.S. Land and Water Conservation Fund if the administration will release funds now tied up. Some other areas might be acquired as easements.

Total cost is not known. Coordinating committee Chairman Orrin Bonney of Houston said recent land sales indicate a value of \$225 to \$350 an acre for the different natural specimen areas.

The triangle, long regarded as the heart of the thicket, has little habitation. The Neches bottoms are largely unused by man and are in almost natural condition. Preservation of this river corridor as park land would have little impact on resident or timber operations in the area but would enhance the park, Bonney told the senators.

The potential effect on the timber industry is the controversial issue. Timber rules the area's economy. Some residents have mixed emotions about the park, fearing their homes would be taken or their jobs lost or businesses harmed if logging and sawmill operations are curtailed.

Witnesses at the hearing repeated often-voiced charges that timber interests want to delay the park acquisition until there is no thicket left worth preserving, and that they have deliberately destroyed or wasted the hardwood trees and sprayed heron rookeries with insecticides to reduce the area's appeal as a park.

Temple Industries President Arthur Temple of Diboll, one of the industry spokesmen, responded that if such wanton damage is being done, the perpetrators are smaller timber owners and not the large companies.

The few large firms which own more than half the acreage in the unique specimen units have refrained from cutting there ever since the Park Service designated them—"a moratorium that was an unprecedented demonstration of good corporate citizenship," he said.

He said his company recognizes its social responsibilities, but it also is responsible to its employees who depend on it for their livelihood.

"The ecological balance is a fragile thing . . . but our economic balance too often teeters on the same precipice," he said.

Stung by conservationists' criticism of the industry for "denuding" the thicket, he said: "When I hear our good city brothers from Houston and Dallas tell us how we have messed up the countryside, I can't help wondering who messed up those cities they are trying to escape from when they come out to our poor denuded forests."

The argument of Sen. Yarborough and other large-park proponents is that it would help, not harm, the area's economy.

Southeast Texas would get "a new crop of tourists each year without damage to the area, instead of having to wait 10 years for a timber crop to grow," the senator said. The alternative, he said, is to be "condemned to a virtually no-growth timber economy." The area is not sharing in the state's general economic growth because of its dependence on one product which creates few new jobs, he added.

Other park partisans think the timber men are objecting to the larger acreage on principle rather than from fear of real harm to the industry. They say much of the extra land is stream bottoms not especially good for lumber production, and some areas would have to be drained before timber could be harvested.

Yarborough says the park would comprise only 3.3 per cent of the acreage of the counties affected.

"We don't want to put their pine plantations in the park," he stressed repeatedly.

Temple urges that the government buy only the "pearls" and not acquire "more and than can properly be used as a botanical laboratory." But the weight of scientific testimony at the hearing was that the specimen areas will not survive unless protected by buffer areas. Nearby development would starve them by altering drainage, witnesses said.

Selective harvesting of timber will not destroy the thicket, several witnesses agreed. The forest will renew itself if growing conditions remain stable.

("Don't worry about timber being taken now," Dr. Correll advised. "Get some of this cut-over land . . . This park is for our children!")

But the subcommittee heard a stern warning from naturalist Geraldine Watson of Silsbee, a trail guide in the thicket: "Water is its lifeblood . . . Any plan which doesn't preserve the waterways is little more than a farce."

And the real threat to the thicket, she believes, is "the forest industry's plan to convert its holdings to pine plantations at a rate of 30,000 acres a year. These are biological deserts, controlled by pesticides and herbicides."



symposiums, institutes, and conferences, especially for adults and community groups (other than the group funded).

(b) Priority shall be given to those proposals demonstrating innovative approaches to environmental education.

(c) For the purposes of this section, the Commissioner shall require evidence that the interested organization or group shall have been in existence one year prior to the submission of a proposal for Federal funds and that it shall submit an annual report on Federal funds expended.

(d) Proposals submitted by organizations and groups under this section shall be limited to the essential information required to evaluate them, unless the organization or group shall volunteer additional information.

#### ADMINISTRATION

SEC. 6. In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon. The Commissioner shall publish annually a list and description of projects supported under this Act and shall distribute such list and description to interested educational institutions, citizens' groups, conservation organizations, and other organizations and individuals involved in enhancing environmental quality and maintaining ecological balance.

#### AUTHORIZATION

SEC. 7. There is authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1971, \$15,000,000 for the fiscal year ending June 30, 1972, and \$25,000,000 for the fiscal year ending June 30, 1973, for carrying out the purposes of this Act.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

Mr. NELSON. Mr. President, the Environmental Education Act which passed the Congress today is a landmark piece of legislation. It is a timely demonstration that the Congress and the executive branch are determined that the current tremendous public concern for preserving our fragile and threatened life support systems will not become the first fad of the 1970's.

I have recently introduced a sense of the Senate resolution which will declare the third week of April Earth Week and the National Governors Conference passed a resolution urging the designation the third week in April as an annual observance of Earth Week. When I first introduced the Environmental Education Act last November, I said that one of the aims of this bill would be to make every day a Teach-In Day by helping assist our nearly 3 million teachers to introduce environmental-ecological concepts into the curriculum.

There is no better assurance that short- and long-range corrective measures will be taken to improve our endangered environment, than by introducing environmental studies into the curriculum from preschool to continuing education.

This act would give the Office of Education a firm mandate to support broad and imaginative programs in environmental education.

The Environmental Education Act marks the beginning of the new and critical effort to provide American citizens with the knowledge and understanding necessary for the well-being of the Nation.

The intent is that this office should be located within the immediate Office of the Commissioner. This was the intent of the Senate Subcommittee on Education and the full Committee on Labor and Public Welfare as evidenced in the report on the Senate bill. This bill passed the Senate unanimously 64 to 0 and, therefore, one could only conclude that the intent of the Senate was identical to the intent of the committee report.

In that report, on page 4, it is stated:

The field of environmental education is so new that the committee believes that its development will be, to a great extent, influenced by the persons charged with administrative responsibility for the program authorized by the bill; therefore the program ought not be dispersed throughout the Office of Education, not administered by bureaus which are also responsible for other programs involving greater amounts of grant money.

The Committee believes that the environmental education program should have visibility and that its Director should have sufficient stature as to have direct access to the Commissioner. Moreover, the administrative unit charged with responsibility for the program ought to be staffed with a sufficient number of specialists. If the environmental education program is placed in one of the present bureaus, its Director would be at least three degrees removed from the office of the Commissioner and would have to compete with other programs for personnel, at a time when adequate staffing and proper administrative direction are difficult problems for the Office of Education.

It is for these reasons that the committee recommends the establishment of the Office of Environmental Education by law. Further, the committee recommends, in section 3(d), language which permits appropriations to be used for the administration of the program.

The intent of Congress to establish an independent office in the Office of the Commissioner is unequivocally clear.

#### OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate turn to the consideration of Calendar No. 1300, S. 2193, and that it be made the pending business.

Several Senators addressed the Chair.

Mr. RUSSELL. Mr. President, may we please have order?

The PRESIDING OFFICER. The Senator will be in order. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2193) to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes.

Mr. MANSFIELD. Mr. President, if I may, in moving that the pending business be laid aside temporarily, I ask that

it remain in that status until the conclusion of the morning business tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. DOMINICK. Mr. President, I would like to make sure what the situation is. Do I understand that the Senator is asking for unanimous consent on this request?

Mr. MANSFIELD. The Senator is correct.

Mr. DOMINICK. I object.

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Calendar No. 1300, S. 2193, that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be reported.

The assistant legislative clerk read as follows:

A bill (S. 2193) to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to the consideration of the bill.

The Senator from New York is recognized.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Mr. President, am I correct in assuming that the motion is debatable?

The PRESIDING OFFICER. The motion is debatable.

Mr. JAVITS. Mr. President, I would like to be recognized, if I may, for a moment. Will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield the floor.

The PRESIDING OFFICER. The Senate will be in order. Senators and staff members will take their seats.

Mr. JAVITS. Mr. President, I am the ranking minority member of the committee. I have labored long and hard with the Senator from New Jersey (Mr. WILLIAMS), the Senator from Colorado (Mr. DOMINICK), the Senator from Ohio (Mr. SAXBE), the Senator from Pennsylvania (Mr. SCHWEIKER), and many other Senators on this bill.

Mr. President, I have been very deeply interested in the bill. It is an extremely important measure. It covers almost all the workmen of the country. It is a landmark piece of legislation; it contains many fine provisions. Undoubtedly it will become law, whatever may happen to it today.

There has been a very unfortunate connotation placed upon the matter of whether the bill should be brought up at this time so that it could be considered before tomorrow night. It has been alleged that some Senators are trying to stall it off.

I do not think that is fair. There is a difference between the labor and man-

grams to encourage understanding of policies and support of activities designed to preserve and enhance environmental quality and maintain ecological balance which was in lieu of the matter inserted by the Senate amendment, insert the following:

That this Act may be cited as the "Environment Education Act".

#### STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress of the United States finds that the deterioration of the quality of the Nation's environment and of its ecological balance poses a serious threat to the strength and vitality of the people of the Nation and is in part due to poor understanding of the Nation's environment and of the need for ecological balance; that presently there do not exist adequate resources for educating and informing citizens in these areas, and that concerted efforts in educating citizens about environmental quality and ecological balance are therefore necessary.

(b) It is the purpose of this Act to encourage and support the development of new and improved curricula to encourage understanding of policies, and support of activities designed to enhance environmental quality and maintain ecological balance; to demonstrate the use of such curricula in model educational programs and to evaluate the effectiveness thereof; to provide support for the initiation and maintenance of programs in environmental education at the elementary and secondary levels; to disseminate curricular materials and other information for use in educational programs throughout the Nation; to provide training programs for teachers, other educational personnel, public service personnel, and community, labor, and industrial and business leaders and employees, and government employees at State, Federal, and local levels; to provide for the planning of outdoor ecological study centers; to provide for community education programs on preserving and enhancing environmental quality and maintaining ecological balance; and to provide for the preparation and distribution of materials by mass media in dealing with the environment and ecology.

#### ENVIRONMENTAL EDUCATION

SEC. 3. (a) (1) There is established, within the Office of Education, an office of environmental education (referred to in this section as the "office") which, under the supervision of the Commissioner, through regulations promulgated by the Secretary, shall be responsible for (A) the administration of the program authorized by subsection (b) and (B) the coordination of activities of the Office of Education which are related to environmental education. The office shall be headed by a Director who shall be compensated at a rate not to exceed that prescribed for grade GS-17 in section 5332 of title 5, United States Code.

(2) For the purposes of this Act, the term "environmental education" means the educational process dealing with man's relationship with his natural and manmade surroundings, and includes the relation of population, pollution, resource allocation and depletion, conservation, transportation, technology, and urban and rural planning to the total human environment.

