United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, SECOND SESSION

SENATE—*Thursday, April 23, 1970*

The Senate met at 12 o'clock meridian and was called to order by Hon. SPESSARD L. HOLLAND, a Senator from the State of Florida.

The Reverend Delvin D. Elwell, pastor, First Baptist Church, Hinton, W. Va., offered the following prayer:

Our Father in Heaven, through whose power men in generations past obtained liberty, we are mindful of the heritage which is ours, not of our deserving but by Thy providence. We are grateful for the privilege of living and serving in this great land and for those democratic principles which have made our Nation great.

We acknowledge that Thou art a sovereign God and that even mighty men and nations must bow before Thee.

Grant, we pray, spiritual wisdom to these public servants so that they may properly determine Thy will and the right action to take as crucial decisions come before them.

Help us to be worthy to stand in this place and with steadfast courage fulfill the tasks which Thy will demands.

We pray in the name of our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 23, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SPESSARD L. HOLLAND, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. HOLLAND thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, April 20, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT ON ADMINISTRATION OF THE NATURAL GAS PIPELINE SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 20, 1970, the Secretary of the Senate, on April 21, 1970, received the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

I herewith transmit to you the second Annual Report on the administration of the Natural Gas Pipeline Safety Act of 1968. This report has been prepared in accordance with Section 14 of the Act, and covers the period of January 1, 1969, through December 31, 1969.

RICHARD NIXON.

THE WHITE HOUSE, *April 21, 1970.*

REPORT ON OFFICE OF ECONOMIC OPPORTUNITY COMMUNITY ACTION PROGRAM GRANTEES ANNUAL SALARY REPORT FOR FISCAL YEAR 1969—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 20, 1970, the Secretary of the Senate, on April 21, 1970, received the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Pursuant to Section 610–1(b) of the Economic Opportunity Act of 1964, as amended, the Director of the Office of Economic Opportunity has submitted a list of the names of officers or employees whose compensation is subject to the limitation set forth in Section 610–1(a) and who were receiving, at the end of the last fiscal year, salary at a rate of $10,000 or more per year, together with the amount of actual compensation paid to each person and the amount of such compensation paid from funds advanced or granted pursuant to the Act. I am transmitting the report to the Congress herewith.

RICHARD NIXON.

THE WHITE HOUSE, *April 21, 1970.*

DISASTER ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 20, 1970, the Secretary of the Senate, on April 22, 1970, received the following message from the President of the United States, which was referred to the Committee on Public Works:

To the Congress of the United States:

The spirit of neighborliness, the readiness to extend a helping hand in time of trouble, is one of the great traditions of this country. In the early years of our history, good neighbors were essential in coping with the hardships of pioneer life. They are equally essential in meeting the challenges of life today.

The spirit of the good neighbor was particularly evident in 1969 when natural disasters struck this country in unprecedented numbers and with unprecedented force. Twenty-nine major disasters and an untold number of smaller disasters were responsible for over 300 deaths and an estimated $2 billion in property damage in the last calendar year. Events such as the California floods and Hurricane Camille with the Virginia floods were exceptionally destructive.

Private voluntary agencies have traditionally played a crucial role during times of disaster. State and local governments are key factors in any successful disaster relief effort. Thus the Federal role is only one part of the overall response of the Nation. But it is a very important part of that response. Under the Federal Disaster Acts of 1950, 1966, and 1969 and their amendments and under provisions in many other statutes, the Federal government works to help individuals through relief and rehabilitation efforts and to assist State and local governments by restoring public facilities essential to community life. In 1969 the Federal government allocated $150 million for assistance from the President's Disaster Relief Fund—the largest sum for any one year in history. Significant additional funds were spent on disaster assistance under other Federal programs. A report on our 1969 experience is being provided to the Congress.

We are confident that the general framework of our present program provides an effective mechanism for channeling Federal disaster assistance to individuals and communities. Rather than depending on a specialized disaster assistance agency, the present system makes maximum use of existing agencies, centrally coordinated by the Office of Emergency Preparedness, to perform tasks in time of emergency which are similar to those which they perform in normal circumstances. Our present arrangements also encourage constructive and cooperative efforts among individuals, local communities, the States and the Federal Government.

At the same time, however, we have learned that a number of improvements are in order within the existing framework. The last Presidential special mes-

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sage on the subject of disaster assistance was written 18 years ago. Since that time, this program has grown in a piecemeal and often haphazard manner, involving over 50 separate Congressional enactments and executive actions. This slow development process has created a complex program, one which has a number of gaps and overlaps and needs increased coordination. It is time for new legislation and executive action to make our Federal disaster assistance program more effective and efficient.

LEGISLATIVE PROPOSALS

To extend and to improve the assistance which the Federal Government can provide in time of major disasters, I am asking the Congress to enact the Disaster Assistance Act of 1970. This legislation contains a number of specific proposals, the most important of which are the following:

REVENUE MAINTENANCE

When a community experiences a major disaster, the physical impact is obvious. What the television camera does not capture, however, is the loss of property tax revenue which occurs when a substantial portion of a community's property tax base is destroyed and its essential services are disrupted.

To ease this difficulty, *I recommend that the Congress enact a property tax revenue maintenance plan.* Under this plan, the Federal government would be authorized to lend money at favorable interest rates to local governments to make up their loss of property tax revenues following a major disaster.

PERMANENT REPAIR

I am asking the Congress for expanded Federal authority to permanently repair or fully replace essential public facilities damaged by disasters. This authorization would provide a more effective and practical approach to the replacement of damaged public facilities which are vital to community life. This Administration would give preference to local employees and contractors in repair and rebuilding work.

ECONOMIC DEVELOPMENT ASSISTANCE

I am also asking the Congress to amend the Public Works and Economic Development Act of 1965, so that the Economic Development Administration would provide staff support, technical advice and financial assistance to those communities affected by major disasters. Such assistance is vital in recovery efforts, particularly when the community is attempting to begin long-range rebuilding or redevelopment efforts.

DISASTER LOANS

I am proposing legislation to improve the disaster loan programs of the Small Business Administration and of the Farmers Home Administration. These loans are among our principal sources of assistance to stricken individuals. The recommended changes would provide for improved refinancing, payment deferral, and forgiveness arrangements and would assure disaster loans to older citizens. My proposed amendment would allow the FHA and SBA to provide faster service and would therefore promote speedier recovery following disasters.

UNEMPLOYMENT COMPENSATION

I am also recommending that the Congress extend for two years the expanded unemployment compensation provisions of the Disaster Relief Act of 1969. These provisions make temporary income available as promptly as possible to help individuals who are unemployed as the result of a major disaster. Such assistance to individuals was a new feature in the 1969 Act. Before last year, only those unemployed persons who could qualify for compensation under the normal unemployment insurance programs could receive income protection following a disaster. The two-year extension which I recommend would provide time to fully evaluate the new provisions and to consider appropriate legislation.

HOUSING

Hurricane Camille provided the greatest test of the Federal government's ability to provide temporary housing to victims of a major disaster. We believe we met that test; at the direction of the Office of Emergency Preparedness, the Department of Housing and Urban Development was able to place more than 5,000 mobile homes in the disaster area. We also believe, however, that the language of the law which authorizes such activities is confusing.

Two separate provisions in two different laws are now directed to temporary emergency housing. In order to simplify the legislative provisions that apply to this problem, *I propose that the provisions for temporary housing in PL 81–875 be amended so that they incorporate many of the broad principles of PL 91–79, without sacrificing flexibility.* A clarified version of this law would allow the government to provide temporary housing or other emergency shelter—including leased mobile homes or other readily fabricated dwellings.

DEBRIS REMOVAL

One of the serious problems encountered in Hurricane Camille related to the removal of debris from private property. Current legislation in this area is confusing and difficult to administer. *I am therefore proposing corrective legislation that would simplify and speed debris removal from private property when it is in the public interest.* Again, preference would be given to local employees and contractors.

DISASTER PREVENTION

In March and April 1969 this Administration conducted a massive flood prevention program in the upper Midwest and New England. This program—Operation Foresight—was immensely successful; it prevented widespread human suffering and an estimated $200 million in damages, at a cost of $20 million. The success of this disaster prevention effort suggests that we can do a great deal to avoid or limit the effects of expected disasters. *Accordingly, I am proposing legislation which would extend the Federal government's authority to assist State and local governments in disaster prevention and damage reduction activities.*

PLANNING ASSISTANCE

The Disaster Relief Act of 1969 authorized one-time matching grants to help States formulate better plans for coping with disasters. Almost half of the States have already indicated that they will join us in this effort and we expect that others will soon follow their lead. *I now recommend that the Congress expand this provision of the 1969 law in order to help States review and update these plans on a continuing basis.*

In addition to the major initiatives outlined above, the legislation prepared by the Administration includes a number of other changes designed to extend the scope and improve the effectiveness of Federal assistance.

ADMINISTRATIVE ACTIONS

Legislative changes are not the only improvements which are presently required. Our experience indicates that changes in administrative procedures can be equally important in providing a more effective assistance program.

COORDINATION

To improve coordination of Federal Disaster Assistance efforts, both among Federal agencies and among Federal, State, and local officials, I am establishing a National Council on Federal Disaster Assistance. The Council will be composed of senior officials from Federal agencies concerned with disaster assistance and will be chaired by the Director of the Office of Emergency Preparedness.

To further improve coordination of disaster assistance activities in the field, I have also directed that the Regional Directors of the Office of Emergency Preparedness be included as ad hoc members of the newly formed Federal Regional Councils. This improvement will be supplemented by other actions to improve coordination among all levels of government, including the Office of Emergency Preparedness regional planning conferences with State officials with the first such conference this month on the West Coast.

In addition to improving coordination and developing more comprehensive plans, we need better procedures for continuous communication with State and local governments on such matters as disaster legislation. The Council of State Governments and such organizations as the International City Management Association, the National Association of Counties, the National League of Cities, and the United States Conference of Mayors are assisting us in this effort.

Improvements in disaster assistance also require an improved program of research and evaluation, the results of which are readily available to all who can benefit from them. I have therefore directed the Office of Emergency Preparedness to act as a central clearing house for all Federal research which is related to disasters.

ASSISTANCE TO INDIVIDUALS

An important objective, particularly in large-scale disasters, is that of informing individuals of the assistance which is available and of the places where it can be obtained. To meet this problem, we are expanding our information efforts and keying those efforts to the needs of the individual citizens of the community, particularly those who are poor.

Whenever a disaster occurs, those who

live in the area desperately want to be in touch with their friends and relatives who live elsewhere. Rescue workers also need better communication facilities within such areas. I have therefore asked the Office of Emergency Preparedness to provide better emergency communication services to stricken regions during times of disaster.

Just as we make it easier for individuals to get information, so we should make it easier for them to get assistance. It should not be necessary for individuals to travel from one place to another and then to still another location in order to obtain the help which various agencies of the Federal government are providing. *Accordingly, we are developing plans to provide "one-stop" service to individuals in disaster areas.* Representatives of the principal Federal agencies and of the Red Cross, as well as caseworkers and legal advisors, will all be available at a single assistance center.

DISASTER ASSISTANCE TEAMS

Disaster stricken communities frequently lack trained personnel who can help them make the best possible use of the assistance which is available to them from many sources. To meet this need, I have directed the Office of Emergency Preparedness to form *Federal disaster assistance teams to help local communities coordinate the overall assistance effort.* These teams will be supervised by a Federal Disaster Assistance Coordinator who will act as an on-the-spot representative of the President in any particular disaster area.

DISASTER INSURANCE

Our experience with disasters in 1969 clearly demonstrated the need for expanded insurance coverage for property owners. The national flood insurance sections of the Housing and Urban Development Act of 1968 presently permit Federal insurance assistance in flood-prone areas and we are now implementing that program on an accelerated basis. *I am also directing that a comprehensive study of property insurance coverage for disaster situations be undertaken and that specific recommendations be provided me by the end of this year.* This study should take into account the views of the State insurance authorities, the insurance industry, lending institutions, and the general public.

CIVIL DEFENSE

The disaster assistance activities of State and local governments often are closely related to their civil defense responsibilities. The relationship between the Federal government's disaster assistance and civil defense activities should now be carefully reviewed. Accordingly, I have asked that such a study be carried out and that its recommendations be given to me by December 31, 1970. It is important that any changes in this sensitive area be made only after a careful review, one which gives special attention to the impact of any suggested change upon national security.

As we move into a new decade, one of the nation's major goals is to restore a ravaged environment. But we must also be ready to respond effectively when nature gets out of control and victimizes our citizens.

With the improvements I have recommended to the Congress and those which I am instituting by Executive action, the disaster assistance program of the Federal government will continue to provide outstanding public service in times of crisis. This program manifests the extraordinary humanitarian spirit of our nation. The changes I have proposed would enable it to reflect that spirit even more effectively.

RICHARD NIXON.

THE WHITE HOUSE, *April 22, 1970.*

REPORT ON FEDERAL DISASTER RELIEF ACTIVITY IN CALENDAR YEAR 1969—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 20, 1970, the Secretary of the Senate, on April 22, 1970, received the following message from the President of the United States, which, with accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

Natural disasters—in unprecedented numbers and scope—presented a grim challenge to this nation in 1969. The exceptional response to this challenge by the United States government is something in which all Americans can take pride. The story of that response is detailed in the report which I am today transmitting to the Congress.

This report of Federal activities in 1969 under authority of the Federal Disaster Act (Public Law 875, 81st Congress, as amended) is required by Section 8 of that law and has been provided by the Director of the Office of Emergency Preparedness. The report also describes activities carried out under authority of the Federal Disaster Act of 1969 (Public Law 79, 91st Congress). The funds which supported these activities are specifically appropriated to the President for the purpose of relieving suffering and repairing damage when disasters strike.

There were 29 major disasters during 1969—the largest number since the program began in 1950. Two of these—the California floods and Hurricane Camille—were exceptionally destructive. The number and extent of major disasters in 1969 required a massive Federal effort; a total of $148,970,000 was allocated from the President's Disaster Fund, the largest amount since the enactment of Public Law 81-875. Despite these increased demands, the Federal response was most prompt and effective and those who participated in it deserve our commendation.

Under the leadership of the Office of Emergency Preparedness, the Administration is developing a stronger and more comprehensive disaster assistance program. An important part of this strengthened program is outlined in my disaster assistance message to the Congress. That message discusses both the legislation which will be submitted—the Disaster Assistance Act of 1970—and the improvements which are being made by executive action. I am confident that our strengthened program will improve cooperation with State and local governments and with private and voluntary organizations. More important, these steps would enable the Federal government to continue to meet its responsibilities to individuals who are victimized by these unhappy events.

RICHARD NIXON.

THE WHITE HOUSE, *April 22, 1970.*

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 20, 1970, the Secretary of the Senate received the following messages in writing from the President of the United States, which were referred to the appropriate committees, as follows:

On April 21, 1970:

Sundry nominations; referred to the Committee on Commerce.

On April 22, 1970:

The nomination of Gen. Earle Gilmore Wheeler, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general; referred to the Committee on Armed Services.

(For nominations received, see the end of Senate proceedings of today.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 20, 1970, the Secretary of the Senate on April 21, 1970, received a message from the House of Representatives announcing that the House had passed a bill (H.R. 16311) to authorize a family assistance plan providing basic benefits to low-income families with children, to provide incentives for employment and training to improve the capacity for employment of members of such families, to achieve greater uniformity of treatment of recipients under the Federal-State public assistance programs and to otherwise improve such programs, and for other purposes, which was considered as having been read twice, and referred to the Committee on Finance.

EXECUTIVE REPORTS OF A COMMITTEE

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

By Mr. EASTLAND, from the Committee on the Judiciary:

Joseph F. Weis, Jr., of Pennsylvania, to be a U.S. district judge for the western district of Pennsylvania;

Howard B. Turrentine, of California, to be a U.S. district judge for the southern district of California;

Warren K. Urbom, of Nebraska, to be a U.S. district judge for the district of Nebraska;

James L. Oakes, of Vermont, to be U.S. district judge for the district of Vermont;

Andrew W. Bogue, of South Dakota, to be U.S. district judge for the district of South Dakota;

Wilbur F. Pell, Jr., of Indiana, to be a U.S. circuit judge, seventh circuit;

A. Roby Hadden, of Texas, to be U.S. attorney for the eastern district of Texas;

Robert E. Hauberg, of Mississippi, to be

U.S. attorney for the southern district of Mississippi;

D. Dwayne Keyes, of California, to be U.S. attorney for the eastern district of California;

Robert L. Meyer, of California, to be U.S. attorney for the central district of California;

John A. Birknes, Jr., of Massachusetts, to be U.S. marshal for the District of Massachusetts;

Anthony T. Greski, of New Jersey, to be U.S. marshal for the district of New Jersey;

William B. Henderson, of Kentucky, to be U.S. marshal for the western district of Kentucky; and

Joseph W. Keene, of Louisiana, to be U.S. marshal for the western district of Louisiana.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on April 17, 1970, the President had approved and signed the following acts:

S. 2363. An act to confer United States citizenship posthumously upon L.Cpl. Andre L. Knoppert; and

S. 2595. An act to amend the Agricultural Act of 1949 with regard to the use of dairy products, and for other purposes.

THE DRAFT—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. HOLLAND) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Armed Services:

To the Congress of the United States:

The draft has been with us now for many years. It was started as a temporary, emergency measure just before World War II. We have lived with the draft so long, and relied on it through such serious crises, that too many of us now accept it as a normal part of American life.

It is now time to embrace a new approach to meeting our military manpower requirements. I have two basic proposals.

—The first deals with the fundamental way this nation should raise the armed force necessary to defend the lives and the rights of its people, and to fulfill its existing commitmcnts abroad.

—The second deals with reforming the present recruitment system—part volunteer, part drafted—which, in the immediate future, will be needed to maintain our armed strength.

TO END THE DRAFT

On February 21, I received the report of the Commission on an All-Volunteer Armed Force, headed by former Defense Secretary Thomas S. Gates. The Commission members concluded unanimously that the interests of the nation will be better served by an all-volunteer force than by a mixed force of volunteers and draftees, and that steps should be taken in this direction.

I have carefully reviewed the report of the Commission and have discussed the subject with many others knowledgeable in this field. The preeminent consideration in any decision I make involving the American Armed Forces must be the security of the United States. I have had to weigh carefully our responsibilities in Vietnam and our overall foreign policy would be affected by ending the draft. I also had to consider the budgetary impact, and the possible effect on our economy.

On the other hand, we have all seen the effect of the draft on our young people, whose lives have been disrupted first by years of uncertainty, and then by the draft itself. We all know the unfairness of the present system, no matter how just we try to make it.

After careful consideration of the factors involved, I support the basic conclusion of the Commission. I agree that we should move now toward ending the draft.

From now on, the objective of this Administration is to reduce draft calls to zero, subject to the overriding considerations of national security.

In proposing that we move toward ending the draft, I must enter three cautions: First, the draft cannot be ended all at once. It must be phased out, so that we can be certain of maintaining our defense strength at every step. Second, existing induction authority expires on July 1, 1971, and I expect that it will be necessary for the next Congress to extend this authority. And third, as we move away from reliance on the draft, we must make provisions to establish a standby draft system that can be used in case of emergency.

To move toward reducing draft calls to zero, we are proceeding with a wide array of actions and proposals:

—This administration proposed, and the Congress has approved, a six percent across-the-board pay increase for Federal employees, retroactive to the first of this year. This raises the pay of members of the Armed Forces by $1.2 billion a year.

—I shall propose an additional 20 percent pay increase for enlisted men with less than two years of service, to be effective January 1, 1971. This action, if approved by the Congress, will raise the annual pay of enlisted men with less than two years of service by $500 million a year, and is a first step in removing the present inequity in pay of men serving their first two years in the Armed Forces. The cost for Fiscal Year 1971 will be $250 million.

—In January 1971 I shall recommend to the Congress, in the Fiscal Year 1972 budget, an additional $2.0 billion for added pay and other benefits—especially for those serving their first two years—to help attract and retain the personnel we need for our Armed Forces.

—I have today directed the Secretary of Defense to give high priority to the expansion of programs designed to increase enlistments and retentions in the services. Further, I have directed that he give me a report every quarter on the progress of this program. Other agencies have been directed to assist in the effort.

—I am also directing the Secretary of Defense to review the policies and practices of the military services to give new emphasis to recognition of the individual needs, aspirations and capabilities of all military personnel.

No one can predict with precision whether or not, or precisely when, we can end conscription. It depends, in part, on the necessity of maintaining required military force levels to meet our commitments in Vietnam and elsewhere. It also depends on the degree to which the combination of military pay increases and enhanced benefits will attract and hold enough volunteers to maintain the forces we need, the attitude of young people toward military service, and the availability of jobs in the labor market.

However, I am confident that, barring any unforeseen developments, this proposed program will achieve our objective.

The starting pay of an enlisted man in our Armed Forces is—taking the latest raise into account—less than $1,500 a year. This is less than half of the minimum wage in the private sector. Of course, we should add to this the value of the food, uniforms and housing that is provided free. But it is hardly comparable to what most young men can earn as civilians. Even with special allowances, some married enlisted men have been forced to go on welfare to support their families.

The low pay illustrates another inequity of the draft. These men, in effect, pay a large hidden tax—the difference between their military pay and what they could earn as civilians. Therefore, on the grounds of equity alone, there is good reason to substantially increase pay.

While we focus on removing inequities in the pay of men serving their first few years in the military, we must not neglect the career servicemen. They are the indispensable core of our Armed Forces. The increasing technological complexity of modern defense, and the constantly changing international situation, make their assignments ever more difficult—and critical. We shall continue to make every effort to ensure that they are fairly treated and justly compensated.

There is another essential element—beyond pay and benefits, beyond the best in training and equipment—that is vital to the high morale of any armed force in a free society. It is the backing, support and confidence of the people and the society the military serves. While government can provide the economic justice our men in arms deserve—moral support and backing can come only from the American people. At few times in our history has it been more needed than today.

The consideration of national security contains no argument against these historic actions; the considerations of freedom and justice argue eloquently in their behalf.

TO REFORM THE DRAFT

As we move toward our goal of ending the draft in the United States, we must deal with the draft as it now exists. This nation has a right to expect that the responsibility for national defense will be shared equitably and consistently by all segments of our society. Given this basic principle, I believe that there

are important reforms that we must make in our present draft system.

It is my judgment, and that of the National Security Council, that future occupational, agricultural and student deferments are no longer dictated by the national interest. I am issuing today an Executive Order to direct that no future deferments shall be granted on the basis of employment. Very few young men at age 19 are in such critical positions that they cannot be replaced. All those who held occupational deferments before today, as well as any who may be granted such deferments from pending applications filed before today, will be deferred as they were previously.

This same Executive Order will also eliminate all future paternity deferments—except in those cases where a local draft board determines that extreme hardship would result. All those who held paternity deferments before today, as well as any who may be granted deferments from pending applications filed before today, will be deferred as long as they are living with and supporting child dependents.

I am also asking the Congress today to make some changes in the Military Selective Service Act of 1967.

The first would restore to the President discretionary authority on the deferment of students seeking baccalaureate degrees. If the Congress restores this authority, I shall promptly issue a second Executive Order that would bar all undergraduate deferments, except for young men who are undergraduate students prior to today. These young men would continue to be eligible for deferment under present regulations during their undergraduate years. This Executive Order would also end deferments for young men in junior college, and in apprentice and technical training programs, except for those who entered before today. Men participating in such programs before today would continue to be deferred until they complete them.

Should Congress pass the legislation I have requested, those young men who start college or enter apprentice or other technical training today or hereafter, and subsequently receive a notice of induction, will have their entry into service postponed until the end of the academic semester, or for apprentices and trainees, until some appropriate breaking point in their program.

Even if college deferments are phased out, college men who through ROTC or other military programs have chosen to obligate themselves to enter military service at a later date would be permitted to postpone their active duty until completion of their study program.

In each instance, I have spoken of the phasing out—not the elimination—of existing deferments. The sudden elimination of existing deferments would disrupt plans made in good faith by individuals, companies, colleges and local school systems on the basis of those deferments.

My second legislative proposal would establish a direct national call, by lottery sequence numbers each month, to improve the operation of the random selection system. We need to ensure that men throughout the country with the same lottery number have equal liability to induction.

Under the present law, for example, a man with sequence number 185 may be called up by one draft board while a man with a lower number in a different draft board is not called. This can happen because present law does not permit a national call of young men by lottery sequence numbers.

Some local draft boards may not have enough low numbers to fill their assigned quota for the month. As a result, these local boards are forced to call young men with higher numbers. At the same time, other draft boards throughout the country will have more low numbers than necessary to fill their quotas.

I am recommending to the Congress an amendment to suspend this quota requirement while the random selection system is in effect. If the Congress adopts this amendment, I will authorize the Selective Service System to establish a plan under which the draft call each month will be on a national basis, with the same lottery sequence numbers called throughout the country. This will result in a still more equitable draft system.

As long as we need the draft, it is incumbent upon us to make it as fair and equitable as we can. I urge favorable Congressional action on these legislative proposals for draft reform.

CONCLUSION

While I believe that these reforms in our existing draft system are essential, it should be remembered that they are improvements in a system to be used only as long as conscription continues to be necessary.

Ultimately, the preservation of a free society depends upon both the willingness of its beneficiaries to bear the burden of its defense—and the willingness of government to guarantee the freedom of the individual.

With an end to the draft, we will demonstrate to the world the responsiveness of republican government—and our continuing commitment to the maximum freedom for the individual, enshrined in our earliest traditions and founding documents. By upholding the cause of freedom without conscription we will have demonstrated in one more area the superiority of a society based upon belief in the dignity of man over a society based on the supremacy of the State.

RICHARD NIXON.

THE WHITE HOUSE, *April 23, 1970.*

WORLD WEATHER PROGRAM PLAN FOR FISCAL YEAR 1971—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. HOLLAND) laid before the Senate the following message from the President of the United States, which, with the accompanying document, was referred to the Committee on Commerce:

To the Congress of the United States:

In accordance with Senate Concurrent Resolution 67 of the 90th Congress, I am forwarding to you the second Annual Plan for United States' Participation in the World Weather Program. This report reviews the progress made during the past year and describes the activities planned by the Federal agencies for the coming fiscal year.

Progress in the World Weather Program has been significant. Of particular import is that, through the United States' effort in space, we have seen the development and testing of an instrument which is capable of measuring globally from a satellite the temperature distribution of our total atmosphere. This represents a giant stride forward. It holds promise of providing data from over the oceans and other remote areas, heretofore unavailable, which are essential for providing weather predictions to our people.

On another front, it is most encouraging to note the progress in international cooperation in this area. Nations have joined hands in moving forward with a program to assist developing countries in improving their meteorological services. And the nations of the world are coming together this month to decide on the next major steps in the research activities of the World Weather Program.

The World Weather Program focuses on the important problem of understanding our global atmosphere. Whether we are attempting to assess the impact of pollutants on the quality of our environment, or trying to improve the accuracy and time range of weather prediction, these activities are vital to the people of the United States—to their safety and to their economic well-being.

RICHARD NIXON.

THE WHITE HOUSE, *April 23, 1970.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 533. An act for the relief of Barbara Rogerson Marmor;

S. 1177. An act to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges;

S. 1775. An act for the relief of Cora S. Villaruel;

S. 1963. An act for the relief of Wu Hip; and

S. 1968. An act to authorize the Secretary of the Interior to permit the removal of the Francis Asbury statue, and for other purposes.

The message also announced that the House had passed the bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1193) to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely, with amendments, in

which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3253) to provide that the Federal office building and U.S. courthouse in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building East" and that the Federal office building to be constructed in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building West" in memory of the late Everett McKinley Dirksen, a Member of Congress of the United States from the State of Illinois from 1933 to 1969, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 12605) to amend section 613 of the Merchant Marine Act, 1936, as amended, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 780. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes;

H.R. 4172. An act to authorize the Secretary of the Interior to provide financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes;

H.R. 9854. An act to authorize the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit, Rathdrum Prairie project, Idaho, and for other purposes;

H.R. 15207. An act to provide for a modification of the project for Denison Dam (Lake Texoma), Red River, Tex., and Okla., authorized by the Flood Control Act of 1938, and for other purposes;

H.R. 16417. An act to amend title 10, United States Code, to broaden the authority of the Secretaries of the military departments to settle certain admiralty claims administratively, and for other purposes; and

H.J. Res. 1069. Joint resolution extending for four years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 780. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin dvision, Rogue River Basin project, Oregon, and for other purposes;

H.R. 4172. An act to authorize the Secretary of the Interior to provide financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes; and

H.R. 9854. An act to authorize the Secretary of the Interior to construct, operate, and maintain the East Greenacres unit, Rathdrum Prairie project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 15207. An act to provide for a modification of the project for Denison Dam (Lake Texoma), Red River, Tex., and Okla., authorized by the Flood Control Act of 1938, and for other purposes; to the Committee on Public Works.

H.R. 16417. An act to amend title 10, United States Code, to broaden the authority of the Secretaries of the military departments to settle certain admiralty claims administratively, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 1069. Joint resolution extending for 4 years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune; to the Committee on Rules and Administration.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

S. 3743—INTRODUCTION OF THE ADMINISTRATION BILL TO DISCONTINUE THE DISPOSAL OF POLLUTED DREDGE SPOIL IN THE GREAT LAKES

Mr. COOPER. Mr. President, on April 15, the President sent to the Congress of the United States a message dealing with the problem of the disposal of dredged spoil in the Great Lakes, which evidences again his deep interest in the quality of the environment. I am sure his attention to this problem, and the action he has proposed, is welcomed indeed by those who have long been concerned about the consequences of dumping in the Great Lakes, and especially by representatives of the eight States where life is so intimately connected to the Great Lakes.

The President's message has been followed with proposed legislation, and a transmittal letter to the Vice President from the Department of the Army, which have been referred to the Senate Committee on Public Works. As the ranking Republican member of the full committee and of the Subcommittee on Flood Control—Rivers and Harbors, I am very glad to have the privilege today of introducing the administration bill. Joining with me as sponsors of the bill are a number of members from the Great Lakes States and of the Committee on Public Works, including the minority leader, Senator SCOTT, of Pennsylvania, the assistant minority leader, Senator GRIFFIN, of Michigan, who spoke in the Senate on this subject on April 15, and Senator RALPH SMITH, of Illinois, who I know has played an important part in developing this proposal.

The President has properly called attention to the important task of "restoration of these magnificent waters," and his action is a most constructive step in the effort to protect, preserve and restore the Great Lakes. In the terms of his message, the bill we are introducing today would:

Discontinue disposal of polluted dredged materials into the Great Lakes by the Corps of Engineers and private interests as soon as land disposal sites are available.

Require the disposal of polluted dredged spoil in containment areas located at sites established by the Corps of Engineers and approved by the Secretary of the Interior.

Require States and other non-Federal interests to provide one-half the cost of constructing containment areas and also provide needed lands and other rights.

Require the Secretary of the Army, after 1 year, to suspend dredging if local interests were not making reasonable progress in attaining disposal sites.

The President has also given attention to the broader problem of dumping in the oceans, which has recently been the subject of increased public attention and, in fact, the subject of hearings on March 5 before the Air and Water Pollution Subcommittee of the Senate Committee on Public Works. We are glad that he has directed the Council on Environmental Quality to work with the Departments of the Interior, the Army, other Federal agencies, and State and local governments on a comprehensive study of ocean dumping, to be completed this year.

Mr. President, the problems of dredging to maintain navigation, and of proper disposal of the resulting dredge spoil, have been a concern of the Committee on Public Works, and received a great deal of attention during the last year by the Subcommittee on Air and Water Pollution—although I would assume that this bill, directed as it is to the authority of the Corps of Engineers, will be considered first by the Subcommittee on Rivers and Harbors. Senate Report No. 91-351 on S. 7, which has become the Water Quality Improvement Act of 1970—Public Law 91-224—discusses the Committee's approach to the problem at that time on pages 26 and 27, and later at page 30. Specifically, the Water Quality Improvement Act of 1970 includes in subsection 21(d) a provision, similar to a portion of the administration proposal with respect to the Great Lakes, authorizing the Chief of Engineers to permit the use of spoil disposal areas by Federal licencees or permittees, and to make an appropriate charge for such use.

Mr. President, the problems of disposal of dredge spoil, and of ocean dumping, are difficult and do not lend themselves to quick or easy or inexpensive solutions. I think it is recognized that this proposal, welcome as it is, is an interim solution, proposing deposition of the polluted material from 35 Great Lakes harbors in contained areas along the shore during the next 10 years, at a construction cost of $70 million, one-half borne by the Federal Government, and at an estimated operation and maintenance cost of $5 million annually. It is essential that adequate treatment of municipal waste be achieved as rapidly as possible, so that the streams flowing into these harbors no longer deposit the

pollution which now contaminates the sediment which must be dredged in order to maintain navigation. I assume that land disposal sites may be hard to find, and that this practice could not be continued indefinitely. I say this because, while I expect the committee to give prompt consideration to this measure, I recognize that the problems of dredging, of disposal of spoil and of ocean dumping will continue, and our work is only fairly beginning.

Mr. President, the President's message on waste disposal appeared in the CONGRESSIONAL RECORD for April 15, 1970, on page 11791. I ask unanimous consent that there be printed at this point in the RECORD the fact sheet that accompanied the message, the text of a transmittal letter from the Secretary of the Army, the summary report of the Corps of Engineers on dredging and water quality problems in the Great Lakes, and the text of the administration bill.

The ACTING PRESIDENT pro tempore (Mr. HOLLAND). The bill will be received and appropriately referred; and, without objection, the bill and other material will be printed in the RECORD, as requested by the Senator from Kentucky.

The bill (S. 3743) to provide for construction of contained dredged spoil disposal facilities for the Great Lakes and connecting channels, and for other purposes, introduced by Mr. COOPER (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 3743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That open water disposal of dredged spoil from authorized Federal navigation projects and all other sources in any of the Great Lakes and their connecting channels shall be discontinued, where such spoil has been dredged from an area which the Secretary of the Interior has determined, after consultation with the governor or governors concerned, to be significantly polluted. Such disposal shall be discontinued as soon as the Secretary of the Army determines that dredged spoil disposal sites are available. The Secretary shall undertake to establish the contained spoil disposal facilities authorized in section 2 of this Act at the earliest practicable date, taking into account the views and recommendations of the Secretary of the Interior as to those areas which, in his judgment, are more urgently in need of such facilities.

SEC. 2. The Secretary of the Army is authorized to construct, operate, and maintain, subject to the provisions of section 3 below, contained spoil disposal facilities of sufficient capacity to meet the requirements of this Act for a period not to exceed ten years. Before establishing each such facility, the Secretary of the Army shall obtain and consider the views and recommendations of the Secretary of the Interior with respect to the effect of the proposed facility on the quality of the water and land resources involved, and on other environmental values.

SEC. 3. Prior to construction of any such facility, the appropriate non-Federal interest or interests shall agree in writing to (a) furnish all lands, easements, and rights-of-way necessary for the construction, operation, and maintenance of the facility; (b) contribute to the United States 50 per cent of the construction costs, such amount to be payable either in cash prior to construction, in installments during construction, or in installments, with interest at a rate comparable to that for other interest bearing functions of Federal water resource projects, over a period not to exceed ten years, as determined by the Secretary of the Army; (c) hold and save the United States free from damages due to construction, operation, and maintenance of the facility; and (d) except as provided in Section 5, maintain the facility after completion of its use for disposal purposes in a manner satisfactory to the Secretary of the Army.

SEC. 4. The Secretary of the Army shall suspend or terminate dredging at Federal navigation projects, and shall prohibit dredging by Federal licensees or permittees, if he determines, at any time after one year after the date of enactment of this Act, that non-Federal interests involved have not taken reasonable steps toward meeting the requirements of section 3 of this Act.

SEC. 5. The participating non-Federal interest or interests shall retain title to all lands, easements and rights-of-way furnished by it pursuant to Section 3. A spoil disposal facility owned by a non-Federal interest or interests may be conveyed to another party only after completion of the facility's use for disposal purposes and after the transferee agrees in writing to use or maintain the facility in a manner which the Secretary of the Army, after consultation with the Secretary of the Interior, determines to be satisfactory.

SEC. 6. Any spoil disposal facilities constructed under the provisions of this Act shall be made available to Federal licensees or permittees upon payment of an appropriate charge to be fixed by the Secretary of the Army. Fifty per cent of such charge shall be remitted by the Secretary of the Army to the participating non-Federal interest or interests.

SEC. 7. The Chief of Engineers, under the direction of the Secretary of the Army is hereby authorized to extend to all navigable waters, connecting channels, tributary streams, and allied waters of the United States, a comprehensive program of research, study and experimentation relating to dredged spoil. This program shall be carried out in cooperation with other Federal and State agencies, and shall include, but not be limited to, investigations on the characteristics of dredged spoil, alternative methods of its disposal, and its effects on receiving waters.

SEC. 8. The provisions of this Act in no way affect other current cost-sharing requirements relating to spoil disposal in the interest of navigation on projects authorized, or proposed for authorization, for construction by the Department of the Army.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The material, presented by Mr. COOPER, is as follows:

FACT SHEET—PRESIDENT'S MESSAGE ON WASTE DISPOSAL

I. PROPOSED LEGISLATION

The Great Lakes Disposal Bill would:

1. Discontinue open water disposal of polluted dredge spoil from authorized Federal navigation projects and all other sources in the Great Lakes and their connecting channels as soon as disposal sites are available. The Secretary of the Interior, in consultation with the Governors, will determine the areas where dredge spoil is polluted.

2. Authorize the Secretary of the Army to construct, operate, and maintain contained disposal facilities for a period not to exceed ten years. Before establishing such facilities, the Secretary of the Army must consider the views of the Secretary of the Interior on the effect of the proposed facility on water quality and other environmental values.

3. Require States or other non-Federal interests to provide needed lands, easements and rights-of-way and one-half the cost of constructing containment areas.

4. Require the Secretary of the Army to suspend or terminate dredging or prohibit dredging by Federal licensees and permittees if he determines, one year after enactment of this Act, that the non-Federal interests have not taken reasonable steps toward providing funds and land, or land rights.

5. Permit Federal licensees or permittees to use the containment areas for disposing dredged spoil by paying a fee equal to the cost of providing the facility. One-half of this fee would be returned to the local interests.

6. Authorize the Corps of Engineers to extend to all navigable and allied waters a program of research, study, and experimentation related to dredge spoil.

II. THE PROPOSED PROGRAM

1. The proposed program is based on a comprehensive study by the Department of the Army on the effects on the Great Lakes of depositing dredge spoil. This study was conducted in cooperation with the Department of the Interior, including thhe Federal Water Pollution Control Administration, other Federal agencies, several universities, and technical consulting companies. An eminent group of consultants interpreted the results of this study by concluding that deposition of polluted dredged spoil in the Great Lakes is "presumptively undesirable," and that in the long run the ecology of the Great Lakes would be affected adversely.

2. The study included an investigation of many alternative methods of spoil disposal including treatment in sewage plants, aeration, burning, and deposition on upland and in contained areas along shore. Of these, the best alternative for an interim period of about 10 years is the deposition of the polluted material in contained areas along the shore.

3. First priority under the program will be given to the 35 most polluted harbors.

4. The construction of facilities in these 35 harbors will cost $70 million: $35 million Federal and $35 million State and local costs. Cost of operation and maintenance will be increased $5 million annually due to the added handling cost of the dredged spoil.

III. THE OCEAN DUMPING PROBLEM

1. A study performed by the Department of Health, Education and Welfare indicates ocean disposal of solid wastes during 1968 as follows:

a. Atlantic Coast—24 million tons.
b. Gulf Coast—16 million tons.
c. Pacific Coast—8 million tons.

2. Attention has recently been directed to the dumping of sewage sludge, cellar dirt, dredged mud and chemicals in the New York Bay area. The results of an intensive study to determine the effects on the ecology of this area will not be completed until early next year. An interim study indicates this dumping has had an adverse effect on bottom marine life in this area, although its impact has not been fully evaluated.

3. Current disposal methods and technology are not adequate to deal with wastes of this volume immediately. There are an ever decreasing number of appropriate sites for land-fill disposal. Current incineration practices are costly and create air pollution problems. There have been jurisdictional problems in transporting wastes to inland sites. Other technologies and alternatives, such as composting, creation of artificial islands, transporting material to fill in strip mines or to create artificial reefs, baling of wastes, and incineration at sea have not been sufficiently developed and tested.

4. A study will be conducted under the direction of the Chairman of the Council on Environmental Quality to recommend:

Further research needs;

Legislative changes, if necessary;

A comprehensive approach to the problem of ocean dumping, including an evaluation of all the proposed and other alternatives.

DEPARTMENT OF THE ARMY,
Washington, D.C. April 14, 1970.

Hon. SPIRO T. AGNEW,
President of the Senate.

DEAR MR. PRESIDENT: Transmitted herewith for appropriate reference is a copy of the Corps of Engineers report titled "Dredging and Water Quality Problems in the Great Lakes" and a draft of legislation "To provide for construction of contained dredged spoil disposal facilities for the Great Lakes and connecting channels, and for other purposes." The draft bill, which derives from the conclusions and recommendations contained in the report, was described by President Nixon in his message of 15 April to the Congress, as a major step forward in cleaning up the Great Lakes.

It has been known for some time that as a result of inadequate treatment of municipal and industrial wastes and of uncontrolled sources of agricultural and other pollution, the sediments deposited in dredged channels and harbors of the Great Lakes have become polluted to varying degrees. It is the considered judgment of a distinguished Board of Consultants convened to assist in the preparation of the report referred to above, that disposal of heavily polluted dredgings must be considered "presumptively undesirable" because of its long-term adverse effects on the ecology of the Great Lakes.

In view of this judgment, the draft legislation provides that open water disposal of dredged spoil removed from areas which the Secretary of the Interior determines, after consultation with the governor or governors concerned, to be significantly polluted, shall be discontinued when the Secretary of the Army determines that dredged spoil disposal sites are available. It is the initial objective of this legislation to terminate at the earliest practicable date the open lake disposal of dredged spoil from those 35 Great Lakes harbors which the Federal Water Pollution Control Administration, in connection with above-mentioned report, identified as the most heavily polluted of the 118 harbors on the Great Lakes.

In furtherance of these objectives, the draft legislation authorizes construction, operation, and maintenance of spoil disposal facilities by the Secretary of the Army. In establishing spoil disposal facilities, the Secretary of the Army would be directed to obtain and consider the views and recommendations of the Secretary of the Interior. These views and recommendations would concern such matters as location of disposal areas and methods of disposal so as to minimize damages to fish and wildlife habitat and impact on the environment, and would be given great weight in the Department's decision processes.

The bill would require participating non-Federal interests to provide land areas necessary for the facilities, and to maintain the facilities after disposal is completed in a manner satisfactory to the Secretary. Participating non-Federal interests would also pay half the construction cost of the facilities, either in cash at time of construction or in installments, with interest, within ten years. Interest will be at a rate similar to that prescribed for other water resource functions. No facilities will be constructed to meet more than ten years of estimated disposal requirements. This ten-year period is specified in recognition of the development within that period of the facilities necessary to treat at their sources the industrial and municipal wastes which are presently deposited in channels and harbors in the Great Lakes.

The authority for, and the cost-sharing terms of, the spoil disposal facilities provided for in the draft legislation, are intended to be separate from and supplementary to any other cost-sharing requirements relating to disposal areas and diking that have been established for existing navigation projects in the Great Lakes area. The objectives of this proposed legislation are primarily water quality improvement and environmental protection, rather than navigation improvements, and the construction cost-sharing arrangement proposed, accordingly, corresponds roughly to the Federal grant assistance available for waste treatment projects under the Clean Water Restoration Act of 1966.

Under the proposal, dredged spoil from non-Federal project sources could be disposed of in the facilities authorized in this legislation upon payment of fees to the United States and the cooperating local interests. The fees, designed to recover a fair share of the costs of installing and maintaining the facilities, would not be charged the cooperating interests should they deposit spoil from their own projects.

It is essential that the non-Federal interests, who are the principal beneficiaries of Federal navigation projects in the Great Lakes area, take timely steps toward furnishing the sites for these disposal areas, providing their share of the construction costs, and otherwise meeting their requirements as set forth in the Act. To assure that construction of these spoil disposal sites will progress as quickly as possible, the bill provides that after one year after enactment, the Secretary of the Army shall suspend or terminate dredging on Federal navigation projects, or prohibit further dredging by Federal licensees or permittees, if he determines that the concerned non-Federal interests have not taken reasonable steps toward meeting their requirements under the Act.

Finally, the legislation would authorize extension to all navigable waters of the research program on dredged spoil that has been conducted for the Great Lakes. A variety of problems in dredged spoil disposal exists in other localities, and it is proposed to seek solution to the most pressing of these in an orderly manner in cooperation with appropriate Federal and State agencies.

Apart from the authorities sought in this draft legislation, the Department of the Army intends to advance the bill's basic objectives in the interim by reducing to absolute minimum the dredging required to maintain navigation in the Great Lakes and their connecting channels, and by taking preliminary steps to identify potential spoil disposal sites for which construction would be authorized by the bill.

The President has directed that, upon enactment of this legislation, the Department of the Army report periodically to the Council on Environmental Quality on the progress being made, or the obstacles being encountered, in achieving the objectives of this proposal.

The ultimate Federal costs for the disposal facilities authorized in this legislation are presently estimated to be $35 million for construction and $50 million for ten years additional hauling and handling.

In view of the high public interest that has developed in the problems of spoil disposal in the Great Lakes, authority to provide contained facilities is urgently needed. Accordingly, favorable and early consideration by the Congress is recommended.

The Bureau of the Budget advises that enactment of this legislation would be in accord with the program of the President.

There is enclosed the detailed statement of the effects of the legislation on the environment as required by Section 102(2)(c) of the National Environmental Policy Act of 1969.

Sincerely,
(Signed) STANLEY R. RESOR,
Secretary of the Army.

REPORT OF THE CORPS OF ENGINEERS ON DREDGING AND WATER QUALITY PROBLEMS IN THE GREAT LAKES, SEPTEMBER 1969

1. *Authority.* This report, together with the 12-volume detailed report on Dredging and Water Quality Problems in the Great Lakes, prepared by the Buffalo District Engineer, is in response to a request made by the Bureau of the Budget in connection with its review of the Corps of Engineers-Civil budget estimate for Fiscal Year 1967. At that time it was directed that a study and experimental research program be conducted to determine the need for and efficacy of alternate methods of dredged spoil disposal in the Great Lakes. The report was prepared with the assistance of the Great Lakes Regional Office of the Federal Water Pollution Control Administration and has been coordinated with the eight Great Lakes States and the Department of the Interior. Their comments have been included in the detailed report.

2. *Background.* As a result of soil erosion, wastes discharges and littoral drift, sediment loads wash into various authorized harbors and channels of the Great Lakes. Periodically this material is removed by the Coprs of Engineers by dredging to maintain the previously established navigation depths. About 10.8 million cubic yards of material are dredged each year from the harbors by the Corps. Approximately 63% of this volume is from Lake Erie harbors and in the case of this lake the dredging constitutes about 8% of the sediment and dissolved solids reaching Lake Erie. In the other lakes the dredging constitutes a smaller proportion. In all, some 115 harbors must be dredged more or less frequently. Most of the dredged materials are transported by self-propelled hopper dredges and dump-barges, the material being moved from the channels and harbors on the fringes of the lakes to the open lakes.

About a hundred selected deep water disposal areas are located near enough to the harbors to minimize hauling costs, yet far enough away to avoid interference with water intakes, beaches, or other facilities. As population and industrial development have increased along the Lakes, the sediments that must be dredged from the harbors and channels have become increasingly polluted. As a result, most of the sediments dredged at the commercially important harbors have become contaminated by inadequately treated pollutants from municipal, industrial and agricultural sources. The Federal Water Pollution Control Administration, various public officials and others have expressed concern over the cumulative adverse effects associated with open Lake disposal of these polluted dredged materials. The standards set for water pollution control by the states and approved by FWPCA, which generally require secondary or comparable treatment by municipal and industrial plants along the Great Lakes, are apparently several years from providing adequate treatment of wastes. Means of controlling pollutants from agricultural sources are not yet prescribed.

3. *Canadian Dredging Operations.* The question of the relationship of the dredging operations at Canadian harbors is also being considered in connection with studies now being conducted by agencies of Canadian Government. Since the average annual volume of materials being dredged and disposed of in open water areas, some 1.7 million cubic yards, is small in comparison with the volumes dredged at United States harbors, they consider that their dredging operations are not a major source of pollution.

4. *Non-Federal Dredging Operations.* In order to use the harbors and channels constructed and maintained by the Corps of Engineers, private industry or port authorities maintain access from slips and docks to the Federal channels. The amount of non-Federal dredging necessary to accomplish such maintenance is about 20% of the Corps volume. Whatever criteria of dredged spoil control

are applied to Corps dredging should be applied to non-Federal dredging associated with the use of the navigation channels.

5. *The Problems.* The basic problems posed by the study were:

a. What is the effect on the Great Lakes environment from open lake disposal? What alternatives to open lake disposal of dredged spoil are available? What are the alternative costs and the effectiveness of such alternatives in removing pollutants from the lakes?

b. Should an interim alternate disposal program, to be used until pollutants are effectively controlled at their sources, be adopted? Are the costs of such an alternate program justified in terms of the resulting improvement in the lake environment?

c. If an alternate disposal program is to be adopted what Federal/non-Federal cost-sharing and cooperation should be recommended to the Congress for authorization?

6. *Conduct of the Study.* In conducting the study requested of the Corps of Engineers, a wide variety of alternate disposal methods and modifications to present dredging techniques were investigated and analyzed. In addition, the technical services of other Government agencies, including FWPCA, as well as a group of recognized consultants, certain universities and specialized private firms were utilized to assure consideration of other fields of interest associated with or affected by the dredging operations. In reviewing available information on the subject, including that produced by the Pilot Study, it must be recognized that there is a scarcity of credible data concerning the physical, chemical and biological characteristics at the harbors and lake disposal environments. The conclusions arrived at by the District Engineer in connection with the study are contained in Section 12 of his report.

7. *Views of States.* The states are of the opinion that alternate methods of disposing of polluted dredged spoil are necessary. Some states consider this to be entirely a Federal responsibility. Other states have indicated a willingness to cooperate in financing in the same manner as for local flood protection projects by furnishing necessary lands. A more detailed statement of the states' views is contained in Section 11 of the detailed report.

8. *View of Department of Interior.* The Assistant Secretary of the Interior for Water Quality and Research recently expressed these views with respect to the report.

"Our Great Lakes are a priceless natural resource, and we must push with all possible speed to stop and to counteract the continuing degradation of this resource.

To that end, your draft report has shown beyond the shadow of doubt that diked or other on-land disposal of such dredge spoil is a very effective pollution control measure. It remains for the Corps of Engineers to pursue this far wiser course with all diligence and in full keeping with the spirit of Executive Order 11288. Rest assured that this Department will cooperate with you to the fullest to implement without further delay a maximum program of diked disposal."