(b) (1) The Commissioner shall carry out a program of making grants to, and contracts with, institutions of higher education, State and local educational agencies, regional educational research organizations, and other public and private agencies, organizations, and institutions (including libraries and museums) to support research, demonstration, and pilot projects designed to educate the public on the problems of environmental quality and ecological balance, except that no grant may be made other than to a

nonprofit agency, organization, or institution.

(2) Funds appropriated for grants and contracts under this section shall be available for such activities as—

(A) the development of curricula (including interdisciplinary curricula) in the preservation and enhancement of environmental quality and ecological balance;

(B) dissemination of information relating to such curricula and to environmental education, generally;

(C) in the case of grants to State and local educational agencies, for the support of environmental education programs at the elementary and secondary education levels;

(D) preservice and inservice training programs and projects (including fellowship programs, institutes, workshops, symposiums, and seminars) for educational personnel to prepare them to teach in subject matter areas associated with environmental quality and ecology, and for public service personnel, government employees, and business, labor, and industrial leaders and employees;

(E) planning of outdoor ecological study centers;

(F) community education programs on environmental quality, including special programs for adults; and

(G) preparation and distribution of materials suitable for use by the mass media in dealing with the environment and ecology. In addition to the activities specified in the first sentence of this paragraph, such funds may be used for projects designed to demonstrate, test, and evaluate the effectiveness of any such activities, whether or not assisted under this section.

(3) (A) Financial assistance under this subsection may be made available only upon application to the Commissioner. Applications under this subsection shall be submitted at such time, in such form, and containing such information as the Secretary shall prescribe by regulation and shall be approved only if it—

(i) provides that the activities and services for which assistance is sought will be administered by, or under the supervision of, the applicant;

(ii) describes a program for carrying out one or more of the purposes set forth in the first sentence of paragraph (2) which holds promise of making a substantial contribution toward attaining the purposes of this section;

(iii) sets forth such policies and procedures as will insure adequate evaluation of the activities intended to be carried out under the application;

(iv) sets forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 3, and in no case supplant such funds.

(v) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(vi) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require and for keeping such records, and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(B) Applications from local educational agencies for financial assistance under this Act may be approved by the Commissioner only if the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

(C) Amendments of applications shall, except as the Secretary may otherwise provide

by or pursuant to regulation, be subject to approval in the same manner as original applications.

(4) Federal assistance to any program or project under this section, other than those involving curriculum development, dissemination of curricular materials, and evaluation, shall not exceed 80 per centum of the cost of such program for the first fiscal year of its operation, including costs of administration, unless the Commissioner determines, pursuant to regulations adopted and promulgated by the Secretary establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this section. The Federal share for the second year shall not exceed 60 per centum, and for the third year 40 per centum. Non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to plant, equipment, and services.

(c) (1) There is hereby established an Advisory Council on Environmental Education consisting of twenty-one members appointed by the Secretary. The Secretary shall appoint one member as Chairman. The Council shall consist of persons appointed from the public and private sector with due regard to their fitness, knowledge, and experience in matters of, but not limited to, academic, scientific, medical, legal resource conservation and production, urban and regional planning, and information media activities as they relate to our society and affect our environment, and shall give due consideration to geographical representation in the appointment of such members: *Provided, however,* That the Committee shall consist of not less than three ecologists and three students.

(2) The Council shall—

(A) advise the Commissioner and the office concerning the administration of, preparation of general regulations for, and operation of programs assisted under this section;

(B) make recommendations to the office with respect to allocation of funds appropriated pursuant to subsection (d) among the purposes set forth in paragraph (2) of subsection (b) and the criteria to be used in approving applications, which criteria shall insure an appropriate geographical distribution of approved programs and projects throughout the Nation;

(C) develop criteria for the review of applications and their disposition; and

(D) evaluate programs and projects assisted under this section and disseminate the results thereof.

#### TECHNICAL ASSISTANCE

SEC. 4. The Secretary of Health, Education, and Welfare, in cooperation with the heads of other agencies with relevant jurisdiction, shall, insofar as practicable upon request, render technical assistance to local educational agencies, public and private nonprofit organizations, institutions of higher education, agencies of local, State, and Federal governments and other agencies deemed by the Secretary to play a role in preserving and enhancing environmental quality and maintaining ecological balance. The technical assistance shall be designed to enable the recipient agency to carry on education programs which are related to environmental quality and ecological balance.

#### SMALL GRANTS

SEC. 5. (a) In addition to the grants authorized under section 3, the Commissioner, from the sums appropriated, shall have the authority to make grants, in sums not to exceed \$10,000 annually, to nonprofit organizations such as citizens groups, volunteer organizations working in the environmental field, and other public and private nonprofit agencies, institutions, or organizations for conducting courses, workshops, seminars,



agement point of view. Management seems to feel very strongly that the procedure outlined by the administration—and I authored the administration's original bill; so I ought to know about it—wit, a procedure for a Board to set standards and a Commission to deal with enforcement is the more intelligent way to proceed. On the other hand, the point of view of organized labor is that the Secretary of Labor should perform both functions.

Mr. President, in the dispute which has arisen over certain provisions of this bill there has been a complete failure to recognize the potentiality of the bill and the fact that it is generally an excellent bill and contains some very important safeguards. However, there is a great deal of difference of opinion on certain matters. Although I have my views—and I tried to work them out on the committee—I think there is some substance to the disagreement. But the fundamental point is that the bill is extremely important and extremely desirable for all the workers.

I doubt very much that the bill could be finished in the 24 or 36 hours we have remaining. The Senator from Colorado (Mr. DOMINICK)—whether he does so by a substitute or by amendment—he has some 19 amendments, I understand. Every one of them is substantive and is not a facade or an effort to delay the matter.

However, Mr. President, I hope the Senate will proceed to the consideration of the bill. At the very least, if we cannot finish it by tomorrow night, it will be the pending business when we return. We can pass the bill, and it should be passed. It is a critically important piece of legislation.

I hope that Senators will not be confused and believe that the amendments represent management-labor differences. In all honesty, most of them do not.

The bill should be passed.

Mr. President, I think it is important and fair to rebut any idea that any Senators have sought to stall the bill and not come to grips with it. The idea that this should be challenged and debated and that it should have the deliberate consideration of the Senate is only fair.

Mr. President, the bill has not been acted on in the other body. It obviously will not be. So, there is no prejudice to the American workingman if it is considered by the Senate after the recess.

Efforts will be made to amend the bill. I will oppose most of them.

I hope very much that the Senate will vote to consider the bill.

The PRESIDING OFFICER (Mr. CASE). The question is on agreeing to the motion of the Senator from Montana.

Mr. DOMINICK. Mr. President, I have listened with great interest to the comments made by the distinguished Senator from New York. We are really being asked to consider an extremely important bill, important to the unions, to the working men, and also to the country as a whole, because it affects every business in the country. We are being asked to do this in the closing days of this session before recess when we have before us not only this bill, but also the military con-

struction authorization conference report, an agricultural bill, and very likely other bills, all of which are of enormous importance to the country.

We have, as far as this bill is concerned, a number of amendments which will be offered by different members of the committee, which will require votes. We have a substitute which I have introduced, but not authored, which takes a different approach to the problem and which I think is a far more equitable approach than the approach of the committee reported bill.

It seems to me, with all these really important factors, consideration of the bill at this time will be a pretty bad mistake.

I know that there are Members on our side and on the other side of the aisle that feel the same way. That was why objection was made to the unanimous-consent request that had been propounded on two other occasions.

I certainly do not want to be in a position where we are being held up to the world as though we are against occupational health and safety. That would be a pretty dumb position to take. I do not think that any of us are that dumb.

We are trying to deal with an enormous problem in our country.

The bill covers every business affecting commerce in the entire United States, ranging anywhere from a big steel company to a shoeshine shop.

I think it would be a mistake on such an important bill, affecting commerce as it does, to try to bring it up no more than 24 hours before we adjourn to go home for the recess, when we know that the House is not going to act on it at all before the recess.

I suppose that the motion having been made the leadership probably is not going to want to withdraw it, but I feel we are not approaching this in a proper way or with the proper opportunity to consider the bill. The report on the bill has been out about 1 week. I wish to ask the Senator from New Jersey if that is correct.

Mr. WILLIAMS of New Jersey. The Senator is correct.

Mr. DOMINICK. We have also been engaged in an enormous amount of other business in the meantime so that the concentration of Senators has not been on this matter up to this point.

I am not going to take a negative position on bringing it up if the leadership insists it should be done. Obviously it is for them to determine what is before the Senate. It is not for me to say, but rather it is for the leadership to say.

I think in presenting these arguments we have many amendments and an entire substitute for the bill. There is no doubt in my mind that if anyone wanted to follow that course, this matter could go over until after the recess, probably without ever coming to a vote. I have indicated from time to time that I am willing to vote on a substitute, but I have been told there will be many clarifying amendments to the original bill and many clarifying amendments to the substitute, and the chances of getting unanimous consent to have a vote on the

substitute on an up and down basis is not likely.

Under those circumstances it seems to me we are kind of exercising a lot of lung power without getting anywhere, when we could put this over until after the recess when Senators will have had a chance to read the bill and study it in the interests of the working man and the rest of the country.

Mr. WILLIAMS of New Jersey. Mr. President, it should be pointed out that the Occupational Health and Safety Act has been introduced and has been before the Senate for well over a year. The urgency of considering this vital measure has certainly been highlighted by the President. This legislation is on the list that is considered to contain matters of greatest importance to the administration.

Of course, there are differences among some of us as to one detail—and many details have been worked out in long committee sessions—in that we have not worked out accommodation with the administration. The President indicated in his last message, which was about 5 weeks ago, that this bill, this entire legislative package dealing with occupational health and safety in an area where accidents are mounting and disease is mounting, is vital to the country. As the President said, we are three generations overdue in enacting this measure.

Rather than coming to us in haste, this measure has been before us a long time. The committee has labored long and productively in bringing this bill to the floor of the Senate today, with this motion to take up the matter.

Mr. JAVITS. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. WILLIAMS of New Jersey. I yield.

PRIVILEGE OF THE FLOOR

Mr. JAVITS. Mr. President, I ask unanimous consent that the minority counsel of the committee, Eugene Mittelman, be admitted to the Chamber.

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

Mr. WILLIAMS of New Jersey. Mr. President, I yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I do not wish to delay the Senate but I strongly endorse the observation made by the distinguished Senator from New Jersey in support of the motion of the majority leader to take up the occupational health and safety bill. I know of no other measure which has been more carefully analyzed by the Committee on Labor and Public Welfare and the subcommittee, than this measure. We have understood the serious and profound necessity of having reforms in the field of occupational health and safety.

I remind Senators that it is estimated that 55 workers die every day because of the failure to have adequate occupational health and safety legislation; that 14,000 Americans lose their lives every year because of the failure to have the kind of legislation we should take up today; and that 2.5 million workers suffer serious and permanent disability because

of the failure to have this kind of legislation.

We have worked long and hard on this matter. I do not think there is any measure before this body that is anywhere near as important or which rates a higher priority than this legislation. I believe the Senate has a duty after these months of efforts, exhaustive hearings, and long and fully exploratory executive sessions, and after this measure has been pending before the full Senate for several days, to bring up this matter, act on it, and do justice to American workers.

We can act on this measure and we should. To delay would be regarded as failure by this body to deal with one of the most heartbreaking and compelling issues of our times.

I cannot too strongly speak in support of the majority leader's motion.

#### ORDER OF BUSINESS

Mr. LONG. Mr. President, will the Senator yield to me briefly?

Mr. WILLIAMS of New Jersey. I yield.

#### COMMITTEE MEETING DURING SENATE SESSION

Mr. LONG. Mr. President, I ask unanimous consent that the Committee on Finance may meet during the session of the Senate this afternoon.

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

#### ORDER OF BUSINESS

Mr. SPARKMAN. Mr. President, will the Senator yield to me briefly?

Mr. WILLIAMS of New Jersey. I yield.

#### VISIT TO THE SENATE BY A DELEGATION FROM THE PARLIAMENT OF INDIA

Mr. SPARKMAN. Mr. President, I have asked for this time in order that I might have the privilege of presenting to the Senate a very distinguished group of parliamentarians who are visiting us at this time. I refer to five members of the legislative bodies of India, led by the Honorable Gurdial Singh Dhillon, the Speaker of the Lok Sabha, or what we would call the Speaker of the House, and four of his colleagues.

A year ago the Interparliamentary Union met in New Delhi. Many of us had the opportunity to know these gentlemen. Speaker Dhillon presided over the session of that Interparliamentary Union Conference while we were there. These gentlemen are really paying us a return visit. They arrived just last night. They plan to be in this country about 3 weeks and to visit many parts of the United States.

Mr. President, it is a genuine pleasure to have these representatives of that great country here today. I ask unanimous consent that I may have printed in the RECORD a short sketch regarding each of our distinguished visitors.

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

#### INDIA: GURDIAL SINGH DHILLON, SPEAKER OF THE LOK SABHA

Sardar Gurdial Singh Dhillon, former lawyer, journalist and army officer, was unanimously elected Speaker of the Lok Sabha (lower house of Parliament) on August 8, 1969. Since 1967 he has been a member of the Lok Sabha and has served as chairman of its Public Undertakings Committee. A member of the Congress Party since 1937, Dhillon resigned from the Party on his election as Speaker in order to act impartially at parliamentary sessions.

Dhillon, the son of an aristocratic Sikh family of the Punjab, was born on August 6, 1915 in the village of Panjwar. In 1935 he received a B.A. degree from Government College in Lahore and in 1937 an LL.B. degree from the University Law College in Lahore. In about 1936 he was commissioned in the army and also became active in the independence movement. Because of his activities, the British expelled him from the Dehra Dun Military Academy. During 1937-47 he intermittently practiced law in the Amritsar area. It is not known whether he still retains his commission but in 1953 was listed as a colonel in the Indian Army.

Dhillon joined the Congress Party in 1937 and until 1952 was active in local Amritsar politics and in the freedom movement. He was twice imprisoned for anti-British activities, one time during 1946-47 in Lahore for leading an independence protest. He served as president of the Congress Election Tribunal during 1945-46 and as president of the Amritsar District Congress Committee during 1949-52.

In the years following independence in 1947, Dhillon was involved in journalistic work in the Punjab. He was chief editor of the Urdu daily *Shere-bharat* during 1947-54 and the Punjabi daily, *Vartman*, during 1947-52. He also served as managing editor of the National Sikhs Newspapers Limited, member of the State Press Advisory Committee, and president of the Amritsar Working Journalists Union.

Dhillon began his government career in 1952 with his election to the Punjab Legislative Assembly. He served as Deputy Speaker (1952-54) and Speaker (1954-62) of the Assembly. He was chairman of the Non-Agricultural Land Taxation Committee in 1964 and chief whip and general secretary of the Congress Party in the legislature during 1965-66. Dhillon served in the Punjab Legislative Assembly until his election to the Lok Sabha.

Throughout his career Dhillon has traveled widely. He has visited the United Kingdom, the USSR, France, East Germany, Australia, Japan, the Philippines, Rhodesia, Kenya and Ghana. In 1961 he was an International Visitors Program Grantee in the United States. During September-October 1969 he again visited the United States, attended the Conference of Commonwealth Presiding Officers in Ottawa, and headed the Indian delegation to the Commonwealth Parliamentary Conference in Trinidad. In January 1970 he visited Nepal.

A man of integrity, Dhillon is soft-spoken unassuming and friendly. In 1953 he married the former Shrimati Ranbir Kaur. He is the author of many pamphlets and has written a book, *Dhani Ram Chatrik*, on the life of the Punjabi poet. In October 1969 he served as president of the Interparliamentary Union meeting in New Delhi.

Dhillon has been associated with various clubs and organizations. He is a past president of Rotary International. He is vice president of the Indian Recreation Association and a member of the Punjab University Senate. He is interested in flying and serves as president of the Chandigarh Gliding and Aviation Club.

#### INDIA: KOTHA RAGHURAMALAH, MINISTER OF SHIPPING AND TRANSPORT; MINISTER OF PARLIAMENTARY AFFAIRS

On June 26, 1970 lawyer and career civil servant Kotha Raghuramalah became Minister of Shipping and Transport and Minister of Parliamentary Affairs. Since February 1969 he had served as Minister of State for Shipping and Transport and for Parliamentary Affairs. Raghuramalah has been a member of the Congress Party since 1951 and a member of the Lok Sabha (lower house of Parliament) since 1952.

Kotha Raghuramalah was born on August 6, 1912 in Sangamjagamudi, Andhra Pradesh (formerly part of Madras State). He is a member of the Kamma caste (a low Hindu caste predominantly found in Andhra). He received his early education at Andhra Christian College in Guntur. He holds M.A. and LL.B. degrees from Lucknow University. Admitted to the Bar from the Middle Temple in 1937, Raghuramalah practiced law at the Madras High Court during 1937-41.

In the early 1940's Raghuramalah became active in the labor union movement and was the founder and later vice president of the Madras Corporation Labor Union. In 1954 he was a member of the Railway Corruption Enquiry Committee and president of the Andhra Pradesh Post and Telegraph Workers Union. During 1955 he was a member of the Andhra Life Insurance Salaried Workers Association and the All-India Postal Employees Union in Andhra.

In 1941 Raghuramalah joined the (Madras) Provincial Judicial Service and during 1941-46 was assistant secretary in the Madras Legal Department. In 1946 he was temporarily assigned to the national government and served as assistant director of employment in the Resettlement Directorate of the Ministry of Labor and as assistant solicitor in the Ministry of Law. During 1947-51 Raghuramalah was deputy secretary and joint secretary in the Madras Legal Department and legal secretary to the Madras Government.

In 1951 Raghuramalah resigned from the Provincial Judicial Service and began his national government career with his election to the Lok Sabha in 1952 on the Congress Party ticket. During 1952-57 he served as convenor of the External Affairs Standing Committee in Parliament and as a member (1954) and secretary (1955) of the Executive Committee of the Congress Party in Parliament. During 1955-59 he was a member of the All-India Congress Committee and of its legal advisory committee in 1956.

Concurrently with his parliamentary career, Raghuramalah held various sub-cabinet level positions during 1957-69, including: Deputy Minister of Defense (May 1957-April 1962), Minister of State for Defense (April 1962-June 1964) in charge of production (November 1962-June 1964); Minister of State for Labor and Employment (June 1964-January 1966); Minister of Supply and Technical Development in the Ministry of Industry and Supply (June 1964-March 1967); Minister of State for Petroleum and Chemicals and for Social Welfare (March 1967-February 1969); and Minister of State for Planning (March-September 1967). During August-November 1968 Raghuramalah served as Acting Minister of Petroleum and Chemicals after the resignation of Asoka Mehta.

During the 1950's Raghuramalah traveled to the Far East, Europe and the Middle East. In 1954 he headed a trade delegation to Thailand, Hong Kong, Malaysia, Japan and Communist China for negotiating tobacco contracts. He attended the UN General Assembly in 1956 and 1957 and represented India on the Trusteeship Committee and the Committee on Information from Non-Governing Territories in 1956. Raghuramalah



to the Senator's discussion, and I think he has done an excellent job. I have also listened to the discussion of the Senator from Minnesota, which is why I asked if the Senator would yield while he is still present in the Chamber.

I do not think anyone ought to be under the impression, nor should the record imply, from the Senator's remarks or mine, or those of the Senator from New York (Mr. JAVITS), the conclusion that we are against an occupational health and safety bill.

This is the impression I more or less understood that the Senator from Minnesota would try to give when he made his comments, because he talked about the urgent need for this legislation, but he knows as well as I do that the House of Representatives is not going to take it up now, so nothing will happen until the end of November.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. DOMINICK. The Senator from Ohio has the floor.

Mr. SAXBE. I yield to the Senator from Minnesota.

Mr. MONDALE. I do not underestimate the controversial nature of this proposal. It is a fundamental, basic attempt to deal with one of the Nation's greatest problems, occupational hazards, which annually cause some 14,000 deaths and some 2.5 million permanently injured Americans. All I am saying is that I think we ought to just take it up, go to work on it, and give it the debate and the consideration that it deserves, and we ought to be mindful—I am not saying any Senator is not, but we ought to be mindful of the fact that each day's delay will cost lives. I do not say anything more than that I wish this legislation had been adopted 30 years ago.

I am not saying any more than that, and I do not see why we cannot lay it before the Senate and take it up. I see it as a very important proposal. I do not recall any proposal this year in Congress, at least before the Senate Labor Committee, which was more thoroughly considered than was this one. It has been before the Senate now a week, which is not an inconsiderable period, as most legislation goes. We have had plenty of time to consider the record and the amendments. Most of the amendments that are going to be considered were thoroughly considered before the committee, and I feel very strongly that now is the time for the Senate to stand up and act on this matter, and that is all I intended to say.

Mr. SAXBE. I can only say this: I recognize that perhaps we should go ahead. But what I am saying is that if we do this, we are not going to get out of here tomorrow night. We have frittered away 4 months this summer on two bills, and here is one that has an impact on everybody in this country who employs anybody, and it is suggested that we bring it up on the last day, in the afternoon, and that we have to do it before we go home on Wednesday. The wheels came off some place, because this is not the case.