The Assistant Secretary also points out that in their analysis of available information there were several instances when they would not arrive at the same opinions and conclusions reached in the report of the District Engineer and that generally the report was unsympathetic with the effect that dredging operations may have on the pollution problem which exists in the Great Lakes.

9. *Discussion.* The data derived from the studies of this Pilot Program indicate that materials dredged from 35 of the Great Lakes harbors contain significant amounts of pollutants mixed in with the relatively benign silts and sands carried by the stream and lake currents. At these harbors serving the large cities and their associated industries about 80% of the total Great Lakes annual dredging is performed. The quantities and types of pollutants vary from harbor to harbor, and within a specific harbor area also. Concerted efforts of sampling and analysis of the effects of open lake disposal of the polluted dredge materials generally failed to detect the impact of such disposal on the lake environment. The difficulty ensues because whatever changes are occurring in the lake environment, they represent the gradual cumulative effects of many varying operations, no one of which can be separately measured, quantified and analyzed at any particular time. Thus the cessation of open lake disposal, which in Lake Erie amounts to moving into the lake about 8% of the solids which reach the lake naturally, cannot be related to any specific improvement in the quality of the lake waters, and as a result no specific improvement in municipal water treatment costs, fish and wildlife, or recreation can be calculated. In some few cases it is possible that open lake disposal will improve the lake bottom conditions where such conditions presently are badly degraded. The District Engineer made extensive and detailed studies on alternate methods of disposal and constructed and used such alternate methods in disposing of up to 25% of the polluted dredged material during the two-year Pilot Program. Accurate data on costs and effectiveness of the cheapest alternative to open lake disposal are provided in the report. Placement of the dredged material in diked disposal areas was proved to be effective for containment of the pollutants and also the least costly alternative. The costs for such diked areas are generally two to five times the present costs of open lake disposal.

The pollutants which are mixed in with the silts and sands to be dredged have a variety of sources. In the highly industrialized large cities, the bulk of the pollutants come from inadequate sewage treatment plants. Additional pollutants come from farm, highway and street runoff. The harbor and channels dredged on a periodic basis provide settling basins for the pollutants. Once a dredge has picked up the material and temporarily removed it from the water, the opportunity obviously exists to place the material elsewhere than in the lake water, and in the process perform a pollution abatement function. This pollution abatement function should be performed for the most part by industrial and municipal sewage treatment plants, standards for which have been set and approved by law. Until such sewage treatment plants become effective the Corps dredging program, if it permanently removed the pollutants from the water, could be credited with partially fulfilling on an interim basis the sewage treatment plant function. Although obviously not a substitute for adequate treatment, the monetary credit that could be attributed to the removal of pollutant solids by dredging based on the percent of solids to be removed by treatment and the costs of treatment, is about $2 to $3 per cubic yard of dredged material where such material contains about 10% pollutants. This does not suggest that dredged material be run through a sewage treatment plant, but only that it be recognized that the dredging program can partially meet water quality standards established by law until such standards are achieved by the required sewage treatment plants yet to be built. On the assumption that a significant reduction in pollution at its source would take place in about 10 years, at which time the bulk of dredged materials could then be moved to the open lakes, estimates show that costs of providing the least costly alternative disposal areas at the 35 harbors presently considered to be polluted would be about $70,000,000 for construction of diked disposal areas with an annual added increase of $5,000,000 for the more expensive handling operation of placing the material within the diked areas during the 10-year period.

The report indicates that lesser programs for only the most polluted harbors could be developed, at lower costs of course. In a sense the lesser programs are a way of expressing the priorities of action which could be implemented dependent on funding available for a diked program. For most of the 35 harbors the added cost for confining the dredged materials in diked disposal areas ranges from about $1 to $5 per cubic yard averaging $1.30 per cubic yard. Thus a diked disposal area program, although not justifiable in terms of the direct tangible benefits accruing to the lake environment, is roughly equivalent in terms of costs or removal of pollutant solids to that of the treatment plants required to meet water quality standards. Construction of the diked disposal area program at all 35 harbors would require about 3 construction seasons, after funds have been made available.

10. *Cost Sharing and Cooperation of non-Federal Agencies.* During the past years the Federal policy concerning the furnishing of lands for disposal areas and the construction of retention areas has varied. At many of the earlier projects disposal areas and dikes, where needed, were a part of the Federal cost. Such requirements were readily available and the cost of such facilities was nominal. During more recent years the provision of lands for disposal areas as well as diking such areas has been included in the requirements of local cooperation prescribed for navigation projects authorized by Congress. Since the navigation system of harbors in the Great Lakes and throughout the country has developed over a period of many years, the requirements of local cooperation vary widely depending on the Federal policy that existed at the time of authorization. Many have no requirements whereas others authorized recently include the requirement that local interest furnish the necessary disposal areas.

The control of pollution is a responsibility of local government in conformance with standards established by the individual states and with approval and assistance of the Federal Government. The above discussion pointed out that significant amounts of pollution exist in the harbor sediments of some 35 of 115 Great Lakes harbors. The criteria for defining the amount of pollution that is significant or insignificant have not been established with any degree of precision. Because the individual states have established the water standards for their waters, it appears that the Corps would be best advised to obtain from the state pollution control agency for each of its harbors a judgment on the degree of pollution of the navigation channel sediments and a recommendation on whether or not such pollution warrants the requirement for a diked disposal area.

The costs of an interim diked disposal program can generally be broken down into: cost of lands and access rights thereto; costs of preparing the site by building dikes and other retaining structures; and costs of moving the dredged material from the dredge to the containment site. To be equitable to both local and Federal taxpayers, a consistent cost sharing policy is desirable. Therefore, general legislation is required to provide consistency. It is evident that the cost and acquisition of lands should be a local responsibility and the increased costs of moving the dredged material to the containment site should be Federal. Recognizing that some benefits, though difficult to evaluate, accrue to the owners of filled-in-land, that much controversy will result as to which lands should be used (which can best be resolved by local government), and that such disposal areas will also be used by non-Federal agencies or industry as well as the Corps, it appears that the cost of the site preparation

phase of the program should be borne in whole or in part by local agencies. Since it is not practicable to be sure of equitability in all cases, proposed for the consideration of the Congress is a 50–50 cost sharing on those portions of the diking required for construction and maintenance of the Federal project.

11. *Conclusions.* Based on the results of the study and the carefully considered opinions of the board of consultants, I conclude that:

a. The accelerated mechanical movement of significantly polluted materials from harbor areas to deep waters of the Great Lakes contributes to a cumulative, long-range degradation of lake water quality. Such degradation cannot be quantified, and in some particular cases may not exist.

b. An opportunity exists in the dredging program to perform a pollution abatement function. Accomplishment of the work would be consistent with established standards of waste treatment requiring the removal of solid wastes from sewage effluents. Although not a substitute for treatment of pollution at its source, the dredging procedures, if they permanently removed pollutant solids, could be credited with partial interim achievement of the required but not yet provided treatment.

c. The cheapest effective method of disposal, as an alternate to open-lake disposal, is the use of diked containment areas near the navigation projects. Lands are difficult to acquire and the alternate disposal procedure increases costs several-fold over open-lake disposal. To provide the alternate areas for all 35 Great Lakes harbors currently considered to be polluted would require an investment of about $70,000,000 for providing retention facilities for a 10-year period of operation. Such an investment should be specifically authorized by Congress, allowing for probable changes in degrees of pollution that will exist at various harbors, and with the understanding that the 10-year program is based on the assumption that effective treatment facilities will change the need for containment of dredged spoil in about 10 years. The 35 harbors can be programmed in order of priority in accordance with available funding. After funds are available about 3 construction seasons of dike construction time would be needed.

d. The state water pollution control agency should be the agency to establish the criteria for determining the significance of channel sediment pollution and make recommendation to the Corps of Engineers on the need for undertaking alternate methods of disposing of dredged materials.

e. Non-Federal agencies should be required to furnish lands for disposal sites, access thereto, and pay 50% of the costs of diking or other means of containment at all harbors of the Great Lakes where pollution conditions warrant. Congressional authority for the imposition of this cost-sharing is required.

f. From the results of the studies completed to date and a review of available literature on the subject, it is obvious that further research and study in this field are necessary and should be continued as a part of the maintenance activities on the navigation projects. These studies are urgently required to evaluate more conclusively the impact of the various disposal procedures on the environment of the Great Lakes.

g. Pending approval and the provision of funds for accomplishment of the program, the disposal of polluted dredge spoils will be confined to such diked areas as presently exist, such areas as may be provided under the authority of the existing projects on the basis of minimizing operation and maintenance costs, and in such additional areas as may be furnished by local interests at their expense.

h. The added cost of dredging operations (exclusive of the construction of containment areas) resulting from the utilization of any alternate disposal procedures should be a Federal cost.

i. All non-polluted material should continue to be disposed of in open waters of the Great Lakes.

j. The long-range solution of resolving the pollution problem as it relates to dredging operations is the control of pollution at its sources. 12. *Recommendations.* In furtherance of the national objective of improving water quality through the prevention, control and abatement of water pollution from Federal Government activities, as directed by Executive Order 11288, I recommend the following actions be taken:

a. That the Secretary of the Army approve this report and forward it to the Bureau of the Budget and to Congress.

b. That legislation be enacted, draft of which is being submitted under separate cover, which will require local interests to furnish lands acceptable to the Chief of Engineers for the disposal sites free of cost to the United States and also to pay 50% of the cost of diking or other means of containment at all harbors of the Great Lakes where pollution conditions warrant, as determined by the state pollution control agency.

F. J. CLARKE,
Lieutenant General, USA, Chief of Engineers.

SUPPLEMENTAL REPORT ON DREDGING AND WATER QUALITY PROBLEMS IN THE GREAT LAKES

ENVIRONMENTAL IMPACT

This supplemental report is submitted in conformance with Section 102(2)(C) of the National Environmental Policy Act of 1969. The broad purposes of the attached Corps of Engineers report, written prior to the Act, are those of the Act, Section 2.

Using a systematic and interdisciplinary approach the Corps of Engineers, with the assistance of the Department of Interior, a board of eminently qualified consultants, and various Universities, assessed the impact of the construction and maintenance of navigation projects on the environment of the Great Lakes. Although environmental amenities and values are extremely difficult to quantify, the great intangible values of high quality water in the Great Lakes were carefully considered and were significant in the decision making reflected below.

(i) *Impact On Environment.* The Corps of Engineers in dredging authorized harbors and channel projects in the Great Lakes has generally disposed of most of the dredged material in the open waters of the Lakes. The detailed study of these procedures concluded (see attached report) that much of the dredged material is polluted by man's industrial, agricultural and domestic activities and when placed in the lakes could have a long range, cumulative, detrimental effect on lake water quality with ensuing undesirable impacts on the environment. The proposed actions would permanently remove polluted dredged material from the lake waters by disposing of the material in containment areas to reduce or eliminate the undesirable environmental impact of the present Corps of Engineers dredging procedures. The proposed actions would perform a partial pollution abatement function for a period of ten years until such time as pollutants presently reaching lake and harbor waters are expected to be controlled at their sources.

The actions proposed will still impact on the local environment at the proposed contained disposal sites. Site selection in upland areas or along shore or in shallow waters requires careful study to assure that one type of environmental enhancement does not produce another type of degradation. Therefore, disposal site selection, construction, and use will be carefully coordinated by the Secretary of the Army through the Corps of Engineers with non-federal participating agencies and the Department of Interior. By careful site selection, beneficial land fills for commercial, industrial, public, or wildlife uses may be developed. Site selection also must give appropriate emphasis to the least total economic cost in terms of land acquisition, construction of containment structures and the disposal operation.

(ii) *Adverse Environment Effects.* The adverse environmental effects that would result by implementing the proposed procedures of dredged material disposal are minimal. The basic purpose of the proposals is to eliminate the pollutional effects of present methods by adopting procedures that would not create other environmental problems. Careful implementation of the proposed procedures will accomplish this purpose.

(iii) *Alternatives to the proposed actions are:*

(1) Continue to dispose of most dredged material in the open waters of the Great Lakes. This is the least cost procedure for maintaining the harbors and channels to the depths authorized and directed by the Congress. This alternative would accept the detrimental environmental impact of present procedures until pollution sources were controlled and dredged material was no longer significantly polluted.

(2) Discontinue the dredging of the Great Lakes harbors and channels. The harbors and channels would within one or two years fill in to such an extent that severe economic hardship would be created at all large Great Lakes ports and extend throughout this region. As the harbors and channels filled in to natural depths, they would no longer serve as settling areas for polluted materials and such materials would then flow into the lakes.

(3) Remove the pollutants from the dredged material prior to open lake disposal. This alternative was tested as part of the reported study and proved to be much more expensive but not more effective than the proposed action.

It must be recognized that within the procedures proposed many alternatives exist with respect to site selection, dredging methods, and conveyance of dredged material to the disposal site. In each polluted harbor or channel project, the most economical and effective methods must be adopted once the proposed authorities and funds are provided.

(iv) *Short-term versus long-term effects.* The proposed procedures are based on the conclusion that short term economic advantages of open lake disposal are overweighted by the need for the long term protection of the Great Lakes environment.

(v) *Irreversible Commitments.* The proposed actions allow for considerable detailed study and coordination prior to implementation in each case. An irreversible commitment would occur after a site had been put into use for disposal of the dredged materials, quantities of which are as high as 1,000,000 cubic yards per year at major harbors such as Cleveland and Toledo. Once these areas were in use for disposal purposes for the proposed 10 year period, they would be converted into new fills that would take time to consolidate before being available for other beneficial purposes. This emphasizes again the need for careful disposal area site selection in order to meet the purposes of the proposed actions.

Coordination. The report on the detailed analyses that accompanies this evaluation of dredging and water quality problems in the Great Lakes, has been coordinated with the eight Great Lakes States and pertinent Federal Agencies. Volume I of the report includes State and Agency comments as a result of this coordination. A series of public meetings at various cities in the Great Lakes area during the Spring of 1969 as well as widely dis-

tributed brochures were used to advise the public on the study conclusions and findings.

Coordination through the International Joint Commission continues with the Canadians with respect to an overall program of pollution abatement in the boundary waters.

DUMPING IN LAKE MICHIGAN: THE PRESIDENT'S PROGRAM

Mr. SMITH of Illinois. Mr. President, I am pleased to join the distinguished senior Senator from Kentucky and ranking minority member of the Committee on Public Works (Mr. COOPER) and the distinguished assistant minority leader (Mr. GRIFFIN) in the sponsorship of S. 3743, President Nixon's program to prevent the dumping of dredged materials into the Great Lakes. The record of leadership compiled by these respected Senators augurs well for the prompt consideration of the President's program and prompt action on this important legislation.

Mr. President, the dredging of shipping channels in the Great Lakes is an important factor in the maintenance of a healthy, vital, economic climate in my own State of Illinois. The people of Illinois know the value of Great Lakes commerce to the State's economy. Many of their jobs depend on shipping and lake-related industries. Yet they have again and again demanded the cessation of the open-lake dumping of dredged materials—not because they want to see the shipping industry come to a halt in the Great Lakes region, but because they believe that shipping and industry can continue to prosper without continuing to pollute.

The people of Illinois look to their public officers to accomplish the goal of progress without pollution by strict enforcement of antipollution regulations. They expect action, not words, directed toward pollution abatement. They insist upon the creation of programs "with the teeth in them"—and the dollars in them—to do the job. They deserve nothing less.

In my opinion, President Nixon's proposals constitute recognition of the principle that public works projects, no matter how desirable, must not be permitted to pollute and despoil. They further recognize the sound principle that if Government aims to eliminate pollution, it should first guarantee that its own activities do not pollute. These are the very principles to which I pledged myself in a statement on the floor of the Senate on April 15. In that statement, I said:

> From this day on, I shall use my office as Senator to oppose each and every new Federal public works project for the State of Illinois, if plans for those projects do not include an adequate concern for the ecological effects of their execution. In other words, I am serving notice here and now to every State and local government officer, and to every interest group, that Ralph Smith will do his best to see that no more Federal dollars are spent on new public works projects in Illinois unless those projects include completely adequate safeguards to control pollution and other detrimental ecological effects of the projects.

Mr. President, in some ways President Nixon's proposals do not go as far as I have suggested in visits with him and letters to him over recent months. Nevertheless, I am proud to cosponsor the President's bill as a history-making first step. I hope to present some amendments of my own when the bill is considered in committee, but they will supplement, rather than supplant, the President's very meaningful, very worthy, proposals.

S. 3744—INTRODUCTION OF THE ADMINISTRATION BILL TO EXTEND FOR 1 YEAR THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. COOPER. Mr. President, the Senate received on Monday, April 20, a letter from the Secretary of Commerce transmitting a draft of legislation to extend for 1 year the authorizations for titles I through IV of the Public Works and Economic Development Act of 1965.

I am very glad to introduce the administration proposal as the ranking minority member of the Committee on Public Works, to which it has been referred, together with Senator BAKER, who is the ranking minority member of the Subcommittee on Economic Development.

I ask unanimous consent that the letter of transmittal, a statement of purpose and need which accompanied the letter, and the text of the bill be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore (Mr. HOLLAND). The bill will be received and appropriately referred; and, without objection, the bill and other material will be printed in the RECORD, as requested by the Senator from Kentucky.

The bill (S. 3744) to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971, introduced by Mr. COOPER (for himself and Mr. BAKER), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 3744

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 105 of the Public Works and Economic Development Act of 1965 is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1971".

(b) Subsection (c) of section 201 of the Public Works and Economic Development Act of 1965 is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1971".

(c) Section 302 of the Public Works and Economic Development Act of 1965 is amended by striking out "for the fiscal year ending June 30, 1970" and inserting in lieu thereof "per fiscal year for the fiscal years ending June 30, 1970, and June 30, 1971".

(d) Subsection (g) of section 403 of the Public Works and Economic Development Act of 1965 is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1971".

The material, presented by Mr. COOPER, is as follows:

SECRETARY OF COMMERCE,
Washington, D.C., April 17, 1970.

Hon. SPIRO T. AGNEW,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are four copies of a draft bill "To amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971." together with four copies of a statement of purpose and need in support thereof.

We have been advised by the Bureau of the Budget that enactment of this legislation would be in accord with the program of the President.

Sincerely,

_____ _____,
(For the Secretary of Commerce).

STATEMENT OF PURPOSE AND NEED

The proposed bill is to renew and extend authorizations of funds for Titles I through IV of the Public Works and Economic Development Act of 1965, as amended, through June 30, 1971.

The continuing growth of the national economy is showing an impact on many lagging areas of the Nation, but a large number of areas are still in need of Federal financial aid to combat severe unemployment and low-income problems in fiscal year 1971. These areas are caught in a downward cycle of privation and are unable to build the public facilities essential to attract private industry and stimulate economic growth.

In an effort to help these areas, the Public Works and Economic Development Act of 1965 authorizes a grant and loan program for public works and development facilities needed to create a climate conducive to the development and operation of private enterprise. The appropriations authorization for the grant program, contained in Title I, section 105 of the Act, and the appropriations authorization for the loan program, contained in Title II, section 201(c) of the Act, expire June 30, 1970.

An extension of the authorization of funds for this program through June 30, 1971, is sought to enable EDA to continue to fund needed public works and development facilities.

Section 202 of the Act authorizes (1) business development loans for the purchase or development of land and facilities, including machinery and equipment for industrial or commercial usage and (2) working capital guarantees made in connection with projects assisted by such loans. The purpose of this program is to provide a direct stimulus to industrial and commercial development in these lagging areas. The appropriations authorization for this program, contained in Title II, section 201(c) expires on June 30, 1970.

The extension of this authorization is sought through June 30, 1971, to continue the business loan and working capital guarantee program as a means for providing continued assistance to private sector development in these depressed areas.

The technical assistance and research program authorized by Title III of the Public Works and Economic Development Act of 1965 is an effective means of giving motivation and support to institutions and groups instrumental in fostering the economic development process, as well as providing preliminary feasibility studies and planning assistance to more adequately assure the success of programs and projects. In addition, the research program authorized by Title III enables the Department to formulate and evaluate its policies and to establish long-term goals and priorities. The appropriations authorization for the technical assistance and research program, contained in Title III, section 302, expires June 30, 1970.

An extension of the authorization of funds for this program through June 30, 1971, is sought to enable EDA to continue this much needed economic development support program.

Public works and development facility grants and loans, business loans and working capital guarantees to be provided to economic development centers are authorized in

section 403. An economic development center must have a population not exceeding 250,000 persons and must be geographically and economically related to the economic development district so that it may contribute significantly to the alleviation of poverty in depressed areas. The purpose of this program is to develop new industrial and commercial centers in such areas. The appropriations authorization for this program, contained in Title IV, section 403(g), expires June 30, 1970.

An extension of this appropriations authorization is sought to enable the continuance of this assistance which is essential to rational, effective areawide economic development.

S. 3745—INTRODUCTION OF THE ADMINISTRATION BILL—DISASTER ASSISTANCE ACT OF 1970

Mr. COOPER. Mr. President, yesterday the President sent to the Congress a message on Federal disaster assistance, both outlining administrative actions he has taken, and making legislative proposals. As the Senate did not meet yesterday, the President's message was received by the Senate earlier today.

It is a humane message, building upon our tradition of extending a helping hand to neighbors in time of trouble. His proposals will advance the great and often critical help which timely Federal efforts can give when storm, flood or earthquake strike.

The message recognizes the importance of coordinating Federal efforts, of bringing assistance promptly and effectively to areas hit by disaster—always difficult at a time of confusion and disruption—and of seeing to it that individuals and families and local officials have access to the assistance we intend be available to them in a way that is convenient, equitable, understandable and, hopefully, uncomplicated.

The Senate Committee on Public Works has exercised jurisdiction in this field for many years and, while not all of the provisions of law touching on emergency and disaster assistance have passed through our committee, the basic legislation has been our responsibility. I think it fair to say that the present system of Federal disaster assistance developed largely at the initiative of the Congress, with additions usually following a major occurrence as needs became apparent. I consider it noteworthy, therefore—and as evidence of the President's concern for human values, of the spirit in him of the good neighbor—that we have this special Presidential message directed to improving Federal disaster assistance. It is the first such message in many years and, I believe, the most comprehensive statement by the White House on the subject.

Last fall, following Hurricane Camille, the Senate Committee on Public Works established a Special Subcommittee on Disaster Relief. Its chairman is Senator BAYH, who has made proposals, introduced legislation, conducted hearings, and devoted much effort to this subject for several years. His faithful and persistent work in this area is recognized and, indeed, the subcommittee begins, on Monday, its Washington hearings on this subject following the field hearings earlier this year in Biloxi, Miss., and Roanoke, Va. The administration proposals will, I am sure, make a significant contribution to the committee's work in this field.

Mr. President, as the ranking minority member of the full Committee on Public Works, I am very glad to introduce, with Senator DOLE, the ranking minority member of the Disaster Relief Subcommittee, and with Senator RANDOLPH, chairman of the full committee, together with Senator BAYH, chairman of the Disaster Relief Subcommittee, the bill submitted by the President. I do so today so that it may be printed in time to be available at the committee hearings beginning on Monday. I have no doubt that a number of Senators may wish to become cosponsors of the administration disaster relief bill, and at a later time will ask unanimous consent to add as sponsors those who wish to do so.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point the fact sheet which accompanied the President's message, a section-by-section analysis of the administration bill, and the Executive order of April 22, 1970, establishing the National Council on Federal Disaster Assistance.

The ACTING PRESIDENT pro tempore (Mr. HOLLAND). The bill will be received and appropriately referred; and, without objection, the material will be printed in the RECORD, as requested by the Senator from Kentucky.

The bill (S. 3745) to amend existing Federal disaster assistance legislation, and for other purposes, introduced by Mr. COOPER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

The material, presented by Mr. COOPER, is as follows:

DISASTER ASSISTANCE LEGISLATION FACT SHEET

1. *Revenue Maintenance.*—The Federal Government would be authorized to lend money at favorable interest rates to local governments to make up their loss of property tax revenues following a major disaster. Such a program would permit continuation of essential public services and thereby enable local governments to respond to public needs with full vitality at the time when such vitality is most needed. The interest rate on such loans would be determined by the Secretary of the Treasury. It would be based on the current average market yield on those outstanding marketable obligations of the United States which have remaining periods to maturity of 10 to 12 years. This level could be reduced by up to 1%.

2. *Permanent Repairs.*—Existing disaster assistance legislation permits only emergency repairs or temporary replacement of damaged essential public facilities. This authorization would allow permanent repairs or full replacement in conformity with existing codes and standards. It would therefore provide an effective and practical approach to the replacement of damaged public facilities which are vital to community life.

3. *Economic Development Assistance.*—The Economic Development Administration would be able to provide staff support, technical advice, and financial assistance to those communities affected by major disasters. These forms of assistance are vital in recovery efforts, particularly when the community is attempting to begin long-range rebuilding or redevelopment efforts.

4. *Disaster Prevention.*—The Office of Emergency Preparedness would be authorized to take preparedness or preparatory action "in circumstances which clearly indicate the imminent occurrence of a major disaster." This arrangement is expected, in some instances, to reduce damage and destruction and to contribute to a more rapid and effective response following a disaster.

5. *Disaster Loans.*—Disaster loans by the Small Business Administration and the Farmers Home Administration are the principal sources of assistance to stricken individuals. Disaster loans under this legislation would have improved refinancing and payment deferral arrangements; forgiveness in major disaster areas would be increased from $1,800 to $2,500 and disaster loans to older citizens would be assured. The interest rate on such loans would be set by the Secretary of the Treasury. It would be based on the current average market yield on U.S. obligations with remaining periods to maturity of 10 to 12 years. This level could be reduced by up to 1%. These changes are expected to allow faster service by FHA and SBA, and promote speedier recovery following disasters.

6. *Unemployment Compensation.*—This provision would extend for two years the provisions of the Disaster Relief Act of 1969, and would make temporary income available as promptly as possible to mitigate the hardships of individuals unemployed as a result of a major disaster. Before 1969, only those unemployed who could qualify for compensation under the normal unemployment insurance program received income protection following a disaster. The two-year extension would provide time to evaluate the new provisions and to pass appropriate legislation.

7. *Housing.*—The provision for temporary housing in PL 81–875 would be amended to incorporate several features of PL 91–79, while retaining the flexibility necessary to provide an adequate response to natural disasters. One such feature would be the authority to charge appropriate rentals taking into consideration the hardship involved and the financial ability to pay.

8. *Debris Removal.*—The Federal Government would be able, when it is in the public interest, to remove debris from private property. State or local governments would be required to arrange authorization for removal of debris from private property and to indemnify the Federal Government against liability claims.

9. *Planning Assistance.*—The Disaster Relief Act of 1969 authorized a one-time grant to States for disaster planning. This legislation would expand that provision of the 1969 law and would permit the use of Federal matching funds for maintaining and updating of States disaster plans.

10. *Miscellaneous.*—The Disaster Relief Act of 1969 (PL 91–79) expires on December 31, 1970. Items 5 through 9 represent extensions or modifications of provisions included in PL 91–79. Two additional authorities contained in PL 91–79, those concerning timber sale contracts and appointment of a Federal coordinating officer, would also be extended by this legislative proposal.

DISASTER ASSISTANCE ACT OF 1970, SECTION-BY-SECTION ANALYSIS

Sec. 1. Provides that the Act may be cited as the "Disaster Relief Act of 1970."

Sec. 2(a). Amends the definition of the term "major disaster" in PL 81–875 to require that Governors certify a need for "Federal disaster assistance" rather than just assistance under PL 81–875. The amendment also deletes a reference to the Board of Commissioners of the District of Columbia since that Board no longer exists.

Sec. 2(b) and (c). Amends the definition of the term "State" to include the District of Columbia and deletes the reference to the District of Columbia in the definition of "local government."

Sec. 2(d). Revises Section 3(d) of PL 81–

875 to provide that Federal contributions for permanent repair or replacement of essential public facilities of State and local governments shall not exceed the net cost of restoring such facilities to their pre-disaster capacity in conformity with current codes and specifications. This section has been further amended to permit appropriate rental charges for temporary housing taking into consideration the hardship and the financial ability of the occupant to pay.

Sec. 2(e). Revises Section 4 of PL 81-875 to authorize agreements with private relief organizations to distribute needed supplies in disaster areas in accordance with nondiscrimination provisions of Federal law.

Sec. 3. Extends and modifies certain provisions of the Disaster Relief Act of 1969 (PL 91-79).

Sec. 3(a) and (b). Amends the disaster loan authorities of the Small Business Administration and the Farmers Home Administration by (1) standardizing the interest rates on loans and authorizing such loans even though assistance may be available from private sources, (2) making such loans not to exceed the current repair or replacement cost of the disaster loss, in conformity with current codes and specifications, (3) providing, in cases in which refinancing of existing loans is required, that the amount of the refinancing shall not exceed the amount of the physical loss sustained, and (4) in cases of hardship, raising the forgiveness feature of disaster loans from $1800 to $2500 in major disaster areas.

Sec. 3(c). Amends Section 8(c) of PL 91-79 to eliminate the date for completion of State plans and provides that plans developed under this section shall be applicable to local governments as well as individuals.

Sec. 3(d). Further amends Section 8 of PL 91-79 by authorizing matching grants to States up to $25,000 per annum for purposes of improving, maintaining, and updating State disaster assistance plans.

Sec. 3(e). Revises Section 14 of PL 91-79 to make clear that contractors may remove debris from private property in community areas including rural areas. This subsection also provides that State and local governments arrange to provide blanket authorizations for the removal of such debris and that the Government be indemnified against claims arising from such removal.

Sec. 3(f). Repeals Section 15 of PL 91-79 which defines "major disaster" for purposes of the Act as a disaster which occurred after June 30, 1967, and on or before December 31, 1970. However, the repealing amendment provides that project claims resulting from disasters declared prior to the date of enactment of this Act shall be disposed of in accordance with the provisions of PL 91-79.

The Section further provides that Sections 2, 4, 10, and 11 of PL 91-79 shall not be in effect after December 31, 1970. Section 2 provides for a 50 percent Federal contribution for the permanent repair or reconstruction of non-federal aid highways and is not necessary in view of a revised standard or repair for public facilities eligible for assistance under PL 81-875. Section 4 with respect to public land entryman is considered to be a duplication of existing authority and is deleted. Section 10 which provides for temporary housing has been deleted in favor of a modified temporary housing provision in PL 81-875. Section 11 provides for the distribution of food stamps and commodities in areas where low income households would be unable to purchase sufficient quantities of nutritious food. The Department of Agriculture advises that it can undertake this type of program under existing authority and that Section 11 is not necessary. The Section further provides that unemployment compensation benefits authorized by Section 12 of PL 91-79 shall continue in effect only until December 31, 1972. It is expected that a more satisfactory arrangements for providing these benefits will be adopted prior to the 1972 expiration date. All other sections of PL 91-79 would remain in effect.

Sec. 4. Would authorize the Secretary of Commerce to designate areas which have suffered a major disaster to be "redevelopment areas" eligible for grant and loan assistance under the Public Works and Economic Development Act of 1965.

Sec. 5. Authorizes 15-year Federal loans by prescribed formula to local governments in cases in which disaster damage has resulted in a substantial loss of property tax revenue. Payments on interest and principal may be deferred during the first three years of the term of the loan. This section also provides for the creation of a separate loan fund for the purpose.

Sec. 6. Permits the President to take effective action to avert or lessen the effects of a catastrophe which threatens to become a major disaster. It is not necessary for the President to declare a "major disaster" before assistance can be provided under this section.

Sec. 7. The President would be authorized to assign advisory personnel to the chief executive officer of a State or local government in order to assure full utilization of disaster relief and assistance resources and programs.

Sec. 8. Forbids discrimination on the grounds of race, color, or national origin in Federal disaster assistance programs and authorizes the President to take the necessary action to insure compliance.

Sec. 9. Authorizes the President to utilize the resources of Federal departments and agencies for use in disaster relief, with or without reimbursement, as he deems appropriate. Similar authority was granted by PL 81-875 but not by PL 89-769 or PL 91-79.

Sec. 10. Authorizes the establishment by Federal agencies of advisory groups to assist in carrying out the provisions of law relating to Federal disaster preparedness and assistance and authorizes use of funds for that purpose.

Sec. 11. Adopts for purposes of this Act, PL 89-769, and PL 91-79, the following definitions contained in PL 81-875: "major disaster", "United States", "State", "Governor", "Local government", and "Federal agency." It also authorizes Federal agencies to liberalize contracting and employment practices in accordance with authority now contained in Section 7 of PL 81-875.

Sec. 12. Adopts the language of PL 81-875 providing that authority and funds shall supplement rather than substitute for other authority conferred or funds provided, and adds the limiting language of PL 89-769 prohibiting duplication of assistance for a single loss.

Sec. 13. Authorizes appropriations.

EXECUTIVE ORDER—ESTABLISHING THE NATIONAL COUNCIL ON FEDERAL DISASTER ASSISTANCE

Whereas the Congress has enacted a number of statutory provisions authorizing Federal assistance to areas devastated by large-scale disasters; and

Whereas the Federal Disaster Act (P.L. 81-875), the Federal Disaster Relief Act of 1966 (P.L. 89-769), and the Disaster Relief Act of 1969 (P.L. 91-79) are, pursuant to delegations of authority by the President, administered by the Director of the Office of Emergency Preparedness; and

Whereas the Departments of Defense, the Interior, Commerce, Agriculture, Labor, Health, Education, and Welfare, Housing and Urban Development, and Transportation, and the Small Business Administration and the Office of Economic Opportunity, also administer important disaster assistance programs; and

Whereas a prompt and effective Federal response to a major disaster requires coordinated action by all of the Federal agencies involved; and

Whereas Federal coordination will be served by the establishment of a National Council on Federal Disaster Assistance:

Now, Therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

Section 1. *Establishment of Council.* (a) There is hereby established the National Council on Federal Disaster Assistance (hereinafter referred to as the "Council") which shall be composed of the Director of the Office of Emergency Preparedness, who shall be the Chairman of the Council, and policy level representatives of the Departments of Defense, the Interior, Agriculture, Commerce, Labor, Health, Education, and Welfare, Housing and Urban Development, and Transportation, and of the Small Business Administration and the Office of Economic Opportunity, and such other members as the President may from time to time designate.

(b) Representatives of other Federal departments or agencies, officials of State and local governments, and private citizens may be invited by the Chairman to participate in the deliberations of the Council.

Section 2. *Functions of the Council.* The Council shall advise and assist the Director of the Office of Emergency Preparedness in:

(a) Insuring that Federal agencies furnish necessary assistance following a large-scale disaster on a priority basis to the Federal Coordinating Officer appointed by the President to operate under the Director, Office of Emergency Preparedness, pursuant to Section 9 of the Disaster Relief Act of 1969;

(b) Developing policies and programs to provide a strong and integrated total Federal disaster assistance effort;

(c) Stimulating cooperation and the sharing of data, views, and information concerning disaster assistance among Federal agencies, State and local governments, and private organizations having disaster assistance responsibilities and interests;

(d) Facilitating cooperation among Federal, State, and local governments with special concern for the maintenance of local initiative and decision making with respect to emergency restoration and rebuilding programs;

(e) Promoting the participation of Federal agencies in providing Federal assistance for rebuilding efforts;

(f) Encouraging research on means of preventing disasters and ameliorating the effects of those that occur;

(g) Reviewing, from time to time, the effectiveness of the Federal disaster assistance programs and suggesting needed changes.

Section 3. *Assistance to the Council.* Consistent with law, the Office of Emergency Preparedness shall provide staff and other assistance to the Council, and Executive departments and agencies shall furnish to the Council such available information as the Council may require in performance of its functions.

Section 4. *Construction.* Nothing in this order shall be construed as subjecting any Federal agency or officer, or any function vested by law in, or assigned pursuant to law to, any Federal agency or officer, to the authority of the Council or of any other agency or officer or as abrogating any such function in any manner.

RICHARD NIXON.

THE WHITE HOUSE, *April 22, 1970.*

Mr. DOLE. Mr. President, as the ranking Republican member of the special Subcommittee on Disaster Relief of the Senate Public Works Committee, I join others in introducing legislation containing 10 specific proposals recommended by the President to improve the Federal response to major natural disasters.

The subcommittee recently held hearings in Biloxi, Miss., and Roanoke, Va., to evaluate the Federal role in providing assistance to those affected by Hurricane Camille.

We found that Federal agencies moved quickly to provide the assistance available at that time. The Disaster Relief Act of 1969 added new types of assistance which had to be phased and programed into relief efforts. Although by definition a disaster involves losses, confusion, and unusual hardship, deficiences were found in the framework of our Federal effort. This was especially true on the Gulf Coast where the destruction wrought by hurricane Camille was of unbelievable proportions. Yesterday, the President sent to Congress the first presidential message since 1951 recommending legislative proposals to "make our Federal disaster-assistance program more effective and efficient."

The concern demonstrated by President Nixon's message is especially appropriate this week. Over the weekend, tornadoes and violent winds struck parts of the South and Midwest. In Texas, tornadoes cut across a 200-mile area leaving 26 people dead and hundreds injured. Five persons were killed by a tornado which twisted across northwestern Mississippi, Sunday. The tornado injured more than 70 persons and 300 homes were damaged. At the time tornadoes were damaging Texas and Mississippi, floods were threatening Minot, N. Dak., because of heavy snows.

Although there has been a rapid response to these disasters by governmental and private relief agencies, the President's message contained several far-reaching and much-needed legislative proposals, as well as administrative changes that will improve our performance.

FUTURE DISASTERS

Prior to 1966, when the first comprehensive disaster relief act was enacted, disaster laws were largely the result of congressional response to a particular major disaster. Today we realize the need to plan for future disasters.

DISASTER PREVENTION

Part of planning for future disasters is prevention of future disasters. Last year the administration undertook a commendable initiative labeled "operation foresight." Temporary flood control measures were taken in the upper Midwestern States which demonstrated that by an expenditure of $20 million of prevention, it was possible to save $200 million in damages. In California alone, it is estimated that the $0.9 billion spent for flood control projects in that State saved $1.6 billion in public and private damage. It is estimated that because of the absence of engineered flood control works costing $250 million in New Orleans and Plaquemines Parish, 100,000 lives would have been lost and there would have been approximately $2 billion in property damage if Camille had struck 35 miles westward. The extension of the Federal Government's authority to assist State and local governments in disaster prevention and damage reduction will provide direct savings to both the public and private sectors.

STATE PLANNING

In our hearings, it was evident that there was wide variance among the States on the quality of procedures devised for response to natural disasters. As part of an effort to plan for future disasters, the Disaster Relief Act of 1969 authorized one-time matching grants to encourage States to formulate contingency disaster plans. While there has been a substantial response by the States, their plans must be continuously reviewed and updated. The President's request for additional authorization for matching grants recognizes this fact.

REVENUE MAINTENANCE

One of the most severe problems in the areas hit by Camille was the loss of property tax base and widespread destruction of essential services. We heard numerous representatives of city and county governments testify that, unless they received financial assistance from the State or Federal Government, they would be unable to meet fixed obligations and restore public services. In such cases, the State also suffered sales tax and income tax losses and, therefore, had diminished capability to assist local government. The President's proposals for a property tax revenue maintenance plan to provide loans to local governments at favorable interest rates would assist in the provision of necessary funds.

PERMANENT REPAIRS

The rebuilding of a community struck by a natural disaster is often a slow and demanding process. When public facilities have been damaged or destroyed, it is even more difficult.

One of the recurring difficulties in past disaster relief efforts has been the strict interpretation by GAO of the existing law providing for emergency repairs and temporary replacement of damaged public facilities. Such a limited Federal contribution discourages the improvement or replacement of facilities. Rather than building a better bridge, the community finds tiself bound to the old structure, or even worse, due to cost fluctuation. The administration's liberalization of this provision should allow the community not only to rebuild but to improve and upgrade its facilities.

LONG-RANGE RECOVERY

With a disaster, there is also an opportunity to rebuild a better community and provide greater opportunity for all of its citizens. The one agency in our Government that was created to assist in long-range economic planning is the Economic Development Administration. The President has requested legislation to broaden the responsibilities of that agency and make its staff and financial resources available for long-range rebuilding and redevelopment in major disaster areas.

HOUSING

Central to any disaster relief program must be the assistance available to the individual victim of the disaster. The disaster victim is most frequently in severe need of temporary housing. The 1969 act provided for temporary housing which was furnished after Camille to over 5,000 families. Despite these commendable statistics, numerous witnesses appeared before our committee to complain that they were unfairly treated. To improve the administration of temporary housing, the President has recommended clarification of the law. This change will provide flexibility and allow the Government to house disaster victims more efficiently and expeditiously under varying circumstances.

DISASTER LOANS

If the individual is to rebuild his home and business, it must be possible for him to obtain loans at favorable interest rates. The SBA and FHA loan programs have worked as well as any disaster relief assistance. However, there are problems that must be dealt with. The refinancing of disaster loans and the deferral arrangements have been liberalized and the forgiveness has been increased from $1,800 to $2,500. A provision that is particularly important is the guarantee that older citizens are able to obtain a home loan. We found retired people living on a fixed income who after paying off their home mortgage were unable to qualify for a loan to rebuild.

DEBRIS REMOVAL

As the President pointed out, one of the serious problems encountered in hurricane Camille related to the removal of debris from private property. I am told that although it has been over 3 months since our committee was in Mississippi, substantial debris remains on private property or individuals have not been reimbursed for removal. I applaud the President's proposal and anticipate a more expeditious and fair procedure in future disasters.

UNEMPLOYMENT COMPENSATION

Although unemployment is initially inevitable in a disaster area, after reconstruction begins there is often a sharp increase in employment. Nevertheless, it is often a time-consuming process for business and industry to resume normal operations, and the individual unemployed because of the disaster must bear an additional burden. While the program has had a signficant impact on such disaster areas as Mississippi, the States must define who is eligible under this program for assistance. For those not covered under unemployment compensation, other programs must be utilized for the maintenance of income during such periods.

ADMINISTRATIVE ACTIONS

By the administrative action taken by the President, he recognized the need for substantial changes in programs that would benefit the individual disaster relief victim.

A common complaint was the failure of Government agencies to coordinate their efforts. Hopefully, the National Council on Federal Disaster Assistance, and membership of the OEP on the Federal regional councils, will mean better communications in Federal programs. Close cooperation with State and local governmental organizations should give each a better understanding of the tasks being performed by the other.

To assist the individual in obtaining information at what is usually a very frustrating and discouraging time, President Nixon has established a "one-stop" service. Transportation is often

difficult and all forms of assistance should be available at one location.

The disaster teams created to "help local communities" should be of great assistance. Oftentimes the local government officials and especially the individual citizens are initially not familiar with the intricacies of the disaster law and procedures. A disaster team would be on the spot to help immediately after or during the disaster.

Two important areas were not covered by the President's message. Property insurance coverage is a major problem in various parts of our country. Without that coverage, it is often impossible for an individual or business to rebuild. Because of the broad implications, the President has appointed a task force to study comprehensive property insurance coverage for disaster situations. We hope they can devise an all-risk insurance that will be fair to the insurers as well as the insured.

Of course, no review of disaster legislation is complete without examining the structure of our disaster relief agencies. The question of the relationship of OEP to OCD and their respective roles in natural disaster arose frequently in our hearings. I am hopeful the President will be able to rationalize what appears to be a hodgepodge of agencies with competing constituencies often working at cross purposes. I concur with the decision to postpone reorganization in order to consider the national security implications of such action, but I urge an early decision. The public will not long tolerate a system which encourages such obvious contradictions. The President's message, the legislation and administrative actions will go a long way in bringing order to the chaos of major natural disasters.

Mr. SPARKMAN subsequently said: Mr. President, there is at the desk a message from the President of the United States and also a suggested bill introduced by the Senator from Kentucky (Mr. COOPER). That bill is one that overlaps in its various subject matters the jurisdiction of more than one committee.

I have discussed this with the Parliamentarian and with the chairman of the Public Works Committee.

The bill basically belongs to the Public Works Committee. But there are parts of it which belong to the Committee on Banking and Currency. For instance, disaster loans, small business loans and housing.

I have suggested to the chairman of the Committee on Public Works, the distinguished Senator from West Virginia (Mr. RANDOLPH), that the bill be referred to his committee and that it hold hearings on it and decide what it wants to do with it, but before reporting it to the calendar that the whole matter be referred to the Committee on Banking and Currency for consideration and recommendation.

Mr. RANDOLPH. Mr. President, I am responding to the observations of the able Senator from Alabama (Mr. SPARKMAN) with reference to S. 3745, the administration disaster relief legislation introduced by the Senator from Kentucky (Mr. COOPER), who is the ranking minority member of the Committee on Public Works. The understanding between the Public Works Committee and the Banking and Currency Committee, as explained by the Senator from Alabama, its chairman, is correct.

Mr. President, pending in the Public Works Committee is S. 3619 disaster relief legislation, which was introduced on March 20, 1970, by the Senator from Indiana (Mr. BAYH), a member of the committee and chairman of the Special Subcommittee on Disaster Relief. That measure will be heard and testimony will be taken on April 27, 28, and 29.

It would be my intention to consider the provisions of the administration bill introduced by the Senator from Kentucky (Mr. COOPER) at those hearings. I join him in the introduction of that legislation, not that I subscribe, of course, to that measure, or any other measure in detail at its introduction. I believe we can consider that measure along with the measure S. 3619 already introduced by the Senator from Indiana (Mr. BAYH), and 26 other Senators. I am also one of the cosponsors of that legislation.

My desire is to facilitate that comity and understanding which has always existed between the Committee on Banking and Currency and the Committee on Public Works with reference to disaster relief legislation.

It is important also to say that there may be, after the hearings in our subcommittee on the legislation but before the measure is reported from the Committee on Public Works—in other words, after the markup has occurred—reasons why the Committee on Banking and Currency might ask that a portion of the subject matter be referred to it. I doubt that this will occur, but it could occur. Properly, the Committee on Banking and Currency will want to review the hearings which the Public Works Committee will have held by that time.

I am delighted to know that the Senator from Alabama has arranged for members of his staff to sit in with the Public Works Subcommittee when it hears not only the legislation, S. 3619, but also the bill, S. 3745, introduced this afternoon.

I assure the Senator from Alabama and the members of his committee that there will be every desire, and every determination to work together, as in the past, to bring to this body legislation which has been considered by all members within the committees that have not only an interest but also a jurisdictional problem which must be equated.

Once more, I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I thank the distinguished Senator from West Virginia for his cooperation. Let me say to him that I did not in any way question reference of the bill to the Public Works Committee. I said that is where it basically belongs even though there are three features in it that particularly belong to the Committee on Banking and Currency.

Mr. President, the Senator from Indiana (Mr. HARTKE) wants to file a conference report—call up a conference report. He tells me it will take just about 2 minutes. I therefore yield to him for that purpose.

AMENDMENTS TO HOUSE-PASSED WELFARE BILL BY PROGRESSIVE REPUBLICANS

Mr. JAVITS. Mr. President, the administration's far-reaching proposal for a basic reform of the welfare system is before us, with the President's backing. It is an historic initiative which holds forth the promise of a national standard of assistance for the poor, of substantial fiscal relief for the States and localities, and a step up in efforts—such as day care and child development that will help to reduce welfare dependency. It deserves our support as far as it goes.

But, as has been said so often, the administration's proposal is only a beginning.

I submit that it is the responsibility of the Senate, now that we have a bill from the other body, to insure the best start than can be realistically obtained in this Congress so that this crucial legislation will establish the basis for an adequate provision for the poor as a basic policy of this Nation.

In order to establish these principles on a firm foundation, I shall seek the support of my Republican colleagues and others for a series of amendments to the welfare bill which I shall introduce next week, and will hope that they will provide a bi-partisan basis for efforts to improve upon the administration's initiative.

I will introduce amendments to:

First. Provide the basis for increases in the $1,600 payment and eligibility standard beginning in calendar year 1973, the second full year of operation, and subsequent years on the basis of the poverty level redefined to more adequately reflect the amount which a poor family actually requires to meet food and nonfood costs.

The President himself has acknowledged that the $1,600 level, even with the addition of food stamps, will not bridge the poverty gap.

In calendar year 1973, the eligibility and payment standard would be raised to an amount equal to 50 percent of the poverty level as then determined. Under my amendment, the poverty level would be determined on the basis of the "low-cost" food plan determined by the Department of Agriculture as the amount needed for a nutritious diet rather than the—as now—inadequate "economy food budget" prescribed for only temporary or emergency use. The application of this new criteria would result in an eligibility and payment standard of $2,400 for a family of four in calendar year 1973. Food stamps would provide additional benefits.

By keying the family assistance eligibility and payment standard to a more realistic poverty index, my amendment would provide the basis for greater coverage of the poor for more adequate cash payments and for increased assumption by the Federal Government of the costs of welfare. States and localities thereby would be free to use

their resources on those efforts in education, health, economic development, manpower and other areas which will seek to reduce welfare dependency.

We must then move from this beginning calendar year 1973 by raising the standard by 10 percent each year, until a standard at the poverty level and a full Federal assumption is reached.

Second. Provide an incentive for all States to raise their levels of supplementation by providing immediately for Federal sharing in State supplemental payments on a variable basis, ranging from 50 percent to 83 percent, depending upon State fiscal capacity, rather than on the 30-percent basis prescribed for all States under the House bill. Under this formula, which is to be used to determine the extent of Federal sharing in medicaid payments, most of the States that have the lowest payments would be provided greater sharing to raise those payments. This amendment will provide additional fiscal relief to the States.

Third. Require a level of supplementation by low-payment States so that in all States poor families would receive a specified additional amount to supplement the basic family assistance payment of $1,600 in the early years of operation of the plan.

Fourth. Exempt mothers with school-age children from the work requirement of the bill. We must give mothers on welfare the respect to which they are entitled. We must rely upon their own desire to provide for their children, upon a constructive incentive system, upon a meaningfully developed manpower and training program, and upon expanded child-care facilities to spell the difference between our new efforts to help the poor and those previous efforts which have, despite requirements similar to those in the House bill, failed to eliminate the rise in welfare dependency. I consider a mandatory work requirement as applied to mothers of school-age children undesirable as a matter of policy, unrealistic in terms of availability of child-care facilities, and unnecessary in light of our experience under existing requirements.

Fifth. Insure that each child receiving child care under the administration's commendable plans also receive the education, health, nutritional, and related services necessary to help such a child achieve his full potential. While the report on the House bill directs that such services be provided and while the administration has indicated its intention to do so, specific language must be included to preclude the possibility that sometime in the future limited Federal resources and increased emphasis on the working needs of the mother may prompt the evolution of a separate and inferior custodial system of child care under the Family Assistance Act.

Sixth. Direct the Secretary of Health, Education, and Welfare to establish reporting procedures and annually submit to the Congress a detailed report indicating child-care needs and the extent to which existing facilities are adequate to those needs.

Seventh. Provide allowances for child-care costs to mothers who choose to participate in training.

Eighth. Authorize the provision of child-care services for mothers who wish to accept or continue work on a part-time, as well as a full-time, basis.

Ninth. Direct the Secretary of Health, Education, and Welfare to establish a program to provide technical assistance and information to encourage the meaningful involvement of business, industry, and labor in the development of child-care facilities.