I would like to read an editorial published in the Washington Post of October 3:

You would not expect even the most callous doctors to fritter away time arguing over the best way to save a dying patient while the blood drains from his veins. Yet politicians and labor lobbies are doing just that in the case of the crucial job safety bill. Each year, by low estimate, 14,500 Americans are killed by work-related accidents; 2.2 million are disabled. No politician or labor leader would ever say that he favors death and injuries among the nation's 80 million workers. Yet the stalling and pettiness of a few of them say exactly that. Far from the scenes of gore that are loudly decelerated, it appears that the parties in the dispute are so deadlocked that the legislation may not pass at all.

The position of the AFL-CIO, which does not even have an industrial safety department, is mulishly firm: unless the Secretary of Labor has final power to set and enforce safety standards, then no law should be passed. The House and Senate bills—proposed by Rep. Daniels and Sen. Harrison Williams—are largely agreeable to the AFL-CIO. But compromise legislation was devised to gain Republican support. It would empower an independent board to set and enforce standards, rather than the Labor Department. For the workers, the compromise meant a hope that the killing and maiming would be decreased. What does it matter if the standards are set and enforced by the Labor Department or by a President-appointed board?

The AFL-CIO, always touchy when its power seems remotely threatened, knows it could more easily pressure the Labor Department than the board. To its credit, the Nixon administration has been flexible and fair in accepting compromises. The high hopes of Democrats and Republicans in getting out a bill, however, are now blocked by the AFL-CIO, the one group that should be most concerned about worker safety.

It is another story for another time as to why the AFL-CIO can tie up the United States Congress in this manner. Perhaps it is asking too much, but nothing would help more than for the involved Democrats to politely tell the AFL-CIO to stick to running the unions, not the Congress.

When we dig through the many reasons why this matter is hung up here, on who is going to be the rule-setting board and whether people are going to be covered by a National Occupational Health and Safety Board, I think this is the basic reason, and I deplore it.

How much has politics to do with this? Some Senators on both sides of the aisle are candidates and want to vote for it or against it. That is the only reason why we are here late in the afternoon, without proper time to consider this matter; and I do not think it is unreasonable to disclose that, as to why we are. Some want to vote; some would rather not. They think it is going to help their chances to vote.

I am not a candidate, but I do say that to take this matter up with less than 70 Senators in the Senate—because two have left, that I know of, since the last vote—this monumental job of moving into the industrial safety field, is not advisable, and I just will not go along with it.

If we want to start on the 20 amendments I am prepared to offer, I suppose we can get on with it. But I certainly am not going to join any unanimous-consent request for a shortcut on this bill.

PRIVILEGE OF THE FLOOR

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that Boe Martin, counsel for the Committee on Labor and

Public Welfare, may have the privilege of the floor during the discussion of this matter.

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

Mr. YARBOROUGH. Mr. President, this is no rush-through job. This is no eleventh hour speedup. The Occupational Health and Safety bill has been before Congress for at least 4 years. In the 90th Congress, I introduced the bill as chairman of the labor subcommittee. I introduced the health and safety bill that had the strong support of the Secretary of Labor, Willard Wirtz. We held hearings, but we had slowdowns. We have heard of labor slowdowns. Labor does not know how to slow down things compared with the slowdown performed on the health and safety bill to protect labor from the crushing rate of 7 million people injured in industry every year.

As the distinguished Senator from Minnesota has pointed out, 2,200,000 people are disabled for long periods of time. Seven million are injured and some 14,500 die.

We hear of strikes, and we have rushed through, in my years on the labor committee, bill after bill because it was said a strike was going to wreck the economy of this country. Ten times more man-days of work are lost in this country every year by industrial accidents and deaths than by all strikes, lockouts, and wildcat strikes combined.

We have no national safety standards in industry. This is a shocking thing. The greatest industrial Nation on earth is so callous that it has no safety standards in its industry. We have limited ones. We have a mine safety bill, we have a longshoremen's safety bill, and we have certain safety bills for products manufactured for use by the Federal Government; but generally in industry, where most of the accident occur—and they are heaviest in the building trades—there is no Federal safety legislation.

We passed a limited act this year for construction workers applicable to Federal or a federally related project. But that was miniscule. This bill is designed to be fair to all employers, to set an overall standard. Some employers want to put safety devices in their plants. But some who can get a few more production hours by not having a safety device on a machine are not doing it. Some have done it.

The National Safety Council has supported legislation such as this for years, and they have talked some employers—a few large companies in this country—into putting safety devices in their plants. Those few companies have saved enough money because of the decrease in injuries to keep their best trained workmen working and have saved enough on workmen's compensation premiums to pay for the safety devices.

Unfortunately, a vast number of employers in this country of 50 States, stretching so wide to the east and the west that the sun never sets on the United States, cannot come to that voluntarily. So it becomes necessary for the Government to set a uniform standard applicable alike to every employer in every State, making it fair and even. Of course, it will cost a little more per item

to produce a washing machine. Those of us who use washing machines will pay for the increased cost, but it is worth it, to stop the terrible death and injury rate in this country.

While I was the principal author of this legislation in the 90th Congress as chairman of the labor subcommittee, when I became chairman of the full committee this year, the Senator from New Jersey (Mr. WILLIAMS) as my successor as chairman of the labor subcommittee has taken over and so ably handled the matter. He is the principal author and I am one of the six cosponsors with him. The full labor committee carefully considered this bill. There was executive session after executive session of the full Committee on Labor and Public Welfare.

Mr. President, there are many amendments to the bill offered and agreed to by Members of both parties. It is not a one-man bill or a six-man bill. It was entirely lined out there on the first 13 pages, and then the substitute was adopted, so that it runs twice as long as the first original copy because of the new amendments.

The Senator from New York (Mr. JAVITS) offered many amendments and I think many of them were good amendments. Many other amendments were adopted to clarify procedural points and to provide for notice of hearings, and so forth, so that we could be as fair as possible to all employers.

Mr. MONDALE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. MONDALE. The point was made earlier about how this was a one-minded, arbitrary, labor-dominated, bludgeoning bill; but I note in the Senate report, the views on pages 57, 58, and 59, there is pointed out in great detail many of the wonderful changes which have been wrought by amendments which were offered by the Senator from New York (Mr. JAVITS), which make this a fine bill, as well as by the Senator from Colorado (Mr. DOMINICK), and the Senator from Ohio (Mr. SAXBE). Amendment after amendment that was proposed by them was accepted by the committee in order to make this a better bill.

I have never attended an executive session of a committee where I recall more amendments were adopted than to this bill.

Mr. YARBOROUGH. Mr. President, whoever wrote that statement in the Washington Post referred to by the Senator from Ohio (Mr. SAXBE) just did not know what went on. It was an entirely inaccurate report. I am shocked to find such a great inaccuracy in a statement published in one of the great newspapers of this country.

This is certainly not a one-man bill. While I am proud to be a coauthor of it, many more Senators have contributed to it with more amendments and more language. Senators whose names are not on the bill. As the Senator from Minnesota has just pointed out, they have placed in the report their contributions and have bragged about it and I think they were good amendments and this is a better bill as a result of them. This is not a one-man or a one-party bill. The bill came

out of committee, as I recall it, with only two dissenting votes. I may be in error on that and I shall check the record and if I am, I shall be glad to correct it. But it was an overwhelming vote. I shall not state who they were. But out of the 17 members of the committee, 15 voted for the bill. Thus, it was a bill that was brought out of committee with a majority of both parties and they are entitled to great credit for it.

The bill has waited for too many years. We have now come up with an end result which is good, after a great deal of work on it. But now that we get it off the ground, so to speak, because it is a big bill, it gets slowed down. But, there are 80 million American workers out there, many of whom are being killed and injured without the protection which this bill would give them.

Of course, many States have safety laws, and they are good ones, but the only way to be fair, as interstate as our commerce is in America, is that there must be equal protection of the law and equal rights. We must have the same standards for all.

As has been pointed out, on page 57 of the report, the contributions are outlined there, especially by the Senator from New York (Mr. JAVITS) and others—more Members contributed amendments and modifications. All through here it is clear that this was an effort to write many good contributions into the bill by the 17 members of the committee.

This committee was a working committee. I am very proud that I have had the privilege of serving as chairman of the subcommittee, because it is a working committee. It is not a committee where two or three members write the legislation and then, after obtaining a quorum, vote it out. This was a working committee. All its members are workers. I am proud that the newer members also put in time and effort on it.

Mr. President, I shall not read the Washington Post editorial, for I do not wish to take up the further time of the Senate, but on page 18 of the Washington Post for Monday, October 12, 1970, the letter to the editor entitled "AFL-CIO Replies to 'Stalling on Job Safety'" so completely refutes the erroneous statements made not just by the Senator from Ohio as he merely read what the Washington Post said, but it refutes the errors that the Washington Post made.

The Washington Post was fair enough to print the letter to the editor in a three-column spread. It did not try to hide its error. At this point, since the Senate is only debating the motion to take up, I shall not take up the time of the Senate further, but ask unanimous consent to have the letter printed in the RECORD.

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

AFL-CIO REPLIES TO "STALLING ON JOB SAFETY"

(By Jacob Clayman)

WASHINGTON.—Your editorial of Oct. 3, "Stalling on Job Safety," does little credit to your fine newspaper. You mercilessly castigate the AFL-CIO for refusing to accept the administration's occupational safety and health proposals and darkly suggest that this

is being done because unions feel their "power . . . threatened."

This is sheer dogmatic nonsense to which I would not normally respond except that you do incalculable, though I am sure unwittingly, harm to millions of workers in America's shops and factories who are victims of death, injury and disease on the job. Those industrial interests which have always fought against any modernization of state or federal legislation to protect life, limb and health of American workers will undoubtedly hail your editorial with unrestrained glee. They are not used to receiving such a bonanza from your paper.

What we have tried for years is to get the best possible bill to preserve life and health on the job. The administration has aimed for a *de minimus* bill, for the least common denominator with which they might get by politically, but with life and health of millions of workers at stake this is not enough.

Since some of your articles have cited Ralph Nader, I would like to quote to you what Mr. Nader had to say about the administration bill when he testified before the Senate Subcommittee on Labor on Dec. 15, 1969:

"I think it would be extremely facile to take the administration bill S. 2738, and break it down provision by provision and show what an utter fraud it is . . ."

Mr. Nader further said to that subcommittee:

"I would not want any bill like S. 2788 to pass. It would be worse than no legislation at all."

The so-called "compromise" legislation which you so heartily approve is a slight improvement over the administration bill but still no more than a warmed over version of the administration's proposals in S. 2788.

The employers and the administration are united in demanding that occupational safety and health codes shall be promulgated by an independent board and enforced by an independent panel. We have rejected this approach because all the experience in recent years with independent boards and commissions tells us that such boards are lacking in clear, quick and positive action; diffuse and confuse responsibility among multiplicity of board members, each hiding behind the anonymity of the others and smother sound administration in a mess of red tape and legalisms.

The Williams-Daniels bills call for placing clear-cut responsibility in the Secretary of Labor, relying on professional advice, to set safety and health standards and to effectively enforce the law. Here we have responsibility placed in the hands of a cabinet member specifically charged with the responsibility of handling labor-management problems.

This is not a mere difference in words or theory, but the real difference between effective, meaningful and practical fulfillment of the spirit of any sound occupational safety and health bill. To place the administration in an independent board and panel is to condemn the act, in its inception, to foot-dragging, evasion and indecision. This would be fatal.

Let me cite just one of the many serious differences between the Williams bill and the so-called "compromise" bill . . . the Williams bill proposes that a representative of the employees and the employer shall be permitted to accompany the government's safety inspector through the plant. This was written into the bill to eradicate the dismal but widespread practice in many states in which inspectors have not even consulted the affected workers pertaining to the hazards in the jobs. This is an unhappy fact which is common knowledge among all industrial safety and health experts. Notwithstanding, the "compromise" bill does not provide an obvious safeguard. This single item, typical of many serious differences between the bills,



The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I be permitted to continue for 2 additional minutes.

Mr. MANSFIELD. Mr. President, I will not object at this time. However, we have important business to transact today.

Mr. JAVITS. Mr. President, I will take only 1 minute.

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

Mr. JAVITS. Mr. President, sociologists and students of this program tell us that there is nothing that adds more to the feeling of dignity on the part of the poor and the feeling that they belong than this program.

This effort is backed up by the bar associations. I know of nothing that has grown faster or contributes more to this effort, and at a cheaper rate, than the legal services program. The cost is \$59 a year per client. The program costs \$59 million for one million clients.

I hope very much that the Senator will be zealous in protecting this program, and that goes for those who want to economize. I hope that we do not see the program go down the drain through some unwise administration move.

#### COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. EAGLETON) laid before the Senate the following letters, which were referred as indicated:

##### REPORT OF DEPUTY DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

A letter from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law a report on appropriations and transfers made to meet the costs in fiscal year 1970 of pay increases granted by or pursuant to the Federal Employees Salary Act of 1970 (P. L. 91-231) and the Act of December 16, 1967 (81 Stat. 649) (with an accompanying report); to the Committee on Appropriations.

##### APPROVAL OF LOAN TO NEBRASKA ELECTRIC GENERATION AND TRANSMISSION COOPERATIVE, INC. OF COLUMBUS, NEBR.

A letter from the Acting Administrator, Rural Electrification Administration, U.S. Department of Agriculture, transmitting, pursuant to the request in Senate Report No. 497 information concerning the loan approved to Nebraska Electric Generation and Transmission Cooperative, Inc. of Columbus, Nebr., for the financing of certain transmission facilities (with an accompanying paper); to the Committee on Appropriations.

##### PROPOSED CONSTRUCTION OF CERTAIN FEDERAL BUILDINGS IN CALIFORNIA

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a prospectus which proposes construction of a Federal Office Building at Santa Rosa, and an amendment to the authorized prospectus for the construction of a courthouse, Federal office building, and parking facility at San Diego (with an accompanying paper); to the Committee on Public Works.

#### ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore (Mr. METCALF) announced that on today, October 14, 1970, he signed the

enrolled bill (H.R. 17654) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HUGHES, from the Committee on Labor and Public Welfare, with an amendment:

S. 3562. A bill to provide a comprehensive Federal program for the prevention and treatment of drug abuse and drug dependence (Rept. No. 91-1341).

By Mr. JAVITS (for Mr. FULBRIGHT), from the Committee on Foreign Relations, without amendment:

H.R. 6240. An act to amend the act entitled "An act authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minnesota," approved December 21, 1950; and

H.R. 15069. An act to authorize the Thousand Islands Bridge Authority to construct, maintain, and operate an additional toll bridge across the Saint Lawrence River at or near Cape Vincent, N.Y. (Rept. No. 91-1342).

#### EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

John Richardson, Jr., of Virginia, Louise Gore, of Maryland, Pierre R. Graham, of Illinois, Harold Taft King, of Colorado, and Kimon T. Karabatsos, of Virginia, to be representatives of the United States of America to the 16th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization; and

Edward T. Brennan, of Massachusetts, Edward O. Sullivan, Jr., of New York, R. Miller Upton, of Wisconsin, and Tom R. Van Sickle, of Kansas, to be alternate representatives of the United States of America to the 16th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKE:

S. 4475. A bill for the relief of Joyce Cerita Bent; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 4476. A bill for the relief of Mr. Michael LaMotte; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. HOLLINGS):

S. 4477. A bill authorizing and directing the Secretary of Commerce to make a report to Congress on environmental monitoring systems, both national and international; to the Committee on Commerce.

(The remarks of Mr. MAGNUSON when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. MAGNUSON (by request):

S. 4478. A bill to amend title 5, United

States Code, to provide for maximum entrance and retention ages, training, and early retirement for air traffic controllers, and for other purposes; to the Committee on Commerce.

By Mr. HARRIS:

S. 4479. A bill for the relief of M. Sgt. George H. Jennings, Jr., to the Committee on the Judiciary.

By Mr. MONDALE:

S. 4480. A bill to improve the quality and availability of medical care in communities presently lacking in adequate medical care services; to the Committee on Labor and Public Welfare.

(The remarks of Mr. MONDALE when he introduced the bill appear below under the appropriate heading.)

By Mr. SPONG:

S. 4481. A bill granting and ceding to the city of Alexandria in the State of Virginia, certain waterfront land along the Virginia shoreline of the Potomac River, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. SPONG when he introduced the bill appear below under the appropriate heading.)

By Mr. ELLENDER:

S. 4482. A bill to confirm the private land claim of William Kinchen; to the Committee on Interior and Insular Affairs.

By Mr. BAYH:

S. 4483. A bill for the relief of Luigi Fornasier, Lucille Maria Fornasier, and Lucio Fornasier; to the Committee on the Judiciary.

By Mr. STEVENS (for himself, Mr. BELLMON and Mr. HANSEN):

S. 4484. A bill to amend the Natural Gas Act of 1938; to the Committee on Commerce. (The remarks of Mr. STEVENS when he introduced the bill appear below under the appropriate heading.)

By Mr. BYRD of West Virginia:

S. 4485. A bill to provide protection for heads of executive departments of the United States; to the Committee on Post Office and Civil Service.

(The remarks of Mr. BYRD of West Virginia when he introduced the bill appear below under the appropriate heading.)

By Mr. NELSON:

S. 4486. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Commerce.

(The remarks of Mr. NELSON when he introduced the bill appear below in the Record under the appropriate heading.)

By Mr. HANSEN (for Mr. BENNETT):

S. 4487. A bill for the relief of William Arthur Herbertson; to the Committee on the Judiciary.

By Mr. GRIFFIN (for Mr. MURPHY):

S.J. Res. 243. Joint resolution authorizing the President to proclaim annually the day of November 1 as "National Women in Education Day"; and

S.J. Res. 244. Joint resolution to authorize the President to issue annually a proclamation designating the calendar week during which the third Wednesday of March occurs as "Community United Operation Total Health Week"; to the Committee on the Judiciary.

#### S. 4480—INTRODUCTION OF THE COMMUNITY MEDICINE ACT OF 1970

Mr. MONDALE. Mr. President, American medical care is the best in the world—for those who can find it and afford it. But soaring costs, the demise of the general practitioner, and the flight of doctors from small towns, rural areas, and the inner city are increasingly putting this care out of the reach of those who often need it most.

properly to the needs of the poor and constitute oppressive interference with the freedom of the lawyer and the citizen: Now, therefore, be it

*Resolved*, That the American Bar Association reaffirms its position that the Legal Services Program should operate with full assurance of independence of lawyers within the program not only to render services to individual clients but also in cases which might involve action against governmental agencies seeking significant institutional changes...

EXCERPTS FROM CODE OF PROFESSIONAL RESPONSIBILITY OF THE AMERICAN BAR ASSOCIATION<sup>1</sup>

**Canon 5: A Lawyer Should Exercise Independent Professional Judgment on Behalf of a Client.**

**Ethical Consideration 5-1:** The professional judgment of a lawyer should be exercised, within the bounds of the law, solely for the benefit of his client and free of compromising influences and loyalties. Neither his personal interests, the interests of other clients, nor the desires of third persons should be permitted to dilute his loyalty to his client.

**Ethical Consideration 5-21:** The obligation of a lawyer to exercise professional judgment solely on behalf of his client requires that he disregard the desires of others that might impair his free judgment. The desires of a third person will seldom adversely affect a lawyer unless that person is in a position to exert strong economic, political, or social pressures upon the lawyer. These influences are often subtle, and a lawyer must be alert to their existence. A lawyer subjected to outside pressures should make full disclosure of them to his client and if he or his client believes that the effectiveness of his representation has been or will be impaired thereby, the lawyer should take proper steps to withdraw from representation of his client.

**Ethical Consideration 5-22:** Economic, political, or social pressures by third persons are less likely to impinge upon the independent judgment of a lawyer in a matter in which he is compensated directly by his client and his professional work is exclusively with his client. On the other hand, if a lawyer is compensated from a source other than his client, he may feel a sense of responsibility to someone other than his client.

**Ethical Consideration 5-24:** To assist a lawyer in preserving his professional independence, a number of courses are available to him. For example, a lawyer should not practice with or in the form of a professional legal corporation even though the corporate form is permitted by law, if any director, officer, or stockholder of it is a non-lawyer. Although a lawyer may be employed by a business corporation with non-lawyers serving as directors or officers, and they necessarily have the right to make decisions of business policy, a lawyer must decline to accept direction of his professional judgment from any layman. Various types of legal aid offices are administered by boards of directors composed of lawyers and laymen. A lawyer should not accept employment from such an organization unless the board sets only broad policies and there is no interference in the relationship of the lawyer and the individual client he serves. Where a lawyer is employed by an organization, a written agreement that defines the relationship between him and the organization and provides for his independence is desirable since it may serve to prevent misunderstanding as to their respective roles. Although other innovations in the means of supplying legal counsel may develop, the responsibility of

the lawyer to maintain his professional independence remains constant, and the legal profession must insure that changing circumstances do not result in loss of the professional independence of the lawyer.

**Canon 7: A Lawyer Should Represent a Client Zealously Within the Bounds of the Law.**

**Ethical Consideration 7-1:** The duty of a lawyer, both to his client and to the legal system, is to represent his client zealously within the bounds of the law, which includes Disciplinary Rules and enforceable professional regulations. The professional responsibility of a lawyer derives from his membership in a profession which has the duty of assisting members of the public to secure and protect available legal rights and benefits. In our government of laws and not of men, each member of our society is entitled to have his conduct judged and regulated in accordance with the law; to seek any lawful objective through legally permissible means; and to present for adjudication any lawful claim, issue, or defense.