Mr. President, in addition to offering these and other amendments I shall support proposals advanced by Senator McGovern to provide for joint administration of food stamp and family assistance programs and of Senator Ribicoff to include individuals and childless couples in the Family Assistance Title if they are not covered in programs for the aged, blind, and disabled.

Mr. President, I am authorized to state that I make these proposals on behalf of the Senator from Massachusetts (Mr. Brooke) and myself. We hope to include the names of other Senators as cosponsors by next week.

It is my hope that a number of my Republican colleagues and Senators on the other side of the aisle, who also believe that these amendments contain elements that should be included in this crucial welfare reform, will join with us and that together we can assure that this great, historic legislation will become law before Congress adjourns this year.

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

Mr. JAVITS. I yield.

Mr. COOPER. Mr. President, I have not had an opportunity to study the amendments. However, I will do so.

I do want to say that I support fully the proposal and intend to give such support as I am able to give to this new initiative of the President to change the welfare plan in the proposal pending in the Senate.

Mr. JAVITS. Mr. President, I am deeply grateful to the Senator from Kentucky. I join the Senator from Kentucky in paying tribute to the President for the fine and historic initiative taken in this field.

S. 3746—INTRODUCTION OF NATIONAL ABORTION ACT

Mr. PACKWOOD. Mr. President, back in February I introduced S. 3501, to legalize abortion in the District of Columbia. This bill was designed to take government out of the business of enforcing compulsory pregnancy and place the decision as to termination of an unwanted pregnancy where it rightfully belongs—with the pregnant woman.

When this bill went in, I indicated my hope that legal restrictions of the termination of an unwanted pregnancy would be removed in all the 50 States. At that time, I limited by bill to the District because I had some questions as to the legality of Federal jurisdiction over abortion, an area which has generally been left to the States. Having continued my research on this point, I am now convinced that a sound constitutional basis does exist for the enactment of a Federal statute legalizing abortion.

I am sure you will agree, Mr. President, that one of our most precious and basic constitutional guarantees is the right to privacy. Restrictive abortion laws—because they amount to compulsory pregnancy—blatantly deny a woman's most intimate right, the right to control her own fertility. The bill I introduce today, the National Abortion Act, is designed to guarantee and protect this fundamental constitutional right.

This National Abortion Act would legalize abortion and end compulsory pregnancy nationwide, it is an attempt to bring some order and logic into an area of law which in its confusion, vagueness, and unequal enforcement has, I believe, been cruel and discriminatory in its effects and therefore a serious burden to society.

It seems highly illogical, at this point in time, when there is so much concern over population growth, that the state should still be in the business of enforcing what biologist Garrett Hardin has called compulsory pregnancy. In this session of Congress alone, we have seen the introduction of a sizable number of bills aimed at studying the problems of population growth and at finding solutions to them.

Yet at the same time that we are discussing ways of preventing too many births, we are saying to desperate women who do not want to bear a child, "We shall punish you for your mistake by making you carry that child to term, no matter how careful you were in your efforts to avoid pregnancy, no matter how it will undermine your present family situation, no matter what happens to the unwanted child." I submit there is simply no sense to such a contradictory attitude.

There are those who oppose making it easier to obtain an abortion because they see it as a license to promiscuity. But surveys have shown that the majority of those who seek or have abortions are married women, often pregnant because of the failure of a contraceptive. A survey by Dr. Charles Westoff and Dr. Larry Bumpass revealed that among married women who do not intend to have any more children, one-third admit they have already had one unwanted child and 60 percent have had a failure in timing a pregnancy, less than one-quarter of all U.S. couples who have reached what they consider to be the end of their childbearing can be considered as completely successful so far in planning their fertility. With the failure rate of current contraceptive technology, there would still be several hundred thousand unwanted pregnancies each year among married women using contraceptives.

Furthermore, there are still several million American women who do not have access to family-planning services. We have been guilty in the past of failing to provide adequate medical services to these poor in our midst. Yet if through ignorance or lack of availability of services they become pregnant, we then insist they must become even more deeply mired in poverty by the addition of an unwanted birth.

There is no question but that in our hypocrisy or indifference we have made abortion much more available to the middle class than to the poor. Statistics

available from New York City show that in the early sixties, 93 percent of therapeutic abortions—that is, those done in hospitals—were performed on white patients, 91 percent in private rooms. The ratio of in-hospital abortions to live births in New York City was approximately 1 to 360 for private patients and something like 1 to 10,000 in municipal hospitals. At the same time, the women whose deaths were associated with abortion in New York City in a typical year were 56 percent black, 23 percent Puerto Rican, and 21 percent white.

Congresswoman SHIRLEY CHISHOLM has found the same antiblack, antipoor policies existing in the District. While private hospitals were performing about 300 abortions monthly, D.C. General, the city's only public hospital, permitted only 27 abortions during the entire fiscal year 1969.

The poor, then, to escape compulsory pregnancy are largely forced to seek relief through illegal abortion. It is estimated that there are as many as 1 million illegal abortions a year in this country. Perhaps one-half are done by doctors, the others by those unscrupulous enough to make a profit out of such human misery, or by the woman herself. Deaths from botched procedures have been cut to perhaps 500 to 1,000 a year because of antibiotics, but the consequences of illegal abortions are still the leading cause of pregnancy-related deaths in this country. And there is still a widespread incidence of infection and permanent sterility from such bungling. Furthermore, the statistics do not cover the maiming of the spirit because of the humiliation and terror experienced by those seeking to terminate an unwanted pregnancy.

Our present system has also placed an unfair burden on doctors as they seek to apply their medical skill. Federal District Judge Gerhard Gesell has ruled recently that the provision in the District of Columbia statute which says that abortion may be done for "preservation of the mother's life or health" is unconstitutionally vague. This is typical of the provisions faced by doctors as they seek to abide by their States' legal codes. What is preservation of life—is it a mere matter of breath or is it something broader? Is preservation the same as saving life? Does the threat to life have to be imminent—and how imminent?

As a result of such criteria, vague yet carrying criminal sanctions, most doctors have naturally tended to be highly conservative in their interpretations, and most often the response has been a refusal. It has also been found that abortion policies vary not only from hospital to hospital but also from service to service within the same hospital, and even from doctor to doctor on the same service of the same hospital. How is the patient, particularly the poor patient, to find her path through such intricacies? And why should the doctor be expected to resolve such semantic and legal difficulties?

A doctor should be free, as in other matters involving his professional skill, to treat his patient in the light of his training, his judgment, and his assessment of the needs and total welfare of his patient, without having to arbitrarily refuse the requested treatment or to resort to subterfuges if he feels an abortion would be in her best interests.

There is an accelerating trend in this country toward reform or repeal of the abortion laws on the books, either through challenge in the courts or through the legislative process. California's supreme court last year threw out the State abortion statute and the U.S. Supreme Court refused to hear the appeal; a three-judge Federal panel in Milwaukee has declared Wisconsin's abortion law an unconstitutional violation of the right to privacy as guaranteed by the ninth amendment; and a Michigan district court has struck down that State's abortion law as unconstitutionally vague. Suits challenging the constitutionality of abortion restrictions are pending in several other States. In the legislative arena, Hawaii and New York have made abortion a medical matter between the doctor and his patient; Maryland is presently considering such a standard, and other States are moving toward action. For that reason, some may even question the need for a national policy on this matter, such as I am proposing today.

Experience seems to be demonstrating, however, that mere reform or liberalization does not solve the basic problem. Difficult criteria must still be weighed by doctors and hospitals. And in practice, reform has meant by and large that the poor and minority still have little access to abortion.

Furthermore, when some States act and others do not, when there are varying degrees of liberalization, there is a fear that the States with the most open policy will be beseiged by women from other States seeking abortions. Opponents of a loosening of restrictions hold up the specter of hospitals inundated with such women, literally preventing the hospitals from carrying on its other functions. This National Abortion Act would free States from the fear of this eventuality.

In any discussion on abortion—on the right of a woman to control her own fertility—the most fervent opposition comes in regard to the rights of the fetus. I do not dismiss this question lightly. But in discussions on the rights of the fetus, there is a conspicuous lack of consensus. Some religions oppose any relaxation of restrictions on abortion while a number of others have endorsed the principle of reform. The American Baptist Convention and the Universalist/Unitarian Church have come out for total repeal. Public opinion polls demonstrate that a majority of people, including a majority of Catholics, feel abortion should not be a matter of law.

Under this national act, no woman would be forced or even encouraged to have an abortion against her beliefs. No doctor would have to perform an abortion against his personal moral principles. But those with different religious or moral convictions would no longer be forced into compulsory pregnancies.

Let me bring up another point here—the origin of abortion laws. Contrary to popular belief, the legal structures against abortion are of comparatively recent origin. Until the early 19th century—at common law both in England and the United States—abortion before quickening was not illegal at all. Restrictions against abortion were not imposed until the early 1800's—but not to protect morals or the "soul" of the fetus, but rather because of the great danger of infection in any surgical procedure at the time. Abortions were allowed only where necessary to save the life of the mother—that is, where the risk of infection was outweighed by the risk of carrying that particular pregnancy to term. Today deaths from hospital abortions are virtually nonexistent, but meantime the statutes written to meet the needs of a bygone era have become frozen into our system of law. Mr. President, just look at the irony of this situation. The laws on our books were originally devised to protect women from a serious health hazard. They have now come full circle—under proper conditions, the health hazard is gone. But the laws remain on the books, infringing on millions of women's right to privacy, right to follow their own ethical convictions, right to control their own fertility. The injustice of this situation can no longer be ignored or tolerated.

I submit, Mr. President, that it is timely and right to change these laws. The right to privacy demands no less of us.

So I am introducing this National Abortion Act for your consideration. By it, burdens of guilt and suffering would be lifted from countless women; doctors would be freed to practice their profession in this area according to their best knowledge and skill; the problem of unwanted and unloved children would be eased; a discriminatory practice afflicting the poor could be abolished; the state would be taken out of the business of enforcing compulsory pregnancy and—most importantly—each woman would regain her right to control her own fertility.

The National Abortion Act will, I fervently hope, take abortion out of the realm of inconsistency and emotionalism and into the form of a rational and humane national policy.

The ACTING PRESIDENT pro tempore (Mr. HOLLAND). The bill will be received and appropriately referred.

The bill (S. 3746) to authorize abortions in the United States, introduced by Mr. PACKWOOD, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

POSTPONEMENT OF HEARINGS ON ARCHES AND CAPITOL REEF BILLS

Mr. BIBLE. Mr. President, I have today postponed hearings previously set for May 6 on two bills introduced by Senator FRANK E. MOSS, of Utah, which would reduce the size of the expanded Capitol Reef and Arches National Monuments and elevate both Monuments to national park status—S. 531 and S. 532.

The subcommittee has scheduled hearings on these and two other Utah bills introduced by Senator Moss on May 5

and 6. The great interest evidenced in these bills, and in S. 26, to revise and extend the boundaries of Canyonlands National Park and S. 27, to establish the Glen Canyon Recreation Area in the States of Utah and Arizona, indicate to me that we cannot possibly give all of the bills full consideration in the 2 days we have set aside for them, so we will concentrate on the Canyonlands and Glen Canyon bills, and hope to hear the other two bills at some later date. Departmental reports have already been received on S. 27, and we understand that reports on S. 26 will be received shortly. No departmental reports are in on S. 531 and S. 532.

SMALL BUSINESS COMMITTEE PUBLICATION REFLECTS RECENT CHANGES IN STRUCTURE OF AMERICAN BANKING

Mr. BIBLE. Mr. President, as chairman of the Committee on Small Business, I am pleased to announce the availability and issuance by the committee of a study on "Recent Changes in Banking Structure in the United States."

This survey was performed by the Federal Reserve System at the committee's request, and updates two previous reports on concentration and banking structure of September 10, 1952, and January 5, 1962.

The past 8 years have witnessed dramatic changes in the way the business of banking is carried out in the United States. For example, holding companies have recorded advances that must be termed as startling in both their speed and extent.

Registered holding companies, which own 25 percent of two or more banks, numbered 41 at the end of 1961, and they held a total of 427 subsidiary banks. By the end of 1969, however, the number of multibank holding companies had increased to 86 and the number of affiliated banks had risen to 724.

Known single-bank holding companies increased in number from 550 in 1965 to 890 at the end of 1969. In that same period, the precentage of U.S. deposits held by one-bank holding companies rose from 4.5 percent to 43 percent.

Together with approximately 14½ percent of bank deposits controlled by registered bank holding companies at the end of 1969, holding company vehicles of one sort or another thus held a predominant share of the money deposited in the U.S. banking system.

SOME DOWNWARD TRENDS IN CONCENTRATION

Other banking trends—some traditional, and others more novel—are also measured in this study. Perhaps most visibly to the public, the number of Americans per banking office—counting branches—declined from 7,500 to 6,200 in the last 8 years. It is likely that this was accompanied by a proportionate increase in convenience for the average person with banking business. The Federal Reserve also found that the number of banks increased by 207 between 1961 and 1968, in contrast to a net decrease of 647 between the years of 1952 and 1960.

In the area of deposits, also, there was a downtrend in this area of concentration during the 1960's, compared to a slight increase during the 1950's.

SIGNIFICANCE OF THIS REPORT

What is the point of having these studies made by the Small Business Committee?

In my judgment, there are two justifications. The first reason is that banking structure affects the rates of interest and other conditions pursuant to which millions of individual small businessmen in communities across the country may borrow and otherwise obtain capital to meet the terms of competition in their local markets.

We are beginning to receive hard evidence which confirms what has previously been widely sensed:

> As banking concentration increases, businesses pay higher interest rates, and as the size of the borrower increases, the effect of concentration on loan rate diminishes—"Bank Structure and Performance" by Professors Guttentag and E. S. Herman, New York Universitiy, 1967.

This means that, as banking concentration increases, smaller firms pay more to borrow than their larger competitors.

The second and larger rationale of these studies is that capital is the lifeblood of our free enterprise system, and the banking mechanism is quite close to being its heart. In large ways and small ways the decisions on how capital shall be allocated, and to whom, become decisive influences on what economic activity will or will not take place; which enterprises will grow, and which will not; which will remain independent, and which will be merged out of existence. This is particularly true at the early stages in the life of a new small firm.

If Congress wishes our system of economic opportunity to survive, it is obliged to understand development in the banking structure.

IMPLICATIONS OF BANK HOLDING COMPANY GROWTH FOR SMALL BUSINESS

There is a current well-publicized example—the phenomenon of one-bank holding companies, which I have mentioned. Their spectacular growth during the 1962–70 period is documented by this report. Their percentage of banking deposits have grown more than tenfold in the last 5 years.

The pace of this development is indicated by the obsolescence of recent estimates of bank holding company size. A study by the House Banking and Currency Committee, published in February 1969, credited one-bank holding companies with about 25% of banking deposits—"Report on the Growth of Unregistered Bank Holding Companies," House Committee on Banking and Currency, committee print.

The 1970 report of the Joint Economic Committee, issued as recently as March 25 of this year, sets their percentage of commercial bank deposits at one-third. However, this Federal Reserve Study submitted to the Small Business Committee establishes that one-bank holding companies now account for at least 43 percent of U.S. deposits.

One-bank holding companies, therefore, control over $180 billion in deposits. Their affiliates are engaging in at least 20 different financial activities and 99 different nonfinancial activities. They are operating across State lines subject only to the most basic legislative mandates of another and simpler era.

What are the implications of these developments for the free enterprise system? We have seen a pause in the expansion of these companies while regulatory legislation is considered by the 91st Congress. It may be noted that the Federal Reserve System has been advocating such legislation for the past 15 years. The Joint Economic Committee has gone so far as to say:

> If such an economic pattern should develop in the United States (to its fullest extent) no business of any consequence could continue to compete and remain healthy without associating themselves with one of these giant financial conglomerates—"1970 Joint Economic Committee Report," H. Rept. 91–972, p. 34.

I feel it is certainly time for the Congress to carefully consider, on the basis of the up-to-date information on bank holding company activity, what legislation may now be called for in this field from the small business point of view.

It is thus quite appropriate that the Committee on Banking and Currency has decided to hold hearings on bank holding company legislation beginning on May 12. I hope that the material in our study is helpful to the committee at that time in focusing on the small business implications of this legislation which I have described.

This 1970 report on bank structure contains a wealth of data, much of it assembled for the first time. The committee, and the Congress, are indebted to the Federal Reserve and its staff in preparing this work, and we take pleasure in presenting it to the public. We hope that it will be useful to those who share the concern that banking structure be responsive to the needs of the Nation's 5½ million small businessmen whose fortunes and families are often dependent on banking services because they have less access to more sophisticated means of fulfilling their financial needs.

The study is in the form of a committee print and may be obtained in the committee offices at 424 Senate Office Building, Washington, D.C. 20510.

SENATOR NELSON—GREAT JOB AS ORIGINATOR OF EARTH DAY

Mr. PROXMIRE. Mr. President, April 22—Earth Day—a day for America to respond to the clarion call to action in meeting a vast environmental crisis threatening our world. Earth Day marks the beginning of an historic venture involving Americans of all ages, philosophies and backgrounds in the crucial fight to protect our environment and our very lives. The tremendous support for Earth Day activities demonstrates that the issue of environmental quality has at last assumed its rightful place in the forefront of our national conscience.

This national environmental educational effort was proposed by my distinguished fellow Senator from Wisconsin, GAYLORD NELSON. More than anyone else, GAYLORD NELSON is responsible for the creation of Earth Day. The very concept of Earth Day sounded like a far-out

idea when he first suggested it, but he developed the idea and made it a smashing success. More than 10,000 high schools and 2,000 colleges are participating in this week's activities. Thousands of sermons all over the country have enthusiastically endorsed Earth Day and its goals.

As national cochairman of the Teach-In Committee for Earth Day, he is presently engaged in a speaking tour across the country to emphasize the enormity of our environmental problems and to propose far-reaching solutions to the crisis. He is scheduled for 17 speeches in cities in every part of our Nation. He will deliver his powerful message of concern for our environment to college students, labor groups, high schools, and State legislatures.

During Earth Week, Senator NELSON launched a series of six speeches at universities across the country with addresses at the teach-ins at the University of Wisconsin at Madison, the University of Wisconsin at Milwaukee, and Marquette University. His extensive tour will take him to college campuses in Pittsburgh; Madison, N.J.; New Haven, Conn.; College Park, Md.; Bloomington, Ind.; Los Angeles; and Denver.

In addition, he is speaking to the State Legislatures of Pennsylvania and Massachusetts in connection with their environmental educational activities; to the United Auto Workers at their convention in Atlantic City; to the Iowa Press Association in Des Moines; and to the American Pharmaceutical Association in Washington, D.C.

He is also delivering the keynote address to the students of Bethesda-Chevy Chase High School at their teach-in.

Senator NELSON's tremendous efforts on behalf of Earth Day are the culmination of many years of involvement and achievement in preserving the quality of life. He has long been one of our Nation's leading environmentalists, and has been instrumental in making the people of America aware of the pollution and destruction of their natural heritage. As a progressive Governor of Wisconsin, Senator NELSON initiated many outstanding programs to protect the State's natural resources and environment.

When he became Senator in 1962, GAYLORD NELSON carried with him into the national sphere this pioneering spirit of concern for the quality of life. He introduced the first nationwide detergent bill as his first piece of legislation in his first speech on the floor of the Senate.

My colleague was among the first to grasp the importance of the environment as an issue of national concern. In 1962, he proposed that President Kennedy undertake a nationwide tour devoted to preservation of the environment. The President endorsed NELSON's idea and made the trip in August of 1963.

The Senate record of GAYLORD NELSON is replete with landmark efforts to insure the quality of our environment. His concerted drive to prohibit the unnecessary use of DDT was begun in 1965, and has led to executive and congressional action on pesticides. GAYLORD NELSON has authored and cosponsored much important legislation to guarantee the protection of our beautiful natural lands.

He was the first U.S. Senator to propose legislation to create an ecological research program in the Federal Government, and was an early supporter of establishing the Council on Environmental Quality in the White House.

Senator NELSON's 1970 legislative program for protecting our environment clearly demonstrates the depth of his concern and extent of his commitment. His environmental agenda for the 1970's includes 18 major bills introduced in this Congress, eight of them since January 1970.

The cornerstone of his environmental agenda is a proposed constitutional amendment which would guarantee every person "the inalienable right to a decent environment." GAYLORD NELSON has continued his determined effort to prevent the destruction of fish, wildlife, and man himself by pesticides, and has introduced legislation which will ban eight of the most persistent, toxic varieties.

Other specific legislative proposals this year include controls on detergent pollution, a disposal fee for throw-away packaging, and proposed reductions on automobile fumes. These efforts are extremely worthwhile. I am delighted to be counted as a cosponsor of the Detergent Pollution Control Act that will set national pollution control standards on all detergent ingredients.

His environmental agenda also includes legislation to expand the educational aspect of the battle against environmental destruction and to halt the pollution of the sea from massive oil spills and the dumping of solid wastes into our oceans and the Great Lakes.

He has also proposed creating a transportation for people fund and a community environment service to deal with the critical need for improving the environment of our cities.

We are now moving toward passage of much of GAYLORD NELSON's far-sighted legislation. His ideas are truly ideas whose time has come.

My Wisconsin colleague has been talking about conservation and environmental problems for all of the past decade. But we tend to forget how long it took the rest of our national leadership to catch up with him. As recently as the 1968 election campaign not a single candidate for President or Vice President made a major speech on the environment. It is a measure of Senator NELSON's vision and leadership that our national leaders are only just now recognizing and attempting to cope with an issue that GAYLORD NELSON has been talking about for years.

GAYLORD NELSON's outstanding efforts in the field of environmental protection have pioneered much of the important work accomplished by Congress and the public in this vital area. He has devoted himself with inexhaustible energy to meeting the many interrelated ecological problems threatening this earth. He has been in the forefront of the efforts to guarantee all Americans the most basic of all rights—the very right to life itself, and to emphasize "quality in life instead of mere quantity."

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. BIBLE). The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to proceed for an additional 2 minutes on another subject.

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

DEATH OF WILLIAM T. EVJUE, LAST OF PERSONAL JOURNALIST CRUSADERS

Mr. PROXMIRE. Mr. President, early this morning William T. Evjue, publisher of the Madison, Wis., Capital Times, died. Mr. Evjue, for whom I worked when I was reporting on the Capital Times, was an extraordinary person.

Bill Evjue was the last of the crusading personal journalists, and what a great one he was. He made the Capital Times a fighting champion of the public interest. No man did more to make and keep Wisconsin State government honest and responsive to public need. He led all the rest in fighting and beating McCarthyism.

Under Bill Evjue, the Capital Times was constantly on the side of the little people who are being pushed around. No paper ever fought harder or better against the idiocy of war and the mindless pollution of our environment.

And, of course, above all Bill Evjue was a very human person. He could be wrong. He could be stubborn. He could blow up with white-hot anger. And he did. But however wrongheaded or stubborn or angry, he was always on the side of the angels. Never could it be said with more truth. He was one of a kind—a very rare one indeed. There will never, ever be another like him.

POLLUTION OF THE SEAS

Mr. HOLLINGS. Mr. President, just a few years ago the scientists told us that we were ruining our world with pollution; but not many of us listened.

We were too concerned with the problems of everyday life to give much more than a passing thought to the shape of our environment. I was certainly no different than anyone else. While in my native city of Charleston, the harbor was polluted by municipal sewage, we shrugged off the eventual consequences. Now, things are different. We listen to those scientists because we are finally beginning to realize what they are saying. And the reason is as close as the nose on your face. Americans have been aroused against pollution because they have begun to see it, smell it, and taste it. It assails their lungs to and from work. It burns their eyes and dirties their clothes. In short, our enjoyment of life has become hampered and dampened by all the dirt around us.

As chairman of the Senate Subcommittee on Oceanography, I have been privileged—if that is the word to use—to become increasingly aware of the dangers caused by the filth we are dumping into our streams and rivers. My committee is alarmed because much of this dirt

eventually finds its way into the sea. And I am afraid that in our zeal to get rid of the garbage which surrounds us on land, we will go on polluting the sea more and more.

The world we live in is a water world. Fully seven-tenths of the earth's surface is water. In fact, the continents of earth are like large ocean liners on the surface of this huge sea. Left alone, nature can take care of itself. But where man and water come together, the damage begins. The recent Stratton Commission report tells us:

> Recent analytical refinements have established beyond doubt that man-made pollution already has affected the entire ocean.

I may emphasize that that is in the past decade. The fact is that the Stratton Commission reported this 2 years ago, long before antipollution became fashionable. And the National Council on Marine Resources and Engineering Development said that "contamination of the ocean has begun" and in many places the ocean's "ecological balance is endangered." The assault on our seas is extremely vicious along the coast, in the estuaries, marshlands, lagoons, natural harbors and beaches. Into these vital areas we are pouring pollution from our chemical factories and heat from electric generating plants. We are throwing garbage and raw sewage into the sea. Add to this the runoff of insecticides, herbicides, fertilizer, silt, fallout from air pollution and deliberate at-sea dumping of waste and you can begin to understand the magnitude of the problem.

The problem we face in the coastal zone of the United States is compounded by population—75 percent of our population lives in the States bordering the seas and the Great Lakes, and by the year 2000, when our population may be over 325,000,000, it is estimated that 90 percent of the population will live in those 30 coastal States.

That population is demanding electricity at a rate that doubles every 10 years.

Thus, on the Chesapeake Bay they may need one atomic generating plant by 1972; two by 1980; four by 1990, and so on.

The coastal zone is seen by power companies as a place to locate, where cooling waters can be obtained.

But can those waters sustain the thermal impacts and the radiation that occur in the cooling process, and still sustain the characteristic biological life of the area?

Or are there beneficial effects that might be available—year-round production of oysters instead of an 8-month growing period in the temperate waters of Long Island Sound?

That growing population and concentration in the coastal zone means that we shall have sharply increased municipal sewage to dispose.

Some of the fish being caught in the New York Bight, and near the Orange County, Calif., sewage outfall have already been shown to have developed cancer, once thought not to be present in fish, and to have developed genetic mutations, such as poorly developed tails, and jaws that would not close properly, thereby affecting their ability to feed.

I mention these facts because I am convinced that the oceans offer us a major challenge in the years ahead. The challenge is not if we will exploit the resources of sea, but how shall we do it. Shall we allow our seas to become polluted as we have our Great Lakes? I hope not. We have seen what decades of indifference have caused us on the dry land.

When Americans tackled the job of exploiting this Nation for its natural resources, there was virtually no concern for protecting the land or water. When we needed lumber, we stripped the forests without any replanting. When we needed coal or steel, we mined with a vengeance, leaving huge and ugly scars upon the face of the land. But we cannot afford to be so callous anymore, especially as we begin to reap the benefits of the sea. We have seen in our feeble efforts so far that we have not attempted to preserve this tender balance of ecology.

Some of our coastal areas have been practically fished out of existence, like those for haddock and menhaden.

We must not allow this to happen. The one, the only concern, is that life itself on this planet does hinge upon how man learns to live with the oceans, and whether he is going to survive at all.

We must continue to explore man's impact on the environment. We must be discerning between those activities that cause degrading of the environment and those that may have beneficial or useful effects. A basic issue in our whole concern is survival—survival not only of man, of the birds, fish and mammals, but also of bacteria and fungi and the other little creatures that are a vital part of the complex ecosystem on which we depend for life.

Pollution of the ocean is long lasting. Rivers may be able to cleanse themselves in time, but pollutants which sink to the bottom of the oceans can remain there for thousands of years, affecting permanently the delicate life cycles of even the smallest organisms. We have already seen the effect of DDT on sea creatures and fish-eating birds.

We have all been shocked by oil spills such as the ones near Santa Barbara and in the Gulf of Mexico. The results of these spills on aquatic life have been very serious. And with the demand for petroleum obviously increasing, accidents of this nature can be expected to continue unless proper safeguards are assured.

We have been talking about big-time pollution, such as oil spills and sewage. But everyone who has been to the beach for a holiday has only to walk along the shore to see little bits and pieces of man-made pollution—beer cans, cigarette filters which defy decomposition, glass, and the ever-present paper products without which, apparently, the modern family could not hope to exist happily.

Our committee has just returned from field hearings on the coastal zone of Virginia. And only last week, President Nixon spoke out against the pollution of the oceans and coastal waters of the United States. Earlier in our hearings, we criticized the Secretary of Interior for failing to move promptly against polluters.

His failure, for example, in the Gulf of Mexico disaster has put him in the position of asking for a 119-count criminal indictment against an oil company.

We do not want suits and indictments.

We want to protect our world. We want the Federal Government, through the Secretary of the Interior, to move promptly.

To move promptly is to move properly. There is evidence that change is sweeping through the halls of the Interior Department.

The United States, as the world's leading industrial nation, is the world's biggest polluter of the oceans. As such, we owe a duty to mankind to provide the leadership in controlling this pollution. Man's future, I believe, will be strongly linked to the seas. Shall we go on spending billions of dollars to explore the Sea of Tranquillity and, at the same time, deny the pennies necessary to discover and preserve the seven seas here on earth?

As chairman of the Senate Subcommittee on Oceanography, let me emphasize two things. First, in responding to the charge of developing an oceans program for the U.S. Government, our search is not for how many uses, but our primary concern is to protect and preserve from abuses, the seven seas. And, finally, in this new-found zeal of man to rid his habitat of waste and dirt, let us put the Nation on notice that the oceans will not be used as a garbage dump.

CONFLICT OF WHOSE INTEREST?

Mr. DOLE. Mr. President, last night the executive committee of WETA, Washington's education television station, upheld the firing of newsman William Woestendiek because his wife works for Mrs. Martha Mitchell.

Committee members said Mr. Woestendiek did his job well, but, because of his wife's new job, he had a conflict of interest.

Mr. President, that kind of reasoning is unbelievable in 1970 in the United States of America, where a woman is no longer chattel but her husband's equal, with the right to pursue her own career.

Today, wherever we look, we see women at work in jobs that conceivably could conflict with their husband's, if WETA's line of reasoning is valid—that whatever a wife does affects her husband's perspective and reflects on his professional integrity.

I would like to cite a few cases of this, some of which might have been mentioned before, but all of which are valid.

The executive producer of the Walter Cronkite news is one Les Midgley. Mr. Midgley is the husband of Betty Furness and was her husband during the period she was Lyndon Johnson's outspoken consumer counsel. Should he have been fired from the Walter Cronkite show?

The bigots at WETA have not mentioned it, but one of their own, Walterene

Swanston, is the wife of a member of the staff of the junior Senator from California. Should Mrs. Swanston be fired?

King Features Columnist Marianne Means, during the Johnson administration was married to a member of the White House staff, Emmett Riordan. Nobody ever suggested that King Features should drop Miss Means.

During the 1968 elections, four wives of very prominent newsmen, Mrs. Drew Pearson, Mrs. Eric Severeid, Mrs. David Brinkley, and Mrs. Joseph Alsop were active in the Humphrey-Muskie campaign. Should their husbands have been fired?

Mr. Max Kampelman, board chairman of WETA and moderator of one of WETA's news programs, was an integral part of the Humphrey-Muskie campaign. Should he disqualify himself?

Columnists and Commentators Frank Mankiewicz and Tom Braden both have political backgrounds. Mr. Braden was a Democratic candidate for Lieutenant Governor in California and Mr. Mankiewicz was Robert Kennedy's press secretary. Should they be fired?

Or should the Los Angeles Times fire one of its editors, Mr. Ed Guthman, because he too worked for Robert Kennedy?

Of course, all this is nonsense, and we know it. So do the people at WETA.

What they have really said and what they really mean is clear. It is this: "If you work for WETA, do not let any hint of Republican ties show. It is not politics that is bad; it is only the Republicans."

Mr. President, I resent the implication, I resent the pressures, I resent the blatant dishonesty. And, regardless of party, it should not pass unchallenged. It is not the party that matters; it is the principle.

What is an anti-Republican bias today could be anti-Democrat tomorrow. If any newsman is to be censored and banned for his wife's political ties, then press freedom is truly in trouble.

THE SO-CALLED POPULATION EXPLOSION

Mr. DOLE. Mr. President, there has been a great deal said this week about the problem of our environment. Among the phrases we have heard a lot about during the celebration of Earth Day has been "population explosion."

I am sure many of our ills will be blamed on this population explosion and I am equally sure a good portion of what is said will be highly emotional.

There is no question but what we have serious problems involving our environment. Our pollution problems are many and complex. Our industrial society has provided us with the good life—and has left a pretty terrible mess that has to be cleaned up.

But, factually speaking, this is not the fault of the so-called population explosion. As Mr. Ben Wattenberg points out in the April 11 issue of the New Republic, there really is no such thing as the population explosion in the United States—at least, as compared with other nations of the world.

I do not agree with everything Mr. Wattenberg says, particularly some of his political comments, but I do feel his factual and statistical analyses have a great deal of merit.

Mr. Wattenberg notes that in all the rhetoric about environment and population, a set of critical facts are ignored and critical premises in the argument remain largely unchallenged. He states it this way:

> The critical facts are that America is not by any standard a crowded country and that the American birth rate has recently been at an all-time low.
>
> The critical premise is that population growth in America is harmful.

Mr. Wattenberg then backs up this statement with some facts which appear worth the attention of my colleagues. He says:

> In not stating the facts and in not at least challenging the premises, politicians and planners alike seem to be leaving themselves open to both bad planning and bad politics. This happens by concentrating on what the problem is not, rather than on what the problem is. Let's, then, first look at the facts. The current population of the United States is 205 million. That population is distributed over 3,615,123 square miles of land, for a density of about 55 persons per square mile. In terms of density, this makes the United States one of the most sparsely populated nations in the world. As measured by density, Holland is about 18 times as "crowded" (at 975 persons per square mile), England is 10 times as dense (588 persons per square mile), scenic Switzerland seven times as dense (382), tropical Nigeria three times as dense (174) and even neighboring Mexico beats us out with 60 persons per square mile. The US, by international standards, is not a very "crowded" country.
>
> But density in some cases can be very misleading in trying to judge "crowdedness." The Soviet Union, for example, is less dense than the US (29 per square mile), but has millions of square miles of uninhabitable land, just as does Brazil and Australia, two other nations also less densely populated than the US.
>
> Of course, the US also has large areas of land that are equally uninhabitable: the Rockies, the Western deserts, parts of Alaska and so on.
>
> But while it is of interest to know that America has some land that is uninhabitable, what is of far more importance is that we have in the United States vast unused areas of eminently habitable land, land that in fact was inhabited until very recently. In the last eight years one out of three counties in America actually *lost* population. Four states have lost population: North and South Dakota, West Virginia, and Wyoming; and another two states, Maine and Iowa, gained less than one percent in the eight years. Furthermore, three out of five counties had a net out-migration, that is, more people left the county than came in.
>
> These counties, the net-loss counties and the net-out-migration counties, are the areas in America where the current hoopla about the population sounds a bit hollow. These are the areas, mostly rural and small town, that are trying to attract industry, areas where a smokestack or a traffic jam signifies not pollution but progress, areas that have more open space around them for hunting and fishing than before, and areas where the older people are a little sad because, as they tell you, "the young people don't stay around here anymore."
>
> This human plaint tells us what has been happening demographically in the United States in recent years. It has not been a population explosion, but a population redistribution. And the place people have been redistributing themselves to is a place we call "suburb":

AMERICAN POPULATION BY RESIDENCE

	Population (percent)		Increase
	1950	1968	1950–68
Residing in central city	35	29	6 million.
Residing in suburb	24	35	32 million (!).
Residing in small cities, towns and rural.	41	36	9 million.
Total	100	100	47 million.

> In less than two decades the proportion of Americans living in suburbs has gone from less than a quarter to more than a third.
>
> But even the total increase in population—rural, city, and suburb—is misleading. The big gains in population occurred ten and fifteen years ago; today growth is much slower. Thus, in calendar year 1956, the US population grew by 3.1 million, while in calendar year 1968 population went up by 2.0 million—and in a nation with a larger population base.
>
> What has happened, simply, is that the baby-boom has ended. When the GIs came home after World War II, they began begetting large quantities of children, and Americans went on begetting at high rates for about 15 years. The best index of population growth in the US is the fertility rate, that is, the number of babies born per thousands women aged 15–44. In 1940, the fertility rate was 80, just a few points above the 1936 Depression all-time low of 76. Ten years later, in 1950, the baby-boom had begun and the fertility rate had soared to 106, an increase of 32 percent in just ten years. It kept climbing. In 1957, it reached 123, up more than 50 percent in two decades.
>
> But since 1957, the rate has gone steadily down: to 119 in 1960, to 98 in 1965, to 85.7 in 1968, not very much higher now than in Depression times. The estimated fertility rate for 1969 was down slightly to 85.5 and there is no reason now to think it will go up, although, as we shall see, it may sink further.
>
> When measured by another yardstick, the "percent national population growth" (birth plus immigration less deaths), the American population is now growing by about 1.0 per cent per year; just a decade ago it was growing by 1.8 percent per year. That may not sound like much of a difference, .8 percent, but in a nation of 200 million people it means 16 million fewer people over a single decade!

Mr. President, I have called this portion of Mr. Wattenberg's article to the attention of the Senate because I feel it is of great importance. It is important because it casts a clear, bright light into an otherwise pretty murky area of discussion.

It is equally important because it attempts to deal in a cold and logical manner with a problem that has become emotion-charged.

I do not in any way play down the importance of Americans becoming more in tune with nature. I do not challenge for 1 minute the need for Americans to respond to a call for cleanliness in their environment as well as in their persons.

I do not even challenge the idea that some parts of our country, some parts of some of our cities, are becoming overcrowded.

It is essential that we focus full attention on the problems of racial antagonisms, of pollution, of conservation, of our cities and our suburbs, and of developing our future economy so as not to destroy our good life itself.

But I feel this whole subject should be

dealt with on the basis of facts and not emotion.

The PRESIDING OFFICER. Is there further morning business?

THE PRESIDENT SHOULD ACT NOW ON TRUCK STRIKES AND LOCKOUTS

Mr. SMITH of Illinois. Mr. President, the national contract under which 450,000 teamsters and thousands of trucking companies across the country had been operating expired March 31. Negotiations between the International Brotherhood of Teamsters and company representatives on new contract provisions continued through April 2, when a tentative agreement between the parties was announced. That agreement provided for a wage increase of $1.10 per hour over 3 years, plus fringe benefits. The Teamsters Union, a party to the tentative agreement, is about to mail ratification ballots to its membership.

Before those ballots could be mailed and tallied, however, certain local teamster unions and certain members struck trucking companies to protest the tentative agreement. Adding fuel to the strike fire, the Illinois Motor Truck Association and two Chicago area locals negotiated a separate agreement that included a wage increase from $1.65 per hour and fringe benefits of 42 cents per hour over a 3-year period. Only 8,000 drivers and a relatively small number of trucking companies were directly affected by that agreement, but drivers in a number of large cities across the Nation began to walk off the job to demand a national agreement in line with the Chicago agreement. Further, the remaining Chicago area trucking associations closed down to demonstrate their unwillingness to follow the first association's lead. More than 32,000 Chicago area drivers were put out of work by the lockout. Since then additional thousands have either struck or been locked out.

The simple truth is, national transportation paralysis is just days away. Strikes and shutdowns have spread across the country, directly affecting the jobs of tens of thousands in the trucking industry, and perhaps hundreds of thousands more in the short-inventory industries that rely on trucked-in supplies. If these work stoppages continue and spread, even over a short time, the paychecks of millions of workers, in and out of trucking, will be imperiled. Even more important, the health and safety of the Nation will certainly be endangered.

Truck transportation is the principal conveyance for foods of every kind, for drugs and medical supplies, for fuels and other essentials. In fact, more than three-quarters of the volume of the Nation's commerce moves by truck at one stage or another.

The crippling effects of trucking work stoppages are already becoming apparent. Housewives are already finding fresh food and vegetables out of stock at supermarkets and grocery stores. Manufacturers are without materials, and suppliers are frustrated in their attempts to deliver goods. Layoffs across a broad spectrum of industries are already in effect. The work stoppages show signs of rapid spreading. The latest Weekly Truck Tonnage Index, reflecting transfers at 400 terminals in 34 metropolitan areas, shows a calamitous decline of more than 40 percent over a single week alone. This afternoon, that index is expected to show further constriction of the Nation's trucking arteries.

Mr. President, I must say that I am more than a little disappointed with the present "hands off" attitude evident in Washington. The President has the tools to use against the spread of strikes and lockouts that compromise national health and safety. The President himself recognized the unique relationship between the transportation industry and national health and safety when he transmitted his Emergency Public Interest Protection Act to the Congress in late February. He said then, "The Nation cannot tolerate protracted work stoppages in its transportation industries." With the outcome of the teamsters' ratification vote at least 2 or 3 weeks away, and wildcat strikes and lockouts spreading, the Nation could be an idle, hungry, and endangered one, even before it knows whether the tentative agreement has been accepted. If that agreement should be rejected, there would be more of the same.

I believe in the collective bargaining process and the right of unions to strike.

I sympathize with the position of the teamsters. I sympathize with the position of the truckers. But I am infinitely more concerned about the stake of the public in this crisis situation—a crisis which may soon be at least as severe as was threatened by the recent possibility of a railroad strike.

Faced with wildcat railroad strikes, the President acted. Faced with wildcat trucking strikes and walkouts, I believe he should again act. I commend the Illinois State Chamber of Commerce for its call to action in this crisis. The time to prevent an emergency is now. The President has the authority to act. I urge him to do so.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Peril U.S. Truck Accord," written by James Strong and published in today's issue of the Chicago Tribune, and an editorial entitled "Truck Strike Strangling Nation," published in the St. Louis Globe-Democrat of April 17, 1970.

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

[From the Chicago Tribune, Apr. 23, 1970]

PERIL U.S. TRUCK ACCORD

(By James Strong)

(Drivers balk, move to seek a new deal, call conference in Washington.)

Teamster leaders thruout the nation will meet in Washington early next week to scuttle the national freight agreement covering 450,000 truck drivers from New York to California, a top union source disclosed yesterday.

Two key officials from each of 350 teamster locals involved in the national talks will be summoned to the union's international headquarters to repudiate the agreement and urge Frank E. Fitzsimmons, acting president of the International Brotherhood of Teamsters, to reopen wage talks with the trucking industry.

NEW LOCKOUTS FEARED

The move could trigger nation-wide lockouts by the 12,000 trucking firms involved in the negotiations and, with the current strike-lockout situation in Chicago, force President Nixon to consider invoking national emergency provisions of the Taft-Hartley law.

"The national agreement is dead," the teamster official said. "In checking with locals around the country two weeks ago, only two officers told me they could sell the package to their members. They can't now."

PERILED BY PACT HERE

The tentative agreement reached April 9 in Washington between the Teamsters and Trucking Employers Inc. (TEI) set wage hikes for the next three years at $1.10 an hour and $3 in additional fringe benefits. The action touched off wildcat strikes in key trucking centers, except New York.

The entire national agreement was put in jeopardy earlier this month when leaders of eight local teamsters unions and the independent Chicago Truck Drivers union remained adamant in their demands of $1.65 an hour and $10 a week in pensions and health-welfare payments over the next three years.

When negotiations started, both on the local level and in national talks the truck drivers sought $3 an hour pay hikes and $22.50 in fringe benefits in three years.

NO MEETINGS SET HERE

The drivers' union in Chicago, so far, have been unable to force their demands on five of six major trucking associations, but the unions claimed to have signed more than 2,000 firms with 20,000 drivers to contracts dictated by the unions. Firms refusing to sign have locked out drivers or have been struck.

Charles L. Bowen, assistant regional director of the federal mediation service, said no meetings are scheduled in the Chicago dispute, which is being negotiated separately from the national talks, but added that he was hopeful some talks could be arranged.

Many trucks continued to roll in the city yesterday despite the strike-lockout situation but layoffs and economic setbacks were encountered by both large and small businessmen unable to receive materials or deliver finished products.

The association which locked out drivers are the Cartage Exchange of Chicago, Central Motor Freight, Motor Carriers Labor Advisory council, the Northern Illinois and the Indiana Truckers associations. A sixth employers' group, the Illinois Motor Truck Operators association, signed with the unions and were operating.

PROTEST STRIKES CALLED

At least seven members of the teamsters ruling body, the general executive board, have been confronted with wildcat strikes and scattered violence in their home areas in protest to the controversial contract. This includes the Detroit local of Fitzsimmons, who is substituting for the imprisoned James R. Hoffa in the national negotiations.

Ray Schoessling, president of the 200,000-member Chicago Teamsters Joint Council 25, openly broke with Fitzsimmons last week and indorsed the Chicago drivers' demands. Other leaders confronted by disgruntled teamsters included Harold Gibbons in St. Louis, Mo.; William Presser, in Cleveland; Robert Holmes in Detroit, Mich.; and Einar Mohn and Joseph Diviny in California.

In 1967 teamster and independent drivers unions in Chicago led by Louis F. Peick, secretary-treasurer of Teamsters local 705, and Edward Fenner, executive director of the independent drivers refused to go along with the national agreement reached by Fitzsimmons and ratified by a narrow majority.

Their action upset the pact and forced a renegotiation of the entire contract along the pattern set by Peick and Fenner.

50,000 COVERED HERE

Peick and Fenner have remained aloof of the national talks and insist that the local cartage drivers here have entirely different problems, economic goals, and working conditions and their contracts should be negotiated separately.

Nearly 50,000 drivers are covered by contracts involving the eight teamsters locals and independent drivers from Gary to Waukegan and west to Joliet and Elgin.

William Joyce, secretary-treasurer of Teamsters local 710, is negotiating for an additional 10,000 long-distance drivers and 5,000 dock workers employed here.

Chicago is currently faced with a prolonged strike-lockout situation, assuming President Nixon does not act, because of the hesitancy of industry negotiators to discuss issues until some accord is reached on the national level.

[From the St. Louis Globe-Democrat, Apr. 17, 1970]

TRUCK STRIKE STRANGLING NATION

President Nixon had better not wait much longer to intervene in the truck strikes around the nation, including the Local 600 walkout here, or the nation's economy will be badly hurt.

In the St. Louis area, the Local 600 strike is reported costing about $1,200,000 a day in wages and probably many times this much in sales.

Many big plants in the area are either closing down or laying off large numbers of employes as shortages of all kinds develop.

In the Chicago area where Teamster locals are staging walkouts, many firms are being shut down as well. American Motors Corp. announced an almost complete closing of its operations in Kenosha, Wis., and Brampton, Ontario, because of a parts shortage caused by the truck strikes.

International Harvester Co. and Admiral Corp. also joined the lengthening list of firms that have had to close their doors due to a shortage of vital components.

The President just cannot allow local trucking bosses to close down the country in order to get a wage increase even more inflationary than the one already negotiated by the national Teamster organization.

Things have come to a pretty sad state when the Missouri highway patrol has to guard a convoy of trucks going through St. Louis in the same way frontiersmen guarded wagon trains from the Indians.

And why should any company owning a truck have to put a sign on the back of it saying it is operating "by permission of Local 600"?

Also why should truckers who are on strike get food stamps, subsidized by taxpayers who are being so gravely hurt by the walkout?

The head of Local 600 (Donald Lane, claims he has no contract offer to submit to the 9,500 members of his union. But the fact is, the International Brotherhood of Teamsters national headquarters sent a telegram to Local 600 informing the union that a tentative agreement with the trucking employers had been reached on April 2 and directed its officers to keep its members working.

But Lane and union leaders in other parts of the country want to compel trucking employers to pay more than the $1.10 increase over a three-year period negotiated by their national officers, which by July 1, 1972, would bring a teamster's wage to $5.03 an hour.

In addition to this hefty wage increase, the agreement would increase health and welfare benefits, boost pension payments, up vacation pay and give truckers an added holiday.

The time has come for the President to stop these wildcat truck strikes before they can inflict still more disastrous damage to the nation and put tens of thousands more people out of work.

Mr. PERCY. Mr. President, I take this occasion to commend once again my distinguished colleague from Illinois for pointing out a very serious problem, which has not been given full attention by public officeholders. Again he has demonstrated that his own intimate knowledge of the commercial, business, and consumer aspects of our lives in the State of Illinois and the great Midwest is of invaluable help in his service as a Senator.

His many years as Speaker of the House of Representatives in Springfield and the many years of devoted attention that he has given to problems affecting consumer interests as well as the business interests of management and labor have caused him many times to inject his thinking at a crucial point into the many complicated problems we have faced affecting the economy of the State of Illinois and the well-being of all of its people. I think he has demonstrated this morning his intimate knowledge of some of the great problems we face, in again offering his valuable and invaluable services, I might say, to help break the logjam and help bring about better understanding, and serve the public interest by so doing.

PRESIDENT NIXON'S FORTHRIGHT REPORT ON THE VIETNAM WAR

Mr. GRIFFIN. Mr. President, in his address to the Nation Monday night on the war in Vietnam, President Nixon demonstrated once again that the United States is ready to go more than half way in its quest for peace and is willing to take acceptable risks to achieve peace with honor.

It was a confident, reassuring statement which keeps faith with his commitment to end our military participation in Vietnam in an orderly fashion.

Above all else, the President made it clear that his policy in Vietnam is working—and succeeding—despite the lack of cooperation from the other side.

The proof of the success can be measured in objective terms—115,500 troops withdrawn in the first year of his administration and a plan to pull out another 150,000 troops over the next year.

Mr. President, I am sure the American people welcome this encouraging report—as they welcome the President's willingness to take them into his confidence on the issue of the Vietnam war.

This is the fourth time President Nixon has made such a progress report to the Nation; it was optimistic in some respects and frankly disappointing in others, but it was, above all, candid and forthright.

On the question of negotiations and the matter of enemy activity, the President acknowledged realistically, as he has before, some discouraging facts.

But in a third critical area, the training of South Vietnamese to assume the major burden of the war, the President described the progress as greater than expected. Because of this program it has been possible to make a longer range projection of his plan to end our participation. In addition to the planned withdrawal of an additional 150,000 troops, the President was able to say that all American combat forces "can and will" be withdrawn from that part of the world.

Of course, legitimate debate and criticism are always in order on this subject, but I hope the President's latest report will put an end to much of the petty carping and quibbling we have been hearing regarding the President's earnest desire—and intention—to end the war. In what he has undertaken and the way he has undertaken it I am confident the President has the backing of the people.

Mr. President, I ask unanimous consent that the text of the President's address be printed in the RECORD at this point.

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

STATEMENT BY THE PRESIDENT OF AN UPDATE REPORT ON VIETNAM

Good evening, my fellow Americans.

I have requested this television and radio time to give you a progress report on our plan to bring a just peace to Vietnam.

When I first outlined our program last June, I stated that the rate of American withdrawals from Vietnam would depend on three criteria—progress in the training of the South Vietnamese, progress in the Paris negotiations, and the level of enemy activity.

Tonight I am pleased to report that progress in training and equipping South Vietnamese forces has substantially exceeded our original expectations last June.

Very significant advances have also been made in pacification.

Although we recognize that problems remain, these are encouraging trends.