#### POOR FACING CUTS IN LEGAL SERVICE SEVEN OF 26 OFFICES PROVIDING FREE ADVICE WILL CLOSE

Legal services for the city's poor will be cut back this month because of increased operating costs and a lack of additional financing by the Federal Office of Economic Opportunity.

Richard A. Seid, associate general counsel of Community Action for Legal Services, said last week that seven of 26 offices that provide virtually free legal advice to indigent persons were scheduled to be closed shortly. If the offices are closed, 15 of the organization's 150 lawyers would be dismissed.

Community Action for Legal Services serves as the central coordinating agency for the 10 corporations that operate the legal-assistance offices to aid poor people in civil cases, including landlord-tenant disputes and divorce suits.

#### \$4.8-MILLION NEEDED

According to Mr. Seid, \$4.8-million is needed to maintain services at their current level. However, Mr. Seid said that his agency was told by the Office of Economic Opportunity's northeast regional office not to submit a budget in excess of \$4.3-million for the 1970-71 fiscal year, which began last Thursday. The \$4.3-million is the same amount allotted by the O.E.O. for the 1969-70 fiscal year.

Officials of Community Action for Legal Services, which is in its third year, have made only a partial determination of which services will no longer be financed.

Mr. Seid said that two Legal Aid Society offices, the Rockaway branch in Queens and the civil appeals bureau in Manhattan, would not receive money.

In addition, he said that the South Bronx office of the Bronx Legal Services Corporation and the Fort Greene office of the Brooklyn Legal Services Corporation would be closed.

Mr. Seid said that the remaining three offices to be closed most likely would be selected from those operated by Harlem Assertion of Rights and the Bedford-Stuyvesant Legal Services Corporation. Each agency operates three offices.

Mr. Seid called rising costs "the prime factor contributing to our decision." He said that salaries and rents had increased greatly, thereby forcing the closure of offices.

"Our own office is understaffed, and we intend to add personnel," he said.

#### DIRECTORS EXPRESS DISMAY

Directors of the agencies affected expressed dismay last week and said that a diminution of existing services would severely hurt the indigent. In a recent 12-month period, 68,906 new cases were begun by the 26 offices.

Mortimer Getzels, attorney-in-charge of

O.E.O. projects for the Legal Aid Society, said that he doubted that the society could continue to operate its Rockaway office and civil appeals bureau without Federal funds.

"Without the O.E.O. money, we anticipate that the Rockaway office will have to close on Nov. 30 and the civil appeals bureau on Dec. 31," he said.

Mr. Getzels said that he expected "vehement protests" by residents of the Rockaways and other affected areas at the next meeting of the Council Against Poverty on Thursday.

The council is scheduled to review the decisions made by Community Action for Legal Services and then forward its opinion to O.E.O. The opinion is not binding, however.

Ralph A. Accoo, chief counsel of Harlem Assertion of Rights, said last week that his agency had three "strategically placed officers in an area in which 450,000 people are in need of our services."

He continued: "There is a definite need for what we are offering, and we have had to turn away people. I think the community will be militant enough to demand its rights."

William L. Reese, deputy executive director of the Bedford-Stuyvesant Community Legal Services Corporation, said that the closing of one of his agency's offices would "severely cut down legal services." He said that "we may now find it impossible to implement proposed community projects, such as a consumer information program."

Mr. MONDALE, Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am happy to yield to the Senator from Minnesota, who has been such a fine leader in this field.

Mr. MONDALE. I thank the Senator from New York for his characteristic leadership on this issue. I know of few programs which have cost so little and produced so much as the OEO legal services program.

I think it is a testimony to this program that it has a remarkable range and enthusiastic support, including that of the American Bar Association, which I think does not need defense in terms of its conservative orientation. It nevertheless is a strong leader and supporter for an independent professional OEO legal services program.

As the Senator from New York knows, they testified the other day in the strongest possible terms in favor of retaining the present structure of the OEO legal services program.

I was most impressed by their testimony and the testimony of attorneys from throughout the country and the positions taken by the National Association of Law Schools, the Federal Bar Association, the National Clients' Council, and others, strongly supporting this program as presently structured.

I would very much hope that it might be continued. I am very fearful that if it is not, a deep and pervasive schism will result because this is one program in which the poor felt that they had the same rights as other Americans.

It is a conservative program which provides for the due rights of appeals and the opportunities which the rest of American citizens enjoy.

Mr. President, I think it would be a terrible blow to the credibility of American institutions and toward our effort to gain the love and affection of the poor for the so-called system.

<sup>1</sup> Adopted by the House of Delegates of the American Bar Association on August 12, 1969 to become effective for Association members on January 1, 1970



There are at least 53 counties in the Nation that do not have a physician; fully 77 percent of all U.S. counties have less than a third as many doctors, in relation to their population, as does the Nation in general. Even in areas where medical care is readily available—as we were recently reminded in testimony regarding the health of our migrant workers—certain segments of the population are scarcely served at all.

Our rural areas can be characterized by generally low levels of available medical care. In the Nation's urban areas, however, service levels vary widely. Some areas have more physicians than can be used efficiently, while in others, the residents are tragically underserved. According to a recent survey of ghetto blacks and rural Appalachian whites, the prevailing health condition of poverty areas justifies referring to these groups as "the living sick." Pollster Louis Harris' commented as follows:

For two out of three people in the U.S., "feeling fine" means that there is nothing the matter with them. But for two out of three ghetto blacks and rural poverty whites in Appalachia, "feeling fine" means literally, "not as sick as usual."

In spite of unprecedented increases in personal expenditures for health, and notwithstanding an increase in the number of medical school graduates, there is no evidence that the Nation's poor are healthier, or find it easier to obtain medical care. The National Center for Health Statistics said 3 years ago that serious illness among the poor is appreciably more than in any other group. The poor live four times as much mental and nervous trouble; six times as much arthritis and rheumatism; six times as many cases of high blood pressure; over three times as many orthopedic impairments; and almost eight times as many visual impairments. These findings would be no different today.

The typical response to this health care crisis has been to furnish assistance to those who cannot afford decent medical care—as in the Medicaid program—and to assist medical schools in order to increase the Nation's supply of physicians. Over the past decade, for example, Federal appropriations for medical education have increased sixfold—from \$95 million in the academic year 1958-59 to more than \$600 million in 1967-68. Federal dollars now pay for 60 percent of all medical school expenditures, compared with 30 percent 10 years ago; and local, State, and private support has also risen. While greatly increased costs have eroded much of this increased support, the number of students and graduates have both increased somewhat.

However, it is becoming increasingly clear that additional physicians trained in the traditional fashion for our existing patterns of medical care cannot begin to achieve an equitable distribution of health care for all Americans. The maldistribution of physicians and the inefficient use of health personnel are symptoms of fundamental defects in the way health services are organized, paid for, and governed. Where these structural defects have been corrected—as for example, in the Kaiser-Permanente and

similar health plans—it has been found that unnecessary demand can be reduced, and that productivity can be increased without adding physicians. Clearly, it is time for basic reforms both in the Nation's health industry, and in the education and training which supports it.

Fortunately, promising reforms in the delivery of health care are already underway. A prime example is the proposed legislation to encourage the formation of large health maintenance organizations, which would pull together the personnel and facilities required to provide comprehensive health care. They would do so through annual contracts, at rates determined and paid in advance, thereby sharing the risk of illness with their subscribers. This key feature of the proposal would be a powerful incentive to provide quality services at the lowest possible cost. Methods for increasing productivity and reducing costs are already known and tested—automated laboratory equipment, computerized information systems, organizing health personnel into efficient health teams, and so on.

The introduction of these reforms will mean that future patterns of medical practice will bear little resemblance to what we know now. In order to prepare physicians and other health workers to function well under these changed conditions of practice, it is clear that parallel reforms should now be undertaken in medical education.

Dissimilarities between medical education and medical practice have long been the object of criticism. Distortions in medical training arise because of the academic isolation of the medical school from the health needs of the community. Clinical training occurs almost exclusively in teaching hospitals, which—in spite of their scientific and technological excellence—are far from typical of practice conditions the physician will encounter in the community.

Medical center patients are typically indigent, have rare medical conditions, and are often acutely ill. The emphasis in medical care is on expensive, episodic treatment, directed by a handful of eminent specialists. Moreover, the clinical training of physicians, nurses, and allied health personnel is planned and carried out independently, with no effective coordination of the activities of those who will be expected to function increasingly as a team, if forecasts of future medical practice are correct.

One medical school dean summarized the situation in these words:

Service is on the basis of clinical experience. Involvement in a real life situation involving illness, worry, and death is a strong stimulus to learning. At the expense of exposure to these life situations, medical schools have tended to get carried away with the unusual and rare. They have preferred to expose the student more to such rare maladies as Henoch's purpura, syringomyelia, and ochronosis than to put him out where he can see those diseases he will most frequently see as a practitioner.

One unfortunate and ironic result of this is that, immediately surrounding many major medical teaching centers, there are pockets of poverty in which

may be found the highest morbidity and mortality rates in the entire Nation.

In some medical schools, departments of community medicine have made valiant efforts to amend the health problems of the community, but there has been little support for their efforts. However, a growing number of medical educators is becoming aware of the problem and looking for solutions. The medical school dean I quoted a minute ago is now the Assistant Secretary of Health, Education, and Welfare for Health and Scientific Affairs—Dr. Roger O. Egeberg. In the same address from which the previous remarks were taken, Dr. Egeberg gave his views on the nature of the reforms that are needed in medical education if community health problems are to be alleviated, and if doctors are to be appropriately trained for medical practice. In the words of Dr. Egeberg:

Historically, medical education and medical service have been teammates since before Hippocrates. Recently, however, things seem to have fallen out of balance; service has regrettably become subordinate.

I would like to suggest that if we are to deal squarely with the increased and increasing responsibilities which confront the medical community, two issues are vital: First, we must restore the balance by assuring the exposure of the medical student to service during his own medical education within the framework of the medical schools. Second, and of equal importance, we must involve the medical schools more actively in service beyond its walls.

Mr. President, I am introducing legislation which addresses the critical relationship between medical education and our inadequate health delivery system. The basic objective of this bill, the Community Medicine Act of 1970, is to pull America's medical schools—their faculties and their students—out of their academic isolation and into the arena of true community health needs.

This bill will provide for special improvement grants to medical schools and teaching hospitals for the operation of medical care systems for underserved populations as an integral part of their clinical training programs. To be eligible for such grants, medical schools would be required to:

First. Revise their training programs to include clinical educational experience in communities which have clearly demonstrable, high health risks and low levels of service. This would be accomplished by reducing time spent in clinical training in traditional hospital settings, and by increasing time spent in comprehensive, family-centered clinical teaching centers that emphasize prevention, early detection, and home care.

Second. Plan these revisions jointly with hospitals, community colleges, and other institutions training nurses and allied health workers, so as to assure the inclusion of clinical training and experience for service on health teams during the undergraduate years.

Third. Establish comprehensive total health care service organizations for a defined, underserved population, although it would be understood that the population covered would not consist exclusively of persons from this underserved group.

Project grant funds will be used primarily for support of educational personnel and for research on the delivery of health services to the underserved. Grants will be awarded directly to medical schools and teaching hospitals, generally for a 4-year basic period, but extendable where appropriate for a period up to 3 additional years.

Proposed authorization levels envision grants to approximately 50 medical schools and teaching hospitals under the fiscal 1972 authorization of \$25 million. Authorizations for ensuing years provide for a gradual growth in participation up to 300 medical schools and teaching hospitals under the fiscal 1976 authorization of \$150 million.

Mr. President, four centuries ago the Chamberlain forceps was invented, a medical invention which was eventually to revolutionize childbirth. But for nearly 200 years this simple instrument of mercy was kept a family secret, and made available only to those who could pay enough. Women whose husbands were too poor to afford the forceps either suffered prolonged agonies of labor, or, as was common, died about as unpleasantly as one can. This state of affairs was accepted—unfortunate, perhaps, but good business.

Today we are faced with a similar situation. We have to decide whether American medicine is to remain a Chamberlain forceps—available only to those who can afford it—or is to be let out of our medical centers and made available to those who need it. If we are to say—as I believe we have been saying for a number of years—that decent health care is a birthright of all Americans, then we must be prepared to enact the fundamental changes to realize this vision. While this bill is only a step, I believe that it can become a vehicle for the basic reforms which must come in medical education.

I urge its favorable consideration by my colleagues, and I ask unanimous consent that the text of the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. HOLLINGS). This bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 4480) to improve the quality and availability of medical care in communities presently lacking in adequate medical care services, introduced by Mr. MONDALE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

#### S. 4480

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Community Medicine Act of 1970".

#### STATEMENT OF PURPOSE

SEC. 2. (a) It is the purpose of this Act to assist communities and defined population groups which are characterized by a lack of adequate medical care services to secure more adequate medical care services by making grants, as provided in this Act, to public and private nonprofit medical schools and com-

munity teaching hospitals which operate comprehensive medical care systems under which medical care services are provided to such communities or such population groups.

(b) Any grant made under this Act to any medical school or community teaching hospital shall be made for the purpose of assisting such school or hospital in establishing and operating, in connection with the comprehensive medical care system operated by it—

(1) programs which provide educational experiences for medical students, interns, residents, and other health care personnel;

(2) programs which have been jointly planned by such school and one or more hospitals, community and junior colleges, or other institutions, which provide training in nursing or the allied health professions under which students of such hospitals, colleges, and other institutions who are undergoing such training will obtain practical experience and specialized training while serving on health teams established and operated as a part of such comprehensive medical care system; and

(3) programs under which such school, hospital and other health care institutions or institutions providing training of nurses or allied health professions personnel will jointly undertake to provide comprehensive total health care services for a defined population group which is characterized by a lack of adequate medical care services.

#### GRANTS TO MEDICAL SCHOOLS AND TEACHING HOSPITALS

SEC. 3. (a) From the sums appropriated pursuant to section 4, the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized to make grants, in accordance with the provisions of this Act, to carry out the purposes of section 2.

(b) No grant shall be made under this Act unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulations prescribe.

(c) (1) Grants under this Act shall be in such amounts and subject to such limitations and conditions as the Secretary may determine to be proper to carry out the purposes of this Act.

(2) In determining the amount of any grant to a medical school or hospital under this Act, the Secretary shall take into consideration—

(A) the number of medical students, interns, residents, and other health care students or trainees who would participate in the program with respect to which the grant is to be made;

(B) the number of individuals for whom improved health care services would be provided under such program;

(C) the extent to which the field of community medicine (when compared to other fields of medicine) is emphasized in the curriculum of such school or hospital; and

(D) the need of such school or hospital for assistance under this Act to carry out the program with respect to which the grant is requested.

(d) (1) Any grant under this Act to any medical school or teaching hospital with respect to any program shall be used only for the purpose of assisting such school or hospital to defray expenses incurred by it in meeting salary and other personnel costs for individuals participating in, supervising, or administering such program, or individuals engaged in research in the delivery of health services to defined population groups.

(2) Grants under this Act may be paid in advance or by way of reimbursement, and in such installments as the Secretary may determine.

(e) No grant under this Act shall be made to any medical school or teaching hospital

with respect to any program for any year if, prior to such year, such school or hospital has received a grant under this Act with respect to such program for 7 years.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 4. For the purpose of making grants to carry out the purposes of this Act, there is authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1972, \$50,000,000 for the fiscal year ending June 30, 1973, \$80,000,000 for the fiscal year ending June 30, 1974, \$110,000, for the fiscal year ending June 30, 1975, and \$150,000,000 for the fiscal year ending June 30, 1976.

#### DEFINITION

SEC. 5. (a) For purposes of this Act, the term "nonprofit" when applied to any medical school or teaching hospital, means a school of medicine or hospital which is owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(b) For purposes of this Act, the term "teaching hospital" means any hospital which has graduate medical education program, approved by a nationally recognized accrediting body, and which makes extensive use, as defined by regulations, of the regular hospital staff in its medical education program.

#### S. 4481—INTRODUCTION OF BILL TO CEDE CERTAIN BOUNDARY PROPERTY TO THE CITY OF ALEXANDRIA

Mr. SPONG.—Mr. President, at the request of city of Alexandria officials I am introducing a bill which would relinquish any title claim by the U.S. Government to certain boundary land between the city of Alexandria and the District of Columbia.

The Virginia shore property involved is located along the south shore of the Potomac River between Second and Gibon Streets, at Alexandria. The physical condition of this area has to such great extent deteriorated, stagnated, and become a source of pollution that it is, for the most part, a rundown wasteland.

Because of the uncertainty of whose responsibility it is to clean up the so-called mess, no one has accepted this responsibility. It is, therefore, extremely important, once and for all, to determine ownership, so that the duties and responsibilities may be assumed by owners of the riparian properties, with proper authority to maintain and keep the shore in a proper and good condition.

For many years, ownership of the property and the boundary lines in this area have plagued the United States, the State of Virginia, and the city of Alexandria. The details of the underlying facts which led to the present problem are contained in a report by a Boundary Commission created by an act of Congress, approved March 21, 1934—48 Stat. 453—a brief statement concerning which is contained in this memorandum.

To determine the boundary line between the District of Columbia and the State of Virginia, and in an effort to settle claims to property along or affected by said boundary line Congress, by the aforesaid act—jointly with an act of the Virginia General Assembly—created the



beef cattle in stalls and feed them heavily to produce meat with a high fat content.)

Modernization of outdated laws and regulations relating to the definition of food products.

Further development of high quality vegetable protein products.

Development of an intensive educational program concerning the cooking of lean meats to assure their optimal palatability and acceptability without the use of added saturated fats.

Reduction in saturated fat and cholesterol content of dairy products.

"Industry and government should review and establish policies—including pricing policies—that will encourage development of low-fat, low cholesterol milk products and use of cows producing large amounts of high protein, low fat milk, said the report.

Calling for the Food and Drug Administration to review and update its labeling of foods, the report said that "a new approach to labeling is needed to allow the consumer to identify nutrient content."

Urging the public to modify its eating habits, the Commission suggested eating more lean cuts of meat, poultry and fish and using organ meats and shellfish in moderation. Also recommended were low cholesterol, low saturated fat and fat modified dairy products, margarine and shortenings low in saturated fats and cholesterol, and grains.

The public is urged to avoid fat cuts of meat, butter, egg yolk, bacon, lard, suet and baked goods and dairy products high in saturated fats and cholesterol.

Another high priority in the battle against coronary heart disease should be given to the elimination of cigarette smoking as a national habit, according to the Commission.

"Revenues from progressive increases in taxes on tobacco should be earmarked for smoking control programs and the care of patients with diseases associated with smoking," said the report.

The Commission noted that the sales of cigarettes have declined in recent years and that this favorable trend will be accelerated. In anticipation of this development the Commission stressed that "planning by appropriate social science experts should go forward for the orderly phase out of the cigarette industry without major economic dislocation of those whose livelihood is involved."

Other recommendations of the Commission include a national effort to detect and control high blood pressure, and community programs to detect and treat persons as early as possible who are susceptible to premature atherosclerotic (hardening of the arteries) disease due to combinations of the major risk factors.

The report concluded that "with a decisive national policy commitment and corresponding allocation of resources over the next years, there is ample reason to believe that significant progress can be registered even by the Commission's first target deadline, 1975.

#### NO CHRISTMAS TRUCE FOR PRISONERS

Mr. AIKEN. Mr. President, at this time of the year when both sides are discussing truce periods for Christmas and New Year's it must be remembered that for some Americans in Southeast Asia there can be no truce.

For those in prison, as are hundreds of Americans being held by the North Vietnamese and Vietcong, a truce cannot exist. There is a constant, a never-ending battle against boredom, against

frustration, against the agonies of uncertainty, and the degradation of their position. For these Americans who are being treated with neglected and at times with brutality, each day marches as the last and there is little to look forward to on the morrow.

At this time when truce is being discussed it would be well for us to double and redouble our efforts to bring a final and happy solution to the problem of the war prisoners. This, I feel, is the very least we can do.

#### THE DECLINE OF HEALTH CARE IN AMERICA

Mr. MONDALE. Mr. President, last month, the chairman of the board of the International Business Machines Corp., Mr. Thomas J. Watson, Jr., gave an outstanding talk at the Mayo Clinic in Rochester, Minn., about America's health crisis. He cited the following statement made by the American Medical Association in 1949:

The private profession of medicine is taking rapid strides toward the solution of this problem (of medical aid for the poor). Voluntary, pre-paid hospitalization and professional insurance plans now protect 56 million Americans. . . . The American people enjoy a state of good health unequalled in the world today.

Then he listed some of the indicators of the decline of America's position among the ranks of the world's most developed nations during the last 20 years. America has dropped from seventh in the world to 16th in the prevention of infant mortality; in female life expectancy from sixth to eighth; in male life expectancy from 10th to 24th.

Mr. Watson advances a number of valuable suggestions for improving the organization and delivery of health care. But he includes among them one recommendation which the Congress has been consistently supporting in the face of administration opposition. He says, "In a word, spend more money."