However, I must report with regret that no progress has taken place on the negotiating front. The enemy still demands that we unilaterally and unconditionally withdraw all American forces, that in the process we overthrow the elected government of South Vietnam and that the United States accept a political settlement that would have the practical consequence of the forcible imposition of a Communist government upon the people of South Vietnam.

That would mean humiliation for the United States. This we cannot and will not accept.

Let me now turn to the third criteria for troop withdrawals—the level of enemy activity. In several areas since December, that level has substantially increased.

In recent months Hanoi has sent thousands more of their soldiers to launch new offensives in neutral Laos in violation of the Geneva Accords of 1962 to which they were signatories.

South of Laos, almost 40,000 Communist troops are now conducting overt aggression against Cambodia, a small neutralist country that the Communists have used for years as a base for attacks upon South Vietnam in violation of the Geneva Accords of 1954 to which they were also signatories.

This follows the consistent pattern of North Vietnamese aggression in Indochina. During the past eight years they have sent tens of thousands of troops into all three countries of the peninsula and across every single common border.

Men and supplies continue to pour down the Ho Chi Minh trail; and in the past two weeks, the Communists have stepped up their attacks upon allied forces in South Vietnam.

However, despite this new enemy activity, there has been an overall decline in enemy force levels in South Vietnam since December.

As the enemy force levels have declined and as the South Vietnamese have assumed more of the burden of battle, American casualties have declined.

I am glad to be able to report tonight that in the first three months of 1970 the number of Americans killed in action dropped to the lowest first quarter level in five years.

In June, a year ago, when we began troop withdrawals, we did so on a "cut and try" basis—with no certainty that the program would be successful. In June we announced withdrawal of 25,000 American troops; in September another 35,000 and then in December 50,000 more. These withdrawals have now been completed and as of April 15, a total of 115,500 men have returned home from Vietnam.

We have now reached a point where we can confidently move from a period of "cut and try" to a longer-range program for the replacement of Americans by South Vietnamese troops.

I am, therefore, tonight announcing plans for the withdrawal of an additional 150,000 American troops to be completed during the spring of next year. This will bring a total reduction of 265,500 men in our Armed Forces in Vietnam below the level that existed when we took office fifteen months ago.

The timing and pace of these new withdrawals within the overall schedule will be determined by our best judgment of the current military and diplomatic situation.

This far-reaching decision was made after consultation with our commanders in the field and it has the approval of the Government of South Vietnam.

Now viewed against the enemy's escalation in Laos and Cambodia, and in view of the stepped-up attacks this month in South Vietnam, this decision clearly involves some risks.

But I again remind the leaders of North Vietnam that while we are taking these risks for peace, they will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces in Vietnam by increased military action in Vietnam, in Cambodia, or in Laos.

I repeat what I said November 3rd and December 15th. If I conclude increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation.

My responsibility as Commander in Chief of our Armed Forces is for the safety of our men, and I shall meet that responsibility. The decision I have announced tonight to withdraw 150,000 more men over the next year is based entirely on the progress of our Vietnamization program.

There is a better, shorter path to peace—through negotiations. We shall withdraw more than 150,000 over the next year if we make progress on the negotiating front.

Had the other side responded positively at Paris to our offer of May 14 last year, most American and foreign troops would have left South Vietnam by now.

A political settlement is the heart of the matter. That is what the fighting in Indochina has been about for the past 30 years.

We have noted with interest the recent statement by Soviet Deputy Foreign Minister Malik concerning a possible new Geneva Conference on Indochina.

We do not yet know the full implications of this statement. It is in the spirit of the letters I wrote on April 7, to signatories of the 1962 Geneva Accords urging consultations and observance of the Accords. We have consistently said we were willing to explore any reasonable path to peace. We are in the process of exploring this one.

But whatever the fate of this particular move we are ready for a settlement fair to everyone.

Let me briefly review for you the principles that govern our view of a just political settlement.

First, our overriding objective is a political solution that reflects the will of the South Vietnamese people and allows them to determine their future without outside interference.

I again reaffirm this Government's acceptance of eventual, total withdrawal of American troops. In turn, we must see the permanent withdrawal of all North Vietnamese troops and be given reasonable assurances they will not return.

Second, a fair political solution should reflect the existing relationship of political forces within South Vietnam. We recognize the complexity of shaping machinery that would fairly apportion political power in South Vietnam. We are flexible; we have offered nothing on a take-it-or-leave-it basis.

And third, we will abide by the outcome of the political process agreed upon. President Thieu and I have repeatedly stated our willingness to accept the free decision of the South Vietnamese people. But we will not agree to the arrogant demand that the elected leaders of the government of Vietnam be overthrown before real negotiations begin.

Let me briefly review the record of our efforts to end the war in Vietnam through negotiations.

We were told repeatedly in the past that our adversaries would negotiate seriously—

If only we stopped the bombing of North Vietnam.

If only we began withdrawing our forces from South Vietnam.

If only we dealt with the National Liberation Front as one of the parties to the negotiations.

If only we would agree in principle to remove all our forces from Vietnam.

We have taken all these steps.

The United States, over a year and a half ago, halted all bombing of North Vietnam. Long ago we agreed to negotiate with the National Liberation Front as one of the parties. We have already withdrawn 115,500 American troops. Tonight I have announced a decision to reduce American force levels by a quarter of a million men from what they were fifteen months ago. We have offered repeatedly to withdraw all of our troops if the North Vietnamese would withdraw theirs. We have taken risks for peace that every fair and objective man can readily recognize.

Still there is no progress at the negotiating table.

It is Hanoi and Hanoi alone, that stands today blocking the path to a just peace for all the peoples of Southeast Asia.

When our astronauts returned safely to earth last Friday, the whole world rejoiced with us. We could have had no more eloquent demonstration of a profound truth—that the greatest force working for peace in the world today is the fact that men and women everywhere regardless of differences in race, religion, nationality, or political philosophy, value the life of a human being. We were as one as we thought of those brave men, their wives, their children, their parents.

The death of a single man in war, whether he is an American, a South Vietnamese, Viet Cong, or a North Vietnamese, is a human tragedy. That is why we want to end this war and achieve a just peace. We call upon our adversaries to join us in working at the conference table toward that goal.

No Presidential statement on Vietnam would be complete without an expression of our concern for the fate of the American prisoners of war.

The callous exploitation of the anxieties and anguish of the parents, the wives and the children of these brave men, as negotiating pawns, is an unforgivable breach of the elementary rules of conduct between civilized nations. We shall continue to make every possible effort to get Hanoi to provide information on the whereabouts of all prisoners; to allow them to communicate with their families; to permit inspection of prisoners of war camps; and to provide for the early release of at least the sick and the wounded.

My fellow Americans, five years ago American combat troops were first sent to Vietnam. The war since that time has been the longest and one of the most costly and difficulty conflicts in our history.

The decision I have announced tonight means that we finally have in sight the just peace we are seeking. We can now say with confidence that pacification is succeeding. We can now say with confidence that the South Vietnamese can develop the capability for their own defense. And we can say with confidence that all American combat forces can and will be withdrawn.

I could not make these statements tonight had it not been for the dedication, bravery and sacrifice of hundreds of thousands of young men who have served in Vietnam. Nor could I have made it had it not been for the perseverence of millions of Americans at home.

When men write the history of this nation they will record that no people in the annals of time made greater sacrifices in a more selfless cause than the American people sacrificed for the right of eighteen million people in a faraway land to avoid the imposition of Communist rule against their will and for the right of these people to determine their own future free of any outside interference.

The enemy has failed to win the war in Vietnam because of three basic errors in their strategy.

They thought they could win a military victory. They have failed to do so.

They thought they could win politically in South Vietnam. They have failed to do so.

They thought they could win politically in the United States. This proved to be their most fatal miscalculation.

In this great free country of ours, we debate—we disagree, sometimes violently, but the mistake the totalitarians make over and over again, is to conclude that debate in a free country is proof of weakness. We are not a weak people. We are a strong people. America has never been defeated in the proud 190-year history of this country, and we shall not be defeated in Vietnam.

Tonight I want to thank the American people for the support which you have given so generously to the cause of a just peace in Vietnam.

It is your steadiness and your stamina that the leaders of North Vietnam are watching tonight. It is these qualities, as much as any proposals, that will bring them to negotiate.

It is America's resolve, as well as America's reasonableness, that will achieve our goal of a just peace in Vietnam and strengthen the foundations of a just and lasting peace in the Pacific and throughout the world.

Thank you and good night.

THE B-1 MANNED BOMBER

Mr. THURMOND. Mr. President, in late May or early June the U.S. Air Force plans to let contracts for engineering development of its next strategic bomber which will be known as the B-1.

The development of this important weapon system has been well planned and studied for some 8 years and the Air Force will enter this program with a high degree of assurance that this aircraft will meet the high performance needed in our deterrent forces.

The development of the B-1 rests on the question of whether or not this country will need a strategic bomber in the late 1970's and beyond. This is a conceptual question and not a technical one. It is directly related to our national strategy.

Mr. President, each Member of the

Congress knows the Nixon administration is embarked on a course which involves substantial changes in our national strategy. This change is taking form slowly but definitely points toward our reliance on viable and highly mobile strike forces which would deter a potential enemy.

To make this strategy sound this Nation must maintain a long-range bomber strike force. Presently we have the B–52 and the FB–111 in this role as the old B–58 has recently been phased out.

The B–1 will replace the B–52 which is not equipped to handle the complex technology needed in the 1970's and 1980's to assure our Nation of a strong strategic bomber deterrent. This proposed bomber will be able to deliver large nuclear and nonnuclear payloads over distances in excess of 6,000 miles and will have a higher and longer standoff capability than the slower and larger B–52.

The design provides for the four-engine B–1 to penetrate the sophisticated defenses postulated for the 1980's, a key factor in the survival of any future long-range bomber. The aircraft will also have a greater prelaunch survivability through wider dispersal than the B–52's which require long, well-equipped airfields as launching bases.

The key to the need for this new bomber may be summed up in one word—deterrence. This point was ably made recently by Lt. Gen. Otto J. Glasser, the Air Force's Deputy Chief of Staff for Research and Development. General Glasser stated:

> The new bomber is to serve as an integral element of the Assured-Destruction capability of the United States. It will be able to flush on warning from dispersed airfields, or through dispersal to survive any undetected attack, and have a high probability of survival during penetration for precise delivery of weapons on preplanned targets.

Mr. President, throughout the entire history of this great Nation we have never had enemy bombs fall on this continent. While we have had to fight on many foreign shores to assure the safety of our people and our land, a point in time has now been reached where potential enemies have the ability to strike and destroy our Nation.

In order to assure our continued deterrence against such a strike we must have a balanced deterrent force. Such a force includes many elements, but chief among them would be a strategic bomber with the capability of the B–1.

In order that Congress and the American people might have the benefit of some of the reasoning behind our need for the B–1, I ask unanimous consent that the April 1970 article by John L. Frisbee, senior editor of the Air Force/Space Digest, entitled "The B–1—Blue Chip in the Deterrent Stack," be printed in the RECORD.

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

[From the Air Force/Space Digest, April 1970]

THE B–1—BLUE CHIP IN THE DETERRENT STACK

(By John L. Frisbee)

The B–1, USAF's heavy-bomber candidate to replace the B–52, was conceived in 1963 as AMSA (Advanced Manned Strategic Aircraft). Ever since, there have been almost continuous attempts to destroy it in embryo.

The B–1 has been attacked on grounds of nonutility, marginal utility, and disutility. Its critics have ranged from Whiz Kids to members of Congress to intellectuals of the campus, the think-tanks, and the mass media. Their analytical methods cover the spectrum from slipstick and computer to gut reaction. Notably—almost uniquely—the opposition has included no military men of renown from any of the services. The B–1 has been more than thrice-blessed by the Joint Chiefs of Staff.

Not even the most dedicated B–1 opponent has questioned the ability of the US aerospace industry, with the technology of the 1970s, to build a better bomber than the B–52, basically a product of the early 1950s. Rather, B–1 critics have questioned the rationale underlying the requirement. Their key question has evolved from, "Will we need *this* bomber ten years hence?" to "Will we need *any* bomber by the end of the decade?"

So far, a majority of legislators have answered "Yes" to both questions, or has at least been unwilling to say "No" to either. And so the B–1 has survived. In mid-May a prime contractor will be selected to produce five prototype and two test models. If all schedules are met, the first true strategic bomber to be developed in this country in nearly two decades will fly in 1974. This says much for the viability of a concept that has been under siege for seven years.

But the B–1's greatest battle is yet to come—the fight for a go-ahead on production. If that battle is won, the new bomber could begin to join SAC's operational forces in 1978. By that time, the newest B–52s—the G and H models—will be from sixteen to eighteen years old. Their maintenance and modification costs, though not precisely predictable, are bound to be extraordinarily high.

The B–52 could, certainly, be kept operational for another ten years—perhaps longer—if we were willing to pay the cost. But how effectively it could penetrate Soviet defenses a decade from now is quite another question.

Visualize the odds against the B–36 (the newest of which would have been sixteen years old in 1970) in penetrating today's Soviet defenses. The performance gap between the B–36 and the B–52H is comparable to that between the B–25H and the B–1. And a weapon system that will not perform creditably *in* war is not a credible deterrent *to* war.

This brings us back to the key question, "Will we need *any* bomber by the end of the 1970s?" It is primarily a conceptual—not a technical—question. The answer will be affected by economic considerations (how soon and how many), but, fundamentally, a decision must be based on need.

The question of need has to be examined in the context of US defense strategy, which is in a state of transition. During most of the past decade, our strategy has been to deter nuclear war by Assured Destruction—the ability of US strategic forces to survive an enemy attack, and in retaliation cause unacceptable damage to the aggressor. A corollary of Assured Destruction has been Damage Limitation, or the capacity to hold down the level of damage an attacker could inflict on this country. Damage Limitation received considerably less attention than Assured Destruction. Until recently, we have not had the technical means to defend against enemy missiles or to construct bomber defenses that promised to stop a high percentage of attacking aircraft.

Assured Destruction was achieved through a combination of land-based missiles, sea-based missiles, and bombers. As the missile forces grew in size and reliability, the bomber was thought by earlier Administrations to contribute less and less to deterrence. Bombers took several hours longer than missiles to reach their targets. The bomber was believed easier to defend against, and to some it appeared needlessly duplicative of the destructive capacity of the missile forces.

Nevertheless, a reduced number of bombers was retained in the deterrent forces as insurance and because of certain characteristics unique to the bomber. It could, for example, be used effectively in a show of force, as in the Cuban missile crisis. It could carry much larger weapons than missiles, and was acknowledged to be useful against very hard targets that could not be destroyed by smaller warheads delivered less accurately by missiles. In this respect it provided a Damage Limitation dividend, as a counterforce system to be employed against hardened enemy missiles that might be held in reserve after an initial attack. The bomber also could be launched on ambiguous warning and recalled if the warning proved to be false. And the continued existence of US bombers forced the USSR to invest heavily in air defense systems, presumably diverting resources that might otherwise be used to build stronger offensive forces. Finally, the bomber force was regarded as a hedge against Soviet technological breakthroughs that might cancel or reduce the value of our missile forces.

All of these reasons for keeping the bomber alive and well were valid. And they will remain valid, along with other bomber contributions to deterrence, which will be noted later.

Nevertheless, many—probably a majority—of those who believe the bomber only marginally useful were convinced that a relatively low level of U.S. Assured Destruction capability (perhaps twenty to twenty-five percent of the Soviet population and industry) was enough to deter nuclear war regardless of how many Americans might die in a Soviet attack on this country. Therefore, they questioned the need for *any* bombers and rejected the requirement for a new bomber to replace the B–52. This rejection has come to a head at a time when the bomber has, in fact, assumed more, rather than less, importance. The reasons relate both to strategy and to conceptual changes caused by technology.

For many months the Nixon Administration has been conducting an exhaustive study of national-security policy and strategy. There have been vague but persistent rumors that the President intended to revive a strategy resembling the "Massive Retaliation" of the Eisenhower-Dulles years, through it was difficult to understand the feasibility of such a strategy in view of the size and sophistication of Soviet strategic forces.

The first comprehensive, but still general statement of the new Administration's defense policy was contained in President Nixon's "State of the World" message to Congress—United States Foreign Policy for the 1970s: A new strategy for peace. Many questions were left unanswered, but the message roughed in a nuclear strategy that is neither Massive Retaliation nor Assured Destruction at a minimum level.

Several passages in the President's message are pertinent to the future makeup of our strategic forces. (*Italics have been added.*)

"The overriding purpose of our strategic posture is political and defensive: to deny other countries the ability to impose their will on the United States *and its allies* under the weight of strategic military superiority. We must assure that all potential aggressors see unacceptable risk in contemplating a nuclear attack *or nuclear blackmail or acts which could escalate to strategic nuclear war,* such as a Soviet attack on Europe.

"For the foreseeable future Europe must be the cornerstone of the structure of a durable peace.

* * *

"Our NATO allies . . . view the U.S. commitment to deter Soviet aggression as being based mainly *on our maintenance of a powerful strategic posture.*

* * *

"The United States will keep all its treaty commitments. We shall provide a shield if a nuclear power threatens the freedom of a nation allied with us, or of a nation whose survival we consider vital to our security and the security of the region [referring to Asia] as a whole.

* * *

"[*And in the section on General-Purpose Forces*]: The prospects for a coordinated two-front attack on our allies by Russia and China are low because of the risks of nuclear war and the improbability of Sino-Soviet cooperation. *In any event, we do not believe that such a coordinated attack should be met by U.S. conventional forces.*"

A U.S. strategic posture adequate to prevent other countries from imposing their will not only on us, but on our allies, must meet two tests if it is to be credible to a potential aggressor. First, it must leave no doubt in his mind that the U.S. would emerge from a nuclear exchange with some relative advantage over the attacker, in a position to defend itself against third nations, and able to recover more rapidly than could the attacker. Second, other nuclear powers must believe it a reasonable possibility that the U.S. would take some form of positive strategic action against them if they were to threaten really vital U.S. external interests. Such a U.S. force should have a stabilizing influence because of its multiple deterrent effect and since it could not be used rationally to initiate unprovoked aggression.

The strategy outlined in the President's message will require relatively large and versatile strategic forces, including a bomber that can retain its effectiveness well into the future. Also, some of the Soviet technological advances that the bomber has helped insure against have actually occurred. Since they threaten principally the effectiveness of U.S. strategic missiles, they have the effect of enhancing the value of the bomber as a deterrent system. For example, the security of our land-based missiles is sensitive to the accuracy and warhead yield of enemy missiles. The unexpectedly rapid expansion of the Soviet missile force—particularly of the very accurate SS-9, which can carry a twenty-megaton warhead or three five-megaton weapons—is a real and present threat to American ICBMs.

The invulnerability of our sea-based missiles is sensitive to enemy antisubmarine warfare. In his Fiscal Year 1971 Posture Statement, Defense Secertary Melvin R. Laird stated that our Polaris submarines are still invulnerable, but that he could not guarantee continued invulnerability beyond the next five to seven years. For that reason, advanced developmental work was proposed on the Underseas Long-Range Missile System (ULMS), which would enable our missile-carrying submarines to operate in a vastly larger ocean area and still hit targets in the USSR or China.

The now-modest Soviet ABM system has an undetermined growth potential, and hence poses a future threat of uncertain proportions to both land-based and sea-based missiles. While ULMS will increase the Soviet problem of *detecting* US missile submarines, the longer flight time of ULMS probably will simplify the Soviet ABM *defense* problem so far as submarine-launched missiles are concerned.

In view of these Soviet counterforce developments, it would be a dangerous risk to allow the bomber element of the US strategic forces to deteriorate through obsolescence.

One of the bomber's greatest values as a deterrent has been given all too little attention. The bomber, in combination with missile forces, creates an almost impossible timing problem for an enemy planning an attack on the US. Put yourself in the shoes of the Soviet tactician considering a first strike to disarm the United States. The situation might look something like this:

Any one of the three US strategic systems, if used independently of the others, can cause an unacceptable level of damage to the USSR. For a surprise attack on the US, I must, therefore, plan it so that his missiles and bombers are reduced in effectiveness to a point where my defenses can handle them. It's particularly important that I get his bombers, since I want to hit only military targets. The bombers, because of their accuracy and high-yield weapons, have by far the best capability to hit my own hardened or mobile military targets in return. If I knock out the US bombers, the American President's options are reduced pretty much to attacking my cities with missiles. It then becomes a war against populations—a hard choice for any President. He may prefer to negotiate with us. How shall I plan my attack?

Now, U.S. officials have said that they will not fire their missiles at my country until one of my warheads has actually exploded over U.S. territory. It's reasonable to assume they mean this. Launching missiles on warning that may be ambiguous—perhaps even false—is simply too risky for them.

I'll use my land-based ICBMs with high-yield warheads against the hardened U.S. land-based missiles. My submarine-launched missiles (SLBMs) are shorter range, less accurate, and have smaller warheads, but they will do very well to destroy his bombers if I can catch them on the ground.

The U.S. Ballistic Missile Early Warning System (BMEWS) gives the Americans about twenty minutes' warning of attack by my ICBMs. Other U.S. warning systems can pick up my SLBMs five to ten minutes before impact on SAC bases.

I'm going to optimize my surprise attack so my ICBMs will *arrive* over the enemy's missile silos at the same time my SLBMs hit his bomber bases. But wait a minute. That won't work. His radars will pick up my ICBMs even before I launch my SLBMs from a few hundred miles off the U.S. coast. He'll flush his bomber force under positive control and, after my missiles have exploded over U.S. territory, he'll give his bombers a go-ahead. And his surviving missiles, too.

Let's try it the other way. I'll optimize my attack against his bombers. I'll have to launch SLBMs and ICBMs for simultaneous *detection* by the U.S. so as to not flush his bombers on warning. But that won't work either. If all goes very well for me, U.S. radars will detect my SLBMs five to seven minutes from the most exposed SAC bases. Simultaneously, his BMEWS radars will see my ICBMs about twenty minutes' flight time away from U.S. missile sites. That leaves the Americans twenty minutes to alert their National Command authority and maybe fifteen minutes after my first SLBM detonates over a SAC base to make a final decision, transmit orders, and launch their ICBMs.

Let's leave the Soviet planner with this dilemma. It will get worse for him when our satellite warning systems are perfected and when the B-1 becomes operational, with its faster reaction time, ability to disperse widely—even to highways if necessary—vastly improved penetration capability, and varied load of standoff and gravity weapons.

Several leading B-1 opponents have suggested that our need for a bomber may be obviated if the US adopts a policy of launching missiles on warning of an attack. That proposition can be put in a different way. If we do not have a bomber with a credible ability to penetrate Soviet defenses, *we would have to* launch missiles on warning, accepting the horrifying possibility, however remote, that the warning might be fallacious. That is a sobering thought.

Another plus for the strategic bomber is its usefulness in limited conventional warfare, as the B-52s have proved in Vietnam. Where heavy, concentrated firepower is needed, there is no substitute for the big bombers. The B-52s have had no fighters to contend with and very little ground-to-air opposition. But equally ideal conditions will not always be present. The B-1's supersonic speed, low-altitude capability, and advanced electronics will allow us to continue to use heavy bombers in a far less permissive conventional-war environment if future contingencies demand it.

But the B-1, a sophisticated and expensive aircraft, can be justified only if it makes a major contribution to the primary task of our strategic forces—deterrence of attack on the US and our allies.

The fundamental question, "Will we need *any* bomber by the end of the 1970s?" has been answered affirmatively by the Nixon Administration. So, it appears, has the next logical question, "Will we need *this* bomber—the B-1?" An economy-minded Administration is not likely to endorse a nearly $2 billion investment in developing and testing the prototype of a system unless it believes that system essential to national security. A reversal by DoD is unlikely unless there should be a gross reduction in the Soviet/Chinese threat, perhaps as a product of the SALT talks. The decisive arena has shifted from DoD (until two years ago strongly anti-B-1) to Congress (until two years ago overwhelmingly pro-B-1).

In his "State of the World" message, President Nixon said:

"Because planning mistakes may not show up for several years, deferral of hard choices is often tempting. But the ultimate penalty may be disastrous. The only responsible course is to face up to our problems and to make decisions in a long-term framework."

There is no decision on weapon systems to which that warning applies more pointedly than to the B-1.

SECRETARY LAIRD'S ADDRESS ON THE STRATEGIC BALANCE

Mr. THURMOND. Mr. President, the Honorable Melvin R. Laird, Secretary of Defense, addressed the annual luncheon of the Associated Press on April 20 at the Waldorf Astoria Hotel in New York City on the subject of the strategic balance. His remarks concerning our national security are of great significance to the American people and to the Congress.

Mr. President, it was made crystal clear by Secretary Laird that the Soviets have been engaged in a tremendous effort since 1965 to change the strategic balance of power in their favor. On the other hand during this time frame, the United States has maintained an even level of strategic nuclear offensive forces as a deterrence. The United States has taken no action to increase the total of approved strategic offensive delivery vehicles in the past 5 years. My distinguished colleagues, we must concern ourselves with where this Soviet momentum will carry them.

Mr. President, I would like to quote a paragraph from Mr. Laird's speech which clearly reveals the acceleration of the Soviet buildup in nuclear strategic forces. The threat our Nation faces is evident in his remarks.

Mr. Laird said:

Thus, in the space of five years—from 1965 to 1970—the Soviet Union has more than tripled its inventory of strategic offensive nuclear weapon launchers from about 500 to about 1700—which includes some 200

heavy bombers in both totals—and continues the momentum of a vigorous construction program. In that same period, the Soviet Union has virtually quadrupled the total megatonnage in its strategic offensive force. The United States, on the other hand, in the same time period, made no increase in its established level of 1710 strategic nuclear missile launchers and reduced its heavy bomber strength of 780 by over 200. In that same period the United States also reduced its megatonnage by more than 40%.

These are only some of the alarming facts presented in Mr. Laird's appraisal of the Soviet threat. I recommend that my distinguished colleagues review this address and its implications. I am confident that a study of the substance supporting his remarks will indicate that further positive action is necessary for our own security.

Mr. President, I ask unanimous consent that the address of the Secretary of Defense, which was delivered at the annual luncheon of the Associated Press, be printed in the RECORD.

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

ADDRESS BY THE HONORABLE MELVIN R. LAIRD, SECRETARY OF DEFENSE

I was particularly pleased when your President, Paul Miller of Gannett Newspapers, called me on a Saturday morning several months ago to invite me to speak to the Annual Luncheon of the Associated Press on the subject of the strategic balance. I told him that I regarded this forum as particularly appropriate to express my views on the need to make available to the American people additional information regarding national security.

When I assumed office 15 months ago, I immediately established as a top priority goal the restoration of credibility in the Department of Defense. Since then we have attempted to follow President Nixon's stated desire to make more information available to the American people.

The editors of the Associated Press and all members of the communications media in this country have a deep interest in this subject. I pledge to you that we shall continue to devote maximum attention to reducing and hopefully eliminating overclassification in the Department of Defense. And, we will provide all the information we can within the limits of national security, consistent with the safety and legal rights of our citizens.

This open news policy has brought about significant progress in at least five major areas where information was previously withheld from the American people.

1. Previous policy was to restrict public discussion of Prisoners of War matters. Present policy is to foster public discussion and to focus worldwide attention on the plight of our prisoners of war in order to gain humane treatment for them and to obtain their release.

2. Previous policy was to withhold from the public information on chemical warfare and biological research matters. Present policy is to keep the public informed about our new policies in these two areas, the reasons for these new policies, and the steps being taken to implement them.

3. Previous practices on reporting the costs of major weapons systems led to a major credibility problem in the Department of Defense. Our new policy of full disclosure on major weapons costs will help to restore the Department's credibility and will assist us in gaining better control of costs and in developing better management practices.

4. For several years, the American people were denied knowledge about our activities in Laos. Today, the American people are being informed about what we are doing and what we are not doing in Laos.

5. In the past, overuse of classification denied to the American people pertinent information on the nature and scope of the strategic nuclear threat. In my view, there is still too much classification, but we have tried and will continue to make more and more information available on this subject which is so crucial for the future security of our country.

In my remarks today I will attempt to shed more light on the crucial subject of the strategic threat. In particular, I want to discuss with you editors the nature and scope of the growing Soviet threat, recognizing full well that, in Vienna, our negotiators have just begun round two of the Strategic Arms Limitation Talks, commonly called SALT.

I hope for success at SALT. I want to emphasize that point. I also want to emphasize that our top military leadership hopes for success at SALT. Where the security of the United States is involved, it is this objective—insuring national security—which is most important. A lower cost means to achieve that objective, lower compared to what otherwise may be required—if it can be achieved within tolerable risks—is obviously most desirable to all Americans, civilian and military.

The budget we have recommended to Congress for the next fiscal year demonstrates how deeply the Nixon Administration is committed to progress at SALT. We have called this year's defense budget a transitional budget. It is transitional because in terms of military capability, it is basically a status quo, stand-pat budget. We have postponed basic national security decisions in the strategic field in order to give maximum opportunity for SALT to be successful, and to foster a meaningful beginning for the era of negotiation President Nixon and the American people seek.

The objective of the Nixon Administration is to restore and maintain peace. With regard to SALT, the President's actions and words document this Administration's accent on negotiation rather than confrontation.

In my Defense Report to Congress in February, I expressed concern that the United States, by the mid-1970's, could find itself in a second-rate strategic position with regard to the future security of the Free World.

Today, in keeping with our policy of maximum information, I intend to present additional reasons for this concern.

It is important to discuss the growing strategic threat because it is essential for the American people to understand the complex issues involved, if we are to insure our national security interests through the decade of the 1970's. The American people need to understand the reasons President Nixon is pursuing the course he has recommended in this year's transitional budget.

As Secretary of Defense, I must face the fact that we are taking a risk by postponing hard decisions which the increasing Soviet threat poses for us. I recognize that in the interests of lasting peace, some risks must be taken. But, it is my judgment that as the American people are provided additional information, such as we are discussing here today, they will agree that we are literally at the edge of prudent risks. And the inescapable conclusion will be that if the Soviet strategic offensive buildup continues, the risk to our nation will become too great to sustain without major offsetting actions.

Therefore, what I particularly want to focus on today is the basic asymmetry between what the United States has been doing and what the Soviet Union has been doing in the field of strategic nuclear weapons in recent years.

In a word, for the past five years, the United States has virtually been in neutral gear in the deployment of strategic offensive forces, while the Soviet Union has moved into high gear in both deployment and development of strategic nuclear weapons. In the 1965–67 time period, the United States decided on a level of strategic nuclear forces, including Multiple Independently Targeted Reentry Vehicles (MIRVs), which was deemed adequate to preserve our deterrent posture for the threat of the 1970's which was projected then. No basic change has been made in the force level decisions established in the mid-1960's.

The Soviet Union, by contrast, has engaged in a major effort since 1965 to change the balance of power. The United States then, unlike the situation today, clearly occupied a superior position.

Except for the minimum "hedge" that SAFEGUARD will provide, we have not responded to the Soviet strategic offensive buildup with new deployment programs. We did not respond in past years because the United States deliberately chose to assume that the Soviet buildup at most was aimed at achieving a deterrent posture comparable to that of the United States. We have not responded this year because, as I have said, we fervently hope that SALT can render such a response unnecessary.

As much as we might wish it otherwise, however, we must concentrate our attention on what the Soviet Union is actually doing. In the current situation of a diminishing U.S. deterrent and Soviet momentum, we simply cannot base our plans and programs on what we hope the Soviet Union may do either unilaterally or in SALT. The Soviets have a momentum going both in strategic weapons deployments and in strategic weapons developments. If their strategic posture could be expected to stay at the operationally deployed posture which exists today, I believe we would have a tolerable situation. What must concern us, however, is the momentum the Soviets have established both in deployments and developments and where that momentum may carry them.

Let me explain in more detail the basic problem.

The most crucial aspect of national security is the strategic balance between nations that have competing interests in the world. The strategic balance has a direct effect on relations between the superpowers. It has an indirect effect on other nations both in terms of their own relations with each other and in terms of their relations with the superpowers. As one example, a situation of clear superiority on the part of the Soviet Union would have profound implications for any future political or military confrontation between NATO and the Warsaw Pact. In fact, a clear strategic superiority on the part of the Soviet Union would affect our interests and our obligations throughout the world.

In our continuing debate on defense matters, it has been said many times that the driving force behind the so-called strategic arms race is the "action-reaction" phenomenon. The recent ABM–MIRV discussions in this country illustrate this. The argument is made, for instance, that the deployment of defensive missiles by one side tends to generate increased offensive deployments by the other side.

I certainly agree that one side's actions definitely can influence what the other side does. But just as weapons in themselves are not the cause of wars, neither are a country's actions in weapons deployment—in themselves—the driving force in a so-called arms race. The fundamental driving force in an arms race is what one country perceives as possible objectives of another country's actions.

Let me explain it this way. Our goal is a stable peace. Our strategic policy to achieve that goal is deterrence. As publicly stated, the basic rationale for United States weapons deployment in the strategic field has been and remains deterrence. Our actions of the past several years underscore the fact that deterrence is our fundamental policy and

that we seek no more than a posture of effective deterrence.

Because we in the United States seek a posture of deterrence to protect our interests and those of our allies, we obviously could recognize as legitimate a Soviet desire for a comparable deterrent to protect its interests.

I know that the actions of the Soviet Union in recent years have raised questions in the minds of some of you editors and others about the true objectives they are pursuing.

As I have said many times, I do not believe that it is appropriate for me, as Secre- of Defense, to attempt to assess the strategic intentions of another country. However, under my responsibilities, I must be concerned about present and potential strategic capabilities.

You representatives of a free press understand fully the national security price an open society must pay when competing with adversaries who cloak their plans in secrecy and attempt to hide both their objectives and their hardware behind the mantle of a closed society. The whole world knows what we in the United States have and what we plan in the national security field. Meaningful essentials are laid bare in an open forum—in official statements, in Congressional hearings, in the give and take of Congressional and public debate and in the reports of a free and competitive press. I would not have it any other way.

Let me emphasize again my conviction that the American people have a right to know even more than has been available in the past about matters which affect their safety and security. There has been too much classification in this country. In particular, too much has been withheld in the past about what has been going on in the closed societies of the Soviet Union and Communist China.

As we all pray for success in Vienna, let me point out that, in my view, the American people will support an arms limitation agreement only if they are confident they have the relevant facts about the strategic balance.

The facts I am about to present are not taken from external Soviet discussions of their strategic forces. They do not come from press conferences in Moscow, from testimony in the Kremlin, from news stories in Pravda, or from published annual Defense Reports by Marshal Grechko.

Rather, the information I am presenting to you is based on our own observations of what the Soviets are doing—and on our belief that this information and these facts should not be withheld from the American people and should be made available to others in the world.

Let us examine what has happened in the past five years to shift the relationship between U.S. and Soviet strategic forces and to provide an accelerated momentum to the Soviets in the strategic field:

In 1965, the Soviet Union had about 220 launchers for the relatively old-fashioned missiles—SS-6's, SS-7's and SS-8's—somewhat similar to our TITAN. We had 54 TITANs in the inventory at that time.

Today, these two forces remain essentially the same. So in this category of old-fashioned multimegaton weapons the Soviets had and still maintain a better than 4-1 advantage.

In 1965, the Soviet Union had *no* relatively small ICBM launchers comparable to our MINUTEMAN. By 1965, we had 880 MINUTEMAN missiles operational and had established that the total force level for MINUTEMAN would be 1,000 launchers. In the 1965-67 time period, the United States finalized plans to convert a portion of the established MINUTEMAN force to a MIRV MINUTEMAN III configuration.

Today, the Soviet Union has over 800 such launchers operational, and a projected force that could exceed 1,000 launchers within the next two years. These launchers include both the SS-11 and SS-13 missiles. Concurrently, flight testing of an improved SS-11 missile continues. Thus, at present construction rates, the Soviets will achieve parity in MINUTEMAN-type launchers within the next two years or so and could move into a substantial lead in this category by the mid-1970's if they continue to deploy these missiles. The previously scheduled U.S. program to MIRV a substantial part of MINUTEMAN continues in progress.

In 1965, there were no operational launchers for the large Soviet SS-9 missile which, in its single warhead version, can carry up to 25 megatons.

Today, I can report to you that there are some 220 SS-9's operational with at least 60 more under construction. Testing of an SS-9 multiple reentry vehicle—the triplet version—continues. The U.S. has no counterpart to this program involving large missiles. So, in this area, the Soviets have and will maintain a monopoly.

In 1965, neither a depressed trajectory ICBM nor a Fractional Orbital Bombardment System existed in either the Soviet or U.S. inventory.

Today, the Soviets have tested both configurations and could have an operational version already deployed. The United States has developed nothing comparable to these systems.

In 1965, the Soviet Union had about 25 launchers for Submarine Launched Ballistic Missiles (SLBMs) on nuclear submarines, and about 80 more on diesel submarines. Most were designed for surface launch only. The U.S. had 464 SLBM launchers operational on 29 submarines in 1965 and Congress had authorized the last of the 41 nuclear-powered submarines in our POLARIS Force in the previous fiscal year.

Today, the Soviets have over 200 operational launchers on nuclear submarines for submerged launch SLMBs and about 70 operational launchers on diesel submarines. In the next two years, the Soviets are expected to have some 400-500 operational launchers on POLARIS-type submarines, and at present construction rates—6-8 submarines a year—could match or exceed the number in the U.S. force by 1974-75. United States POLARIS submarines still number 41 and no increase is projected in current plans. Conversion of 31 of our POLARIS submarines to the MIRVed POSEIDON missile is planned, and eight conversions have already been authorized by Congress.

In 1965, there was no development underway of a so-called Undersea Long-Range Missile System (ULMS) in the United States and there appeared to be none in the Soviet Union.

Today, the United States is spending relatively small sums in the research and development area on preliminary investigations of such a system. I can also report to you today that the Soviet Union, on the other hand, already is testing a new, long-range missile for possible Naval use.

In 1965, the Soviet heavy bomber force consisted of slightly over 200 aircraft, about 50 of which were configured as tankers. The U.S. heavy bomber force strength was about 780 in 1965.

Today, the Soviet heavy bomber force is slightly under 200, with about 50 still configured as tankers. U.S. heavy bomber strength has declined to about 550 today.

In 1965, we estimated that the Soviet Union had a complex of ABM launchers being constructed around Moscow as well as a number of radars under construction which could provide early warning acquisition and tracking functions for ABM use.

Today, we believe that 64 Moscow ABM launchers are operational together with sophisticated early warning radars and tracking capabilities. ABM testing for new and/or improved systems continues. Today, the first two SAFEGUARD sites have been authorized, but will not be operational before 1974-75. This modified deployment schedule is considerably behind the schedule Congress has approved in 1967 for the planned SENTINEL area defense, which called for initial capability in 1972, and nation-wide coverage in 1975.

Thus, in the space of five years—from 1965 to 1970—the Soviet Union has more than tripled its inventory of strategic offensive nuclear weapon launchers from about 500 to about 1700—which includes some 200 heavy bombers in both totals—and continues the momentum of a vigorous construction program. In that same period, the Soviet Union has virtually quadrupled the total megatonnage in its strategic offensive force. The United States, on the other hand, in the same time period, made no increase in its established level of 1710 strategic nuclear missile launchers and reduced its heavy bomber strength of 780 by over 200. In that same period the United States also reduced its megatonnage by more than 40%.

To repeat: The United States has taken no action to increase the total of approved strategic offensive delivery vehicles in the past five years in response to the rapid growth in Soviet strategic delivery vehicles. We have, of course, maintained certain options and other steps have been taken to preserve our deterrent in the face of this increase.

Two programs that have been the subject of intense public discussion are, of course, our MIRV and Safeguard systems.

Let me emphasize that MIRV is needed to preserve our deterrent. Many people do not fully understand why it is necessary for us to continue the previously planned, Congressionally-approved and funded deployment of MIRV systems. The point is made that the current number of strategic nuclear weapons on alert in our force is sufficient for immediate retaliatory use in a crisis. Because MIRVing would more than double the number of deliverable weapons, the conclusion is drawn that this is unnecessary.

This conclusion could be valid, if we assumed that the Polaris, Minuteman, and Bomber forces all would survive a surprise attack and that the Soviet Union would not deploy an extensive ABM system. However, as was pointed out in my Defense Report in February, the rapidly-growing Soviet strategic offensive forces could seriously threaten both the U.S. Minuteman and strategic bomber forces by the mid-1970's.

Assuming we do not take additional actions to offset the expanding threat—and this apparently is what some people urge—I must, as Secretary of Defense, face the disquieting possibility that in the mid-to-late 1970's we would no longer be able to rely on either the Bomber or Minuteman force to survive a surprise attack. In such a situation, we would be left with only the Polaris/Poseidon deterrent force in our strategic arsenal for high confidence retaliatory purposes. This would pose intolerable risks for American security.

Thus, the critical choice in the face of that situation is this:

1. Do we rely on the fraction of the 656 current weapons that will be at sea on our Polaris force if we do not convert to Poseidon and do not defend our land-based strategic forces?

2. Or, do we continue the previously established program to convert 31 Polaris submarines to the long-approved Poseidon MIRV program—which would provide approximately the same number of sea-based retaliatory weapons on alert that we currently have today in the sea-based and land-based retaliatory forces combined, but with much reduced megatonnage?

Pending a successful outcome in the Stra-

tegic Arms Limitation Talks, therefore, prudence dictates that we must continue our approved program to MIRV current forces.

Moreover, as the experience of the past five years demonstrates, it would be dangerous and imprudent to place unquestioned reliance on the invulnerability of any single strategic system for more than five to seven years into the future.

This is why we must also, at the very least, preserve an option to defend a portion of our land-based retaliatory forces. That is a major part of what the proposed minimal addition to the SAFEGUARD Defensive program is designed to do. I will come back to that.

Because we want to give the Strategic Arms Limitation Talks every chance of succeeding, we are deliberately accepting certain risks by postponing hard choices related to strategic offensive weapons. These risks are acceptable only in the context of proceeding with the MIRV deployments that have been programmed and approved for several years and the SAFEGUARD increment we are recommending this year.

A second and equally important reason for MIRV is that it helps preserve our deterrent by increasing confidence in our ability to penetrate Soviet strategic defensive forces which, by the mid-to-late 1970's, also could be quite formidable. In addition to the extensive air defense capabilities they already possess, the Soviets are pursuing a vigorous anti-ballistic missile research and development program designed to improve the present operational system or to develop substantially better second-generation ABM components.

We now have evidence that the Soviet Union is testing an improved long-range ABM missile. They are also expanding their radar surveillance coverage. We cannot rule out the possibility that they have or will give the extensively deployed SA-5 surface-to-air missile system an ABM role. We believe such a role is technically feasible for this system.

With regard to SAFEGUARD, which I mentioned previously, let me say this. In addition to other objectives, the reoriented SAFEGUARD program, initiated last year, is designed to provide protection for our land-based deterrent forces, the MINUTEMAN and Bombers. As you know, the President directed that each phase of the SAFEGUARD deployment is to be reviewed each year to ensure that we are doing as much as necessary but not more than that required by the threat. The increments of SAFEGUARD proposed so far will provide protection for a portion of our land-based deterrent, and permit flexibility with regard to our future course of action.

Without approval by Congress of the Modified Phase II SAFEGUARD protection proposed by the President, we would be forced to recommend going forward this year with other strategic nuclear offensive force programs.

All of my comments so far have, of course, been focused on the more immediate and troublesome threat posed by the Soviet strategic force buildup. The nuclear weapons program of Communist China also concerns us and directly relates to the need for preserving timely SAFEGUARD options as we move toward the mid-1970's. Time does not permit a discussion of this issue and the interrelationship of maintaining adequate strategic offensive and defensive forces to meet both the Soviet and Communist Chinese threats.

Where does all this leave us, and what is President Nixon attempting to do with the decisions he has incorporated in his Fiscal Year 1971 transitional defense budget?

Clearly, this Administration has not accelerated the previously planned deployment of offensive systems during our 15 months in office. On the contrary, we have slowed it down. The only major change we have made has been modification of the previously approved SENTINEL ABM deployment; and that change was a slowdown, not a speedup. We slowed the original deployment plan Congress approved, keyed it to the emerging threat on an annual review basis, and reoriented it to provide more timely protection needed for our land-based deterrent forces.

If the programmed forces established by the last Administration some years ago and approved by Congress were deemed appropriate and necessary for the security of the United States in the 1970's against the then projected threat, I am at a loss to understand how critics can claim that the Nixon Administration has escalated the arms race. The record clearly shows that we have not done so. We have chosen instead to defer major new weapons decisions as long as possible pending developments in the Strategic Arms Limitation Talks. In continuing the MIRV and ABM programs, we are simply going ahead with programs on which our deterrent policy was formulated by previous Administrations, even before the current momentum of Soviet strategic programs became clear.

With regard to the important talks which have just resumed in Vienna, the President has stated that every U.S. system is negotiable. To those who argue that the U.S. should take specific, and perhaps unilateral, action at the start of these negotiations, I would reply that the place to resolve these issues is at the conference table with the Soviets. Let us try to find out at the conference table the meaning of the Soviet Union's increased weapons deployments and let us conduct these important negotiations with full recognition of these continuing Soviet deployments.

My appraisal today has covered some of the available evidence of the Soviet military buildup. I am not unmindful, how, of possible other directions of Soviet policy that could be relevant to our security. There have been reports that Soviet economic problems may place pressure upon their leadership to devote major attention to internal matters, thus reducing the recent emphasis on a continued military buildup.

As Secretary of Defense, I will continue to hope that the shift in national priorities we have instituted in America will be duplicated in the Soviet Union. But until evidence of that shift is discernible in weapons deployment activities, I have no alternative but to base my actions and recommendations on the evidence available, much of which I have shared with you editors today and, through you, with the American people.

WITHDRAWAL OF TROOPS FROM VIETNAM

Mr. PERCY. Mr. President, I concur wholeheartedly with the comments of the distinguished assistant minority leader.

In his report to the Nation on Vietnam on April 20, 1970, President Nixon gave the American people some good news.

He said that he will continue the withdrawal from Vietnam of American troops over the next year, and he set the number of additional troops to be withdrawn at 150,000. Under the plan, the total to be withdrawn by the Nixon administration by the spring of 1971 will be 265,000.

He said that he will be able to withdraw American troops at an even faster rate if there is progress in negotiations.

He said that he is ready to negotiate a political settlement fair to all parties.

He said that he is confident all American combat forces can and will be withdrawn.

This is very good news for the American people. For those who have supported the program of Vietnamization, there must be satisfaction that the President will continue that program. For those who have been skeptical of Vietnamization, preferring greater effort in the political field, there must be satisfaction that the President expressed his unequivocal desire for a political settlement. President Nixon said, "A political settlement is the heart of the matter."

I welcome the President's announcement that he will persevere in the withdrawal of American forces, and I welcome his renewed commitment to seeking a negotiated settlement. Both policies must be pursued together if America's involvement in Vietnam is to be brought to an end.

In my judgment, the maximum rate of withdrawal of American forces possible, consistent with the safety and security of remaining American forces, is essential and necessary to assure that the government and people of South Vietnam will assume an ever-increasing share of the burden of their own self-defense. This should also encourage the government of South Vietnam to become increasingly responsive to the very real needs and desires of the South Vietnamese people.

EARTH DAY

Mr. PERCY. Mr. President, yesterday several million Americans paused to celebrate Earth Day.

I hope that this signifies more than just another important, even red letter, day on our national calendar. I hope that the events of yesterday mark the beginning of a dedication on a year-round basis to an idea and an ideal.

I hope that the rhetoric we heard yesterday does not subside into a dim echo but instead becomes a rolling thunder that cannot be stilled and must be heeded.

I do not have any idea of how many people were involved in yesterday's ceremonies and speeches and demonstrations. I do not believe anybody can make more than a rough guess. I do know that the National Education Association estimates some 10 million schoolchildren took part. I know there were hundreds of thousands of people gathered at the Washington Monument and in the streets of our other great cities.

I also know that a great deal of what was said yesterday was almost supercharged with emotional impact. The future of our planet—unless we act with vigor and with purpose—is, indeed, not bright.

But, Mr. President, I do not think the predictions of doom need come to pass. In fact, I do not believe they will.

For one thing, man is that unique being—an animal with the power to think. And with this power to reason comes the power to act in a rational manner when called upon to do so. I do not think man will abandon his rationality and continue to plunge madly into the dark.

Coincident with this power to reason is man's ability to plan. Perhaps it takes a great crisis or the foreshadow of impending disaster to force man to use this

reasoning ability, but when put to the task he has repeatedly over the centuries demonstrated that he can.

Already, Mr. President, there is ample evidence of man's determination to end his war against nature. The Congress has not been idle. Within the limits of possibility over the past few years we have attempted to provide the tools with which damage can be undone and future damage prevented.

And the Nixon administration, too, has demonstrated its capacity to think in terms of the future, and to plan so that we may better be able to meet that future.

I call to mind the President's state of the Union message which devoted itself in large part to be a state of the environment message. This, it will be recalled, was followed up by a long, carefully thought out and logically stated message on the environment itself.

Lest yesterday's speeches be allowed to diminish the facts, I would like to summarize the 37 points which President Nixon made in his speech on the environment:

WATER POLLUTION

1. Authorization of $4 billion to cover the Federal share of $10 billion needed for construction of municipal waste treatment plants. To be allocated at a rate of $1 billion per year over the next four years, with a reassessment in 1973 of further needs for 1973 and subsequent years.

2. Establishment of Environmental Financing Authority to ensure that every municipality can finance its share of treatment plant construction costs.

3. Revision of statutory formula governing allocation of grants for treatment plant construction, to permit construction of plants where need is greatest and where greatest improvements in water quality will result.

4. Requirement that treatment plants be built to prescribed design, operation and maintenance standards, and be operated only by certified operators.

5. Requirement that municipalities impose users fees on industrial users sufficient to meet costs of treating industrial wastes.

6. Requirement of comprehensive river basin plans, to assure that construction of municipal treatment plants is complemented by abatement of all other sources of water pollution.

7. Encouragement of construction of large-scale, regional treatment facilities.

8. Extension of Federal-State water quality standards to include precise effluent standards for all industrial and municipal sources.

9. Provision that violation of established water quality standards is sufficient cause for court action.

10. Revision of Federal enforcement procedures to permit swifter court action against those in violation of water quality standards.

11. Provision that violation of established water quality standards is subject to court-imposed fines of up to $10,000 per day.

12. Authorization for the Secretary of the Interior to seek immediate injunctions where severe water pollution threatens imminent danger to health or irreversible damage to water environment.

13. Extension of Federal pollution control authority to include all navigable waters, both inter- and intrastate, all interstate ground waters, the United States' portion of boundary waters, and waters of the Contiguous Zone.

14. Tripling of Federal operating grants to state pollution agencies—from $10 million now to $30 million in 1975.

AIR POLLUTION

15. Publication of new, more stringent motor vehicle emissions standards for 1973 and 1975.

16. Revision of auto emissions enforcement procedures, to ensure that all new autos are in compliance with Federal standards.

17. Authorization for the Secretary of Health, Education and Welfare to regulate gasoline composition and additives.

18. Initiation of a research and development program to produce an unconventionally-powered, low-pollution auto within five years.

19. Initiation of testing and evaluation programs to assist private developers of unconventional, low-pollution autos.

20. Establishment of national air quality standards, with the states preparing abatement enforcement plans to meet national standards.

21. Accelerate designation of interstate air quality control regions.

22. Establishment of national emissions standards for pollutants that are extremely hazardous to health and for specified classes of new facilities.

23. Extension of Federal air pollution control authority to both inter- and intrastate situations.

24. Provision that violation of air quality standards and national emissions standards are subject to court-imposed fines of up to $10,000 per day.

SOLID WASTE MANAGEMENT

25. Re-direction of solid waste research toward techniques for re-cycling materials and producing packaging materials that are easily degradable.

26. Council on Environmental Quality to develop bounty payment or similar system to insure prompt scrapping and re-cycling of junk automobiles.

27. Council on Environmental Quality to work with appropriate industry and consumer groups to develop other incentives or regulations for re-cycling or easier disposal of consumer goods.

INDUSTRIAL INVOLVEMENT

28. Establishment of National Industrial Pollution Control Council.

29. Priority treatment for patent applications which could aid in curbing environmental abuses.

PARKS AND RECREATION

30. Full funding of the $327 million available under the Land and Water Conservation Fund.

31. Review of all Federally-owned real estate to identify properties that can be converted to public recreational use, or sold, with proceeds used to acquire additional recreational areas.

32. Relocation of Federal installations that occupy locations that could better be used for other purposes.

33. Provision that the Land and Water Conservation Fund is maintained or increased as a source of funds for purchase of lands in future years.

34. Authorization for the Department of the Interior to convey surplus real property to State and local governments for park and recreational purposes at public benefit discounts of up to 100 percent.

35. Revision of budget accounting procedures to encourage Federal agencies to make more efficient use of their properties.

36. Assistance to State and local governments for making constructive recreational use of idled farmlands.

37. Authorization of long-term contracts with owners of idled farmlands for reforestation and other improvements for public recreational use.

It will be noted that many of these points involve action which the President himself is undertaking, or directing agencies in the Federal Government to take. But many more of these points involve a responsibility which is being placed squarely on the shoulders of Congress. We have demonstrated in the past our ability to shoulder these responsibilities; it is my sincere hope that political considerations will be shunted aside so that we may discharge our duty in this matter once again in the spirit of Earth Day.

I think that above all else the spirit of Earth Day is one of thoughtfulness.

It involves a rededication to the ideal that man is a rational being, capable of improving his life on this planet without destroying the planet in the process.

Earth Day is more than a call to action. It is a call to thoughtful, logical and foresighted action.

Working together, the Nixon administration and this Congress can achieve that goal. Working at odds with each other, I doubt we can.

Mr. President, I had the great privilege yesterday morning of addressing a large, overflow audience of students who assembled at 9 o'clock on the Circle campus at the University of Illinois.

Within the past few days, I also had the honor and privilege of addressing groups of 4-H students in Normal, Bloomington, and students and faculty members and editors of southern Illinois newspapers at their meeting in Carbondale, Ill.

I ask unanimous consent that the address I delivered at the University of Illinois campus be printed at this point in the RECORD.

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

ADDRESS OF SENATOR PERCY

Today, Earth Day, is a day without precedent. You and I are here because we share something—something precious—and yet we realize that we must take extraordinary and unprecedented measures to preserve that something—our home—the planet earth.

Each of us knows only too well the crisis we are faced with, and each of us knows only too well that the time we have left to deal with this crisis is fast expiring.

Let me state plainly, this is a major crisis we face. Our very existence is in the balance. If we do not meaningfully deal with, and solve, these problems, then we won't have to worry about the other problems that face us.

So today, we are meeting together, and groups like this are meeting all over this nation. We are all concerned about what is being done to our environment, and we must start now to do what is necessary to save ourselves and our world from self-destruction.

From the earliest times, man has believed that he was a contestant in a struggle of domination between himself and nature. He took a land, green and fertile, he took the air, pure and fresh, he took the water, blue and teeming with life, and he decided that he had to "civilize" this wilderness.

He did civilize and tame nature. Man won the contest, and nature was defeated. One of the results of this victory was a new word which we all know, a word we use to describe this civilization of ours. That word is, of course, pollution. It has become such a popular word that it has quite a variety of adjectives preceding it. There is air pollution, water pollution, noise pollution, ther-

mal pollution, solid waste pollution, and even thought pollution.

Air pollution probably concerns us most, because though the air we breathe is most immediately necessary to life, it is also unspeakably filthy. In 1967, 133 million tons of contaminates were spewed into our atmosphere. In 1969, this increased to 142 million tons—more than our annual tonnage of steel produced. More than half of this aerial contamination consists of carbon monoxide, most of it from cars, trucks, and buses with internal combustion engines.

Water pollution has been a problem recognized for many years. Lake Erie is virtually a dead sea, and Lake Michigan could suffer a similar fate. Every river system in America suffers from some degree of pollution. The Cuyahoga River of Ohio, for example, catches fire periodically. Even the oceans are not too big to be immune from dangerous pollution. A recent study discovered a five square mile area of water off the New York shore where no living organisms could be found. Thor Heyerdahl noted that when he sailed in the Kon Tiki 20 years ago, the ocean waters were beautifully pure. However, in his latest trip in the Ra, he found garbage and debris floating in the middle of the ocean.

Solid waste disposal is an ever increasing problem. A year's rubbish from 10,000 persons covers an acre of ground 7 feet deep. Our total solid waste production each year amounts to over 3.5 billion tons—enough to fill the Panama Canal four times over. We are fast approaching the point of smothering in our own garbage. In fact, if the per capita rate stays the same, the total annual production of combustible waste alone will rise from 193 million to 175 million tons by the year 2000, which will be enough to bury all of Washington, D.C. in 30 feet of trash.

Thermal pollution treatens the life of some marine species by adding abnormally high-temperature water, threatening the plant and animal marine life, the purity of our water, the livelihood of fishermen, and ultimately the food source for millions of people the world over.

At this time, there are seven nuclear plants planned for the Lake Michigan shore. I do not believe we should go ahead with these potential polluters until we know for sure what the consequences of their operation will be, and until we are assured that these consequences will not threaten our lake and the life that depends on it.

Noise pollution!—well, if you have ever stopped to actually listen, just listen to the sounds of the city, the horror of noise pollution is evident enough to you. This is not only unpleasant, it is unhealthy. Functional hearing problems are increasing as the pure and simple result of too much noise. Can we still remember what peace and silence sound like?

But these forms of pollution are well known to you.

There is another dimension to pollution, however, that is too often overlooked. I am speaking of the environment of the homes in our cities. When parents discover their children confronted by rats in their homes, as big as cats, they realize they are living with the most devastating, all pervasive, form of pollution that breeds despair.

To many, this form of pollution is the most urgent, but it seems to be getting far too little attention.

A few years ago, it seemed that everyone was anxious to get the rats out of our city's homes. Under public pressure, Congress authorized $20 million to be spent for each of the years 1968 and 1969 for rodent control. When this was done, everyone seemed to focus their attention elsewhere. Some people couldn't, though. The people who still shared their beds and their food and their lives with rats couldn't pretend the problem was solved, for indeed it wasn't. In 1968, the Congress just didn't get around to appropriating the $20 million, and in 1969, only $15 million was appropriated. Of the originally authorized $40 million, only $15 million was ever actually spent.

If the public's attention span is so short that this was allowed to happen without an agonized response, then what can we expect to happen with the other proposals for pollution control? Our sense of values and our sense of morality should be outraged at this lack of total commitment. Pollution is an all encompassing issue that cries out for no less than full, and immediate commitment.

We must consider the problems of rats in the homes as much a problem of pollution as we do the pollution of the air. For they are both forms of pollution, and they both have a common basis for our disgust and ultimate rejection as a part of our lives. What concern can an individual have for clean air, lakes or rivers who lives amidst human debris and filth on every side?

It is not just too bad that a child of a poor family must share his home with rats, it is immoral.

It is not just too bad that our air and water and land are polluted, it is immoral.

This is the basic question here today; this is the point we must realize. Pollution, of our homes, of our cities, of our nation, is basically the inevitable consequence of neglect, and for this neglect to go on unchecked would be immoral.

The heritage that was ours was a land of beauty and wonder. We are the age that has the choice of either destroying it, or preserving it. The choice is ours. In making that choice, we must ask ourselves whether we have the right to deny to our descendants that which was cherished and passed on to us by our forefathers. In any decision we make that affects our environment, we must realize that there is a definite morality which must dictate our actions.

We cannot, we must not, look on pollution as a matter of expediency, or comfort. It is a matter of life and death.

Here, though, is where this issue becomes difficult for each of us. Because this is an issue of morality, there are certain inescapable consequences. We must each realize that we have an individual responsibility. And because of this responsibility, each of us must come to realize that we will have to make a personal commitment, and each of us will have to make significant sacrifices.

Each of us must become our brother's keeper. Littering must be recognized as a sin against humanity. No one must be allowed to mindlessly throw trash or even a cigarette butt—an object so small—on the ground. There are over 400 thousand tons of cigarette butts littering our landscape every year! We must rethink all of our actions in this light, that we have no right to foul our common home.

We must also realize that we are going to have to rethink our standards of luxury and necessity. For instance, our use of electricity ought to be reconsidered.

The utilities fill our needs for electricity. We cannot, on the one hand, condemn utilities for making efforts to provide us with electricity, and then turn around and fill our houses with endless electrical gadgets. We demand from the utilities that they always supply us with enough electricity to run our electric toothbrushes, our electric knives, our electric blankets, our electric can openers, and all the other modern conveniences of our society. But we never stop to consider that because of our excessive electrical demands, the utilities must keep building and operating polluting power plants. The first step to help clean up pollution caused by overworked power companies is to reduce electrical demands that every home makes, and we should begin to seriously consider this fact now.

In the last analysis, it is people who cause pollution. And right now, there are too many people. By the year 2000, the population of the world will have doubled to 7 billion, and in those thirty years, the United States will add another 100 million people, while the population of Chicago will rise to 10 million. It is time now to grapple with the difficult question of family size. This is especially difficult because of the questions of privacy and personal choice involved. However, this will have to be weighed individually against the consideration of the common good. Since scientists tell us that a birthrate of 2 children per family would be necessary to hold the line against further population increases, each couple must ask themselves what sacrifices they are obligated to make, whether after a certain point, adoption might be a logical step rather than adding another birth.

All of the questions I have raised will have to be answered individually. The collective response of the community will determine the extent of success or failure that will be ours.

There is also a responsibility of the business community. It is no less an issue of survival to them. That community will also have to consider the moral questions involved, and will have to balance progress against survival.

In the past, many businesses, along with everyone else, acted without consideration to the environment as did government regulatory agencies. I can find few instances where such agencies even showed superficial concern about the environment. However, business was second only to the scientific community in realizing how seriously our environment was deteriorating, and business began to devote some of its earnings to protecting and developing the environment long before public interest, such as is evident today, ever was imagined. Only far too late in the day has the issue of the environment caught the public's attention as a whole. Now, public opinion is putting added pressures on the business community to safeguard the environment.

I believe that corporations, owned by millions of citizen-stockholders should be vigorously urged to make environmental protection a basic consideration in any corporate decision.

It must be their responsibility to do all they can to insure that the concerns of the environment as well as the concerns of their stockholders should both be given their utmost attention. Those who own stock would like to realize a profit on their investment, but they are also citizens who want to do what they can to save our environment. Consumers want their products at the lowest possible price but also they realize the necessity of including in the product price an allowance for all necessary steps to be taken by a business to preserve our most precious heritage.

Government, too, is responsible to a large extent for pollution. Cities and municipalities have been, and many still are, discharging hundreds of millions of gallons of raw sewage into this nation's waterways every day. The Army Corps of Engineers, Great Lakes Naval Training Station and Fort Sheridan are among the major pollutors of Lake Michigan. I applaud the President for recently adding $200 million to the military budget for pollution control and taking the same amount out of the budget for the ABM.

It is both easy and inaccurate to blame just one section of our community for our environmental problems. Industry, government, and most of all, individual citizens are responsible. If we are to survive, we must realize that each of us, and each segment of our society, must make intense and unprecedented efforts to stop the polluting that each of us creates. We must start now, right now, to clean up this mess, to change our habits of over consuming and mindless littering, to

make this land of ours into a place where, once again, man can glory in the wonder and beauty of nature.

I mentioned before that air pollution, as we all know, is one of the forms of pollution that most concerns us. In the large cities of this nation, estimates as to the amount of air pollution caused by car engines run as high as 80%. Obviously, if we could eliminate automobile discharges as a form of air pollution, a giant step would be taken toward achieving clean, pure, fresh air.

The auto industry has for years been devoting time and money to research and development of a cleaner internal combustion engine and to alternative power sources such as the external combustion engine.

As a matter of fact, the automobile industry currently spends about $150 million annually for research and technology into controlling emission pollution, or about $15 per car per year.

In the area of style and design changes, the auto industry annually spends more than $1 billion annually, which amounts to about $140 per car per year.

In the past, the money that the auto industry spent to investigate how to clean up the air might have been sufficient.

Now, however, we acknowledge that pollution must be stopped and stopped now. With this as a basic supposition, we can then look at priorities. Which is more important, a new car with attractive styling changes, or a new non-polluting engine? In answering this question we must consider the moral implications of our answers.

Admittedly, this is a very difficult decision to make, because not only is the question of pollution on the line, but the economy of this nation is also involved. The problem is a sophisticated one, and demands a sophisticated answer. We must be wary of solutions which are too quick and too easy. However, we must not let the enormity of the problem discourage us from suggesting sincere solutions, for there is no longer any excuse not to begin to do what is necessary, now.

I believe that both the automobile industry and the American public must come to grips with what the problem is, and determine to do what is necessary to solve it. This will require money, and lots of it. An amount of money proportionate to the problem should be committed to research and development of an alternative power source that does not pollute. An obvious example here is the steam engine, or Rankine Cycle Propulsion System which the Senate Commerce Committee stated is "a satisfactory alternative to the present Internal Combustion Engine in terms of performance, and a superior engine in terms of emissions."

If the automobile industry were to switch over to a radical new power system such as this, it is estimated that the cost would be in the neighborhood of $2 billion. This seems a great deal of money, but we should keep in mind that the money spent in one year on style changes is more than a billion dollars a year.

Considering the immense problem we are faced with, we have to come up with some new, bold, different ideas. Perhaps one such idea would be for the automobile industry to consider spending as much money on the development and eventual changeover to a system such as the external combustion engine as they now spend on style changes. This of course would mean very little money available for style changes. Perhaps it might even mean that the auto industry join together and declare a moratorium for several years on all non-essential style changes, and pledge that the money normally used for these purposes be spent on urgent research and development programs. Then we might be a great deal closer to the goal of clean air for our lungs.

Such a step would be radical and unprecedented. It would mean that additional billions would be available for the immense task with which we are faced. It would mean that little or no federal tax money would be needed.

But if the consumer is not willing to sacrifice such luxuries as style changes in cars so that he can breathe clean air, then we are just paying lip service to the problem of pollution.

I believe that it is not too much to ask. To not strike meaningfully at the root of the problem will result in just patchwork attempts to alleviate a spreading cancer. If this is too much to ask, then we may as well all go home, and sit on our hands, and wait for the inevitable end.

The problem of environmental pollution is great and immediate and unprecedented. It is immoral to allow this problem to continue. We must, then, take the great, immediate, and unprecedented steps that the morality of survival demands.

We must each, as individuals, as communities, as corporations, as a nation, make those painful decisions that are required. As individuals, you must ask yourselves the following type of questions: will you make a personal commitment to stop pollution as well as demand it of corporations? Are you willing to ride a bike to the library or to the store instead of driving? Will you cut down on your use of electric appliances? Will you stop littering the ground and demanding a differently styled car each year?

Before we throw trash on the ground, or buy an electrical gadget, or demand a differently styled car every year, we must, in the words of Rene Dubos, give due consideration "to the wind and the stars, to the flowers and the beasts, to smiling and weeping humanity."

SENATOR MAGNUSON'S PLAN FOR A WORLD ENVIRONMENTAL INSTITUTE

Mr. MANSFIELD. Mr. President, the senior Senator from Washington (Mr. MAGNUSON) has been a leader in the struggle for a better environment here in the United States. His low-emission vehicle procurement bill was the first major antipollution measure to be passed by the Senate this year. His National Transportation Act has been the subject of hearings before the Commerce Committee, which he chairs, and promises to provide transportation systems in the future that are compatible with environmental and social needs. He has also established an Environmental Subcommittee on the Commerce Committee, and that subcommittee—chaired by the able Senator from Michigan (Mr. HART)—has held important hearings on pesticide and herbicide use that led directly to restrictions being placed on the most dangerous of these chemicals.

Recently, Senator MAGNUSON has made a dramatic new proposal in the field of environmental quality, a proposal that would enlist the support of all nations in a cooperative effort to deal with international problems of pollution and ecology. He has called for the creation of a World Environmental Institute in a Senate resolution that he plans to introduce shortly. As a cosponsor of that resolution, I hope that all Members of the Senate will become attuned to Senator MAGNUSON's thinking on this matter and will press for early consideration of his proposal.

The World Environmental Institute that Senator MAGNUSON envisions would have two major functions. First, it would serve as an international "clearinghouse" on environmental knowledge and studies; and second, it would serve as a global research center for international environmental problems.

The details of the institute, its need and its justification, are outlined in an excellent speech that Senator MAGNUSON made last week at the International Geoscience Electronics Symposium here in Washington. The Senator won the pledge of the scientists he addressed to help him in his effort to create this institute. This is a tribute both to his commitment and to the essential worthiness of his proposal.

In order to give the Senate the benefit of Senator MAGNUSON's thinking on this matter, and in order to encourage my colleagues to add their names to those of the 30 cosponsors of Senator MAGNUSON's resolution, I ask unanimous consent that the full text of Senator MAGNUSON's recent speech be printed at this point in the RECORD.

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

A WORLD VIEW OF THE ENVIRONMENT

(Remarks of Senator WARREN G. MAGNUSON before the second annual International Geoscience Electronics Symposium, Washington, D.C., April 16, 1970)

I am deeply honored by your welcoming me to this International Symposium, and I in turn would like to re-extend the welcome of the United States to those of you who have come here from foreign lands. I know your Symposium will be a success; for you have assembled here a vast amount of talent, experience, and achievement from many nations.

Problems of the environment are an appropriate focal point for this Symposium, not only because the United States is experiencing a period of intense environmental awareness but also—as our visitors can tell us—because the United States has no monopoly on environmental problems or environmental concern. Few, if any, environmental ills are unique to a particular country. With the exception of isolated species of wildlife whose existence is threatened, most environmental problems—like pollution—are common to all industrialized nations, regardless of their size or form of government.

We are all familiar, for example, with the problems of the United States and other Western nations; but it is interesting to note that the Soviet Union is undergoing environmental difficulties similar to our own. Polluants from pulp mills are quicky destroying beautiful Lake Baikal, and a recent accident in a chemical plant is known to have killed millions of fish in an important Soviet river. And while we in the United States are still in the "talking stage" with respect to noise pollution, the Soviets have already taken action: cars and trucks are no longer permitted to drive through Moscow during the hours when most Muscovites are asleep. Perhaps these developments foretell a new contest to replace the arms race and the space race: an "environment race" between the East and the West to see who will have the cleanest air and water and the quietest streets. This would be a healthy and welcome form of competition indeed.

Yet the problems of environmental quality are global in scope and extend far beyond the industrialized nations of the East and West. Rapid population growth and economic development efforts make the environment a problem for the modernizing nations of the

world as well—regardless of their political systems or their foreign policy. The Ganges River in India is more polluted than the Rhine; DDT is spread far more thickly in the tropics than in North America. *Any* nation that hopes to increase its Gross National Product, its per capita consumption, or other indices of economic growth is faced with an inescapable dilemma about the impact of such development on its environment.

With this realization in mind—that environmental problems are rooted in the growth of population and technology, not in ideology—I want to share with you tonight a special hope, a hope that I believe is more than just a dream. It is a hope born of concern for the dozens of modernizing nations for whom environmental quality is a necessarily low priority today but for whom the experience of the industrialized nations could provide valuable assistance in making economic growth and environmental quality compatible. These nations have seen, and desire, the glamorous fruits of industrialization; and most of them have not yet paused to consider questions of ecology that we ignored ourselves for generations. A cooperative international effort could clarify the choices these nations face and could help them avoid the costly mistakes that we made in similar stages of our own development.

But my hope is born of other, more ominous concerns about the international aspects of environmental quality; concern about DDT being found in the fat of Antarctic penguins; concern about the oil globules that now dot the surface of the oceans; concern about the steady build-up of carbon dioxide in the Earth's atmosphere. These findings indicate that international cooperation on environmental problems would be more than helpful—it may hold that key to survival for all of mankind.

I know that it isn't fashionable today to raise the issue of survival when speaking of the environment. We are told not to be alarmists, not to jeopardize public support for environmental programs by raising unjustified fears. But the rate at which the nations of the world are pumping poisons into the air, the water, and the soil makes survival a very real issue in the long run. No portion of the complex chain-of-life on this planet can die without threatening all other forms of life; the "death" of the oceans, for example, might seal the fate of mankind.

The issue that this raises is stark: no nation can survive while other nations perish; no country can prosper while other countries pollute the ocean and the atmosphere. Ultimately, for man to continue his existence on this planet, international cooperation and understanding will have to prevail. A pragmatic concern for survival will force us to achieve what an idealistic concern for peace and friendship never could: the realization that we are all brothers, destined to perish or prosper together as a species.

Adlai Stevenson, an American who was really a citizen of the world, summed up this realization long ago. He wrote that:

"We all travel together, passengers on a little spaceship, dependent on its vulnerable reserves of air and soil; all committed for our safety to its security and peace; preserved from annihilation only by the care, the work, and the love we give our fragile craft."

Ironically, we had to launch spaceships of our own before we saw what Stevenson had seen: Earth is a spaceship herself, on which every member of the human race travels together through the solar system and the infinite universe. An Apollo astronaut on the lunar surface can block out the vision of our distant planet simply by lifting his thumb. When he looks at Earth, he can see no national boundaries, no capitals, no place names, no armies. All he can see is a tiny, shining ball suspended in the black void of outer space.

Most of us will never stand on the moon. That makes our task even more difficult than the astronauts'. We must learn to see Earth as the astronauts have seen it, yet we must do so without ever leaving the ground. If we can achieve this vision—and we *must* achieve it—we will concentrate less on the issues that divide mankind and more on those matters that emphasize our common problems and our inter-dependence. We will realize that pollution of the Yangtze, the Ghanges, the Rhine, or the Dnieper is no less important to our continued existence than pollution of the Missouri and the Potomac. We will learn that DDT is no less hazardous to us all if it is sprayed on the Indian subcontinent instead of on the United States. And we will see that *all* wastes and poisons from around the world mingle together in our common environment—the air, the water, and the soil—to form a blanket of danger that envelops the guilty and innocent alike.

When we achieve this understanding, we have only two alternatives available: action or despair. To despair is to forget mankind's greatest virtues: his ability to cooperate, his ability to pass knowledge between peoples and between generations, his ability to establish goals for himself and to work until those goals have been met. Even with the aid of these abilities, however, action will not be easy. We will have to overcome centuries of mistrust, generations of conflicting ideologies, and years of suspicion and fear. But we will never be alone: no nation, no government can ignore the issue of survival.

Fortunately, there are many international organizations working today to bring about controls on pollution and harmful substances—the United Nations, NATO, and the Organization for Economic Cooperation and Development, to name only a few. These groups are attempting to establish international treaties, inspection procedures, and environmental police powers. Their success—and the success of many similar organizations—is essential to all men.

But these organizations, important as they are, cannot provide one vital function that must be performed: the gathering and dissemination of environmental information to *all* nations of the world. Since each of us has a stake in the environmental quality of other nations, we cannot afford to work only through existing international organizations that include some nations and exclude others. NATO by definition involves only one community of nations; the United Nations excludes the largest country in the world.

In addition, each of the existing organizations on the world environmental front is *political* in nature and is involved in disputes between different nations and blocks of nations. Even though politics will play an important part in environmental treaties and arbitrations, politics must *not* be allowed to interfere with the free flow of information and knowledge between all nations and all people. The world pool of knowledge and talent is a resource that belongs, like the air and water, to all mankind. No nation should be denied access to this pool because of political disputes with other nations. In fact, the solution to international environmental disputes may hinge on the sharing of knowledge and technology by all nations alike. This knowledge includes more than conventional environmental techniques—the technology of mass transportation, housing development, and automobile safety are clearly related.

So tonight, I am proposing for the first time that a *new* international organization be created. This organization, which might be called the World Environmental Institute, would serve as a central information center for all nations of the world. Every nation—regardless of its form of government or its international and domestic policies—could consult the Institute for expert advice on all forms of environmental problems. The Institute would serve both as a research center and as the repository of that worldwide pool of knowledge and talent. Through the use of computers, any country could obtain a thorough guide to the scientists and scientific studies around the world that relate to a particular environmental problem.

Under the auspices of the Institute, a continual exchange of scientists and technological information between the countries of the world would be possible on a non-political basis—not simply on the unilateral scale of today but on a multilateral level never dreamed of before. Task forces could be set up—consultants who would work as a team and on request visit the distant parts of the globe to undertake special projects. A constant flow of specialists between the Institute and other public and private research centers throughout the world would insure a balance in the Institute's personnel and purpose.

The Institute would be an international organization similar in spirit and purpose to the Olympic Games; but, like the Games, it would not heal the political divisions of the world, even with respect to environmental problems. International environmental disputes would continue to rage, with British soot falling on Swedish forests and with an Egyptian dam upsetting the ecology of the Mediterranean. The Institute would not attempt to arbitrate such disputes—that is the function of organizations like the United Nations. But the Institute would attempt to provide as much and as accurate information as possible to all those concerned and to the international organization within which such conflicts will be resolved. The Institute, let me emphasize again, would have no police powers—it would be like a reference book available to any and all nations with environmental difficulties.

It is not my intention to supplant the work of those hundreds of research institutions where scientists are now at work on complex ecological problems. On the contrary, the World Environmental Institute would serve as an index to these men and their work—helping to speed the flow of knowledge between those few who discover and those millions who need. The Institute will be an exchange, a reference center, a "clearing house" on environmental information—not a monolithic super-bureaucracy. It will be founded on a simple ideal: that the stock of knowledge about environment problems ought to be held in common by all men and that all men should have access to such knowledge whenever they desire it.

Surely the time has come for the United States to take the lead and to propose creation of the Institute to the nations of the world. The time has come for us to realize that world leadership and world prestige are based on the power of ideas, not on the power of weapons. And the time has come for knowledge—that most precious of man's many resources—to be liberated from the prisons of nationalism and the shackles of the Cold War.

In the next few days, I will introduce a Senate Resolution designed to accomplish these aims. The Resolution will express the sense of the Senate that the United States should begin now to explore, both formally and informally, the attitudes of leaders around the world with respect to the creation of the World Environmental Institute. The Resolution will further urge that the Institute proposal be placed on the agenda of the World Environment Conference scheduled by the United Nations for Stockholm in 1972 and that nations who are not members of the U.N.—like Red China—be extended specific invitations to participate in that Conference. In addition, I personally stand ready to meet with foreign leaders and scien-

tists in this country and abroad to promote the creation of the Institute.

Perhaps the plan I have laid before you is only a dream; perhaps, despite my hopes, the centuries of nationalism cannot be washed away by all the polluted waters of the world. Perhaps mankind cannot muster the will and the energy to insure his own survival. But as a Nobel Prize-winning novelist once wrote, man is not yet a finished creation: he is a challenge of the spirit. Response to that challenge of the spirit is the measure of man.

Survival is a challenge. Cooperation is a challenge. Peace is a challenge. A world view of the environment is a challenge. We may not meet these challenges, but we must try. For our response to these challenges will determine not only how we are remembered by future generations—it will determine whether or not there will be future generations to remember us at all.

Mr. KENNEDY subsequently said: Mr. President, yesterday, as America observed Earth Day, many proposals were put forth in many parts of the country to help solve the evils that pollution has done to our environment. I think yesterday's observance will bring many Americans to a greater realization that we must act to preserve and improve the environment of this Nation.

And, at this time, as we study the effects of Earth Day, I would also like to call to the attention of the Senate a proposal put forth by the senior Senator from Washington, Senator MAGNUSON. In an address on April 16 before the second annual International Geoscience Electronics Symposium, Senator MAGNUSON made some very constructive proposals on the larger question of international cooperation to prevent pollution. His address deserves the careful consideration of all of us.

I understand that the majority leader, Senator MANSFIELD, has introduced this address into the RECORD. I would like to ask as well that the RECORD include a copy of an editorial from the Boston Globe of April 20 which examines and commends Senator MAGNUSON'S proposal.

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

COURAGE ON POLLUTION

Sen. Warren G. Magnuson (D.-Wash.) proposes that the United States take the lead in the establishment of a "World Environmental Institute" to conduct research and store knowledge on a problem that knows no national boundaries.

It is our obligation to support the proposal, which should not, for the most compelling of political and moral reasons, be dismissed as merely another idealistic, do-gooder scheme.

For the United States, because of its not-altogether-blessed status as the world's most prosperous nation, is, in fact, the world's biggest polluter.

It is to a measurable degree the demand for the consumer luxury of air-conditioning that produces New York's Summer brownouts. They take their name more from the color of the sky than from the dimming of the lights in August.

The power plants (Mayor Lindsay is trying to do something about this, as are authorities in Boston) belch sulfurous fumes into the sky in order to manufacture the current to run the machines that clean the air. This cycle is increasingly futile.

Fly over the Bronx-Westchester line some bluebird-April day and look south, where you might expect to see the world's most magnificent city. You can't even see Central Park.

The ocean is dying where New York barges its sludge. Lake Erie is dead, and Michigan salmon are declared inedible. It is, largely, American DDT that is found in the too-fragile shells of osprey eggs that do not hatch and in the livers of polar bears and penguins.

Most tragically, it is petroleum to run the automobiles and the power plants of the United States that threatens the beaches and rocky foreshores of the world.

In his address that announced his proposal to the second International Geoscience Electronics Symposium, Sen. Magnuson stressed the international aspect.

"The world pool of knowledge on environmental problems," he said, "is a resource that belongs, like the air and the water, to all mankind.

"No nation should be denied access to this pool because of political disputes with other nations. Pollution of the Yangtze, the Ganges, the Rhine or the Dnieper is no less important to our continued existence than pollution of the Missouri or the Potomac.

"No nation can survive while other nations perish; no country can prosper while other countries pollute the ocean and the atmosphere. We are all brothers, destined to perish or prosper together as a species."

The senator wants the institute open to all nations, regardless of foreign or domestic policies, and he insists that the institute would be totally non-political.

Pollution, however, is already a political issue because the economic realities of the American consumer society render it political. This country has been accused, and can expect to be accused with increasing frequency and uncomfortable accuracy, of spoiling the earth in its attempt to subdue it and meet the insatiate demands of its citizens' rising economic expectations.

There is no indication that these demands and the technological capacity to meet them are going to disappear in the immediate future. Troreau's bean patch simply does not turn Reuther's auto workers' wives on.

In this sense, the United States and all the industrial societies have a great deal of rethinking to do about the meaning of progress and the purpose of life and the courses they choose to pursue happiness.

In time, the rethinking will be done. Meanwhile, the world needs to know that this country is responsibly aware of the situation it largely has created and is actively in pursuit of means by which the blessings and the consequences of technological advance can be reconciled.

Sen. Magnuson has proposed a way. That it will, inevitably, be subject to politicking, much of it designed to embarrass this country, should not deter conservationists. Ecology is more than an issue to distract people from immediate concerns.

Just as it took courage to admit, as most people now do, that the war in Vietnam was damaging our interests, it will take courage to confess our share in the despoliation of the world. Our sin is apparent from Pitcairn to Portland.

SAFEGUARD—1970

Mr. MANSFIELD. Mr. President, an excellent paper on the present range of arguments concerning the Safeguard ABM system has been prepared by George W. Rathjens, Ph. D., and Herbert F. York, Ph. D. Drs. Rathjens and York have long experience within the Government as well as in private life in defense armaments and technology. I believe it is the most succinct synopsis and analysis of the current arguments seeking to justify deployment of the Safeguard ABM.

I ask unanimous consent that the paper be printed in the RECORD at this point.

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

COMMENTS ON SAFEGUARD—1970

(By George W. Rathjens and Herbert F. York, April 5, 1970)

SUMMARY

The Administration's case for Safeguard as a defense for Minuteman is far weaker than it was a year ago. The actual technical situation has not changed materially but it is now conceded that if Soviet missile forces grow as projected in intelligence estimates, even the full Phase II of Safeguard would be inadequate to defend our Minuteman force against a pre-emptive attack. The defense would be effective only if the Soviet Union were to tailor its threat to match Safeguard's limited capabilities. Safeguard as a defense of Minuteman now looks so bad on cost effectiveness grounds, even to the Administration, that it can not be defended on its own merits. It is now being rationalized on the grounds that since we need an anti-Chinese defense anyway, the defense of Minuteman can be justified as an addition.

There is no need to go ahead with Minuteman defense at this time. We could safely wait a year to see how the "threat" is developing, and then make decisions, if necessary, to buttress our retaliatory strength. Options other than Safeguard would be less costly, more effective, and, even with a year's delay, available on a shorter time scale than Safeguard. Cancelling Safeguard (and deferral for a year or so of decisions to go ahead with additional offensive forces as well) would be highly desirable both because of dollar savings and because the prospects for a successful SALT outcome would be enhanced.

The arguments that Safeguard is needed to cope with a possible Chinese attack and that it could do so infallibly are both wrong. We can and should rely on deterrence vis-a-vis China (while at the same time trying to bring China into the world community). Safeguard is unlikely to be available by the time the Chinese have their first ICBM's. When it is available, the Chinese are likely to have capabilities for penetrating it. Certainly it would be foolhardy for the United States, in a belief in Safeguard's infallibility, to take actions some years hence that might lead to a Chinese attack.

Any attempt to maintain even a moderately effective defense in the face of an evolving Chinese "threat" is to commit ourselves to a program that will require continuous improvement and massive expansion. The money being asked for this year should be recognized as but the ante in a program that will involve the expenditure of billions each year with no end in sight and no increase in our security.

Not only should there be no expansion of Safeguard, the program should be cancelled forthwith. With Safeguard having been approved last year by a single vote it is clear that the collective view of the Senate was that the case for even Phase I was very marginal. Those Senators who had doubts about the proposal last year, but who voted for it, will find many of their doubts resolved this year in favor of cancellation. The Administration has now gone most of the way in conceding the validity of the opposition's arguments of a year ago. This is apparent from a careful reading of Defense Department statements of this year. It will become more apparent with questioning of Administration witnesses.

(1) DEFENSE OF MINUTEMAN

The Administration now recognizes that the radars are the Achilles' heel of the Safeguard defense of Minuteman.

There are two problems with the radars: they are relatively soft targets (perhaps able to withstand 1/10 the blast overpressure that Minuteman missile sites can withstand); and they are very expensive (of the order of $200 million each).

Because they are so soft, weapons with relatively poor yield-accuracy combinations will be able to destroy them. This means that the Soviet SS–11 missiles, of which there are very large numbers, would suffice. Also, if the Soviet Union should develop a MIRV capability for its SS–9 missile, that missile could carry large numbers of warheads of yield adequate to destroy the Safeguard radars. The defense cannot function at all if the Missile Site Radars (MSR's) are destroyed. Therefore, a large fraction of the defensive interceptors must be deployed so they can protect the MSR's. Because the range of the Sprint interceptor missiles is only about 25 miles, interceptors that are deployed so that they can defend the MSR's will be unable to defend many of the Minutemen in any given complex (the complex at Great Falls is about 200 miles across). Interceptors deployed to defend the more remote Minutemen would be unable to protect the MSR's. In addition, controlling the interceptors remote from the radar could be something of a problem.[1]

These problems could be very largely alleviated if it were feasible to employ a number of redundant radars at each Minuteman base. However, the very high cost of the radars makes this unattractive. Opposition witnesses suggested that the system might be greatly improved by developing and utilizing a radar specifically engineered for hard-point defense. However, the Administration brushed aside such suggestions. Thus, Dr. Foster, the Director of Defense Research and Engineering said:

"Each year we have looked for a cheap radar that could defend hard sites, and each year we have tried to think of a way of having a lot of radars that could do the job. And then we have come down on the decision that you really have to have a radar that can cope with all of the kinds of things that the enemy might throw at those hard points that you are trying to defend, and that is not a cheap radar. It is a rather expensive radar.

"This radar, from Raytheon, costs about $40 million.[2] Now you could get a radar for $10 million, but it would not do the kind of things that we think the radar has to do if it is to accomplish this mission." (ref. 3, p. 194)

and Secretary Packard:

"There has been talk about the possibility of using smaller harder radars for the defense of Minuteman. There are some areas where smaller and harder radars might be utilized, but this question has in fact been investigated. It is our conclusion, after looking at all aspects of the matter, that we need the kind of capability that the Missile Site Radar we are recommending here has, and we need the size in order to achieve that capability." (ref. 3, p. 1681–1682)

The Administration is now actively facing up to the fact that an effective defense against a heavy threat cannot be based on the MSR.

Thus this year we have Dr. Foster saying:

"If the Soviet threat to Minuteman should increase beyond levels that could be handled by the Phase II Safeguard multi-purpose defense, we might wish to augment the system by deploying several terminal defense radars in each Minuteman field. For this reason we have budgeted for development of a new radar, smaller and less expensive than the MSR. The new radar, although less capable than the MSR, could be deployed in greater numbers to improve defense survivability." (ref. 4, p. 2)

The Administration now concedes that Safeguard, including the full Phase II deployment, will be quite inadequate if Soviet forces grow as projected.

Secretary Laird now says:

"We are now faced with the following possibilities concerning Minuteman:

"(a) That the Soviets do not increase the deployment of the SS–9 and the SS–11, do not develop a MIRV for the SS–9, and do not improve ICBM accuracy. Under these circumstances there is no need for a defense of the Minuteman force.

"(b) That the Soviets stop building ICBM's beyond those now operational or started; they do not develop a MIRV for the SS–9; but they do improve the accuracy of their entire ICBM force. Under these circumstances, the force could constitute a threat to the Minuteman force and Safeguard would be quite effective against that threat.

"(c) That the Soviets deploy a MIRV on the SS–9, improve their ICBM accuracy, and do not stop building ICBM's at this time, but continue building them at their present rate. We would then be faced in the mid-70's with a threat which is much too large to be handled by the level of defense envisioned in the Safeguard system without substantial improvement and modification. (ref. 5, p. 48)

"To be perfectly candid, Mr. Chairman, it must be recognized that the threat could actually turn out to be considerably larger than the Safeguard defense is designed to handle. That is one reason we have decided to pursue several courses which should lead to less expensive options for the solution to this problem than expanding Safeguard to meet the highest threat level." (ref. 5, p. 49)

The contingency suggested in paragraph b of the quotation above implies a less active Soviet program than even the "Low-Force-Low Technology" estimate of the intelligence community. That estimate, according to Secretary Laird, credits the Soviet Union with possibly "hard target multiple RV's as early as mid-1972", and with a "hard target kill capability [that] would be considerable" (ref. 5, p. 104). It is not much of an exaggeration to say that the only circumstance, by the Administration's own admission, under which Safeguard would be effective would be one where the Soviet Union could be induced to tailor its strategic force to match the meager capabilities of Safeguard! Such a Soviet force posture might result if the SALT negotiations were successful, but otherwise seems exceedingly unlikely. Contrast this situation to that of a year ago when the Administration was claiming that Safeguard was needed in case the SALT negotiations failed. Secretary Packard:

"It provides a hedge against failure of arms control. If the Soviets refuse a workable agreement, then this country will be able to move to a protection of its second-strike force, if the Soviets continue to install more effective weapons." (ref. 1, p. 263)

Also contrast this with the Administration contention that Safeguard would be effective against a Soviet missile threat *including* one that involved not only increased accuracy but also MIRV's and increased numbers of SS–9's. Secretary Laird last year:

"The relative effectiveness of Safeguard option 2A in defending our Minuteman force can be measured in terms of the threat I mentioned earlier; namely, the large Soviet SS–9 type missile equipped with three independently targetable 5-megaton warheads with an accuracy of one-quarter of a mile. With a force of 420 of these missiles on launchers and an assumed failure rate of 20 percent, the Soviets could place over the Minuteman fields about 1,000 warheads. Without any ABM defense, it is possible that only about 50 Minutemen would survive. (A mixed force made up of fewer large missiles but including a number of highly accurate small missiles could produce similar results.) With Safeguard Phase I, perhaps two or three times as many Minutemen would survive and with Safeguard option 2A perhaps five or six times as many." (ref. 2, p. 27–28)

and Dr. John Foster:

"We think on the basis of those kinds of calculations that we can on an economic and practical basis, defend the Minuteman field against anything the Soviets will throw at us.[3] (ref. 3, p. 225)

Because Safeguard is patently an uneconomic approach to defense of Minuteman, the Administration is now rationalizing its deployment as a desirable add-on to a nationwide defense that should be deployed against China anyway.

Secretary Laird:

"We have further decided to continue deployment of Safeguard because the additional cost needed to defend a portion of Minuteman is small if the full area defense is bought." (ref. 5, p. 49)

Secretary Packard has estimated the costs for Safeguard Phase I to be $4.5 billion and for the modified Phase II (i.e. adding more interceptors and the defense at Whiteman Air Force Base) to be $5.9 billion (ref. 6, p. 16). From Secretary Laird's statement that with Phase I at least 10–20% of the Minutemen would have a heavy defense (ref. 2, p. 46) one might reasonably infer that at most 150 to 225 would be defended by Sprints in the case of Phase I. These figures are obviously *an upper limit* on the number that could be saved no matter what the weight of attack (provided it is of a quality such that it can penetrate the Spartan defenses). Thus, the minimum cost per Minuteman saved will be $20–30 million with the Phase I deployment. Perhaps 50% more Minutemen could be saved *as an upper limit* with the expansion to include Whiteman. In that case the minimum costs would run about $20–25 million per Minuteman. Compare these costs with those for buying additional Minutemen (6 or 7 million each for *super-hard silos* [ref.

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[1] The problems of the defense of remote Minutemen were not well developed in last year's debate. In March Secretary Laird claimed with reference to Safeguard Phase I, "A heavy cover would be provided to roughly one-third of our Minutemen missile force" (ref. 1, p. 180). The use of the figure 1/3 implied that virtually all of the Minutemen at Grand Forks and Malstrom would be defended. Opposition witnesses pointed out that if the remote missiles were defended the same interceptors could not be used to defend the MSR's. There is an additional problem in that the MSR would be unable to "see" the remote Sprint missiles until they were well above the ground (for those as far as 80 miles away the altitude would be several miles above the horizon). This problem arises because of the earth's curvature and because radars do not work well against targets that are only a degree or two above the horizon.

Presumably in recognition of these problems Mr. Laird changed his position regarding the coverage for Minuteman that could be provided by Safeguard. Thus he said in May "We would have heavier protection for at least 10 to 20% of our Minuteman force". (ref. 2, p. 46)

There is no admission in the record that with this reduction in the number of missiles defended by Sprints there would be a reduction in Safeguard effectiveness.

[2] The cost of an MSR installed with the associated data processing equipment is now estimated at $150–200 million.

[3] Just how practical and economic the presently proposed defense is likely to be can be illustrated by some simple calculations.

2, p. 48] plus perhaps 2 million for missile), or with the cost of additional Polaris boats. (The whole Polaris force cost only about twice the cost of Safeguard Phase I.)

Looked at another way the Soviet problem of overwhelming Safeguard would be simple indeed, particularly if they have MIRV's. The SS-9 should be able to carry a dozen or so warheads of yield adequate, even without accuracy improvement, to destroy the MSR. A few months' production of SS-9's would suffice to exhaust the Phase I defenses and probably less than a year's production would exhaust the modified Phase II defenses.

This rationalization is fantastic particularly considering that there is not now a commitment to the full 12 site program, and there may never be. As will be apparent subsequently, the rationalization for a nationwide Safeguard, i.e. full Phase II, is about as weak as that for defense of Minuteman. If one truly regarded the Chinese rationale as primary, the order of implementation of the Safeguard program would be far different than the Administration plans. The first two sites deployed will provide coverage over only about 7% of the population and will be the least effective of the twelve in defending U.S. population. Two sites deployed for optimum defense of population would provide coverage over an area containing ten times as many people. Grand Forks and Malstrom would be the last sites deployed if we were primarily interested in population defense against China. Considering that, and the fact that there is considerable likelihood that we will never go through with a full Phase II deployment, virtually the full cost of the first two sites, and Whiteman as well, must be charged to defense of Minuteman.

Secretary Laird now concedes that we could have much greater confidence in the deterrent capability of the Polaris-Poseidon fleet alone than he was prepared to admit a year ago.

In the Administration's first rationalization of Safeguard they were scarcely willing to admit the deterrent role of Polaris. With criticism and under questioning, they eventually did so. Even then, however, they suggested that Polaris might be vulnerable to Soviet ASW effort to a degree inconsistent with reasonable technical judgment. Following further criticism they now take a more realistic view. The technical situation remains essentially as it was a year ago, but there is considerable difference in Administration statements as the following examples illustrate. Note particularly in 1969 Secretary Laird indicated serious concern after *1972–73*, but that this year he suggests *some* increase in Polaris vulnerability after the mid-1970's. March 30, 1969 Secretary Laird:

"The next question: Is there any reason to believe that our Poseidon force will be vulnerable to preemptive attack during the early 1970's?

"If this particular question is limited to the period through 1972–73, I would say I believe that our force will remain very free from attack. If you go beyond that time period, I would have to question that seriously . . . ." (ref. 3, p. 192)

February 20, 1970 Secretary Laird:

"According to our best current estimates, we believe that our Polaris and Poseidon submarines at sea can be considered virtually invulnerable today. With a highly concentrated effort, the Soviet Navy today might be able to localize and destroy at sea one or two Polaris submarines. But the massive and expensive undertaking that would be required to extend such a capability using any currently known ASW techniques would take time and would certainly be evident.

"However, a combination of technological developments and the decision by the Soviets to undertake a worldwide ASW effort might result in some increased degree of Polaris/Poseidon vulnerability beyond the mid-1970's. I would hope that Polaris would remain invulnerable at least through the 1970's. But, as a defense planner, I would never guarantee the invulnerability of *any* strategic system beyond the reasonably foreseeable future, say 5–7 years." (ref. 5, p. 40)

The Administration suggests that the alternative to expanding the Safeguard deployment is to decide now to build new offensive systems thereby exacerbating the arms race. The argument is inconsistent with lead time realities.

We need *not* make decisions at this time to deploy any new offensive systems if Safeguard is held to Phase II or cancelled. The defense at Whiteman Air Force Base will not be operational until 1975 at the earliest (and the other sites probably won't be either). Additional Minutemen could be deployed in considerably less time. This, Secretary Packard concedes:

"We think it (deployment of additional Minutemen) would take three or four years, including all of the administrative lead time)." (ref. 3, p. 1741)

The deployment of additional Minutemen at a time when they may be obsolescent because of MIRV development is hardly very attractive, but neither is spending billions on an ineffective defense of those we have. However, if one insists on increasing the number of Minutemen that would survive a Soviet first strike in the second half of the decade, clearly deploying more is an option that is preferable to defense. It would be considerably cheaper. It would be considerably more effective in increasing the number of surviving Minutemen we would have in the event of an attack against the force. This would be particularly so if they could be superhardened as may well be possible. And, what is most important, *no decision would have to be made now.* We could wait at least a year, and more likely two, while we tried to negotiate an end to the arms race. If at that time the construction of more Minutemen was indicated, we could begin and they would be operational as soon as Safeguard would be.

Realistically, we could also wait a year or so and then build more Poseidon submarines if it appeared necessary. They too would be more cost-effective, and they could probably also be operational by the time Safeguard would be.

Thus, Secretary Laird is being disengenuous when he says:

"In summary, our decision now to proceed with further deployment of Safeguard gives us another year in which to pursue SALT without ourselves exacerbating the arms control environment through actions on offensive systems." (ref. 5, p. 50)

(2) DEFENSE AGAINST CHINA

Safeguard is unlikely to be operational by the time a "Chinese Threat" develops.

According to Secretary Laird the Chinese may have an initial operational capability (IOC) with ICBM's by early 1973 though more likely in 1975 or 1976 (ref. 5, p. 109). The last of the twelve Safeguard sites could be installed by the late 1970's (ref. 6, p. 17).[4] Obviously as a defense against China Safeguard won't be much good until completed since if a few large cities are undefended they could be attacked even if the remainder of the defense were operational. If present plans are implemented there would be at least several years during which the Chinese would have an operational ICBM force when the large cities of California and those of the south would be undefended. *The President's statement that Safeguard could provide a "virtually infallible" defense against China (ref. 7) is technically unrealistic and dangerous.*

A single Chinese weapon of the yield they have already tested, 3 megatons, and which is suitable for their ICBM's (ref. 4, p. 4) could inflict well over a million fatalities if delivered on a large American city and a force of 25, even if only 40% reliable could inflict 11–12 million fatalities (ref. 5, p. 43). A defense might well reduce the number of Chinese weapons that could be delivered but it is totally unrealistic to expect none to get through, and it is quite likely that several will. There are a number of reasons for this: the radars might be blacked out, the Chinese might concentrate their attack against one or two areas, they might use penetration aids that would be highly effective, and the defense might just fail catastrophically.

The President's statement is a dangerous one in four respects:

(1) It was claimed that the anti-Chinese defense was needed so that we could credibly deter China from aggressive behavior vis-a-vis its neighbors. The clear implication is that with Safeguard in place the United States might take actions that it could not prudently take in the absence of defense. This suggests that millions of American lives might be lost if a future president, in an unwarranted belief in Safeguard's "infallibility", should take actions which might trigger a Chinese nuclear attack against us.

(2) The statement suggests an aggressive approach to dealing with China, not consistent with the Administration's otherwise constructive moves in this area.

(3) The statement, like the whole Safeguard proposal, will cause a reduction in confidence of the American public and the world in the U.S. Government as the incredibility of the argument becomes apparent.

(4) The statement suggests that the President is being dangerously isolated from responsible technical opinion on questions that seriously affect the security of the nation.

The Administration's attempt to buttress its case for an anti-Chinese defense by arguing that deterrence may not work vis-a-vis China is unconvincing.

Secretary Laird has argued (ref. 5, p. 43–45) that deterring China may not be feasible because such a large fraction of Chinese population is rural and because we must have enough weapons after war with China to deter the Soviet Union.