I am happy to hear the reports that the administration will, next year, give a higher priority to health problems. We have a number of bills pending in the Congress which, I hope, will receive serious consideration by the executive branch. I am pleased to be a cosponsor of S. 4297, to establish a national health insurance program. Mr. Watson believes that such a program is our only choice. I am sure that the Congress would welcome the administration's support for such a measure.

Mr. Watson also noted in his perceptible analysis—

We are failing to fulfill adequately for all our people the first right set down in the Declaration of Independence—the right to life.

And then he says that we must put health care "within the reach of the poor." I have introduced S. 4480, the Community Medicine Act, to help do so. It is intended to bring comprehensive, group medical practice to underserved urban and rural groups. By using the personnel and students of medical schools and teaching hospitals, the bill seeks, at the same time, to improve med-

ical education and make it relevant to today's problems.

Mr. President, I think Mr. Watson's excellent statement about our health problems, and what we must do to meet them, is required reading. I ask unanimous consent that the statement be printed in the RECORD.

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

#### REMARKS OF THOMAS J. WATSON, JR.

Let me start by asking a question that this great medical center brings to mind: How would you like to live in a country which—according to the figures available in the United Nations—during the past two decades has dropped from seventh in the world to sixteenth in the prevention of infant mortality?

Has dropped in female life expectancy from sixth to eighth;

Has dropped in male life expectancy from tenth to twenty-fourth;

And which has bought itself this unenviable trend by spending more of its gross national product for medical care—\$1 out of every \$14—than any other country on the face of the earth?

You know the country I am talking about: Our own U.S.A., the home of the free, the home of the brave, and the home of a decrepit, inefficient, high-priced system of medical care.

Just look for a moment at what some of the figures mean. They mean that in infant mortality we have been overtaken by France, the U.K., and Japan; that in male life expectancy we have been overtaken by France, Japan, West Germany and Italy.

I know experts can disagree over our precise international standing. And I realize that medical problems in the United States, Europe and Japan are not identical.

But the evidence overwhelmingly indicates that we are falling down on the job, heading in the wrong direction, and becoming as a nation a massive medical disgrace.

Now, it may seem undiplomatic to stand here under the banner of the Mayo Clinic and make an accusation like that.

I know American medicine has scored many brilliant triumphs—the magnificent record of this institution outstanding among them, including the Mayo Brothers' pioneer work in surgery; and the discovery and use of cortisone, which brought Doctors Kendall and Hench of Mayo the Nobel Prize; the work of Dr. Jonas Salk, who made one of the most significant and heartwarming discoveries in history; of Dr. Bela Schick in eliminating diphtheria; and of many others.

We have an outstanding record of individual achievement across the whole medical spectrum.

But despite all that, when I look up at the international scoreboard, I can come to only one conclusion: We are failing to fulfill adequately for all our people the first right set down in the Declaration of Independence—the right to life.

What do we have to do to restore that right to every man, every woman, every child in America?

First, as the Carnegie Commission said last month, I believe we have to beef up our arsenal: Train more doctors, more nurses, more paramedics;

Ball our medical and dental schools out of their present deep financial troubles;

Break ground for new hospitals and clinics;

<sup>1</sup> Medical statistics drawn principally from: United Nations *Statistical Yearbook*, 1955, pp. 51-5; *Demographic Yearbook*, 1955, pp. 698-707; *Demographic Yearbook*, 1968, pp. 103-11, 366-74.

In a word, spend more money.

We Americans are great on that.

Show us a shortage—of airplanes or tanks or trucks or scientists or engineers or satellites—and we'll fix it.

And I believe we can do that kind of job just fine in medicine.

Second, we must build into the system better management, better organization, more incentives to increase productivity and cut inefficiency.

I find it shocking, for example, that comprehensive pre-paid group practice, which has repeatedly delivered better care at lower costs, encounters legal roadblocks in more than half our states.

I find it shocking to read of Americans living in backwoods towns and city slums without a doctor or a dentist or a clinic.

I find it shocking that as 30,000 highly trained medical corpsmen return to civilian life every year—many from the field of battle—they too often discover, if they want to enter medicine as a career, that they have just one job open to them—hospital orderly.

We cannot continue to live with facts like these. We have to overhaul the system.

But as we do so, we should begin simultaneously to do the third part of the job: put health care within reach of everyone in America.

And that means putting it within the reach of the poor.

I do not really believe, of course, that you can ever make the poor rich and the rich poor. But I do think we should have a floor for each American below which he cannot fall, and I believe this applies not only to his economic status, but also to his medical status.

For the plain fact is that under our present medical system, the poor suffer by far the most.

Moreover, if a person happens not to be white, the picture is even bleaker.

A non-white infant can expect to live six years less than a white infant.

The non-white infant mortality rate is the white rate multiplied by two.

The non-white maternal death rate is the white rate multiplied by four.

To me, all this adds up to a completely unacceptable situation, which I think is un-American, un-democratic and unfair.

How do we correct it, and extend coverage for medical bills to everyone?

Not just through tinkering with our present system of paying for health care.

Not just through trying to stretch the umbrella of private health insurance, which, despite its costliness, still doesn't come close to covering Americans today.

No, we need a far more thoroughgoing reform.

And that brings us up against that old taboo—"Socialized Medicine."

I completely believe in the American free enterprise system. But when the system clearly fails to produce a much needed good, I think we should not flinch from looking to some sort of government intervention to get the job done.

Frequently in the past, we have faced up to such a requirement with new legislation: on workmen's compensation, child labor, the reduction of the work week, unemployment insurance, and social security.

I believe we face today the same kind of moment of truth in medicine.

And I believe we have only one choice before us that will work: some very new form of national health insurance.

Twenty-one years ago, we looked at national health insurance when President Truman urged it, and we rejected it.

And in 1949 we rejected it in part because of arguments like this which appeared that year in the June issue of the magazine of the American Medical Association under the title: "Wake up, America!"

"The private profession of medicine is taking rigid strides toward the solution of this problem (of medical aid for the poor). Voluntary, pre-paid hospitalization and professional insurance plans now protect 56 million Americans. . . . The American people enjoy a state of good health unequalled in the world today."

As a dyed-in-the-wool free trader, free enterpriser, and hater of bureaucracy, I accepted that argument in 1949, and I bet nearly everyone else in this room did, too.

But on the evidence—particularly the international evidence—I cannot accept it in 1970.

We need a dedicated and total effort to find a way to build a floor under each citizen of this country that assures much better quality and equality of medical services for all.

A variety of plans have been advanced to this end in the Congress, by representatives of government, labor, business and the medical profession, but none of these plans are moving very fast, and our problem is compounding.

We do not need national health insurance as a political football in 1972.

We need a new national health insurance law, and we need it now—in the next session of the Congress. Indeed, I hope the Administration will put this at the top of its priority list for 1971.

To get that legislation, the partisans of varying plans—in the Congress, the American Medical Association, the AFL-CIO—must get together and compromise their differences.

And to speed such compromise, I believe all of us as citizens—and I dare to include doctors—should start now to build a bonfire of persuasion—to speak out, to demand change, and not stop pushing for action until we get the legislation we need.

We can take pride in our system of universal public education, social security, and work laws.

The time has now arrived for us to have a system of universal public medicine in which we can also take pride.

A national program, of course, is not a panacea in itself. But as we look toward some sort of governmental approach to this problem, let us remember that the plans in Britain and the Scandinavian countries have proved very successful in keeping those countries in the front rank internationally. And certainly they have provided better medical service for all of the people than the systems they supplanted. To me, this is a tremendously compelling argument for keeping an open mind as we look for a solution.

Not long ago, on a visit to the California Institute of Technology, I read these words on a student poster: "Our age is characterized by the perfection of means and confusion of goals."

The goal before us in medicine is clear. But we shall reach it only by doing what we have always done with our magnificent American system: fearlessly facing its faults, cutting them away, replacing them with something better, and moving on.

I think that same truth comes pounding through to us in the restless, pioneering lives of the Mayos—a truth which should guide and inspire us as we undertake the tough and crucial job which lies ahead: Bringing the fullness of American medical care to all the American people.

We must begin it now. As the wealthiest, most powerful, best educated nation in the world—a people with a heroic history of pioneering and justice and compassion—I believe we can do no less.

#### POLITICS AND THE UNIVERSITY

Mr. GRIFFIN. Mr. President, Americans are deeply concerned about a crisis

that has developed on college and university campuses throughout the Nation.

Recently my attention focused upon a very thoughtful statement written by Dean Francis A. Allen of the University of Michigan Law School as part of his annual report to the president of the university.

I ask that the relevant text of Dean Allen's report be printed in the Record.

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

THE UNIVERSITY OF MICHIGAN LAW SCHOOL:  
REPORT TO THE PRESIDENT OF THE UNIVERSITY FOR THE YEAR, 1969-70

President ROBBEN W. FLEMING,  
Ann Arbor, Mich.

MR. PRESIDENT: This is the fourth, and presumably the last, of my annual reports to the President of The University of Michigan. As of course you are aware, I have asked to be relieved of my duties as Dean of the Law School not later than June 30, 1971. Under these circumstances it is probably inevitable that a part of what I shall say will have the sound of a valedictory statement. I hope that I may be forgiven if, in this submission, I fall into a more personal expression than might otherwise be appropriate.

One who awaits the termination of his duties as dean of a great law school finds himself thinking about the future of the school and of those needs and conditions that must be satisfied if his institution is to serve and flourish in the years ahead. The University of Michigan Law School has such needs, and responding adequately to some of them will not be easy. Virtually every necessary innovation in legal education being developed by this School requires substantial reductions in our present student-faculty ratio. This is true whether what is being contemplated are programs of clinical education, individual student research and honors work, the development of new areas of instruction and faculty research (including interdisciplinary areas), small-group teaching in the first year, or a host of other urgent matters. That these developments may be seriously obstructed by University and legislative policies which have emerged as products of the fiscal stringencies afflicting higher education in these times, is a disturbing possibility.

There are other problems. Legal education in the United States faces an intellectual crisis. This crisis is sufficiently identified by putting the question: Can legal education adapt to the needs of the present and those of the next half-century, and, at the same time, retain the intellectual rigor and intellectual integrity that have constituted its chief strength and attraction in the past? I believe this can be done, and, indeed, would argue that the former cannot be achieved without the latter. Regrettably, not all those associated with the American law schools reveal this commitment. We have had occasion to discover that there are colleagues in some other institutions who are prepared (and, in fact, eager) to sacrifice a great part of the intellectual content of law study, and to do so in the name of "innovation." No one could reasonably dispute the importance of educational innovation in this era. I am afraid, however, that among those seeking to map out the future of American legal education, there are a few in danger of disregarding the admonition of Mr. Sammler, as reported by Saul Bellow. Mr. Sammler suggests, you will recall, that a map maker should not regard the task of locating the Mississippi River as an occasion for the display of his originality.

Important as are these problems to the future of this School and of legal education generally, they are not the most important.





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