It is true that only a small percentage of Chinese population is in large cities but most of the industry and the technical and political leadership is concentrated there. A modest number of weapons delivered against the large cities would, therefore, probably destroy the government if not a large percentage of the people. But even aside from that, rural China is very vulnerable and this the Secretary has not recognized. Some ⅔ of China's population is concentrated in only about ⅛ of its area. Considering that, China would be very vulnerable to a fall-out attack. This will be especially so since outside the cities fall-out shelter potentialities are likely to be poor and stockpiles of food and medical supplies inadequate. A few hundred B-52's if loaded with high yield, surface burst weapons could probably destroy both China's urban *and* rural population. Thus, we can deter China without compromising in any way our missile capabilities. Moreover, considering China's poor air defenses virtually all our bombers would probably survive a single attack or even several round trips against China. Thus, our bomber capabilities vis-a-vis the USSR would be reduced only slightly should we ever execute a strike against China designed to destroy her totally.

The Administration's claim that the Chinese are unlikely to develop effective penetration aids by the time Safeguard is fully deployed or soon thereafter (ref. 6, p. 9) is unrealistic.

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[4] Last year Secretary Laird suggested that the full Safeguard deployment could be completed by mid-1976 (ref. 2, p. 28, 85). Secretary Packard more cautiously suggested 1977 (ref. 1, p. 295).

Secretary Packard argues that the Chinese lack complex range instrumentation and skilled technical people that would be required to design and test penetration aids in which they could have confidence (op. cit.). In making the argument he totally misses the point that it is *we* who must have confidence that Chinese penetration aids will *not work* if we are to behave as if our defenses were "infallible"—not China that must have confidence that they will work. The Chinese could not attack the United States whether they had effective penetration aids or not without inviting the total destruction of China. Thus, the only rational purpose that a Chinese ICBM capability can serve vis-a-vis the U.S. is as a deterrent to us. For that purpose it is *our* view of Chinese penetration aid effectiveness that will be relevant. We cannot be sure they will not work.

In denigrating Chinese penetration aid potentialities Secretary Packard is probably wrong on technical grounds as well. He cites the fact that it has taken us ten years to develop high-confidence penetration aids, and uses this to buttress his argument that "Safeguard Phase II is expected to have a capability more than adequate to cope with the Chinese threat in the late 1970's" (ref. 5, p. 9). In so arguing, he completely misreads the history of technological emulation, and that is that once a new device or technology has been developed somewhere in the world others can repeat the development at much less cost and in a much shorter time than the original pioneers. There are countless examples of this but perhaps few that are as relevant and dramatic as the development of thermonuclear weapons. The intervals between a first nuclear explosion and a first themonuclear explosion were 7.3 and 2.7 years for the United States and China respectively. Belief that the Chinese cannot develop high quality penetration aids in a much shorter time than it has taken us is wishful thinking. If they test their first ICBM in, say, 1974, we must expect them, by the time Safeguard is fully deployed, to have penetration aids as effective as those we now have; and against such penetration aids the Safeguard area defense would be ineffective.

While the weapons enthusiasts may have schemes in mind for upgrading Safeguard so that it would be effective against an evolving Chinese capability, there is no realistic basis for Secretary Packard's contention that we could do so without a general thickening of the system (ref. 6, p. 10). The best hope of providing a reasonably effective defense against a late 1970 Chinese capability, and *it would not be "infallible"* would be to begin building *now* a defense very much like the kinds we have considered for defense of population and industry against the Soviet Union, i.e. terminal type defenses for all large American cities, and a nationwide fallout shelter program. A realistic anti-Chinese defense implies an unending program requiring the expenditure of probably five to ten times the amounts projected for Safeguard and it implies a defense to which the Soviet Union would probably react by further expanding its strategic offensive forces.

(3) DEFENSE OF BOMBERS

With the erosion of its Minuteman and anti-Chinese rationales for Safeguard, the Administration is likely to play up the defense of bombers, but it has yet to explain why such a defense is necessary.

Leaving aside entirely the extreme unlikelihood of the Soviet Union being able to destroy the Polaris force simultaneously with an attack against our ICBM's and bombers, the Administration still has not explained how the Soviet Union could confidently attack the latter two forces. If an attack were designed so that Soviet missiles would impact simultaneously on both our missile and bomber bases, we would have 15 to 30 minutes warning of the launch of Soviet ICBM's before impact. If the bombers are in a reasonable alert status a very large fraction should be air borne before the arrival of either Soviet ICBM's or SLBM's over the bomber bases. On the other hand, the Soviet Union could hardly defer launching its ICBM's against our Minuteman bases in an attempt to deliver a surprise SLBM attack against the bombers. Were they to do so, they would have to expect that the bulk of the Minuteman force would be launched between the time they destroyed our bombers and the time their ICBM's would arrive over our Minuteman bases.

Even if fully implemented Safeguard Phase II will provide very little defense for bombers against a Soviet SLBM attack.

While there has been little if any discussion of a possible MIRV program for Soviet SLBM's, it would be surprising if such a program did not develop if other MIRV programs continue. If the Soviet SLBM's use either MIRV's or high quality penetration aids, the Safeguard area defenses may be quite inadequate. Those air bases not defended by Sprints will have very little protection. The Administration has indeed proposed terminal defenses at the bomber bases (ref. 2, p. 78). Yet, MSR's and Sprints will be located near at most ¼ of the main operating bomber bases (ref. 3, p. 1749) that are near enough to our coasts to make a surprise SLBM attack feasible. To provide even a moderately effective defense for bombers would require increasing greatly the planned numbers of MRS's and Sprints.

(4) DEFENSE AGAINST ACCIDENTS

The Administration still argues that Safeguard would be useful in coping with the arrival over the U.S. of one or a few accidentally launched missiles. Yet, it does not explain how the command and control problem would be solved.

If Safeguard is to be effective in dealing with accidents, it must be usable at all times. This almost certainly implies delegation to launch down to very low command echelons including possibly even to the computers. Administration spokesmen continue to be obscure about this point, presumably either because they do not want to upset the public or because they have not yet decided on the command and control philosophy that will prevail.

(5) COSTS AND SCHEDULES

Not surprisingly Safeguard costs have escalated and the deployment schedules have slipped during the last year.

Last year it was claimed that the full Safeguard Phase II (including RDT & E but excluding AEC costs and annual operating costs) would be $9.1 billion (ref. 2, p. 29). Ten months later the corresponding figure is $10.7 billion (ref. 6, p. 17), an increase of over 17%.[4] And the program has slipped somewhere between 6 months and 10 months during the last year. (Secretary Laird admits to six or seven months slippage [ref. 8, p. 8] but Secretary Packard admits to 8 to 10 months [ref. 6, p. 6].)

The latter's explanations regarding slippage and increases in costs are interesting. He attributes 3 months' slippage to delay in getting Congressional approval for the Safeguard last year, but asserts that the remainder is "deliberate, to allow a more economical and less compressed construction schedule (5 to 7 months)" (ref. 6, p. 6). Curiously, later on Secretary Packard attributes 6% of the 17% increase in costs to the stretch-out of deployment (ref. 6, p. 18). (Of the remaining 11%, 4% he claims is due to inflation and 7% to design changes and more detailed estimates.)

We stretch out programs so that they will be more economical, but they cost more because we stretch them out!

(6) SAFEGUARD—SOVIET REACTIONS AND SALT

Now that expansion beyond Phase I is contemplated, the Administration's contention that Safeguard is unlikely to lead to an expansion in Soviet Strategic capabilities is even less convincing this year than it was last year.

If we are to have a defense that will be significantly effective in coping with an evolving Chinese ICBM force, the defense too must evolve. Unless that is contemplated there would be no sense whatever in starting on an anti-Chinese defense program. Yet, if we do try to build a defense that will be effective a decade hence, it will almost necessarily have to be a "thick" one, and deployment of large numbers of MSR or similar type radars will have to begin soon. With such moves, the Soviet Union is likely to further expand its offenses to offset its *extrapolations* of what that deployment may portend in the way of a large-scale nationwide ABM system. That would certainly be the American reaction were we to see a similar deployment in the Soviet Union.

A similar reaction is likely to follow a serious effort to defend bomber bases. A number are near enough to larger cities so that MSR's used for defense of the base could also be used to defend a city, and in some cases the bases and cities are so close to each other that the same Spirit interceptors could be used to defend both. If we don't put in MSR's and Sprints near the bases we won't have much of a defense. If we do, the Soviet Union is likely to perceive a need to expand its offenses to offset the implied city defense capability.

Defense of Washington will almost certainly lead to whatever Soviet targeting they feel is required, and if need be to increases in overall force levels, just as the Soviet defenses of Moscow have resulted in heavier American targeting of that city.

The Administration has argued that a full-scale Safeguard will be less likely to stimulate a Soviet response than Sentinel would have been because the radars will be more remote from large cities. However, if the map prepared by the Administration is even approximately correct MSR's will be deployed within 50 or 100 miles of a number of large American cities: Seattle, San Francisco, Los Angeles, Dallas, Kansas City, Detroit, Washington, Baltimore, and Boston. Sprints 50 miles from such cities could not defend them. However, the Sprints can be added relatively quickly if the radars are available and close enough to control them. Again, a Soviet reaction is likely. We may believe we have deployed the radars too far from cities to be useful for terminal defense, but will they? Would we discount MSR's 50 or 100 miles from large Soviet cities? Not likely.

The argument that we need Safeguard so that we will have a strong hand in the SALT negotiations is far weaker this year than last.

It is now admitted that Safeguard cannot cope with the kind of Soviet threat that is to be expected if the SALT talks fail, and it is rationalized on economic grounds as an add-on to a nationwide anti-Chinese defense. Under the circumstances, neither the anti-Chinese part of Safeguard nor the Minuteman defense is a very impressive card in the SALT negotiations. The former is hardly negotiable with the Russians; and the latter is so ineffective that it is hardly likely to impress the Soviet Union as something which they should pay a price to have us forego.

REFERENCES

(1) Strategic and Foreign Policy Implications of ABM Systems, Hearings before the Subcommittee on International Organization and Disarmament Affairs of the Committee on Foreign Relations, United States Senate, Ninety-first Congress, First Session, March 6, 11, 13, 21, 26, and 28, 1969.

[4] If costs continue to rise at this rate we will be at the $25–$40 billion level by the time the full Phase II deployment could be implemented.

(2) Safeguard Antiballistic Missile System, Hearings before Subcommittees of the Committee on Appropriations, House of Representatives, Ninety-first Congress, First Session, May 22, 1969.

(3) Authorization for Military Procurement, Research and Development, Fiscal Year 1970, and Reserve Strength. Hearings before the Committee on Armed Services, United States Senate, Ninety-first Congress, First Session, March 19, 20, 25, 26, 27; April 1, 2, 3, 15, 16, 17, 22, 23, 29, 30; May 13, 14, 15; June 3, 4, 1969.

(4) Statement by Dr. John Foster, Director, Defense Research and Engineering, on FY 71 Modified Phase II Safeguard Program, 24 February 1970.

(5) Statement of Secretary of Defense Melvin R. Laird before a Joint Session of the Senate Armed Services Committee and the Senate Subcommittee on Department of Defense Appropriations on the Fiscal Year 1971 Defense Program and Budget, February 20, 1970.

(6) Statement of Deputy Secretary of Defense David Packard to Committee on Armed Services, United States House of Representatives, March 9, 1970.

(7) President Nixon's News Conference of January 30, 1970.

(8) Secretary of Defense Melvin R. Laird's News Conference of February 24, 1970.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations for the U.S. circuit court, the U.S. district court, U.S. attorneys, and U.S. marshals. I do so with the understanding that they were reported unanimously by the committee earlier today, and they have been cleared on both sides.

The PRESIDING OFFICER (Mr. SPONG). Without objection, it is so ordered.

U.S. CIRCUIT COURT

The assistant legislative clerk read the nomination of Wilbur F. Pell, Jr., of Indiana, to be a U.S. circuit judge, seventh circuit.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

U.S. DISTRICT COURT

The assistant legislative clerk proceeded to read sundry nominations to the U.S. district court.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. ATTORNEYS

The assistant legislative clerk proceeded to read sundry nominations of U.S. attorneys.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. MARSHALS

The assistant legislative clerk proceeded to read sundry nominations of U.S. marshals.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

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

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

NAMING OF FEDERAL OFFICE BUILDING AND U.S. COURTHOUSE IN CHICAGO, ILL.

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3253.

The PRESIDING OFFICER (Mr. SPONG) laid before the Senate the amendments of the House of Representatives to the bill (S. 3253) to provide that the Federal Office Building and U.S. Courthouse in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building East" and that the Federal office building to be constructed in Chicago, Ill., shall be named the "Everett McKinley Dirksen Building West" in memory of the late Everett McKinley Dirksen, a Member of Congress of the United States from the State of Illinois from 1933 to 1969, which were to strike out all after the enacting clause and insert:

That the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, shall be renamed the "Everett McKinley Dirksen Building" in memory of the late Everett McKinley Dirksen, a distinguished Member of the United States House of Representatives from the State of Illinois from 1933 to 1949 and of the United States Senate from 1950 to 1969. Any reference to the Federal Office Building and United States Courthouse at 219 South Dearborn Street in Chicago, Illinois, in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such building as the "Everett McKinley Dirksen Building".

And amend the title so as to read: "An act to provide that the Federal Office Building and U.S. Courthouse in Chicago, Ill., shall be named the 'Everett McKinley Dirksen Building'."

Mr. YOUNG of North Dakota. Mr. President, I move that the Senate concur in the amendments of the House with an amendment which I send to the desk on behalf of myself and Senators HRUSKA, MANSFIELD, SCOTT, MUNDT, BURDICK, and CURTIS.

The PRESIDING OFFICER (Mr. SPONG). The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK read as follows:

SEC. 2. Upon a determination that a local educational agency lacks the fiscal capacity to provide an adequate free public education for children of persons who live and work on Federal property, and if such children constitute not less than 25 percent of the total enrollment, the Secretary of Health, Education, and Welfare shall from sums already available make emergency payments for the current school year to such local educational agency as may be necessary to provide a free public education for such children: *Provided*, That the total of such payments shall not exceed $2,500,000 and shall not exceed the average per-pupil cost to such agency for all children eligible to receive a free public education from such agency, less Federal and State payments to such agency for free public education.

Mr. YOUNG of North Dakota. Mr. President, this amendment has been cleared by the leadership, the distinguished Senator from Montana (Mr. MANSFIELD) our majority leader is also a cosponsor of it and has a deep interest in its provisions. Also, the minority leader, the distinguished Senator from Pennsylvania (Mr. SCOTT), is a cosponsor.

The amendment has the approval of the Subcommittee on Appropriations on Education, chaired by the Senator from Washington (Mr. MAGNUSON), and the ranking Republican, the Senator from New Hampshire (Mr. COTTON).

It also has the approval of the chairman of the Public Works Subcommittee handling the bill, the Senator from North Carolina (Mr. JORDAN), and the ranking member, the Senator from Kentucky (Mr. COOPER).

The amendment has been discussed with the leadership in the House—that is, the distinguished chairman and ranking member of the House Appropriations Committee and the distinguished chairman and ranking member of the House Public Works Committee. We are assured of their full cooperation and consideration.

Mr. President, the amendment which we are offering would authorize the Secretary of Health, Education, and Welfare to provide 100 percent funding for fiscal 1970 for the education of so-called 3–A children under Public Law 874, the aid to impacted areas program.

This amendment is designed to assist only those school districts which face a critical fiscal situation of an emergency nature.

It authorizes the expenditure of not to exceed $2.5 million out of existing appropriations for this purpose.

I am assured by Assistant Secretary of Health, Education, and Welfare, James F. Kelly, that this emergency expenditure would either come out of carryover funds or funds appropriated to the Department of Health, Education, and Welfare for other purposes but not already obligated.

It thus would have no effect on other school districts currently receiving assistance under Public Law 874.

At this time we are aware of two specific school districts—one in Nebraska

and one in North Dakota—which would benefit from this amendment.

Officials of the Department of Health, Education, and Welfare estimate, however, that it would not include more than 10 school districts, the balance of which have not yet been identified.

The amendment authorizes an expenditure out of existing appropriations of not more than $2.5 million for this purpose.

The $2.5 million figure is an outside estimate and it would not be necessary to spend this full amount unless all the school districts Department of Health, Education, and Welfare officials estimate might be involved are identified.

No one can possibly question the obligation of the Federal Government to provide full entitlement for the education of so-called 3–A children of military families.

The 3–A category only includes children whose parents live or work on Federal property.

The military bases or installations on which these families reside are tax exempt.

Neither the States nor local subdivisions, including school districts, realize any tax revenue from these bases.

There is no property tax, real or personal; they pay no sales taxes on purchases made on the bases through facilities such as commissaries, post exchanges, base exchanges, gasoline stations, liquor stores, or the like.

The military personnel which are assigned to these bases have no choice with respect to their assignment.

They serve at these bases for specified, limited tours of duty.

In many cases the father is either just returning from Vietnam or Southeast Asia or will soon be sent there.

Because of the nature of these assignments, the Federal Government does provide Government housing on the bases for a large number of its personnel.

Certainly providing for the education of the children of the families of military personnel should be of the highest priority.

I have two such bases in my State—the Grand Forks Air Force Base, located near Grand Forks, N. Dak., and the Minot Air Force Base, located near Minot, N. Dak.

In both instances, the public school systems of the cities operate the schools on the bases.

One school district in particular—the Grand Forks school district—faces a very critical financial situation.

In fact, on March 10, 1970, the board of education for the Grand Forks public school district informed the Department of Health, Education, and Welfare that with the resumption of classes after the Easter recess the school district could not accept nonresident students—this specifically included Air Force dependents—unless they paid nonresident tuition for the balance of the year.

Much as the Grand Forks school district regretted having to do this, they simply could no longer afford providing quality education to these military dependents for less than 100 percent entitlement under Public Law 874.

Subsequently, an injunction against the school district was sought by a group of parents of these children.

The injunction remains in effect, and under it the Grand Forks public school district is continuing to educate these children. The injunction, however, may only be of a temporary nature.

Mr. President, providing 100 percent entitlement for 3–A children does not represent a windfall to the school district.

This is merely a tax replacement payment for the cost to the school district for providing education for these children.

These school districts can no longer afford to continue providing quality education for these children at a considerable financial loss to them.

No one denies that the financing of this education is a responsibility of the Federal Government.

If the public school districts are no longer able to absorb these costs and, as I have indicated, this has already become the situation in at least one district in my State, the alternative would be for the Department of Health, Education, and Welfare to operate such schools.

This would include elementary, junior high, and high schools on the various bases.

This can be done under section 6 of Public Law 874.

Should it become necessary for the public school districts to discontinue educating these children, thus requiring the Government to undertake their education, I think we should all be aware of where the funds for such a program would come from and what the cost would be.

Mr. President, the funds to operate Government schools under section 6 would come off the top of moneys appropriated for Public Law 874 before any other allocations are made.

Section 6 school operations have first claim to the full extent they are needed on any Public Law 874 funds appropriated.

As to the cost of such a program, school administrators inform me that it is their estimate that it would cost the Federal Government twice as much to operate these schools under section 6 as it now costs the local school districts to provide education to these very same children.

To put it simply—if a school district is now entitled to $2 million per year as full entitlement for 3–A children, the section 6 approach would cost the Federal Government $4 million annually.

Further, Mr. President, such a school system would not—in the opinion of Department of Defense officials, Health, Education, and Welfare officials, and local school officials—provide as good an education as is presently being provided by the local school districts.

As I have indicated, Mr. President, our amendment would only authorize the Secretary of Health, Education, and Welfare, to make payments representing full entitlement for fiscal 1970 for those school districts which face a fiscal crisis—or catastrophe.

The payments made under this authorization would be over and above funds they are receiving now—but not to exceed full entitlement.

Further, the amendment does not increase appropriations for this purpose.

It merely authorizes the Secretary of Health, Education, and Welfare to spend not more than $2.5 million to meet these critical problems. It would continue the high quality education being provided by local school districts and make it unnecessary for the Federal Government to take over and operate the schools.

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

Mr. YOUNG of North Dakota. I yield.

Mr. BURDICK. Mr. President, as a cosponsor I rise in support of the amendment.

I would like to add a few words to what my colleague has said about the amendment. The amendment has two essential parts. It applies to the public education of children of parents who live and work on Federal property, and if such children constitute not less than 25 percent of the total enrollment, the triggering portion of the amendment is set into effect.

When that is found by the Secretary of Health, Education, and Welfare, he then shall have the authority to make sums available as emergency payments for the current school year to such local education agency as may be necessary to provide a free public education for such children.

This is most necessary at this time in the State of North Dakota, particularly in Grand Forks, where we have the Grand Forks Air Base.

There is a virtual emergency existing at this moment. The school districts are facing a financial crisis, and even the good relations which have existed between the personnel of the base and the people of the city of Grand Forks, have been affected by an amount of friction which has already occurred.

This legislation is a must. I again say that I strongly support this amendment and I hope that the Senate approves it at this time.

Mr. HRUSKA. Mr. President, as one of the cosponsors and as a strong supporter of the Young amendment, I rise in support thereof.

The Senator from North Dakota (Mr. YOUNG) has made a splendid presentation of the situation which exists, and the serious and grave consequences which will result unless emergency action is promptly taken. This amendment seeks to provide emergency relief for the current school year to several school districts eligible to receive funds under Public Law 874.

The disbursements currently able to be made under this act for the 1969–70 school year are grossly inadequate in certain districts: the amounts appropriated for fiscal year 1970 do not enable them to continue in operation for the balance of the current school year.

Two of the school districts involved are:

First. Grand Forks, N. Dak., where it was necessary to resort to a Federal court order to force the schools to remain open.

Second. Bellevue, Nebr., adjacent to

Offutt Air Force Base, where great difficulty is being encountered in keeping the schools open.

Earlier this week, 164 teachers out of a total of 450 were notified by the Bellevue school board that contracts would not be renewed. In addition, 97 teachers have submitted resignations due to uncertainties of funding. There are possibly six or eight additional school districts which are similarly affected.

The school board, the school officials and the people of Bellevue have struggled valiantly, with patience and restraint, to find some reasonable solution to the crisis. They have now reached "the end of the road." There are no other avenues of relief for this current school year, except that provided in the proposed amendment.

Mr. President, I ask unanimous consent that there appear in the CONGRESSIONAL RECORD at this point, a table showing pertinent statistics relating to the Bellevue school district and the funds available for its operation.

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

Data on Bellevue schools

Average Daily Attendance, Bellevue school district	10,197
"A" students (those with parents living and working on Federal installations) (43 percent of total)	4,356
"B" students (those with parents working on Federal installations) (35 percent of total)	3,617
Students with parents not working for Federal Government (22 percent of total)	2,224
1970 entitlement under existing law:	
"A" students	$2,076,256
"B" students	861,201
Total entitlement	2,937,457
Available under 1970 appropriations	2,261,841
Deficiency for entitlement	−675,616
Total school budget for the 1960–70 school year	6,385,776
Estimated maximum amount available to Bellevue under the proposed amendment	474,000

Mr. HRUSKA. Mr. President, it is clear that quick action is needed to relieve the crisis for the balance of this school year. The pending amendment will supply it. While this will not be a permanent solution to the problem, it will ease the immediate situation. Additional measures will need to be enacted to provide for the coming school year of 1970–71.

The amendment contains adequate limitations to assure that only the most severely affected districts will be recipients of these emergency payments. The payments would come from sums already available, so that new appropriations would not be required.

The amendment applies only to those heavily impacted districts where at least 25 percent of the total enrollment of the school are children of persons who live and work on Federal property. The total of payments authorized to be made under this amendment is limited to $2½ million. The amendment will not affect the disbursement of funds to other federally impacted school districts under Public Law 874.

I urge approval of the amendment because the circumstances are serious. In fact, consequences would be dire, indeed, without it. There is a grave responsibility on the Congress to take this action. The alternative is to disrupt the school year's work and credit for over 10,000 pupils in the Bellevue school system, and some 11,600 pupils in the Grand Forks, N. Dak., district. In several other school districts as well, the consequences would be exceedingly serious.

It would be unconscionable to allow this to happen, especially, since this approach would not impair or reduce any other disbursements already provided under the program. Furthermore, a relatively small amount is involved.

Mr. President, a canvass has been made of the leadership on this side of the Capitol as well as in the other body. A careful canvass has been made of the committee chairmen and others interested in the pending bill, as well as in the subject matter of this amendment. We have been assured that they are all sympathetic with the objectives of this amendment. We have been assured that they will do their very best to bring about prompt approval of this amendment.

It is my hope that this result will follow. It is my further hope that the amendment will be promptly approved and that the bill as amended will be processed as expeditiously as possible.

The matter has been thoroughly discussed with the officials of the Office of Education in the Department of Health, Education, and Welfare. The Assistant Secretary-Comptroller of the Department, Mr. James F. Kelly, along with other high ranking officials have been consulted, and cooperated fully in the preparation of this amendment. They have also indicated their full support and approval thereof.

This is very gratifying. The situation is a complex one because of the pending legislation on the impact aid program itself for the school year ahead. Also, the hearings are now in progress on the appropriations bill for the coming school year. Every effort will be made to resolve the situation as quickly and as effectively as the parliamentary situation and the rules and the practices of the Congress can be complied with.

Mr. YOUNG of North Dakota. Mr. President, I move that the Senate concur in the House amendments with the amendment of the Senator from North Dakota.

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

The motion was agreed to.

Mr. HRUSKA. Mr. President, I move that the vote by which the amendments were agreed to be reconsidered.

Mr. YOUNG of North Dakota. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD subsequently said: Mr. President, I had to leave the Chamber at the time the amendment dealing with the situation for military families in Bellevue, Nebr., and Grand Forks, N. Dak., was considered.

As one of the sponsors of the amendment, which was unanimously adopted by the Senate, I want to say that I am pleased that this body faced up to its responsibility; that these military families, who have been living under great difficulties, now stand a fairly good chance—if the House concurs—to have corrected an inequity which has been detrimental not only to the family unit but also to the military service as a whole.

So I am very happy, as one of the cosponsors of the resolution, to join in the remarks made by the distinguished senior Senator from North Dakota (Mr. YOUNG) and the distinguished junior Senator from the same State (Mr. BURDICK), the distinguished Senator from Nebraska (Mr. HRUSKA) and others, and to express my thanks to the Senate for considering this legislation and passing it so expeditiously. I would also express the hope that the House will do the same.

Mr. YOUNG of North Dakota. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

NINETY-EIGHTH ANNUAL ARBOR DAY

Mr. HRUSKA. Mr. President, in the tremendous outpouring of public response and cooperation on Earth Day yesterday, another venerable observance of equal importance may have been overlooked by some who are interested in conserving the Nation's great natural heritage.

The observance of which I speak is the 98th annual Arbor Day. While Arbor Day is observed in every State in the Union and in many foreign countries, it is a most important celebration to Nebraska because Nebraska is the State in which it originated.

Nebraska statute has established Arbor Day on April 22 and decreed it a legal holiday. It is celebrated no less vigorously in Florida and West Virginia, which have two Arbor Days each year, and in Utah.

Whether Arbor Day is officially observed on April 22, or on other dates as it may be in other States, I think it is important to remind this body that millions of people do observe this occasion every year.

It is also important to point out that in an age when we are increasingly concerned about the dissipation of our natural resources, we would do well as a Nation to reemphasize the basic values which motivated J. Sterling Morton to establish the first Arbor Day in 1872 in Nebraska.

Mr. Morton, newspaper publisher, horticulturist, and public servant, conceived the idea of Arbor Day in Nebraska City, Nebr., where he had moved from Michigan. Disturbed by Nebraska's miles of treeless plains, he inspired fellow Nebraskans to devote one day each spring to mass tree-planting.

Within 16 years after his mass tree-planting day had become an official State observance, more than 600 million trees had been planted and 100,000 acres of forest had been created on the once-barren Nebraska prairies.

The idea of Arbor Day spread quickly and within a few years, more than 35 States conducted their own observance. Today, every State observes the holiday, and in addition it is commemorated in England, Canada, Australia, British West Indies, South Africa, New Zealand, France, Mexico, Norway, Russia, Japan, and China.

J. Sterling Morton went on to serve his State as secretary of the Nebraska Territory and president of the State board of agriculture, and his Nation as Secretary of Agriculture under President Grover Cleveland. But, with all his excellent contributions to his State and Nation, he is best remembered for the conservation instincts which he instilled into a Nation of abundance in its early years.

Nebraska City, Nebr., the home of Arbor Day, is planning a massive celebration May 1–3 for this year's observance. Among the many events scheduled will be a tree planting by the National Guard in memory of the late Ray Thurman, a former Guard company commander. A similar planting at the VFW Home will honor each veteran killed in a war.

It will be my honor to attend the Nebraska City celebration, along with many other State officials and dignitaries from all over the State.

I am pleased to report, Mr. President, that the Senate Judiciary Committee today has reported to the floor House Joint Resolution 251, which authorizes the President to proclaim the last Friday of April each year as National Arbor Day. I urge the Senate to approve this resolution, enabling the President to elevate this important Arbor Day function to the national status which it so well deserves.

We, in Nebraska, are proud of Arbor Day and we observe it vigorously. Several other States follow suit. But, too often, the observances have fallen into a status of a formality which cannot be ignored but is not actively observed.

We are now in a period in this Nation when we are more and more concerned that our resources will be drained off and lost to future generations. I commend to those who are so concerned, the example of J. Sterling Morton. If more of us would take his positive approach to solving our resource problems, we might soon discover that we were indeed beginning to solve them.

Two fine newspapers, the New York Times and the Lincoln, Nebr., Sunday Journal & Star, last weekend took note of the importance of Arbor Day. I ask unanimous consent to have the articles printed in the RECORD.

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

[From the Lincoln (Nebr.) Journal and Star, Apr. 19, 1970]

J. STERLING MORTON'S IDEA AN ECOLOGICAL STEP—ARBOR DAY ROOTS DEEP IN STATE

(By Opal Y. Palmer)

Arbor Day is observed around the world by millions each year.

To many J. Sterling Morton's Arbor Lodge is synonymous with the concept. Today the lodge is a state park with its own arboretum, the family stables, a formal garden and a 2,000-tree pine grove planted by Morton in 1892.

This park contains a three-room cabin grown into a 52-room mansion on the site of his original squatter's claim.

. . . When the noted agriculturist brought his bride, Caroline Joy, from Michigan to Nebraska in 1855 their destination was a 160-acre claim in the Nebraska Territory near the brawling river bluffs town of Nebraska City.

Morton's land was fertile but practically treeless although many trees grew on the river bluffs. After building an L-shaped house, he began planting trees. His site was probably the first in any prairie state to be landscaped. He set shade trees, planted an orchard and later landscaped with vines, shrubs and flower beds.

J. Sterling Morton emphasized tree planting through oratory, journalism and politics. He spoke on the subject at the First Territorial Fair in 1859 and at the dedication of the University of Nebraska in 1871. He used his pen in a tree campaign in the Nebraska City News.

After Nebraska statehood in 1867, Morton encouraged farmers—through publications and personal contact—to plant orchards. He employed political influence to get trees planted in honor of notables visiting the state.

At the 1872 annual meeting of the Nebraska Board of Agriculture of which he was a member, Morton presented a resolution that April 10 be set aside for tree planting and that it be called Arbor Day.

The resolution was adopted. But in 1885 the state legislature made Arbor Day a legal holiday and set the official date on April 22, J. Sterling Morton's birthday.

Other states followed Nebraska's example. It was almost as though an old Indian legend were in operation, where one tree whispered the message to another. For today, every state except Alaska observes a tree-planting day.

Nebraska's act inspired Illinois to proclaim an Arbor Day in 1888.

When the white man arrived, half of the area which is now Illinois was wooded. Early settlers permitted forests to burn unchecked and ravaged trees for industry. Conservationists seized on Morton's Arbor Day idea in an attempt to repair the damage with systematic planting.

C. A. Hammond, secretary of the Illinois State Horticultural Society, encouraged citizens in a public statement to plant "one or more specimens of all our native trees" in a public park for every town and village. He recommended special trees for Arbor Day planting "for school and church yards, along roadsides, and in cemeteries."

As is true with many good causes, there was some dissension. Citizens objected to roadside plantings on the grounds that the shade would prevent the rapid drying up of mud after rains.

Jabez Webster of Centralia, Illinois, welcomed Arbor Day because: "In our great country, in the scramble for the almighty dollar, we have almost lost sight of the beautiful in nature."

The 1,200-acre Morton Arboretum is situated at Lisle, Ill., west of Chicago. The aboretum, which contains about 4,800 species and varieties of plants and trees, is open to the public year round.

MORTON AG SECRETARY

Other countries have adopted the Arbor Day practice. By 1961, a tree-planting day had been set aside in England, Canada, Australia, British West Indies, South Africa, New Zealand, France, Mexico, Norway, Russia, Japan and China.

Morton was defeated for governor three times. However he served his state in many official capacities and was secretary of agriculture under president Grover Cleveland beginning in 1893.

Joy Morton, J. Sterling Morton's son, deeded sixty-five of the original acres to the state in 1923 as a memorial.

Thousands of nature lovers stop each year at Arbor Lodge to delight in the blossoms and pattern gardens, the heritage of a pioneer generation.

[From the New York Times, Apr. 19, 1970]

WHAT BECAME OF ARBOR DAY?

(By Richard Reinhardt)

Two great holidays of American origin outshine all others in their freedom from chauvinism, sectarianism and commercial exploitation.

One is Thanksgiving, a feast of brotherhood and gratitude based upon a long and honorable historic tradition. The other is a neglected, ridiculed, almost forgotten festival called Arbor Day, which celebrates human kinship with the living earth. Of all our major anniversaries, Arbor Day is the least known and least respected, although it probably is the most significant of all holidays in an era of destructive technology, irretrievable waste and the dark stain of poisons in the air and water.

Unlike the general run of civic and religious celebrations, Arbor Day was the deliberate creation of one man, a Nebraska newspaper publisher named Julius Sterling Morton. It was Morton's happy notion, inspired by ancient European and Middle Eastern folkways, to devote a day each spring to mass treeplanting. During his long career as a horticulturist, editorial writer and politician, he succeeded in spreading this idea to several dozen states and a handful of foreign countries.

Morton first gave evidence of his zeal for forestry in 1854, when he moved from his boyhood home in Michigan to the treeless prairies of Nebraska. Taking squatter's rights on 160 acres of naked loam on the west bank of the Missouri River, he built a four-room house for his young wife and almost immediately began planting slips and seeds. Within a few years he had surrounded the cottage with a jungle of shade trees, shrubbery and vines and was using the columns of his Nebraska City News to urge his neighbors to get busy with their own landscaping projects.

With his friend, Robert W. Furnas, who had started a large orchard in nearby Brownville, Morton toured eastern Nebraska to encourage farmers to plant fruit trees. It was largely to the credit of these two men that the area became an important fruit-growing region.

But Morton's enthusiasm for vegetation went far beyond uses of commercial agriculture. He saw by treeplanting as a communal function with social and educational values. He hounded churches, schools and clubs to undertake planting projects, and he came up with the suggestion that Nebraska towns should set out young trees to commemorate such notable events as the visit of a distinguished guest, the dedication of a public building, or the anniversary of a respected leader.

For four years—1858 to 1861—as secretary of the Nebraska Territory, and later as president of the State Board of Agriculture, Morton had frequent occasion to promulgate

both his simple, Jeffersonian faith in the nobility of small farmers and his love of trees. He seldom passed up an opportunity to state the case:

"If every farmer in Nebraska will plant out and cultivate an orchard and a flower garden, together with a few forest trees, this will become mentally and morally the best agricultural state in the Union."

This message with its calm faith in the ultimate virtue of hugging close to the earth was balm to the homesteaders of that raw territory, where nature was harsh, tillage was difficult and failure was common. When Morton published a resolution in 1872, calling on this courageous fellowship of farmers to conduct a state-wide day of tree-planting in early April, the Nebraskans responded by planting something over a million trees.

Two years later Morton's friend, Robert Furnas, who had been elected Governor of the state, proclaimed April 8 the official Arbor Day. With this authoritative blessing, the holiday blossomed into Nebraska's favorite public event. Over the next 16 years, the people of the state planted more than 600 million trees and created 100,000 acres of forest on the once-open plains. The Nebraska legislature in 1885 made Arbor Day a legal holiday, setting it on the date of Sterling Morton's birthday, April 22.

Arbor Day spread with marvelous speed. Kansas, Tennessee, Minnesota and Ohio quickly adopted the idea. By 1890, 35 states had established some kind of Arbor Day, each one picking a date that was appropriate to the local climate.

Few states kept Arbor Day with as much enthusiasm as did Nebraska, but few dared to ignore the occasion. Then as now, the word "conservation" was a shibboleth. The United States rapidly was changing from a rural nation of small farmers into an urban nation of factory workers, and this sentimental rural, earth-centered ceremony seemed to provide a link with the past and a promise for the future. Cynical legislators saw this harmless holiday as a sop for the worriers who were already complaining about disappearing forests and lost wilderness. Arbor Day? Why not? How much easier it would be to plant a few new trees once a year than to forbid the wanton cutting of virgin timber.

What has happened to Arbor Day? On paper it is flourishing. Every state in the union gives it some form of official sanction. two states (Nebraska and Utah) make it a legal holiday, and two other states (Florida and West Virginia) celebrate it twice a year. Elementary school classes everywhere set out arborvitae trees along the parking strip. Ladies clubs adorn the facades of telephone exchanges and state and Federal tree nurseries ship out millions of seedlings to be planted in windbreaks, woodlots and erosion barriers.

But these demonstrations of amateur agriculture do not add up to a great national sentiment for the stewardship of the earth. They are only ludicrous parodies of a pioneer ritual that was intended to seal a yearly covenant with nature and to inculcate in young and old a reverance for the earth and a sense of personal responsibility for its perpetual renewal.

The spirit is gone dormant. Arbor Day is a sham. It goes on, year after year, but it no longer seems important.

Part of the trouble is that Arbor Day began in a struggling, frontier society that has disappeared. Once the buffalo grass had been plowed under and "village adornment societies" had done their work of planting cotton woods and elms on the residential streets of the Great American Desert, Arbor Day lost its compelling urgency.

Then, too, America has become an urban nation. Our tastes are more sophisticated. Family picnics at the country fairgrounds no longer amuse us. On holidays we drive 300 to 400 miles to go watersking. Arbor Day smacks of the rural past. It reminds us of lukewarm lemonade, speeches on the courthouse steps, Main Street, outhouses, dialect jokes and other crudities we have outgrown.

The saddest reason for the decline of Arbor Day is that many Americans have lost their easy confidence in the positivist principles that guided Sterling Morton and thousands of tree-planting committees since his time. Recent history has given ample evidence that the good, the true and the beautiful do not inevitably triumph. The faith of a Nebraska editor in the ultimate progress of civilization through the promulgation of shade trees and flower gardens now seems blissfully naive. We have learned that trees grow in slums and in concentration camps and on battlefields. How can we pretend that planting trees will guarantee a general improvement in the moral quality of mankind?

The questions is why do we bother to keep Arbor Day on the calendar? In its present form, it is a mockery of the very principles it espouses. It would be worth keeping only if it could be revived and reestablished as a national day of homage to the earth. If that should happen, Arbor Day could become the most important holiday in the year.

There are reasons to think this observance would be welcomed by most Americans. The harshness of frontier life has, in a sense, returned to this richly favored continent. In the midst of luxuriant technological development, we find ourselves looking forward into a wasteland as dark and dry as any that confronted a starving immigrant on the Great Plains. Once again, we are confronted by the frailty and finite limits of the natural environment.

It would do us spiritual and practical good to have a day in which to demonstrate that we are not helpless to save ourselves from this crisis, to show that, as a nation, we are capable of owing as well as reaping, of healing as well as hurting, of creating as well as destroying. Arbor Day would be a pledge to our children that we will not let the world go to waste; that there will, indeed, be blue skies, greenery and clear water, and that trees will endure.

To serve this object, Arbor Day must become a legal, national holiday. Past efforts to accomplish this have failed, but it is time to make the effort again. Even if it is impossible to find a date to suit all climates, a date could be chosen that will satisfy a majority of states. April 22, Morton's birthday, might well be as suitable as any.

When a date has been chosen, Arbor Day could be called each year by Presidential proclamation, as is Thanksgiving. The President could appoint a national committee to advise him on programs of environmental concern that can be undertaken as Arbor Day projects. The committee could coordinate state and local projects so that the impact of Arbor Day would be immediate, conspicuous and exemplary.

Above all, the pattern of Arbor Day activities must change to suit the mood and manners of today. This holiday is too important to be laid out and embalmed in a 19th-century costume. Arbor Day needs a fresh array of ceremonial symbols, an infusion of new ideas.

ORDER OF BUSINESS

Mr. HRUSKA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

PRESIDENT NIXON MAKES MAJOR CONTRIBUTION TO STRATEGIC RESTRAINT

Mr. BROOKE. Mr. President, the beginning of the strategic arms limitation talks is an event of utmost importance. The success of these vital negotiations will depend on the willingness of both the Soviet Union and the United States to accept certain mutual restraints in the interest of their common security. It is important for both Americans and Soviets to develop greater appreciation of each other's purposes. And in our quest for joint limitations on strategic arms, we need to couple a heightened sense of urgency with a sober understanding that there is still time to ward off a new spiral in the nuclear competition.

The Soviet Union, speaking through a historic Pravda article of March 7, struck precisely this balance.

Despite the difficulties—

Wrote Pravda—

it is obvious that there is still time and there are still possibilities for reaching an understandng which all states await and by which they will gain . . . If both sides intend to hold honest talks without striving to obtain any unilateral military advantages and if the negotiations proceed from the need to insure equal security for both sides . . . , then one can count on achieving agreed solutions.

Much the same tone was sounded by the Soviet Party leader, Mr. Brezhnev, on the eve of the Vienna talks:

If the U.S. government really wants a strategic arms limitation treaty, . . . prospects for the negotiations may be viewed positively. The Soviet Union in any case, will do all within its power to see that these talks prove useful.

These observations are a constructive prelude to the substantive discussions now getting underway.

All of us know the deep suspicion with which each country has come to view the other. Just as Americans have been apprehensive about the Soviet Union's true purposes, so the Soviet Union has been prone to doubt America's genuine interest in arms control.

It is essential that Moscow understand that the United States is indeed dedicated to agreed and verifiable arms limitations which will serve the interests of both our peoples. By now I hope the Soviet negotiators in Vienna are already reporting to their Government the obvious fact that the United States has prepared for these negotiations in the most comprehensive and serious manner. The intensive work and evident good will of the American delegation will, I trust, have impressed itself upon Deputy Foreign Minister Semenov and his colleagues.

In this connection the United States has undertaken a major act of strategic restraint which should be emphasized. It is an act grounded on President Nixon's admirable and decisive commitment to mutual deterrence as the fundamental

rationale for American strategic forces. Over a year ago, the President set forth his awareness that, in today's world, mutual security depends on mutual deterrence. He made clear that neither the Soviet Union nor the United States could safely attempt to deny the other the capacity to retaliate. Any such effort would be futile, since both countries will take whatever action is required to maintain a confident second-strike capability. Thus, programs which seem to jeopardize either side's retaliatory forces are guaranteed to stimulate compensating changes or increases in those forces.

On this central insight President Nixon has based his search for mutual arms control. It required the reorientation of America's planned ABM program toward a principal focus on defense of the U.S. deterrent forces, recognizing that no defense of American cities was feasible against the size and character of nuclear attack which the Soviet Union can mount. Whatever our views of the proposed Safeguard deployment, we should not lose sight of this important shift in the program.

Of still greater significance has been an unpublicized change in the plans for the U.S. MIRV program. Those of us who have worked for many months to support a mutual ban on MIRV testing and deployment have stressed the hazard that such systems pose for mutual deterrence. We have stressed that such weapons could ultimately destabilize the balance of power by posing an intolerable threat to hardened missile sites. At the same time, however, it has been stressed that the first generation U.S. MIRV systems are too inaccurate and too low yield to pose a threat to hard targets.

To perfect highly precise MIRV systems with adequate yield to destroy hardened missile silos would require a concentrated development program over a period of several years and costing tens of millions of dollars. Unfortunately, from the very beginning, discussions of the U.S. MIRV program have been ambiguous. While primary attention has been given to the function of ABM penetration for retaliatory purposes, there have been frequent allusions to possible applications of MIRV against hard targets. Preliminary studies of such applications were in fact begun some years ago, before President Nixon explicitly defined American strategic policy as one of mutual deterrence.

These studies account for much of the anxiety over MIRV deployment. For example, on January 16, 1968, the Department of Defense publicly indicated that—

> Each new MIRV missile warhead will be far more accurate than any previous or existing warheads. They will be far better suited for destruction of hardened enemy missiles than any existing warhead.

As recently as last October 7, the Air Force Chief of Staff, Gen. John Ryan, alluded to such advanced MIRV systems in testimony before the House Appropriations Committee:

> We have a program we are pushing to increase the yield of our warheads and decrease the circular error probable so that we have what we call a hard target killer which we do not have in the inventory at the present time.

It is wholly understandable that such statements would alarm those responsible for the protection of Soviet strategic forces. It is also quite clear that such programs would be incompatible with the judicious strategic policy adopted by President Nixon. It is for that reason essential to make absolutely clear a far-reaching commitment which the President has now undertaken.

In the course of numerous exchanges which the President and I have had on the dangerous implications of MIRV technology, Mr. Nixon has indicated his specific decision not to pursue the program to which General Ryan referred.

In a letter of December 29, 1969, the President reiterated his basic commitment to maintain our deterrent, but not to engage in programs which threaten any nation with a first strike. The President indicated:

> There is no current U.S. program to develop a so-called hard-target MIRV capability. The particular program to which General Ryan referred did not receive Department of Defense approval for funding in the forthcoming Defense budget.

I cannot exaggerate the importance of the President's decision to abandon the proposed program to perfect a hard-target MIRV capability. The scope of this commitment to avoid destabilizing technology is underscored by the parallel decision not to press forward with a program to improve the guidance and accuracy of the Poseidon missile system.

Mr. President, certainly these measures of restraint do not mean that we should proceed with the planned deployment of less accurate MIRV systems in the coming years. In my opinion, such weapons are not yet required and will not be until there is a substantial expansion of Soviet ABM capabilities. Much to be preferred would be a joint arrangement in SALT by which both countries refrain from proliferating ABM systems and introducing multiple-target capabilities into their offensive missile forces. We must continue to seek a ban on MIRV testing and deployment.

But I believe it is of critical importance that the United States is exercising restraint on advanced development of even more dangerous MIRV weapons. It is another indication of Mr. Nixon's earnest desire to find a mutually acceptable basis for stabilizing the strategic balance and for enhancing the security of both our nations.

My purpose in making these comments today is to highlight a hopeful and forward-looking action by the American Government. In the initial days of the SALT discussions in Vienna, this signal contribution to mutual security should be reassuring to the Soviet Union. The Soviet leaders can be confident that their forces are not in imminent danger from the relatively crude American MIRV systems which are being developed. They should also find assurance in the knowledge that any specific development program to produce a true hard-target capability in the U.S. MIRV systems would take years and would be highly visible through the elaborate test programs required, not to mention the congressional and public reviews which such a proposal would arouse. I do not believe that, on present evidence, the Congress would authorize such a dangerous and unwarranted development.

By the same token, this act of restraint is an invitation to the Soviet Union. The United States is profoundly concerned about potential hard-target applications of the Soviet SS-9 missiles, which already are deployed in substantial numbers. It would be most conducive to progress in the SALT negotiations if the Soviets were equally prepared to provide credible assurances that the SS-9 and other Soviet weapons were not being refined for possible use against U.S. missile sites. I remain convinced that the most promising approach to such mutual guarantees would be an end to MIRV testing and a prompt suspension of further deployments of offensive and defensive missiles on both sides, as the Senate recommended in its overwhelming approval of Senate Resolution 211 2 weeks ago.

Surely the Soviet Union must share our perception that security can only suffer from a continued arms race. And surely a comparable Soviet willingness to undertake concrete acts of restraint would be the most hopeful augury for rapid progress in Vienna.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

PROPOSED LEGISLATION TO PROVIDE FOR REIMBURSEMENT OF THE TREASURY BY THE PANAMA CANAL COMPANY

A letter from the President, Panama Canal Company, transmitting a draft of proposed legislation to provide for reimbursement of the Treasury by the Panama Canal Company for the annuity paid to the Republic of Panama (with an accompanying paper); to the Committee on Armed Services.

PROPOSED LEGISLATION TO REVISE THE PROMOTION SYSTEM FOR CERTAIN OFFICERS OF THE RESERVE COMPONENTS OF THE ARMY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend titles 10 and 32, United States Code, to revise the promotion system for certain officers of the Reserve components of the Army (with accompanying papers); to the Committee on Armed Services.

REPORT ON PROPOSED FACILITIES PROJECTS FOR AIR NATIONAL GUARD AND AIR FORCE RESERVE

A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting, pursuant to law, a report on the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard and Air Force Reserve subsequent to 30 June 1970 (with an accompanying report); to the Committee on Armed Services.

REPORT OF SECRETARY OF DEFENSE

A letter from the Secretary of Defense, transmitting, pursuant to law, a secret report relating to funds obligated in the chemical warfare and biological research program (with an accompanying report); to the Committee on Armed Services.

PROPOSED LEGISLATION TO AMEND THE MILITARY SELECTIVE SERVICE ACT OF 1967

A letter from the Director, National Headquarters, Selective Service System, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967 to provide authority for the President to phase out undergraduate student defer-

ments, and to modify the method of allocating quotas and calls (with an accompanying paper); to the Committee on Armed Services.

PROPOSED LEGISLATION TO FURTHER THE REDUCTION OF DRAFT CALLS IN THE ARMED FORCES OF THE UNITED STATES

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 37, United States Code, to further the reduction of draft calls in the armed forces of the United States by increasing the pay rates of certain enlisted members of the uniformed services (with an accompanying paper); to the Committee on Armed Services.

REPORT OF FEDERAL CONTRIBUTIONS PROGRAM EQUIPMENT AND FACILITIES

A letter from the Director of Civil Defense, transmitting, pursuant to law, the report of Federal contributions program equipment and facilities for the quarter ended March 31, 1970 (with an accompanying report); to the Committee on Armed Services.

REPORT OF DEPARTMENT OF ARMY CONTRACTS FOR MILITARY CONSTRUCTION AWARDED WITHOUT FORMAL ADVERTISEMENT

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of Department of Army contracts for military construction awarded without formal advertisement for the period July 1 through December 31, 1969 (with an accompanying report); to the Committee on Armed Services.

REPORT OF U.S. SOLDIERS' HOME

A letter from the Secretary of the Army, transmitting, pursuant to law, the annual report of the U.S. Soldiers' Home for fiscal year 1969 (with an accompanying report); to the Committee on Armed Services.

PROPOSED LEGISLATION AUTHORIZING DIRECT LOANS TO VETERANS FOR SPECIALLY ADAPTED HOUSING

A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to amend section 1811 of title 38, United States Code, to authorize the Veterans' Administration to make direct loans to any veteran who is determined to be eligible for assistance in acquiring specially adapted housing under chapter 21 of title 38, United States Code (with an accompanying paper); to the Committee on Banking and Currency.

PROPOSED LEGISLATION TO INCREASE TAX ON MOTOR VEHICLE FUELS SOLD IN THE DISTRICT OF COLUMBIA

A letter from the assistant to the Commissioner, Executive office, Government of the District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes" (with an accompanying paper); to the Committee on the District of Columbia.

PROPOSED SMALL BUSINESS TAXATION ACT OF 1970

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to ease the tax burdens of small businesses, and for other purposes (with accompanying papers); to the Committee on Finance.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to improve military supply systems in the Far East, Department of Defense, dated April 21, 1970 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on further improvement needed in the management of magnetic tapes by Goddard Space Flight Center, National Aeronautics and Space Administration, dated April 22, 1970 (with an accompanying report); to the Committee on Government Operations.

PROPOSED LEGISLATION FOR THE PROTECTION OF PUBLIC LANDS FROM FIRES

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to enter into contracts for the protection of public lands from fires, in advance of appropriations therefor, and to twice renew such contracts (with an accompanying paper); to the Committee on Interior and Insular Affairs.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Mr. Howe Fook Tang from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on September 1, 1969; to the Committee on the Judiciary.

WILLIAM B. RICHARDSON v. DAVID M. KENNEDY

A letter from the Assistant Attorney General, Department of Justice, transmitting, for the information of the Senate, the fact that a citizen taxpayer has instituted an action in the U.S. District Court for the Western District of Pennsylvania, challenging the constitutionality of Public Law 90-206, under which the rate of payment of compensation to Members of Congress has been determined; to the Committee on Post Office and Civil Service.

PROSPECTUS TO AMEND CERTAIN PUBLIC BUILDING PROJECTS

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a prospectus which contains proposed amendments to 15 authorized public buildings projects (with accompanying papers); to the Committee on Public Works.

REPORT ON REVISED ESTIMATE OF COST OF COMPLETING THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on a revised estimate of the cost of completing the National System of Interstate and Defense Highways prepared for the purpose of apportioning Interstate System funds authorized for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974 (with an accompanying report); to the Committee on Public Works.

PROPOSED DISASTER ASSISTANCE ACT OF 1970

A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting a draft of proposed legislation to amend existing Federal disaster assistance legislation, and for other purposes (with accompanying papers); to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. HOLLAND):

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Agriculture and Forestry:

"H. CON. RES. 1057

"A concurrent resolution memorializing the Congress of the United States to provide that Federal statutory and other regulations over small meat slaughterers shall not be such as would preclude their continuing in the operation of their business; and directing distribution

"Whereas, recent federal legislation has threatened the continued existence of many small meat slaughtering businesses across the State of Oklahoma; and

"Whereas, such legislation by exempting from antemortem and postmortem examinations for each animal only those custom slaughtering businesses which do not sell or buy carcasses or meat food products places an undue burden on such businesses; and

"Whereas, many custom slaughtering businesses must, in order to stay in business, operate the logical auxiliary business, that of a meat market; and

"Whereas, such legislation could be interpreted to require such additional facilities or modification of existing facilities of the small slaughtering businesses as would not be economically feasible for such businesses; and

"Whereas, the small slaughtering businesses of this state perform a vital and important service to many of the citizens of this state; and

"Whereas, such businesses have many differences from the larger companies such as not requiring minimum orders and serving rural Oklahoma with limited capital which justify legislaton concerning such businesses to take their particular circumstances into account so that they may continue to serve the people of this state.

"Now, therefore, be it resolved by the House of Representatives of the 2nd session of the 32nd Oklahoma Legislature, the Senate concurring therein:

"Section .. That the Congress of the United States be and hereby respectfully is urged to maintain federal statutes and regulations over small meat slaughtering businesses and is urged to avoid those which, without permitting alternative measures capable of adequately protecting the consumer, would be so harsh as to preclude continued operation of such businesses.

"SECTION 2. That duly authenticated copies hereof be forwarded to the Speaker of the House of Representatives and President of the Senate of the Congress of the United States and to each member of the Oklahoma delegation in Congress.

"Adopted by the House of Representatives the 5th day of March, 1970.

"REX PRIVETT,
"Speaker of the House of Representatives.

"Adopted by the Senate the 15th day of April, 1970.

"TOM PAYNE,
"Acting President of the Senate."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Agriculture and Forestry:

"H. CON. RES. 11

("Requesting action to increase the Federal milk subsidy for Hawaii under the National School Lunch Act for schools and other related program)

"Whereas, it is the declared policy of Congress to safeguard the health and well-being of the Nation's children and encourage the domestic consumption of nutritious agricultural commodities and other foods, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of foods and other facilities for the establishment, maintenance, operation and expansion of nonprofit school-lunch programs; and

"Whereas, the National School Lunch Act and the Special Milk Program for schools and children's centers under the United States Department of Agriculture operate in cooperation with State and local educational agencies to provide a cash reimbursement to provide wholesome milk based on tested nutritional research at a low cost to children between the ages of five and seventeen inclusive in public or nonprofit private schools of high-school grade or under, settlement houses, homes for children, and summer camps; and

"Whereas, this Federal assistance enables

educational agencies to lower the price of milk to children, and areas of severe need, can cover the entire cost of milk served; and

"Whereas, a 1967 study on the cost of milk production in Hawaii reveals that, in comparison to California, the cost to produce 100 pounds of milk is 67 percent higher, feed costs are 56 percent higher, labor costs are 57 percent higher, roughage costs per ton are 96 percent higher, and the cost of concentrates per ton is 44 percent higher; and

"Whereas, the retail price of fresh milk per one-half gallon in Hawaii has increased from 64.6 cents in 1968 to 65.3 cents in 1969, both prices being 10 or more cents above the national retail price average for one-half gallon of fresh milk; and

"Whereas, the increased price of milk has had a significant effect on sales in Hawaii under both the National School Lunch and Special Milk Programs where the daily milk consumption in gallons has not correspondingly increased with increased school enrollments and in fact caused a drastic drop in the daily consumption of milk in the Special Milk Program from 1,708 gallons during the 1966–1967 school year to 986 gallons the following year; and

"Whereas, although Hawaii has been receiving a subsidy reimbursement of 4 cents per one-half pint of milk under both the National School Lunch Program and Special Milk Program, it is clearly evident that Hawaii is in a unique isolated situation from sources of supply that our milk prices are directly affected by high freight and feed costs as well as a recognized 15 percent higher cost of living; now, therefore,

"Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1970, that the President of the United States, the Vice-President of the United States, the Speaker of the United States House of Representatives, United States Senator Hiram L. Fong, United States Senator Daniel K. Inouye, United States Representative Spark M. Matsunaga, United States Representative Patsy T. Mink, and Mr. Clifford M. Hardin, Secretary of Agriculture, be, and hereby are, requested to promulgate any necessary administrative policies or enact any necessary legislation in order to increase the federal milk subsidy under the National School Lunch Program and Special Milk Program of the United States Department of Agriculture for Hawaii from 4 cents per one-half pint of fresh milk to 6 cents per one-half pint of fresh milk; and

"Be it further resolved that duly certified copies of this Resolution be transmitted to Richard M. Nixon, President of the United States; to Spiro T. Agnew, Vice-President of the United States; to John W. McCormack, Speaker of the United States House of Representatives; to each member of Hawaii's delegation to the United States Congress; and to Mr. Clifford M. Hardin, Secretary of the United States Department of Agriculture."

Resolution of the Senate of the Commonwealth of Massachusetts; to the Committee on Finance:

"RESOLUTION OF THE COMMONWEALTH OF MASSACHUSETTS

"Resolutions memorializing the President of the United States and the Congress to control the importation of men's wearing apparel and textile goods from foreign countries employing cheap labor

"Whereas, The importation of unlimited quantities of men's wearing apparel and textile goods from countries employing cheap labor constitutes a serious economic threat to the apparel and textile industry of the Commonwealth, an industry vital to the state's economy; and

"Whereas, A sensible and equitable policy should be adopted and strictly adhered to by the federal government in order to protect and promote the standard of living of thousands of American wage earners whose livelihood is directly or indirectly affected by governmental directives regarding unrestricted quantities of imported apparel and textile goods and materials; now, therefore, be it

"Resolved, That the Massachusetts Senate respectfully urges the President of the United States and the Congress to take any action that may be necessary to protect the men's apparel and textile industry of the Commonwealth by invoking reasonable and equitable controls on the importation of men's apparel and textiles from countries employing cheap labor; and be it further

"Resolved, That a copy of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

"Senate, adopted, March 30, 1970.

"NORMAN L. PIDGEON,
"Clerk.

"Attest:

"JOHN F. X. DAVOREN,
"Secretary of the Commonwealth."

A resolution of the Senate of the State of Hawaii; to the Committee on Foreign Relations:

"S. RES. NO. 149

"Resolution requesting the President and Congress to adopt a policy which would bring the war in Vietnam to an end immediately

"Whereas, the war in Vietnam inflicts great harm on the people of America and the people of Vietnam each day it is permitted to continue; and

"Whereas, the greatest threat to our country today comes not from abroad but from the neglect of our problems at home; and

"Whereas, each day of war costs more lives plus money and energy which should be expended to help solve our growing problems of youth, poverty, racism, crime, health, education, environmental pollution, and housing; now, therefore

"Be it resolved by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1970, that the President of the United States and the Congress of the United States be requested to adopt a policy calling for (1) an immediate ceasefire in Vietnam to end the killing, (2) the setting of a target date for the withdrawal of all American troops in 1970, (3) further strenuous efforts to negotiate a political settlement, (4) the withdrawal of all support from the Saigon government if it hampers or sabotages peaceful negotiations, and (5) all possible use of the facilities and services of the United Nations to guarantee peace in Southeast Asia; and

"Be it further resolved that certified copies of this Resolution be transmitted to the President of the United States, the President of the United States Senate Pro Tempore, the Speaker of the United States House of Representatives, Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga and Representative Patsy T. Mink.

"We hereby certify that the foregoing Resolution was this day adopted by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1970.

"DAVID C. MCCLUNG,
"President of the Senate.
"SUILU HIRAI,
"Clerk of the Senate."

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on the Judiciary:

"H. CON. RES. NO. 1039

"A concurrent resolution memorializing the Congress of the United States to refer to the States for ratification a proposed amendment to the United States Constitution providing for the merit selection and retention of all Federal judges; and directing distribution

"Whereas, the Constitution of the United States provides that the judges of courts of the United States shall be appointed by the President, with the advice and consent of the Senate, and shall hold their offices during good behavior; and

"Whereas, the basic purpose underlying this system of appointments is to insure the independence and integrity of the judiciary; and

"Whereas, an independent judiciary not only is essential in maintaining the validity of the principle of separation of powers but also is vitally important in preserving and protecting the freedoms, privileges and rights of individuals as established and ordained by the Constitution; and

"Whereas, the separation of powers principle was conceived as a protection against dangerous concentrations of governmental power and tempered by the "checks and balances" device to give each of the three separate branches of government certain powers with respect to the others, serving thus to promote balance or unity of operation in the Federal government and preventing either stalemate or arrogations of power; and

"Whereas, abuses of the judicial power or misfeasances and malfeasances of judicial office can be reached only through the impeachment process, which seldom has been invoked in respect to the Federal judiciary because of its cumbersome nature; and

"Whereas, the maintenance of an independent judiciary is not indispensably related to a system of virtual lifetime appointments, since this objective has been secured equally or even more effectively through merit systems of judicial selection and retention developed and successfully utilized in various states of the Union; and

"Whereas, in such systems retention is determined by the electorate at periodic intervals in noncompetitive, nonpartisan elections, with merit and competence being the guiding criteria throughout the entire process of selection and retention; and

"Whereas, the institution of such a system of merit selection and retention of the Federal judiciary would enhance the independence of the judiciary by making partisan considerations of even less consequence in judicial selection and retention; and

"Whereas, while preserving presidential appointments and senatorial confirmations of the Federal judiciary, this proposed system would, by subjecting these officers and their records to periodic examination by the electorate, be a progressive move toward further democratization of the American governmental process and assure in fact that ours is a government of laws and not of men.

"Now, therefore, be it resolved by the House of Representatives of the 2nd session of the 32nd Oklahoma Legislature, the Senate concurring therein:

"Section 1. That the Congress of the United States be and hereby respectfully is urged to adopt and submit to the several states for their ratification an amendment to the United States Constitution providing for the selection and retention of Federal judges on a merit basis, following systems utilized successfully in several states of the Union whereby such Federal judges, after appointment by the President and confirmation by the Senate, would submit themselves to the electorate of their districts at periodic noncompetitive, nonpartisan elections for the purpose of determining their continuance in office.

"Section 2. That duly authenticated copies hereof be forwarded to the Speaker of the House of Representatives and President of the Senate of the Congress of the United States, to each member of the Oklahoma delegation in Congress and to the presiding officers of the legislative bodies in the several states.

"Adopted by the House of Representatives the 15th day of April 1970.

"REX PRINETT,
"Speaker of the House of Representatives.

"Adopted by the Senate the 9th day of April 1970.

"FINIS SMITH,
"President pro tempore of the Senate."

Resolutions of the House of Representatives of the Commonwealth of Massachusetts; ordered to lie on the table:

"RESOLUTION OF THE COMMONWEALTH OF MASSACHUSETTS

"Resolutions memorializing the Congress of the United States to take certain action in remembrance of the Katyn Forest Massacre

"Whereas, This year marks the thirtieth anniversary of the Katyn Forest Massacre—the Soviets' cold-blooded murder of 15,000 POW Polish officers captured in the communist rape of Poland in September, 1939; and

"Whereas, Mass graves of these officers were discovered near Katyn, USSR; and

"Whereas, Citizens of Polish origin and descent have greatly contributed to the progress of the United States in time of war and in peace, are loyal, industrious and law-abiding and have distinguished themselves in the field of public service in our states and our nation and have served and lost their lives in the defense of our country; therefore be it

"Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to remember this Katyn Forest Massacre by enacting legislation providing for the erection of a monument, the issuance of a postage stamp and an exhibition of Katyn documents in the possession of the United States; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

"House of Representatives, adopted, March 31, 1970.

"WALLACE C. MILLS,
"Clerk.

"Attest:

"JOHN F. X. DAVOREN,
"Secretary of the Commonwealth."

A resolution adopted by the Federal Bar Association, Colorado chapter, of Aurora, Colo., praying for the enactment of legislation to provide special incentives and continuation pay for military lawyers; to the Committee on Armed Services.

A resolution adopted by the town of Brookline, Mass., praying for an end to the war in Vietnam; to the Committee on Foreign Relations.

The petition of Orville L. Cain, of Grass Valley, Calif., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the City Council of Philadelphia, Pa., praying for an increase in pay to all postal employees; to the Committee on Post Office and Civil Service.

A resolution adopted by the city of Youngstown, Ohio, praying for the enactment of legislation to a proper redistribution of income to the municipalities; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, with an amendment:

S. 3435. A bill to provide for the striking of medals in commemoration of the completion of the carvings on Stone Mountain, Ga., depicting heroes of the Confederacy (Rept. No. 91-768).

By Mr. SPARKMAN (for Mr. TOWER), from the Committee on Banking and Currency, without amendment:

H.R. 13959. An act to provide for the striking of medals in commemoration of the many contributions to the founding and early development of the State of Texas and the city of San Antonio by Jose Antonio Navarro (Rept. No. 91-769).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 1706. An act to provide for the conveyance of certain mineral rights in and under lands in Pike County, Ga. (Rept. No. 91-770); and

H.R. 13106. An act to extend for 4 years the period of time during which certain requirements shall continue to apply with respect to applications for a license for an activity which may affect the resources of the Hudson Riverway, and for other purposes (Rept. No. 91-771).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 93. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of certain oil and gas leases (Rept. No. 91-774);

S. 417. A bill to authorize the Secretary of the Interior to convey certain lands in New Mexico to the Cuba Independent Schools and to the village of Cuba (Rept. No. 91-775); and

S. 2323. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 079626) (Rept. No. 91-776).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 3222. A bill to designate certain lands in the Wichita Mountains National Wildlife Refuge in Oklahoma as wilderness (Rept. No. 91-772); and

H.R. 11372. An act to amend the act entitled "An act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Wash., and for other purposes," approved June 18, 1956 (70 Stat. 290) (Rept. No. 91-773).

By Mr. BELLMON, from the Committee on Interior and Insular Affairs, without amendment:

S. 887. A bill to further extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes (Rept. No. 91-793);

S. 3153. A bill to authorize the Secretaries of the Interior and the Smithsonian Institution to expend certain sums, in cooperation with the territory of Guam, the territory of American Samoa, the Trust Territory of the Pacific Islands, other U.S. territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs (Rept. No. 91-795); and

H.R. 4145. An act to provide for disposition of estates of intestate members of the Cherokee, Chickasaw, Choctaw, and Seminole Nations of Oklahoma dying without heirs (Rept. No. 91-794).

By Mr. BELLMON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1498. A bill to provide for the conveyance of so-called scattered tracts in Oklahoma, acquired under the act of June 26, 1936 (49 Stat. 1967) (Rept. No. 91-796).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

S. 58. A bill providing for the addition of the Freeman School to the Homestead National Monument of America in the State of Nebraska, and for other purposes (Rept. No. 91-777);

S. 2253. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore (Rept. No. 91-779);

S. 3279. A bill to extend the boundaries of the Toiyabe National Forest in Nevada, and for other purposes (Rept. No. 91-780); and

H.R. 14896. An act to amend the act of October 15, 1966 (80 Stat. 915, establishing a program for the preservation of additional historic properties throughout the Nation, and other purposes (Rept. No. 91-781).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, without amendment:

S. 3007. A bill to authorize the transfer of the Brown unit of the Fort Belknap Indian irrigation project on the Fort Belknap Indian Reservation, Mont., to the landowners within the unit (Rept. No. 91-782).

By Mr. NELSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 1751. A bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians (Rept. No. 91-786).

By Mr. FANNIN, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 4869. An act to further the economic advancement and general welfare of the Hopi Indian Tribe of the State of Arizona (Rept. No. 91-788).

By Mr. HANSEN, from the Committee on Interior and Insular Affairs, with amendments:

S. 434. A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes (Rept. No. 91-789).

By Mr. TALMADGE, from the Committee on Finance, without amendment:

H.R. 10912. An act to amend title 38, United States Code, to liberalize the conditions under which the Administrator of Veterans' Affairs is required to effect recoupment from disability compensation otherwise payable to certain disabled veterans (Rept. No. 91-783).

By Mr. TALMADGE, from the Committee on Finance, with amendments:

S. 3348. A bill to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes (Rept. No. 91-784); and

H.R. 10106. An act to revise the definition of a "child" for purposes of veterans' benefits provided by title 38, United States Code, to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree (Rept. No. 91-785).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

H.J. Res. 251. A joint resolution to authorize the President to proclaim the last Friday of April 1970 as "National Arbor Day" (Rept. No. 91-778).

By Mr. HRUSKA, from the Committee on the Judiciary, with an amendment:

S. 1461. A bill to amend section 3006A of title 18, United States Code, relating to representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States (Rept. No. 91-790).

Mr. HRUSKA. Mr. President, on behalf of the Senate Judiciary Committee, I wish to report S. 1461, as amended, which has the purpose of improving and expanding the operation of the Criminal Justice Act of 1964.

The purpose of the 1964 act was to make more effective the constitutional right to counsel in Federal criminal cases by providing compensated counsel and other defense services to those who cannot afford to obtain their own. The act has been in effect for nearly 5 years, and the experience gained demonstrated its

great success as well as the need for both its expansion and improvement. S. 1461 meets this need.

Mr. President, S. 1461 is a milestone in the efforts of the Congress, the bench and the bar to bring the Federal law enforcement system closer to the ideal of assuring every citizen the full benefits of the sixth amendment.

I will have additional comments on this bill when it is considered on the Senate floor.

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 369. Resolution to print as a Senate document the report of the Secretary of Health, Education, and Welfare, entitled "The Cost of Clean Air" (Rept. No. 91-797);

S. Res. 370. Resolution to print as a Senate document a report from the Secretary of Health, Education, and Welfare, entitled "Progress in the Prevention and Control of Air Pollution" (Rept. No. 91-798);

S. Res. 371. Resolution to print as a Senate document a report from the Secretary of Transportation entitled "Territorial Highway Study—Guam, American Samoa, Virgin Islands" (Rept. No. 91-801);

S. Res. 372. Resolution to print as a Senate document the report of the Secretary of Health, Education, and Welfare, entitled "National Emission Standards Study" (Rept. No. 91-802);

S. Res. 384. Resolution to authorize additional expenditures for the Committee on the Judiciary;

S. Res. 390. Resolution authorizing the printing of additional copies of the committee print entitled "The Soviet Approach to Negotiation: Selected Writings" (Rept. No. 91-800); and

S. Res. 391. Resolution authorizing the printing of additional copies of the committee print entitled "Peking's Approach to Negotiation: Selected Writings" (Rept. No. 91-799).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Res. 389. Resolution authorizing the printing of additional copies of the 1969 report of the Special Committee on Aging (Rept. No. 91-791).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 376. Resolution authorizing the Committee on Labor and Public Welfare to study research activities conducted to ascertain the causes and develop cures to eliminate cancer (Rept. No. 91-792).

APPOINTMENT OF JAMES EDWIN WEBB AS CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION—REPORT OF A COMMITTEE (S. REPT. NO. 91-787)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original joint resolution (S.J. Res. 193) to provide for the appointment of James Edwin Webb as Citizen Regent of the Board of Regents of the Smithsonian Institution, and submitted a report thereon, which report was ordered to be printed and the joint resolution was placed on the calendar.

BILLS AND A JOINT RESOLUTION INTRODUCED

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

By Mr. COOPER (for himself, Mr. RANDOLPH, Mr. BAKER, Mr. BOGGS, Mr. DOLE, Mr. GRIFFIN, Mr. JAVITS, Mr. PACKWOOD, Mr. PERCY, Mr. SAXBE, Mr. SCHWEIKER, Mr. SCOTT, Mr. SMITH of Illinois, and Mr. YOUNG of Ohio):

S. 3743. A bill to provide for construction of contained dredged spoil disposal facilities for the Great Lakes and connecting channels, and for other purposes; to the Committee on Public Works.

(The remarks of Mr. COOPER when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. COOPER (for himself and Mr. BAKER):

S. 3744. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971; to the Committee on Public Works.

(The remarks of Mr. COOPER when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. COOPER (for himself, Mr. DOLE, Mr. RANDOLPH, and Mr. BAYH):

S. 3745. A bill to amend existing Federal disaster assistance legislation, and for other purposes; to the Committee on Public Works.

(The remarks of Mr. COOPER when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. PACKWOOD:

S. 3746. A bill to authorize abortions in the United States; to the Committee on Labor and Public Welfare.

(The remarks of Mr. PACKWOOD when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. BIBLE (by request):

S. 3747. A bill to amend the District of Columbia Code to increase the jurisdictional amount for the administration of small estates, to increase the family allowance, to provide simplified procedures for the settlement of estates, and to eliminate provisions which discriminate against women in administering estates;

S. 3748. A bill to provide for the removal of snow and ice from the paved sidewalks of the District of Columbia; and

S. 3749. A bill relating to crime in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ANDERSON:

S. 3750. A bill to modify the boundaries of the Santa Fe, Cibola, and Carson National Forests in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COOK:

S. 3751. A bill to amend the Uniform Time Act of 1966 to provide that daylight saving time be used from Memorial Day to Labor Day; to the Committee on Commerce.

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

By Mr. PEARSON:

S. 3752. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of consumer commodities, and for other purposes; to the Committee on Commerce.

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

By Mr. McGEE:

S. 3753. A bill to provide improved benefits to postal employees; to the Committee on Post Office and Civil Service.

By Mr. MONDALE (for himself, Mr. McCARTHY and Mr. NELSON):

S. 3754. A bill to designate the Kettle River, in the State of Minnesota, as a component of the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

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

By Mr. FONG:

S. 3755. A bill to authorize housing loans under title V of the Housing Act of 1949 to lessees of nonfarmland in rural areas; to the Committee on Banking and Currency.

S. 3756. A bill for the relief of Setsuko Kurihara; to the Committee on the Judiciary.

(The remarks of Mr. FONG when he introduced S. 3755 appear later in the RECORD under the appropriate heading.)

By Mr. SAXBE (for himself, Mr. COOK, Mr. MONDALE, Mr. BAYH, and Mr. PERCY):

S. 3757. A bill to amend the act requiring evidence of certain financial responsibility and establishing minimum standards for certain passenger vessels in order to exempt certain vessels operating on inland rivers; to the Committee on Commerce.

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

By Mr. GOODELL (for himself and Mr. JAVITS):

S. 3758. A bill to amend title 5, United States Code, to require the heads of the respective executive agencies to provide the Congress with advance notice of certain planned organizational and other changes or actions which would affect Federal civilian employment, and for other purposes; to the Committee on Post Office and Civil Service.

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

By Mr. BYRD of Virginia (for himself and Mr. SPONG):

S. 3759. A bill to remove the present $1 million limitation which prevents the Secretary of the Navy from settling and paying the claim of the Chesapeake Bay Bridge and Tunnel District arising out of collision of the U.S.S. *Yancey* with the bridge-tunnel span; to the Committee on the Judiciary.

(The remarks of Mr. BYRD of Virginia when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. JORDAN of North Carolina:

S.J. Res. 193. Joint resolution to provide for the appointment of James Edwin Webb as Citizen Regent of the Board of Regents of the Smithsonian Institution; placed on the calendar.

(See reference to the above joint resolution when reported by Mr. JORDAN of North Carolina, which appears under the heading "Reports of Committees.")

S. 3751—INTRODUCTION OF A BILL TO AMEND THE UNIFORM TIME ACT OF 1966

Mr. COOK. Mr. President, the 89th Congress enacted the Federal Uniform Time Act of 1966. The legislation divided the United States into eight standard time zones. It further provided that on the last Sunday in April the time is advanced 1 hour until the last Sunday in October. In effect, Congress has given us 6 months of daylight saving time.

The issue of uniform time and daylight saving time has been debated many times in the past. I have no quarrel with the general principle of a uniform time in this commercial and industrial era. However, there are equally important needs in this country which must also be considered.

For example, my own State of Kentucky is geographically located at the far western end of the eastern time zone. Further compounding this problem, a

portion of Kentucky quite logically belongs in the central time zone. This situation causes peculiar hardships and difficulties, especially during the months of May and October.

In both suburban and rural sections of Kentucky, our young children have to walk on dangerous streets and highways to catch school buses in the early darkness of the fall months. There is no reason to expose them to this hazard the entire school year.

The forgotten man in our country, the farmer, also suffers under the hardships of these black mornings. Many a farmers has wryly stated that "chickens and cows don't observe daylight saving time." Unfortunately, the farmer has to start working when the needs of his livestock and crops require it—rather than by the artificial time on his clock.

Mr. President, I do not propose a repeal of the Federal Uniform Time Act because it does have some merit. What I propose is to amend the 1966 act so that daylight saving time prevails only in that period from Memorial Day to Labor Day. My bill would not repeal uniform time, but merely make it more sensible. It would reduce daylight saving time from the present 6 months to little more than 3 months. It would protect our school children who must now travel the highways during the dark, fall mornings. If passed, it would also provide the farmer an additional 3 months to farm according to nature.

Mr. President, on December 16, 1969, the distinguished Congressman from Kentucky's Fifth Congressional District, the Honorable TIM LEE CARTER, introduced H.R. 15276 in the House. Because of both the need for such change in the law and the favorable reception it received, I am offering it for consideration in the Senate.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). The bill will be received and appropriately referred.

The bill (S. 3750) to amend the Uniform Time Act of 1966 to provide that daylight saving time be used from Memorial Day to Labor Day, introduced by Mr. COOK, was received, read twice by its title and referred to the Committee on Commerce.

S. 3752—INTRODUCTION OF A BILL TO AMEND THE FAIR PACKAGING AND LABELING ACT

Mr. PEARSON. Mr. President, the Fair Packaging and Labeling Act of 1966, often referred to as the Truth in Packaging Act, really has not worked. It was enacted into law to reduce confusion in the marketplace. Its stated purpose was to facilitate value comparisons for the average consumer. Yet, proliferation in package sizes and diverting promotional practices from coupons to "cents off" arrangements to "giant economy" sizes, have made the consumer's task of finding the best buy for his money an unnecessary difficult exercise.

The bill I am introducing today would provide for direct comparison of values by requiring packaged consumer commodities within the purview of the Fair Packaging and Labeling Act to be priced on a per unit basis. For example, an 89-cent commodity would also be marked as 14 cents per pound or per ounce, pint or other common unit of measure.

This bill, Mr. President, is the result of hearings recently concluded by the Consumer Subcommittee of the Commerce Committee, where we heard testimony indicating that even after passage of the Act, a group of college educated shoppers, under testing conditions, were unable to select the best per unit buy roughly 40 percent of the time. We can only guess what the percentage might be for those less educated consumers who face a critical need to stretch their food dollars.

The approach of this bill, Mr. President, differs from the one we adopted in 1966, and to which I dissented in committee. The thought then adopted was that value comparison could be facilitated by reducing the proliferating numbers of package sizes. However, despite the efforts of the various agencies during two administrations, this proliferation exists today in many product categories. In other words, facilitating value comparisons by reducing proliferation in package sizes through voluntary agreements tinged with antitrust implications has proved to be not only contrary to open and innovative marketing, but plainly unworkable. Accordingly, this bill, based on our experience, would more effectively implement our original policy by providing, in a simple and direct manner, what has been thus far available to the consumer only indirectly and after complex and tedious calculations.

Mr. President, price is obviously not the only factor involved in purchasing. People buy for a variety of complex and unknown reasons. Unit pricing would only make clearer one of those factors. Selection on the basis of quality or convenience will continue to be important, perhaps more important than before. But with unit pricing, with a forthright statement as to how much one is buying for what price, the factor of price could at least be dealt with easily and with confidence.

This bill, Mr. President, recognizes the problem of the small retail grocer. The mom and pop stores, understandably, would face an administrative burden in implementing unit pricing. Moreover, the importance of familiar and convenient neighborhood grocery stores is evident to all of us. Accordingly, they are exempt from the operation of this bill.

Also, this bill provides that the unit price may be displayed either on the package of the commodity or, alternately, in close proximity to it—on the shelf, for example. This language was adopted, Mr. President, to allow retail grocers some measure of flexibility in administering unit pricing. While computerized labeling and fully automated handling may be commonplace in the future, at this particular time it is important, in my opinion, to offer the retail chain outlets the opportunity to freely develop competitive methods of unit pricing.

Mr. President, unit pricing is both timely and inevitable. It has, for years, been stamped on meat and poultry products. It is presently being used to varying degrees by several large retail chains, such as Safeway, Kroger, and Jewel. It was recently recommended in a National Chamber of Commerce report. And, in all likelihood, it soon will be required in several States.

Moreover, Mr. President, in this inflationary period, it is most timely to recognize not only the economic hardships of individual consumers of all income classes, but also to recognize that consumers account for two-thirds of all spending in the United States. Our annual food budget approaches $120 billion. The importance of unit pricing—which, according to estimates, could result in increased savings of up to 10 percent of our annual food budget—should be especially recognized.

Finally Mr. President, other provisions of this bill would clarify various aspects of existing law. It provides that the accurate statement of identity will apply to pictures or vignettes which often appear on labels. It indicates that coupons are also to be covered by the "cents off" regulations under section 5(c)(2) of the act. Further, it broadens the definition of "consumer commodity" to include those commodities customarily used in or around the household with the exception of durable goods not normally consumed during the first year of use.

The PRESIDING OFFICER (Mr. SAXBE). The bill will be received and appropriately referred.

The bill (S. 3751) to amend the Fair Packing and Labeling Act to require the disclosure by retail distributors of unit retail prices of consumer commodities, and for other purposes, introduced by Mr. PEARSON, was received, read twice by its title, and referred to the Committee on Commerce.

S. 3754—INTRODUCTION OF A BILL TO DESIGNATE THE KETTLE RIVER A COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

Mr. MONDALE. Mr. President, the Departments of Agriculture and Interior released, on March 29, the criteria for the selection and management of wild, scenic, and recreational rivers to be added to the national wild and scenic rivers system.

The guidelines adopted by the Secretaries of the two Departments supplement policies set forth in the National Wild and Scenic Rivers Act of 1968, Public Law 90-542, to preserve and protect outstanding freeflowing rivers and immediate adjacent lands. The wild rivers guidelines read:

> To provide river-related outdoor recreation opportunities in a closely-adjacent primitive setting. Land access generally is restricted to trails or infrequent roads, and public use and other resource management facilities must harmonize with their surroundings.

As I reviewed these guidelines, I became impressed that the Kettle River, one of Minnesota's fine untouched and beautiful rivers, meets the criteria for the wild rivers classification.

I am, therefore, introducing legislation to designate the Kettle River, in the

State of Minnesota, as a component of the national wild and scenic rivers system. Community involvement will be sought in considering this legislation. Interested citizens and the surrounding towns should be consulted on the nature of any program affecting the Kettle River.

The Kettle River is located in east-central Minnesota. In a State which is becoming increasingly urbanized, the Kettle Basin is roughly 60 to 75 miles from the Twin Cities and about 50 miles from Duluth. It lies between two major metropolitan areas which generate increasing demand for access to water and outdoor recreation—trails, canoeing, and fishing.

Thus, more than half of the population of Minnesota—over 2 million people—could reach this fine wild, scenic, and recreational river by an hour's drive over a good interstate highway.

During the 1960's, the Minnesota Department of Conservation authorized the Kettle as a canoe route. This designation tells us much of the potential of the Kettle for river-related outdoor recreational opportunities in a primitive setting.

The Kettle River is a fascinatingly wild and picturesque river. The constantly changing topography and forest cover provide an ever-changing scene. The river has rapids interspaced with long pools providing a challenge, as well as a chance for relaxation and quiet reflection, to its visitors.

The glacial geology of the area, as reflected in the river, is also a point of interest. Moraines, glacial outwash plains, gorges, kettle holes, and caves exist along the river, primarily the result of glacial activity.

The area is rich in history. Remains of the lumbering activity of the 1850's and 1860's; quarrying at Banning and Sandstone; forest fires and the birth of St. Croix State Park add great historical interest to the river corridor.

Wide varieties of wildlife roam the river corridor. Deer, beavers, muskrats, herons, and hawks all make their homes within the river basin.

Fishing is excellent, especially for walleyes, sturgeon, and small mouth bass. Northern pike, red horse, suckers, and even trout, mainly in the Pine River and Willow River tributaries, are also fished in the river.

The Kettle River has its headwaters in Carlton County and flows in a generally north to south direction, passing through Pine County and into the St. Croix River some 53 miles away. It flows through and over several types of surface and subsurface geology.

Along the northern part of the river, for the first 6 miles, the river flows through an area of glacial moraine. Pools and rapids are closely spaced and do not exceed 50 yards in length. The rapids are very difficult to canoe even in high water. The river banks are gravel with heavy forests of small aspen and birch and with an occasional stand of larger Norway pine, white pine, and black spruce. The magnificent forest growth extends very near the water's edge enclosing the river.

Starting at mile 6.9 a large open field on the left bank signifies a change in the river's characteristics. The mouth of the Kettle widens so that pools and rapids become longer (100 yards) and deeper. Rapids are more easily traversed because of the gravel bottom, and the banks of the river are higher and grassy, leveling out on top.

From mile 10 to 13 the river broadens out among islands, grass areas with low banks of sand and gravel. Distinguishing the main channel is difficult. Maple and Elm are the dominant species of hardwoods, but there are a few pine visible. At mile 12.8 the Moose River joins the Kettle contributing a great deal of water which could be the reason for the strange behavior of the Kettle River directly above.

Below the confluence with the Moose River, the Kettle becomes entrenched and narrows down once more. Pine are intermingled with hardwoods, farmland extends down to the edge of the river. The open woods, caused by grazing, are peaceful and scenic. There are no rapids in this stretch.

Beginning at mile 21, the Kettle River widens to more than 150 feet with the average depth about 4 feet. The banks slope up and away from the river and are covered with pine and hardwoods. At mile 23.9 a short set of rapids with a speed pitch occurs and running them in high water is possible. A magnificent rock outcrop stands more than 10 feet above the water on the right bank, and there is a camp site on top of the rock outcrop. Directly below these rapids, Interstate 35W crosses the river, but there is no road access to the river. Downstream, high hills begin to appear and the river's characteristics remain much the same until entering Banning State Park.

The Kettle River flows through Banning State Park in a gorge approximately 130 feet deep, which forms the Hells Gate Rapids. These rapids are about 1 mile long and consist of four major drops of about 5 feet each. There is no portage and running the rapids is exciting and challenging. The river remains entrenched for more than 100 feet until it reaches the remains of the Kettle River Dam 33 miles from its northern beginning.

Below the Kettle River Dam, the river passes through several short rapids of moderate difficulty and through numerous pools, one of which is more than 20 feet deep. At mile 36.1 skillful, swiftly flowing rapids about one-half mile long appear.

From mile 37 to 46 the river once again becomes more than 200 feet wide and placid: flood plains develop on both sides with open hardwood forests. At this point the lower Kettle River Rapids begin. These rapids are moderate in difficulty and very popular with canoeists. They are, however, wide and shallow and, like other Kettle rapids, cannot be run in low water.

The Kettle basin is largely in the central and northern part of Pine County, but headwaters are partly in Carlton County and to a lesser degree in Aitkin and Kanabec Counties. There are some farms, but roughly two-thirds of the basin is forested. Pine County, in 1964, included nearly 2,000 farms, predominantly in the southern part, outside the Kettle basin. Forest industries are important but there is no national forest.

There are several communities near the river—Sandstone and Moose Lake each have populations of about 1,500 persons. Barnum and Willow River, each less than 500, and Kettle River, about 230. In addition to the St. Croix State Park near the mouth of the river, Banning State Park, a tract of about 2,700 acres, near Sandstone, was added in 1963. There are three small municipal parks with a few picnic tables; one or more of these parks provide access to the Kettle. There are two monuments to historic events, surrounded by numerous trout streams, northern pike spawning areas, and five official fish and game areas.

By nature it is an excellent recreation area, not yet overdeveloped. Pine County, in the mid-1960's, contained five hotels, six motels, and 19 resorts. The area is thinly populated and has not begun to reach its recreational potential.

There are 17 homes located along the river's edge, although only five may be seen from the river. Two of the five are old farmsteads while the remainder are homes which have penetrated the wilderness setting. Fourteen bridges and two trestles cross the river.

There are developed access points at miles 21, 33, 40.5, and 47; however, access is also possible at other bridge crossings. There are no developed camp sites on the Kettle River.

Approximately 26 miles of the Kettle River are already in public ownership of one form or another. The General C. C. Andrews State Forest abuts on the east side of the river from mile 13 to mile 15.2. The undeveloped Banning State Park abuts both sides of the river from mile 24.2 to mile 30.8. The Sandstone Game Refuge abuts the east side of the river from mile 31.5 to mile 40.5.

Chengwatan State Forest and St. Croix State Park abut the river from mile 42.6 to mile 51. Other stretches of the river are within the municipalities of Kettle River, Rutledge, and Sandstone. Finally, the State and county own small parcels of and on the river which have not been declared parks, game refuges, et cetera.

This description can hardly touch upon the actual beauty of the Kettle, but it is a truly magnificent river which deserves the protection of the wild rivers system.

The PRESIDING OFFICER (Mr. SAXBE). The bill will be received and appropriately referred.

The bill (S. 3753) to designate the Kettle River, in the State of Minnesota, as a component of the national wild and scenic rivers system, introduced by Mr. MONDALE, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3755—INTRODUCTION OF A BILL TO AUTHORIZE HOUSING LOANS TO LESSEES OF NONFARM LAND IN RURAL AREAS

Mr. FONG. Mr. President, I introduce, for appropriate reference, a bill to

amend title V of the Housing Act of 1949 authorizing rural housing loans to lessees of nonfarm tracts in rural areas. The present law authorizes the Secretary of Agriculture to make such loans to, first, owners of farms in fee simple; second, owners in fee simple of nonfarm tracts; third, lessees of farm tracts.

My proposed amendment, Mr. President, will authorize the Farmers Home Administration to permit rural housing loans to lessees on nonfarm leaseholds, which is not now permitted under the existing law.

It will make eligible a new class of residents in rural areas of less than 5,500 population to apply for housing loans. This is to include nonfarming lessees of Hawaiian Homes Commission land in the State of Hawaii and lessees of tribal interests on Indian reservation land.

Many in this class of rural residents find difficulty in owning fee simple title. Their first choice of dwellings on fee simple land is scarce. Because of the scarcity of such land, they become owners of leasehold interests—their next best choice for homesites. This kind of land is available. This is particularly true in Hawaii, where the land is limited and the cost is extremely high.

Under the Farmers Home Administration rural housing loan program, the leasehold interest would have to be at least 50 years or 50 percent longer than the amortization period of the loan—amortization period might run up to 33 years—or at the discretion of the Secretary of Agriculture any period sufficiently beyond the repayment period of the loan to provide adequate security and a reasonable probability of accomplishing the objectives for which the loan is made.

Mr. President, the Farmers Home Administration has pointed out that there is a great need for housing loans in rural areas where only 30 percent of the Nation's population lives, but more than half of the substandard housing exists. My proposed amendment will help to meet this urgent need of rural residents who are now excluded from rural housing loans, and will permit the Department of Agriculture to finance housing developments in the Nation's rural areas.

The PRESIDING OFFICER (Mr. SAXBE). The bill will be received and appropriately referred.

The bill (S. 3755) to authorize housing loans under title V of the Housing Act of 1949 to lessees of nonfarm land in rural areas, introduced by Mr. FONG, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3758—INTRODUCTION OF A BILL REQUIRING ADVANCE NOTICE OF FEDERAL EMPLOYMENT CUTBACKS

Mr. GOODELL. Mr. President, today I am pleased to introduce in the Senate for myself and my colleague from New York (Mr. JAVITS), a bill providing a 120-day prior-notice requirement on any planned cutback actions of executive agencies affecting Federal civilian employment.

This bill is the same bill introduced last month by Representative DANIEL BUTTON for consideration by the House.

I share with Congressman BUTTON and other Members of the New York delegation concern over Federal cutbacks and closedowns made without prior disclosure to Congress and employee organizations.

Mr. President, I have advocated many changes in Federal Government policies and programs in order to cut out wasteful spending and to readjust the Federal budget to reflect a reordering of national priorities. I shall continue to work for change to bring about these objectives. Changes in Government programs, however, do not have to cause disruptions in employment and community economic stability.

The legislation I am introducing today, as well as additional legislation on economic conversion which I have cosponsored, are ways to minimize and eliminate employment hardship and to prevent slowdown in local economies due to needed changes in Government programs.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. SAXBE). The bill will be received and appropriately referred.

The bill (S. 3758) to amend title 5, United States Code, to require the heads of the respective executive agencies to provide the Congress with advance notice of certain planned organizational and other changes or actions which would affect Federal civilian employment, and for other purposes, introduced by Mr. GOODELL, for himself and Mr. JAVITS, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 3758

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter II of chapter 29 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 2955. Advance notice to Congress of certain proposed actions of executive agencies affecting Federal civilian employment

"Whenever it is determined by appropriate authority that any administrative action, order, or policy, or series of administrative actions, orders, or policies, shall be taken, issued, or adopted, by or within any executive agency, which will effectuate the closing disposal, relocation, dispersal, or reduction of the plant and other structural facilities of any installation, base, plant, or other physical unit or entity of that executive agency and which—

"(1) will necessitate, to any appreciable extent, a reduction in the number of civilian employees engaged in the activities performed in and through those facilities of that agency, without reasonable opportunity for their further civilian employment with the Government in the same commuting area; or

"(2) will necessitate, to any appreciable extent, the transfer or relocation of civilian employees engaged in the activities performed in and through those facilities of that agency, in order to provide those employees with reasonable opportunity for further civilian employment with the Government outside the same commuting area; or

"(3) both;

the head of that executive agency shall transmit to the respective Committees on Post Office and Civil Service of the Senate and House of Representatives and to employee organizations having exclusive recognition, at least one hundred and twenty days before any such action, order, or policy is initiated, written notice that such action, order, or policy will be taken, issued, or adopted, together with such written statement, discussion, and other information in explanation thereof as such agency head considers necessary to provide complete information to the Congress with respect to that action, order, or policy. In addition, the agency head shall provide to such committees such additional pertinent information as those committees, or either of them, may request."

(b) The table of sections of subchapter II of chapter 29 of title 5, United States Code, is amended by adding at the end thereof—

"2955. Advance notice to Congress of certain proposed actions of executive agencies affecting Federal civilian employment.".

ADDITIONAL COSPONSORS OF BILLS

S. 1466

Mr. PERCY. Mr. President, on behalf of the Senator from Arizona (Mr. GOLDWATER), I ask unanimous consent that, at the next printing, the names of the Senator from Nevada (Mr. CANNON), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Utah (Mr. MOSS), be added as cosponsors of S. 1466, to amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

S. 1812

Mr. KENNEDY. Mr. President, on behalf of the Senator from New Mexico (Mr. ANDERSON), I ask unanimous consent that, at the next printing, the name of the Senator from Connecticut (Mr. DODD) be added as a cosponsor of S. 1812, to amend title XVIII of the Social Security Act so as to include chiropractic services among the benefits provided under subpart (B) of this title.

The PRESIDING OFFICER (Mr. YOUNG of Ohio). Without objection, it is so ordered.

S. 2208

Mr. BIBLE. Mr. President, on behalf of the Senator from California (Mr. CRANSTON), I ask unanimous consent that, at the next printing, his name be added as a cosponsor of S. 2208, to authorize the Secretary of the Interior to conduct a study into the feasibility and desirability of a national lakeshore on Lake Tahoe.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

S. 3389, S. 3390, S. 3391

Mr. HARRIS. Mr. President, on behalf of the distinguished Senator from Washington (Mr. JACKSON), I ask unanimous

consent that at the next printing, the name of the Senator from Utah (Mr. Moss) be added as a cosponsor of the three following bills—S. 3389, to provide for the protection, development, and enhancement of the public recreation values of the public lands; S. 3390, to amend the act of September 19, 1964 (78 Stat. 986), entitled the "Classification and Multiple Use Act," and S. 3391, to amend the act of September 19, 1964 (78 Stat. 989), as amended, entitled the "Public Land Sale Act."

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

S. 3410

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Idaho (Mr. CHURCH) and the Senator from California (Mr. CRANSTON), be added as cosponsors of S. 3410, the National Environmental Laboratory Act of 1970.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

S. 3595

Mr. BIBLE. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Wisconsin (Mr. NELSON) be added as a cosponsor of S. 3595 to establish a Commission on Security and Safety of Cargo.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

S. 3687

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from New Mexico (Mr. MONTOYA) be added as a cosponsor of S. 3687, the National Water Quality Standards Act of 1970.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

S. 3739

Mr. DOLE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Wisconsin (Mr. NELSON), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Illinois (Mr. PERCY) be added as cosponsors of S. 3739, to amend the Small Business Act to increase the availability of management counseling to small business concerns.

The PRESIDING OFFICER (Mr. BIBLE). Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 61—CONCURRENT RESOLUTION SUBMITTED AUTHORIZING THE PRINTING OF THE COMPILATION ENTITLED "FEDERAL AND STATE STUDENT AID PROGRAMS" AS A SENATE DOCUMENT

Mr. PELL submitted the following concurrent resolution (S. Con. Res. 61); which was referred to the Committee on Rules and Administration:

S. CON. RES. 61

Resolved by the Senate (the House of Representatives concurring), That the compilation entitled "Federal and State Student Aid Programs," prepared by the Library of Congress for the Senate Committee on Labor and Public Welfare be printed as a Senate document; and that there be printed sixty-two thousand two hundred additional copies of such document, of which forty-three thousand nine hundred copies shall be for the use of the House of Representatives, ten thousand three hundred copies shall be for the use of the Senate, four thousand copies shall be for the use of the Senate Committee on Labor and Public Welfare, and four thousand copies shall be for the use of the House Committee on Education and Labor.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and the House of Representatives for a period of sixty days, after which the unused balances shall revert to the respective Senate and House Document Rooms.

SENATE RESOLUTION 392—RESOLUTION SUBMITTED AUTHORIZING THE PRINTING OF THE THESIS ENTITLED "PRIVATE LAND CLAIMS IN THE SOUTHWEST" AS A SENATE DOCUMENT

Mr. ANDERSON submitted the following resolution (S. Res. 392); which was referred to the Committee on Rules and Administration:

S. RES. 392

Resolved, That, with the permission of the copyright holder, J. J. Bowden, his thesis entitled "Private Land Claims in the Southwest" be printed with illustrations as a Senate document; and that there be printed seven hundred additional copies of such document for the use of the Committee on Interior and Insular Affairs.

SENATE RESOLUTION 393—RESOLUTION SUBMITTED TO PRINT ADDITIONAL COPIES OF THE HEARINGS ON THE INTERGOVERNMENTAL REVENUE ACT OF 1969 AND RELATED LEGISLATION

Mr. MUSKIE submitted the following resolution (S. Res. 393); which was referred to the Committee on Rules and Administration:

S. RES. 393

Resolved, That there be printed for the use of the Committee on Government Operations one thousand eight hundred additional copies of the hearings before its Subcommittee on Intergovernmental Relations during the Ninety-first Congress, first and second sessions, on the Intergovernmental Revenue Act of 1969 and related legislation.

SENATE RESOLUTION 394—RESOLUTION REPORTED AUTHORIZING PRINTING OF A REVISED EDITION OF THE "ELECTION LAW GUIDEBOOK" AS A SENATE DOCUMENT—REPORT OF A COMMITTEE (S. REPT. NO. 91-803)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 394); and submitted a report thereon, which resolution was placed on the calendar, and the report was ordered to be printed:

S. RES. 394

Resolved, That a revised edition of Senate Document Numbered 76 of the Ninetieth Congress, entitled "Election Law Guidebook", be printed as a Senate document, and that there be printed three thousand additional copies of such document for the use of the Committee on Rules and Administration.

SENATE RESOLUTION 395—RESOLUTION REPORTED AUTHORIZING RETROACTIVE COMPENSATION FOR CERTAIN SERVICES PERFORMED DURING JANUARY 1970—REPORT OF A COMMITTEE (S. REPT. NO. 91-804)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 395); and submitted a report thereon, which resolution was placed on the calendar, and the report was ordered to be printed:

S. RES. 395

Resolved, That payments of retroactive compensation authorized by law for service performed in the month of January 1970 which are chargeable to funds authorized for expenditure through January 31, 1970, by various Senate resolutions, shall be charged to funds authorized by Senate resolutions for expenditure by the committees concerned at the time such payment is made, wherever possible, without regard to the expenditure limitations contained in the Senate resolution which expired on January 31, 1970.

SENATE RESOLUTION 396—RESOLUTION REPORTED TO PAY A GRATUITY TO SUE ELLEN TYSER—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 396); which resolution was placed on the calendar:

S. RES. 396

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Sue Ellen Tyser, widow of Henri Louis Tyser, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 397—RESOLUTION REPORTED TO PAY CERTAIN PERSONS GRATUITIES—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 397), which resolution was placed on the calendar:

S. RES. 397

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Freddie Cullum and Louis D. Cullum, brothers; and to Willie Mae Guyton, Iola C. Lewis, and Rosa L. Brodie, sisters of Willie Cullum, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum to each equal to one-fifth of six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SENATE RESOLUTION 398—RESOLUTION REPORTED TO PAY A GRATUITY TO KENNITH J. NEWMAN—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administra-

tion, reported the following original resolution (S. Res. 398); which was placed on the calendar:

S. RES. 398

Resolved, That, in lieu of the authorization contained in Senate Resolution 296, agreed to December 11, 1969, the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate to Kennith J. Newman, brother of James H. Newman, an employee of the Senate at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

NOTICE OF HEARINGS ON MEAT INSPECTION

Mr. JORDAN of North Carolina. Mr. President, hearings on amendments to the Meat Inspection Act will resume Monday, April 27. The Subcommittee on Agricultural Research and General Legislation of the Senate Committee on Agriculture and Forestry will hear further testimony on S. 3512, S. 3592, and S. 3603 at 10 a.m., room 324, Old Senate Office Building.

NOTICE OF HEARINGS ON ONE-BANK HOLDING COMPANIES

Mr. SPARKMAN. Mr. President, I wish to announce that the Senate Committee on Banking and Currency will hold hearings on S. 1052, to amend the Bank Holding Company Act of 1956 and to provide for a comprehensive study of banking laws and regulations by a National Commission on Banking; S. 1211, providing for the regulation of tender offers and exchange offers for, and certain acquisitions of, the equity securities of certain regulated bank holding companies, single-bank holding companies, and banks insured by the Federal Deposit Insurance Corporation; S. 1664, with amendments, to broaden the definition of bank holding companies, and for other purposes; H.R. 6778, to amend the Bank Holding Company Act of 1956, and for other purposes; and any other bills or amendments referred to the committee prior to and during the hearings.

The hearings will begin on Tuesday, May 12, 1970, at 10 a.m., in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with these hearings should notify Mr. Hugh H. Smith, assistant counsel, Committee on Banking and Currency, 5300 New Senate Office Building, Washington, D.C. 20510; telephone 225-7391.

NOTICE OF HEARINGS ON EDUCATION BILLS

Mr. PELL. Mr. President, recent messages from the President of the United States on both higher education and the impacted aid program have generated a great deal of comment from those most affected by these programs at both the national and local level.

The impacted aid recommendations would, if enacted, change the whole thrust of that major prop of Federal elementary and secondary education support while the higher education proposals would shift the Federal scheme of student assistance from that of a recognized responsibility to one of somewhat benign neglect.

Recognizing that major changes in Federal legislation, such as those I have alluded to, cannot be effected without in depth study, the Subcommittee on Education of the Committee on Labor and Public Welfare will be in separate hearing over the next 2 months on these two matters. Initially, I should like to announce that on April 28 we will have before us Under Secretary of Health, Education, and Welfare John Venneman and Commissioner of Education James E. Allen, Jr., to discuss the administration's impacted-aid proposals. On May 6, Secretary Finch will be before us to discuss the administration's higher education proposals. Following these dates we will be hearing from other interested parties.

Indeed, anyone who wishes to make his views known to the subcommittee should contact my staff on extension 7666.

ANNOUNCEMENT OF HEARINGS ON PATIENT CARE AT A TYPICAL VA GENERAL HOSPITAL

Mr. HARRIS. Mr. President, on behalf of the junior Senator from California (Mr. CRANSTON), chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, I wish to announce hearings by that subcommittee on Tuesday, April 28, at 9:30 a.m. in the New Senate Office Building. The hearing will be a continuation of that subcommittee's continuing oversight and investigation into the quality of medical care available in Veterans' Administration hospitals and other health facilities. This will be the seventh such hearing to date over the last several months by the subcommittee.

Next week's hearing will focus in depth upon the delivery of patient care in one particular Veterans' Administration facility: the Wadsworth VA Hospital in Los Angeles, Calif., an 1,100-bed general hospital. I believe that the problems being encountered there are fairly typical of those present at many, many Veterans' Administration hospitals throughout the Nation, including those affiliated with major medical schools. In this instance, the Wadsworth VAH has a close affiliation with the UCLA School of Medicine.

The subcommittee will attempt to develop at the hearing a graphic picture of the patient care provided on a daily basis at the ward level by house staff and nurses. It will also receive testimony regarding a pattern over the past several years at that hospital of deferring needed purchase of equipment and supplies, needed renovation of the physical plant, hiring of needed staff, adequate funding of special medical programs and programs created by new legislation, and absorption from the overall patient care budget of costs of necessary expenses in all of the above categories, as well as from many others—such as salaries and expenses—which have been a victim of budget cuts and fiscal austerity. Those scheduled to testify are:

First. Dr. J. Gary Davidson, research associate in hematology, Wadsworth Veterans' Administration Hospital, accompanied by Dr. Bernhard Votteri, third-year resident in medicine.

Second. A representative of the California Nurses Association.

Third. Dr. Baldwin Lamson, director of hospitals and clinics, UCLA School of Medicine.

ANNOUNCEMENT OF RESUMPTION OF HEARINGS ON S. 3354, A BILL TO ESTABLISH A NATIONAL LAND USE POLICY

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), I ask unanimous consent to have printed in the RECORD a statement by him, as chairman of the Committee on Interior and Insular Affairs.

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

Mr. JACKSON. Mr. President, hearings on S. 3354, a bill to amend the Water Resources Planning Act (79 Stat. 244) to include provision for a National Land Use Policy, will be resumed on April 28 and 29, 1970, in Room 3110, New Senate Office Building. The hearings both days will begin at 10:00 A.M. and will consist of both morning and afternoon sessions. At these hearings the Committee will take testimony from the Nixon Administration; spokesmen for State government and industrial, professional, and conservation interests; and members of the public. These are the final hearings scheduled on the bill.

I am gratified with the results of the Committee's hearing on March 24, at which we received testimony from Governor Sargent of Massachusetts, Professor Lynton Caldwell of the University of Indiana and prominent representatives of the design and planning professions. These witnesses were very helpful in focusing attention on some of our Nation's critical land use problems and suggesting some possible solutions to them. At the forthcoming hearings, we hope to discuss specific provisions of the bill and methods of implementing its policy aims.

All Americans are concerned about environmental quality. As land is the basic environmental resource, it must be used wisely if environmental quality is to be achieved. By establishing a National Land Use Policy, S. 3354 proposes to focus attention in all segments of society on the ways we can enhance our environment and accommodate growth through thoughtful use of our land resources.

I am pleased to announce the forthcoming hearings.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES AND FOR COMMITTEES TO FILE REPORTS

Mr. KENNEDY. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the close of business today until noon on Monday next, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives, and that all committees be authorized to file reports, including minority, individual, supplemental, and additional views.

The PRESIDING OFFICER (Mr.

YOUNG of Ohio). Without objection, it is so ordered.

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

Mr. KENNEDY. I yield.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Because of an oversight on my part, when the Senate adjourned last Monday I forget to make the request which the distinguished senior Senator from Massachusetts has just made. Consequently, there is no new legislation on the calendar. But for the information of the Senate, in the interim between Monday and Thursday, a number of veterans' bills were approved by the Committee on Finance, a couple of medal bills by the Committee on Banking and Currency, a large number of bills by the Committee on Interior and Insular Affairs, and a large number of bills by the Committee on the Judiciary, as well as some nominations which were taken care of today.

I have talked with representatives of the calendar committee on the other side, and with the leadership, and they have given me reasonable assurance that it would be possible to take up many of those on Monday which we had anticipated taking up today had the Senator from Montana made the proper request.

When those are disposed of, it is anticipated, and it is very likely, that the Senate will proceed to the consideration of Calendar No. 769, S. 3706, a bill to provide financial assistance for and establishment of a national rail-passenger system, and so forth.

So I make this statement, with the concurrence of the leadership on the other side, so that Senators may be aware that there will be a good deal of legislation on Monday; and that insofar as I am concerned, is what the legislation will be for that day. Following that, the pending business will be the railroad bill.

I thank the Senator from Massachusetts.

ORDER FOR ADJOURNMENT UNTIL MONDAY, APRIL 27, 1970

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

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

(Subsequently, this order was modified to provide for an adjournment to Monday at 11:30 a.m.)

THE MESSAGE FROM THE PRESIDENT ON THE SELECTIVE SERVICE SYSTEM

Mr. KENNEDY. Mr. President, just a few hours ago the President sent to Congress a message on the Selective Service System. I ask unanimous consent that that message be printed in the RECORD in its entirety at this point.

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

The President's message is as follows:

To the Congress of the United States:

The draft has been with us now for many years. It was started as a temporary, emergency measure just before World War II. We have lived with the draft so long, and relied on it through such serious crises, that too many of us now accept it as a normal part of American life.

It is now time to embrace a new approach to meeting our military manpower requirements. I have two basic proposals.

The first deals with the fundamental way this nation should raise the armed force necessary to defend the lives and the rights of its people, and to fulfill its existing commitments abroad.

The second deals with reforming the present recruitment system—part volunteer, part drafted—which, in the immediate future, will be needed to maintain our armed strength.

TO END THE DRAFT

On February 21, I received the report of the Commission on an All-Volunteer Armed Force, headed by former Defense Secretary Thomas S. Gates. The Commission members concluded unanimously that the interests of the nation will be better served by an all-volunteer force than by a mixed force of volunteers and draftees, and that steps should be taken in this direction.

I have carefully reviewed the report of the Commission and have discussed the subject with many others knowledgeable in this field. The preeminent consideration in any decision I make involving the American Armed Forces must be the security of the United States. I have had to weight carefully how our responsibilities in Vietnam and our overall foreign policy would be affected by ending the draft. I also had to consider the budgetary impact, and the possible effect on our economy.

On the other hand, we have all seen the effect of the draft on our young people, whose lives have been disrupted first by years of uncertainty, and then by the draft itself. We all know the unfairness of the present system, no matter how just we try to make it.

After careful consideration of the factors involved, I support the basic conclusion of the Commission. I agree that we should move now toward ending the draft.

From now on, the objective of this Administration is to reduce draft calls to zero, subject to the overriding considerations of national security.

In proposing that we move toward ending the draft, I must enter three cautions: First, the draft cannot be ended all at once. It must be phased out, so that we can be certain of maintaining our defense strength at every step. Second, existing induction authority expires on July 1, 1971, and I expect that it will be necessary for the next Congress to extend this authority. And third, as we move away from reliance on the draft, we must make provisions to establish a standby draft system that can be used in case of emergency.

To move toward reducing draft calls to zero, we are proceeding with a wide array of actions and proposals:

This Administration proposed, and the Congress has approved, a six percent across-the-board pay increase for Federal employees, retroactive to the first of this year. This raises the pay of members of the Armed Forces by $1.2 billion a year.

I shall propose an additional 20 percent pay increase for enlisted men with less than two years of service, to be effective January 1, 1971. This action, if approved by the Congress, will raise the annual pay of enlisted men with less than two years of service by $500 million a year, and is a first step in removing the present inequity pay of men serving their first two years in the Armed Forces. The cost for Fiscal Year 1971 will be $250 million.

In January 1971 I shall recommend to the Congress, in the Fiscal Year 1972 budget, an additional $2.0 billion for added pay and other benefits—especially for those serving their first two years—to help attract and retain the personnel we need for our Armed Forces.

I have today directed the Secretary of Defense to give high priority to the expansion of programs designed to increase enlistments and retentions in the services. Further, I have directed that he give me a report every quarter on the progress of this program. Other agencies have been directed to assist in the effort.

I am also directing the Secretary of Defense to review the policies and practices of the military services to give new emphasis to recognition of the individual needs, aspirations and capabilities of all military personnel.

No one can predict with precision whether or not, or precisely when, we can end conscription. It depends, in part, on the necessity of maintaining required military force levels to meet our commitments in Vietnam and elsewhere. It also depends on the degree to which the combination of military pay increases and enhanced benefits will attract and hold enough volunteers to maintain the forces we need, the attitude of young people toward military service, and the availability of jobs in the labor market.

However, I am confident that, barring any unforeseen developments, this proposed program will achieve our objective.

The starting pay of an enlisted man in our Armed Forces is—taking the latest raise into account—less than $1,500 a year. This is less than half of the minimum wage in the private sector. Of course, we should add to this the value of the food, uniforms and housing that is provided free. But it is hardly comparable to what most young men can earn as civilians. Even with special allowances, some married enlisted men have been forced to go on welfare to support their families.

The low pay illustrates another inequity of the draft. These men, in effect, pay a large hidden tax—the difference between their military pay and what they could earn as civilians. Therefore, on the grounds of equity alone, there is good reason to substantially increase pay.

While we focus on removing inequities in the pay of men serving their first few years in the military, we must not neglect the career servicemen. They are the indispensable core of our Armed Forces. The increasing technological complexity of modern defense, and the constantly changing international situation, make their assignments ever more difficult—and critical. We shall continue to make every effort to insure that they are fairly treated and justly compensated.

There is another essential element—beyond pay and benefits, beyond the best in training and equipment—that is vital to the high morale of any armed force in a free society. It is the backing, support and confidence of the people and the society the military serves. While government can provide the economic justice our men in arms deserve—moral support and backing can come only from the American people. At few times in our history has it been more needed than today.

The consideration of national security contains no argument against these historic actions; the considerations of freedom and justice argue eloquently in their behalf.

TO REFORM THE DRAFT

As we move toward our goal of ending the draft in the United States, we must deal with the draft as it now exists. This nation has a right to expect that the responsibility for national defense will be shared equitably and consistently by all segments of our society.

Given this basic principle, I believe that there are important reforms that we must make in our present draft system.

It is my judgment, and that of the National Security Council, that future occupational, agricultural and student deferments are no longer dictated by the national interest. I am issuing today an Executive Order to direct that no future deferments shall be granted on the basis of employment. Very few young men at age 19 are in such critical positions that they cannot be replaced. All those who held occupational deferments before today, as well as any who may be granted such deferments from pending applications filed before today, will be deferred as they were previously.

This same Executive Order will also eliminate all future paternity deferments—except in those cases where a local draft board determines that extreme hardship would result. All those who held paternity deferments before today, as well as any who may be granted deferments from pending applications filed before today, will be deferred as long as they are living with and supporting child dependents.

I am also asking the Congress today to make some changes in the Military Selective Service Act of 1967.

The first would restore to the President discretionary authority on the deferment of students seeking baccalaureate degrees. If the Congress restores this authority, I shall promptly issue a second Executive Order that would bar all undergraduate deferments, except for young men who are undergraduate students prior to today. These young men would continue to be eligible for deferment under present regulations during their undergraduate years. This Executive Order would also end deferments for young men in junior college, and in apprentice and technical training programs, except for those who entered before today. Men participating in such programs before today would continue to be deferred until they complete them.

Should Congress pass the legislation I have requested, those young men who start college or enter apprentice or other technical training today or hereafter, and subsequently receive a notice of induction, will have their entry into service postponed until the end of the academic semester, or for apprentices and trainees, until some appropriate breaking point in their program.

Even if college deferments are phased out, college men who through ROTC or other military programs have chosen to obligate themselves to enter military service at a later date would be permitted to postpone their active duty until completion of their study program.

In each instance, I have spoken of the phasing out—not the elimination—of existing deferments. The sudden elimination of existing deferments would disrupt plans made in good faith by individuals, companies, colleges and local school systems on the basis of those deferments.

My second legislative proposal would establish a direct national call, by lottery sequence numbers each month, to improve the operation of the random selection system. We need to ensure that men throughout the country with the same lottery number have equal liability to induction.

Under the present law, for example, a man with sequence number 185 may be called up by one draft board while a man with a lower number in a different draft board is not called. This can happen because present law does not permit a national call of young men by lottery sequence numbers.

Some local draft boards may not have enough low numbers to fill their assigned quota for the month. As a result, these local boards are forced to call young men with higher numbers. At the same time, other draft boards throughout the country will have more low numbers than necessary to fill their quotas.

I am recommending to the Congress an amendment to suspend this quota requirement while the random selection system is in effect. If the Congress adopts this amendment, I will authorize the Selective Service System to establish a plan under which the draft call each month will be on a national basis, with the same lottery sequence numbers called throughout the country. This will result in a still more equitable draft system.

As long as we need the draft, it is incumbent upon us to make it as fair and equitable as we can. I urge favorable Congressional action on these legislative proposals for draft reform.

CONCLUSION

While I believe that these reforms in our existing draft system are essential, it should be remembered that they are improvements in a system to be used only as long as conscription continues to be necessary.

Ultimately, the preservation of a free society depends upon both the willingness of its beneficiaries to bear the burden of its defense—and the willingness of government to guarantee the freedom of the individual.

With an end to the draft, we will demonstrate to the world the responsiveness of republican government—and our continuing commitment to the maximum freedom for the individual, enshrined in our earliest traditions and founding documents. By upholding the cause of freedom without conscription we will have demonstrated in one more area the superiority of a society based upon belief in the dignity of man over a society based on the supremacy of the State.

RICHARD NIXON.

THE WHITE HOUSE, *April 23, 1970.*

Mr. KENNEDY. Mr. President, I commend the President for what I think is a splendid message to Congress in terms of selective service reform. Since 1966, and perhaps even before, a number of Members of Congress have urged many of the recommendations that now have the support of President Nixon and this administration. Perhaps the most comprehensive review of the Selective Service System was made by the Burke Marshall Commission, which made many of the recommendations which, I am glad to see, have been adopted in this message of the President.

In particular, Mr. President, I feel that the position that the President has taken on abolishing occupational deferments is a courageous position. He has requested the power from Congress to abolish educational deferments, which I think is also a courageous position. He is attempting to broaden the pool from which the random selection would be made, by moving the selection process from local draft boards to a national pool, which, in turn, would eliminate some of the present inequities under the random selection system. I think he deserves credit for this.

The tone of this message, Mr. President, is to reduce compulsion by developing a system by which we select some Americans and call them to the defense of our country, but placing the greatest emphasis possible on voluntarism. I think this is a commendable approach of the President. As he has indicated in his message:

No one can predict with precision whether or not, or precisely when, we can end conscription.

But he is certainly, by this message, I think, taking a giant step forward in reducing the compulsive aspects of our Selective Service System.

He outlines in this message some of his proposals: First of all, to increase the pay of the recruits who come into the Armed Forces, for just a 2-year period, in the next fiscal year, by $500 million. He then suggests that he will recommend to Congress in fiscal year 1972 some $2 billion in added pay and other benefits. I would hope those other benefits would include the educational benefits, as I think we know how valuable these are to returning servicemen.

He also stresses and directs the Secretary of Defense to give high priority to the expansion of programs designed to increase enlistments and retentions in the services. I would hope that within that request would be included the kinds of programs, such as the Project 100,000 developed by Secretary McNamara, which was designed to assist young people who might have missed actual induction because of either physical or mental deficiencies by perhaps 1 or 2 percentage points, when they took the examination to enter the Armed Forces, but were volunteering and actually wanted to serve. The service takes these young people, gives them some additional training and some additional education, and then the volunteers serve in the Armed Forces. I understand that program has been successful.

So there have been efforts made in the past, and I am sure Secretary Laird can come up with additional means by which to permit and encourage young people to enter the Armed Forces who, for one reason or another, may not be able to enter at the present time. Certainly we do not want to lower our standards for recruitment, but no doubt there are circumstances and situations in which there can be a greater degree of flexibility, thereby bringing additional young people into the Armed Forces.

So all in all, Mr. President, although I would have liked to have seen some additional reforms in terms of the procedures followed by local boards to give a greater amount of due process to those who, for one reason or another, might have to appeal their draft board's decisions, we will have, actually, less reasons for appeals procedures once we eliminate educational paternity, and occupational deferments. I think therefore there is less urgency in these other reforms, although I would personally like to see some of the other recommendations of our Subcommittee on Administrative Practice and Procedure considered by the administration.

The other area of possible reform is conscientious objection. I would hope, when the Armed Services Committee considers the whole question of conscientious objectors, that we would be able to at least return to the Supreme Court interpretation under the Seeger case, which I do feel provides the most responsible definition of a conscientious objector, and I am sure the armed services would, in addition, consider whether we could get to selective conscientious objectors. I have my own

reservations now about allowing selective conscientious objection, but I feel some worthwhile suggestions have been made. President Kingman Brewster at Yale, for example, offered a rather ingenious recommendation in terms of the selective conscientious objector, which I would lean toward at the present time, but which I think needs additional study.

But all in all, Mr. President, this is a commendable message by the President, and I would urge all my colleagues to read it, and hope that, with this kind of guidance, the Armed Services Committee in the Senate can move expeditiously to give to the President the power that he has requested.

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

Mr. KENNEDY. I yield.

Mr. SPARKMAN. I want to say that I am glad to hear the remarks the Senator has just made with reference to selective service. I gathered from some of the reports that I read and heard over the radio that it is possible that changes will take place that might lead within a few years to an all-volunteer army. At least, that has been recommended, as I understand.

Does the Senator have any comment on that?

Mr. KENNEDY. The President had indicated during the course of his campaign that he supported an all-volunteer army. The Gates Commission, which was established under the direction of the President, recommended that we approach an all-volunteer army.

I think that this message leaves open the question of whether we are going to be able to reach an all-volunteer army in the near future. When we take this message in terms of the current military needs—for example, as I understand, a force level now of approximately 3.2 million men—even under this approach, I think it would be extremely difficult to reach an all-volunteer army. But if we were to reduce the Armed Forces needs from 3.2 million to post-Vietnam, which has been estimated at 2.7 million, and which some others have suggested could be reduced even below 2.5 million, I think that under this force level we would probably come almost to the point of a volunteer army.

The Gates Commission believes that we would, and the President's proposed pay increases moves us close. But I think that under the present circumstances, with present demands in terms of Vietnam and immediate post-Vietnam, it will be difficult to reach it. But at least we are reducing the compulsion and increasing the voluntarism in an important way.

That is an important underlying and fundamental theme of this message for which I think the President deserves commendation.

Mr. SPARKMAN. The Gates Commission recommended we reach the point of an all-volunteer army by July 1, 1971. I understand that that goal is not viewed with any prospect of it happening, but that we are tending in that direction and might reach it over the years.

I think it is appropriate at this time to say this: I always have been impressed with the manner in which the Navy treated its personnel, all of whom have been, with few exceptions, volunteers. Certainly that is true in ordinary peacetime; it would not hold true, I suppose, in wartime. First of all, they allowed a Navy person to retire after 20 years of service. But while that man was in the Navy, he was taught a useful trade.

I was impressed with the fact that a young fellow, 17 years of age, would serve in the Navy and retire at 37. He would have a good trade and in addition would have his retirement, and he was in a very much better condition than a person who had gone into the Army.

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

Mr. KENNEDY. I ask unanimous consent that I may be permitted to continue for 3 additional minutes.

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

Mr. SPARKMAN. I recall that in 1942, when a bill relating to the services was pending in the House of Representatives, I offered an amendment which would allow a person in the Army to retire under the same conditions—that is, in 20 years. I believe that is still the law. It became uniform then in the services. But the Army never has been successful in giving the same type of training to its young men that the Navy has—certainly, not to the same extent. I am sure there are reasons for it. But I believe that a great deal could be accomplished in getting volunteers if we came to something such as that.

Mr. KENNEDY. The Senator from Alabama always has made extremely useful observations. I share the understanding of the present training programs by the U.S. Navy and the splendid work that has been done under them. Unfortunately, with the requirements of those who serve in the Army as private first class or in the infantry, it is much more difficult than it is in the Navy to give them that kind of training.

Mr. SPARKMAN. In this day of electronics, however, it is becoming more so.

Mr. KENNEDY. I think the comments of the Senator from Alabama are valid and useful. The Navy certainly has done outstanding work.

As the Senator from Alabama perhaps realizes, one of the real additional problems of our times is that in some instances the Navy spends tens of thousands of dollars to train some personnel and then they will leave the service and work in the civilian field. Perhaps in terms of the total economy this is an advantage, but in terms of service to the Navy, it places an additional burden on them.

I think the Senator is correct in his observation.

Mr. President, I ask unanimous consent that the Senator's time be extended by 3 minutes.

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

Mr. SPARKMAN. I noted with interest what the Senator said about the very difficult problems of conscientious objectors.

In 1940, when I was a member of the Military Affairs Committee in the House of Representatives, when we wrote the Draft Act, we provided for special treatment for men who were members of some organizations whose tenets taught against war. When the time came to renew that in 1941, I offered an amendment which I felt was good—I still feel it is good—which was adopted, to extend the right of conscientious objection to the conscience of the individual, regardless of his being a member of those organizations. Frankly, I do not know whether that is still part of the law, but I did feel it was good then. I offered the amendment, and it was written into the law in 1941.

Mr. KENNEDY. Although, obviously, I was not in the Senate at that time, I think that the sensitivity which was reflected by the Senator from Alabama then is most commendable. Put against the background of the war, it was an extremely courageous position for him to assume. I think all of us are aware of how difficult it is at any time to balance the sincerely held conscientious beliefs of young individuals who, from religious or deeply held moral beliefs, have reservations about service in the Armed Forces with what our responsibilities are in providing for an armed force in this country. This is an extremely difficult balance to strike, particularly through legislation.

I am sure the contributions made by the distinguished Senator from Alabama were extremely important in working this out.

Mr. SPARKMAN. An example would be a member of the Quaker Church. We know that the Quaker Church has tenets against war. But they have a much easier time establishing conscientious objection than would a member of my church, the Methodist Church, because our church does not have those tenets.

Mr. KENNEDY. I thank the Senator for his comments. I think they have been very useful.

Mr. President, I yield the floor.

MOTOR VEHICLE SAFETY—CONFERENCE REPORT

Mr. HARTKE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. ALLEN). The report will be read for the information of the Senate.

The bill clerk read the report.

(For conference report, see House proceedings of April 20, 1970, pages 12423–12424, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HARTKE. Mr. President, in order for my colleagues to be informed of the

action taken by the House and Senate conferees on this bill, I should like to present the following statement and ask unanimous consent to have it printed in the RECORD.

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

STATEMENT OF SENATOR HARTKE EXPLAINING CONFERENCE ACTION ON H.R. 10105

AUTHORIZATION

The Committee adopted the following dollar amounts as authorization for the Department's motor vehicle safety program:

1970, $23 million.
1971, $40 million.
1972, $40 million.

Because the Administration will begin planning for its 1972 budget next fall, the conferees thought it advantageous to include a fiscal year 1972 authorization amount in this bill. Since the Department did not request or provide justification of appropriations for fiscal year 1972, the Committee set the authorization amount at 40 million dollars for both 1971 and 1972. However, the identical amounts for these two years are not intended to be a prohibition on the necessary growth of the safety program but rather reflect the Committee's best estimate of need at this time. The Department is invited to inform the Commerce Committees if it finds that its needs for the motor vehicle safety program for fiscal year 1972 can be justified at an amount higher than $40 million.

The Committee deleted the provision in section 121(c) which would have made available in 1970 2.8 million dollars for employment of additional personnel in the National Highway Safety Bureau to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966. This deletion was made because fiscal year 1970 had nearly ended at the time of the Committee's action, and the fiscal year 1970 appropriations had already been enacted.

The Committee's action is not meant to suggest that the Committee is no longer concerned about the level of staffing in the National Highway Safety Bureau. To the contrary, the Committee believes that this is one of the Bureau's most critical needs as was shown during the authorization hearings in 1969.

The Committee is hopeful that recent actions by the Department of Transportation will be satisfactory to meet manpower needs. In the fiscal year 1970 appropriations, there was an increase of 56 staff positions provided for the National Highway Safety Bureau, reaching a total of 518 positions. With the reorganization of the Bureau into a major operating element in the Department of Transportation, a step which the Committee heartily approves, the staff positions previously allocated to the Federal Highway Administration to provide support services for the Bureau were transferred to the Bureau's staff, making a total for fiscal year 1970 of 589 staff positions. The Committee understands that for fiscal year 1971 the Department is requesting an additional 254 positions for the National Highway Safety Bureau, reaching a total of 843.

In view of these steps the Committee believes that it is not necessary, as it appeared at this time last year, to specifically allocate a portion of the authorization for appropriations solely for the purpose of hiring additional staff. However, the Committee intends to continue its oversight and review of Bureau operations to make certain that this trend is not reversed or slowed down.

DEFINITION OF MOTOR VEHICLE EQUIPMENT

The Senate-passed bill had expanded the definition of "motor vehicle equipment" to authorize the setting of standards not only for motor vehicles and motor vehicles equipment but for automotive safety accessories and equipment such as motorcycle goggles, tire repair equipment and tire inflation equipment. The House conferees agreed with the thrust of the Senate amendment but they expressed concern that the Senate definition might be interpreted to include items which had only tangential relationship to automotive safety such as shoes or gloves. To clarify the intention of the conferees not to include such tangential items, the Senate amendment was limited to accessories intended for use "exclusively" to safeguard motor vehicles, drivers, passengers and other highway users from risk of accident, injury or death.

PROSPECTIVE PURCHASERS—CONSUMER INFORMATION

The Committee amended the provisions of section 112(d) of the Act concerning consumer information to make it clear that manufacturers would be required to provide consumer information to prospective purchasers as well as to owners. Thus, the bill requires that the information be given to each prospective purchaser at each location where any such manufacturer of vehicles or items of equipment are offered for sale by a person with whom the manufacturer has a contractual, proprietary, or other legal relationship. The information must, as a minimum, include printed material which can be retained by the prospective purchaser or sent to him by mail at his request. For the purchaser, the printed material must be placed in the motor vehicle or attached to or accompany the item of equipment.

The Committee recognizes the great difficulty and complicated task facing the Department and the manufacturers in developing comparable technical safety information which is useful for consumers. Nevertheless, the Committee believes that these requirements are essentials of the Safety Act. The Committee was impressed with the first effort made by the Department to collect and organize the vast amount of consumer information submitted by the manufacturers in December 1969 and urges the Secretary to continue and perfect the document entitled "Performance Data for new Passenger Cars and Motorcycles". Because of the importance of disseminating this information for all makes and models of vehicles sold in the United States, the Committee urges the Secretary to disseminate this booklet as widely as possible and require manufacturers to make it available at each dealership.

It has come to the Committee's attention that despite the promulgation of the first consumer information regulations on January 1, 1970, the vast majority of motor vehicle dealers have not been volunteering the information to consumers. In other words, the dealers are not posting the information at the dealerships or in other ways attempting to inform the consumer about the availability of this information. The Department of Transportation made a survey of dealers to determine the extent to which they made the consumer information available during the first months of 1970. The survey showed that only 1.8% of the dealers had the information on display although 85% were able to produce the information when specifically requested to do so by the survey team.

The Committee expects that the Department will, under the new language of this bill, issue regulations which specifically show the steps the manufacturers, distributors and dealers are expected to take in assuring that consumers are fully informed and have access to the consumer information provided in accordance with section 112(d) of the Act.

DEFECT NOTIFICATION AND RECALL

The Committee considered the addition to the bill of the Senate language which would have specifically required motor vehicle and tire manufacturers to remedy without charge the vehicle or equipment determined to be defective or not in compliance with Federal vehicle safety standards. However, the Committee did not believe it necessary at this time to adopt the Senate language. It is the Committee's understanding that it has to date been the general practice for the industry to remedy without charge any vehicle or equipment about which safety defect notification (concerning a defect or violation of standard) has been sent to owners. The Committee agrees that it is implicit in present law, in the requirements for notification of owners, that the manufacturer must remedy the defect or violation without charge.

Thus, the Committee emphasizes that this action is in no way intended to suggest that the Committee does not expect all manufacturers to remedy defective and non-complying vehicles and equipment without charge. It is obvious that unless the manufacturers accept this responsibility, there is little likelihood that owners will bring their vehicles to dealers for correction. It would be an intolerable situation if the manufacturers, after notifying owners that the product they manufactured was defective or in violation of a safety standard and in need of correction, would not also effect the correction without charge.

The Committee is not interested in needlessly adding legislative language to the National Traffic and Motor Vehicle Safety Act. However, the Committee fully intends to carefully watch the performance of all manufacturers and the extent to which they cooperate with the Department of Transportation in carrying out the intent of the Act. If it should come to the attention of the Committee that the manufacturers are not recalling any vehicle or equipment which is defective or in violation of the Federal standards and remedying these without charge, we will not hesitate immediately to initiate legislation which would require manufacturers to recall and remedy such vehicles and equipment, to be penalized by the Government for failure to do so immediately, and to require payment of punitive damages to owners whose vehicles contain safety defects or fail to comply with safety standards.

The Committee believes that the National Traffic and Motor Vehicle Safety Act is of vital importance to the Nation, and expects that its benefits will be even more evident in reducing the death and injury rate within the next several years. Assurance that defective or unsafe vehicles are not travelling on the highways is a critical part of the Act, and the Committee expects that the Department of Transportation and the automotive industry will work jointly to assure that the millions of vehicles on the highways are in the safest possible condition at all times.

TIRE DEFECT NOTIFICATION

The bill requires tire manufacturers, as vehicle manufacturers are already obligated under present law, to provide defect notification of defective or noncomplying tires. As Senate Report 91-559 makes clear, the motor vehicle manufacturers will continue to be responsible for safety defect notifications to owners of original equipment tires sold with new motor vehicles, while the tire manufacturers under this bill will be responsible for notification to owners of aftermarket tires

The bill also requries the motor vehicle and tire manufacturers to maintain records of the names and addresses of first purchasers so that the company is able to provide notification as the present law requires by certified mail. Language adopted by the conferees authorizes the Secretary to establish procedures under which distributors and dealers must assist manufacturers in securing the names and addresses of first purchasers on the condition that such procedures do not affect the basic obligation

of the manufacturer to keep records. The purpose of this provision is to assure that dealers and distributors, whose efforts are important and necessary in securing the names and addresses of first purchasers, will cooperate fully with the manufacturers. However, the Committee also expects the Department in its regulations to take care not to compromise the competitive position of these small businessmen in their dealings with the manufacturers, and expects that the Department will penalize manufacturers if the lists of purchasers are in any way used for commercial purposes by the manufacturers to the detriment of independent distributors or dealers.

FACILITIES

The Committee gave thorough consideration to the need for research and development facilities as well as Bureau compliance testing facilities. The Committee believes that the provisions in the bill as reported by the conferees will provide the Department with the maximum flexibility in rapidly designing and constructing the needed facilities. Thus, the bill, as reported, provides an unlimited authorization for the Secretary of Transportation to plan, design and construct facilities suitable to conduct research, development and compliance and other testing in traffic safety.

The burden now rests with the Secretary of Transportation to provide the Senate and House Committees and the Senate and House Public Works Committees with an appropriate prospectus of his plans for requesting appropriations for design and construction of these facilities. The Conference Committee is cognizant of the great need for testing facilities both for the purpose of developing standards and other research information as well as for assuring compliance with these standards. The conferees pledged that they will provide every assistance to the Secretary in securing passage of the resolutions called for in H.R. 12105 to expedite appropriations by the Congress. The conferees are anxious to assist the Secretary in dramatically reducing the enormous death and injury toll and stand ready to act on his own requests as soon as they are forwarded to the Congress.

Mr. PROUTY. Mr. President, as one of the conferees on the amendments to the National Traffic and Motor Vehicle Safety Act of 1966, I am pleased that we were able to reach substantial agreement with the managers for the other body.

Mr. President, I believe that these amendments represent another step forward to solving one of our Nation's most serious problems. Yesterday as we all celebrated Earth Day, the value of human life and the concern that we all have for living was utmost in all our minds. Deaths from motor vehicle accidents, Mr. President, day in and day out snuff out lives for thousands of Americans. We all know the statistics which remind us that last year alone over 56,000 lives were lost because of motor vehicle accidents.

We all know that there are over 70,000 accidents a day.

We all know that the economic cost to the Nation is over $16 billion a year.

Nevertheless, Mr. President, we sometimes become callous to these statistics and relax in our efforts to insure traffic safety.

There are three basic elements in any traffic accident: people, vehicles, and the highway. Over the past decade we have made great strides in improving the safety of our Nation's highways. The Interstate Highway System has certainly averted many accidents.

Beginning in 1966, we in Congress enacted legislation designed to make the vehicles we use safer. I, for one, am convinced that we have made considerable progress in that area. The 1970 motor vehicle is in fact a safer vehicle than its counterpart of 10 years ago. I am also convinced that the amendments to the Motor Vehicle and Highways Safety Act of 1966, which were agreed to by the House and Senate conferees, represent another step toward our developing the safest possible motor vehicle. For example, Mr. President, we have provided for the establishment of research and test facilities by the Federal Government which would be used to insure that the manufacturer of motor vehicles and tires complies with standards set by the Federal Government. Those facilities would also be used to conduct tests for devising ways and means for improving the structure, the design, and the material used in motor vehicles so that they would be able to save additional lives.

Also, Mr. President, these amendments expand the definition of motor vehicle equipment so as to include such safety related items as motorcycle helmets. State after State has continued to pass legislation to require motor cyclists to use safety helmets. Unfortunately, some of the helmets made for such use are not designed or manufactured in such a way so as to insure the maximum possible protection. Our amendments would enable the Secretary of Transportation to set standards in this very important area so that fewer deaths would occur. In addition, Mr. President, the act is expanded so that the Secretary of Transportation can look at another group of vehicles which often contribute to death and accidents. The Secretary is directed to study ways and means of improving the safety of the farm tractor. When his report is completed, I am certain that Congress may wish to further amend this act.

Mr. President, since 1966 real progress has been made. The Department of Transportation has issued 29 motor vehicle safety standards alone since 1967 and have proposed an additional 95. Some of the results obtained by those standards are clearly indicated by the hard data gathered in the last 3 years.

For example, fatality statistics for the 1966 to 1969 interval show a definite improvement in safety. Although the absolute number of deaths per year continued upward, the increase slowed from a 6.8 percent per year to only 2.1 percent per year.

In addition, hard data gathered in the 3 years since the safety legislation was enacted show conclusively that crash survivability is a successful concept for highway safety. The data were gathered from various crash experience and actual accident records:

No fatal injuries at crash speeds up to 60 miles per hour when occupants wore lap and shoulder safety belts.

Motorcycle fatalities down 30 percent due to protective crash helmets.

The rate of fatal head injuries due to contact with new high penetration resistant windshields is 32 percent less than the rate in crashes involving pre-1966 cars.

No fatal or dangerous injuries to drivers in crash impacts at 50 miles per hour with new energy-absorbing steering columns.

This downward trend should continue to improve based on the very positive steps taken by the Department of Transportation during the past year. For example, in 1969 alone the following steps were taken:

First fines levied at vehicle manufacturers for not complying with vehicle safety standards.

State programs approved by the Secretary, thus providing a blueprint for progress by the 50 States, the District of Columbia, and Puerto Rico in implementing the highway safety program standards.

Shift from piecemeal project-by-project approval of Federal grant-in-aid assistance to States to an annual work-plan concept whereby an entire year's State safety program will be funded when approved.

Issue of first consumer information regulations requiring automobile and motorcycle manufacturers to provide prospective purchasers information on such important safety features as stopping distance, acceleration, and tire reserve load.

Initiation of rulemaking procedures to require all cars be equipped with passive occupant restraint system, such as the air bag, in order to increase crash survivability.

Issue of detailed manuals to help States and communities implement the 16 Federal standards established under the Highway Safety Act.

Some 1,200 new findings on the real causative factors behind crashes submitted by 15 medical engineering accident investigation teams.

Moreover, Mr. President, the Secretary of Transportation moved the National Highway Safety Bureau to the same level as other modal administrations reporting directly to him. This action gave a greater voice to the entire area of highway safety.

Mr. President, the only disappointment I have in the agreement reached by the conferees is that the funds necessary for research and compliance testing facilities must be given approval by two committees in the House and two committees in the Senate. The managers for the other body would not recede on this item, and while I, for one, feel that it is an unnecessary incumbrance on getting the job done, I am convinced that all of the committees involved will expedite any request by the Secretary.

Now, Mr. President, while I feel that these amendments represent another step toward obtaining the safest possible motor vehicle, I want to point out that we still have a long way to go. The motor vehicle can be made to be safer, and those of us in Congress are dedicated to achieving that goal.

Mr. President, I want to close by mentioning the final element in any automobile accident. That element is the driver. We must at all levels of govern-

ment take a hard look at ways and means for improving driver performance because all of us agree that driver error constitutes the greatest single cause of automobile accidents. Somehow all of us must keep in mind that automobile accidents represent the leading killer for those in the 5 to 35 age group. For all Americans motor vehicle accidents constitute the fourth greatest cause of death. As we put renewed emphasis on a clean environment and the need for preserving human life, we must continue to give a high priority to reducing deaths on the highway.

Mr. HARTKE. Mr. President, I move that the Senate further insist on its amendment.

The motion was agreed to.

EARTH DAY

Mr. RANDOLPH. Mr. President, in West Virginia there are two universities and 19 colleges. Yesterday, and the days preceding what we know as "Earth Day," there were 19 institutions in West Virginia which, through student leadership, conducted programs on the challenge to the environment as well as the threat of degradation and the desecration and the deterioration of the earth in which we live.

It was my privilege to address several of these groups at West Virginia colleges. And I noted particularly the student leadership with respect to the concern and the desire not to march in the street, or wave the flag, but to counsel with others on these pressing problems that have to do with the enhancement of the values of the American way of life.

I sense that in this crusade, the zeroing in on environmental matters, there was cooperation between the citizens within the community and the students on the campus of those communities.

In my home town of Elkins, W. Va., at Davis-Elkins College, the program was one of student leadership, but with citizen participation. The people from downtown came up the hill to work on this matter with the concerned students, as I have said, on these programs to alleviate the conditions which frankly are not only burdensome but also which must not be tolerated in the United States of America.

We certainly need not only a recycling of the waste material so that it may be used again, but we also need a recycling of the human spirit in regard to these matters.

It is encouraging that it is possible for me to report from my State on the active participation of students. As I indicated, students from 19 of the 21 colleges and universities participated. I assume that the students from the other two colleges will come forward with programs within the next few days to give us unanimity of action. It is my hope that the action which has been taken has not been overcharged with emotion but will continue to be carried forward in constructive and meaningful programs.

Our concern with problems of the environment should continue and the decade of the 1970's should be the "Age of Ecology."

TRIBUTE TO SENATOR FULBRIGHT, CHAIRMAN OF THE FOREIGN RELATIONS COMMITTEE

Mr. SPARKMAN. Mr. President, I had really intended to make my remarks on this matter tomorrow. However, the Senate will not be in session tomorrow. So, I will make my remarks a little ahead of time.

On tomorrow the distinguished Senator from Arkansas, the chairman of the Foreign Relations Committee, will become the holder of the record with respect to the tenure of that office. He will have been in the office of chairman of the Committee on Foreign Relations for longer than any other man in history. And there have been some who have held that office for a rather long time.

Senator Sumner, of Massachusetts, was chairman of the committee for 10 years, from March 4, 1861, to March 4, 1871.

Senator Shelby M. Cullom, of Illinois, was chairman of the committee for more than 11 years, having served from December 18, 1901, until March 4, 1913.

Senator FULBRIGHT has already exceeded the record of service of Senator Sumner. And in length of service and tenure, Senator FULBRIGHT will have tomorrow exceeded the service of Senator Cullom.

There have been, as I say, some who have had rather extensive tenure of office—Senator Connally, of Texas, Senator Pittman, of Nevada, Senator Borah, of Idaho, Henry Cabot Lodge, of Massachusetts, James Mason, of Virginia.

There have been some two dozen or more committee chairmen over the years.

BILL FULBRIGHT was named chairman of the Foreign Relations Committee on February 6, 1959. And he has served continuously as its chairman since that time. So, as of tomorrow, he will have held the post of chairman of the Foreign Relations Committee for longer than any other man in the history of the Foreign Relations Committee.

Mr. President, BILL FULBRIGHT first served in the House of Representatives. There he was the author of the Fulbright resolution. In a short time he came to the Senate and, more or less naturally, became a member of the Foreign Relations Committee because of the great interest he had shown in international affairs.

He also served on the Banking and Currency Committee. When I came to the Senate and was first assigned to the committees in January 1947, I was assigned to the Banking and Currency Committee. And I had the pleasure of sitting just below him for 12 years. In the meantime, I, too, had become a member of the Foreign Relations Committee. But he was a good bit ahead of me.

As time went on and seniority played its part, I reached the point of sitting next to him. So I have often said that I sat next to BILL FULBRIGHT for the nearly 24 years that I have been a Member of the Senate.

On the Banking and Currency Committee and on the Foreign Relations Committee, I thought at times that it was pretty much like the old saying, "So often a bridesmaid, but never a bride." But I did eventually become chairman of the Banking and Currency Committee some time after Senator FULBRIGHT had left that committee.

I pay tribute to BILL FULBRIGHT not only for the length of service he has had, but also for the tremendous service he has rendered his country.

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

Mr. SPARKMAN. I yield.

Mr. MANSFIELD. Mr. President, I join the distinguished Senator from Alabama in paying tribute and I express my own high personal esteem for the distinguished Senator from Arkansas, the chairman of the Foreign Relations Committee. As has been pointed out, he has been the chairman of that committee for the longest time ever.

BILL FULBRIGHT and I came to Congress and sat together in the House of Representatives almost 28 years ago. In fact, the first man I met on the floor was BILL FULBRIGHT, who had resigned from the presidency of the University of Arkansas to run for the House.

I had just retired temporarily from the faculty of the University of Montana—temporarily I say because I did not return for the next 28 years. It is understood that that is considered only temporary.

However, I got to know BILL FULBRIGHT. As I said, he was the first man I met when I went into the House Chamber. I sat next to him on the Foreign Affairs Committee in the House. He was my senior then. And today I sit under him in the Committee on Foreign Relations of the Senate.

I have a pretty good idea of what could be called the ups and downs of BILL FULBRIGHT, of what he has gone through, of his remarkable stamina and resiliency. He has always been honest and frank—for some people, perhaps, too honest and too frank; without enough doubletalk, or enough weaseling, or enough edging away.

I have watched BILL FULBRIGHT carefully. I have watched him in his service to his own State, his service on the committee, and on the floor of the Chamber.

In all of the time that has passed since we first met so many years ago, I have yet to see the day when BILL has had to take second place to anyone. I consider it a high privilege to have been associated with him and to be associated with him today, to call him friend, and to be the recipient of his advice and counsel down through the years. It has been a deep honor.

Mr. SPARKMAN. Mr. President, I thank the Senator from Montana for his remarks.

I call attention to the fact that in the committee I sit between BILL FULBRIGHT and MIKE MANSFIELD, but it has not always been that way. I used to sit between BILL FULBRIGHT and Wayne Morse, and sometimes I had a little rough going sitting there.

But I do want to say that BILL FULBRIGHT has always handled that committee with the greatest of courtesy, fairness, and consideration for everyone, with a respect for the views of everyone, whether he agreed with them or not.

By the way, there is another honor BILL FULBRIGHT holds, which the Senator from Montana may not have thought of. RUSSELL LONG once introduced me as the most senior junior Senator in Congress. I said to him I appreciated that introduction but I did not deserve it. I do not hold that honor. The most senior junior Senator in the Senate is BILL FULBRIGHT and he is still the junior Senator.

I appreciate the opportunity to have served with him, under him, and to have worked with him.

Several Senators addressed the Chair.

Mr. SPARKMAN. Mr. President, I yield to the Senator from Rhode Island.

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

Mr. CASE. Mr. President, I ask unanimous consent that the Senator may have sufficient time to complete these remarks, so far as they may be completed in a single day.

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

Mr. PELL. Mr. President, I thank the Senator for yielding to me at this time particularly. As successor to Theodore Francis Green, the chairman emeritus in the Committee on Foreign Relations, and one who held his own outstanding record for longevity, I take particular delight in paying tribute to my chairman, Senator FULBRIGHT. Long before I was a Member of this body I had admired him and my admiration has grown on coming here.

It is often said no man is a hero to his valet. There are very few valets in the world today, but as a junior member of a committee one sometimes approaches that role. In this regard, our chairman is very much a hero in my eyes, and in the very real sense of the word when "hero" combines the quality of courage with integrity.

From a professional point of view, as I believe the only former American Foreign Service officer ever to have served in the Senate, I would doff my hat to the chairman for his in-depth of knowledge of the history and background of foreign affairs, for his diplomacy, and for his awareness of the problems that our diplomatists face abroad.

I am happy, indeed, that this well justified tribute is being made to Senator FULBRIGHT at this time.

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

Mr. SPARKMAN. I yield to the Senator from New Jersey.

Mr. CASE. Mr. President, I do not know who started this exercise, but it may have been the committee staff. We are grateful to whoever started it.

Mr. SPARKMAN. Mr. President, will the Senator yield at that point?

Mr. CASE. I yield.

Mr. SPARKMAN. Several months ago in a meeting of the Committee on Foreign Relations, during an open hearing, it was casually brought up that on April 24 the Senator from Arkansas would reach that point. We had quite a discussion of it there in committee. Incidentally, it was brought about because of the name of the man we were approving as Ambassador was a kinsman of Shelby Cullom. I said at that time that when April 24 rolled around, I wanted to be sure to call this matter to the attention of the Senate.

Mr. CASE. I thank the Senator, and I thank him for taking the lead in this matter, because we can now say what we otherwise seldom have a chance to say about a man who has added so much to the richness of life in the Senate and in our committee. He makes service for all of us on the committee a delight. It is so nice to be able to say something and to be understood by a man whose intellect is just as good as your own, if not twice as good as your own, without having to explain something 10 times. Just because he has contributed so much to our esthetic pleasure, I want to pay this tribute.

All kinds of qualities go with him. He has a touch of impatience once in a while, which he keeps within tolerable bounds, not strict bounds, that adds spice to his leadership. He is impatient with the excesses of verbosity to which we are all inclined.

Seriously, and all I have said is serious, his leadership of this committee is a little offbeat and provides that kind of stimulation to the thinking of this body on questions that certainly equal, and perhaps exceed, all others in importance at this time.

Any contribution any of us have made will likely prove twice as important and twice as significant because he has helped us, because he has led us, has prodded us, and has encouraged us.

I want to thank him, Mr. President, through you, for what he has meant to me personally as well as all those who serve under him.

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

Mr. SPARKMAN. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I am the newest member of the Committee on Foreign Relations. When I first became a member of the committee, which I had tried to join for a long time, the Senator from Arkansas, as chairman, perhaps may have greeted that event with mixed emotions not knowing how I would perform. I did not know him any too well at that time. I consider it one of the real highlights of my career in this body that I did finally "make," as the saying goes, the Committee on Foreign Relations, and that I had to work with BILL FULBRIGHT. I count him as a friend. I speak with absolute assurance when I say that he counts me as a friend. In our case that is extremely important.

He is a man of very, very deep insight. As the Senator from New Jersey properly said, he has an unusually fine intellect, and—notwithstanding the touch of impatience—he does want to hear the facts. He masters his own impatience and that is the true measure of a man. He has also the great ability, which I admire so much, to be able to say, I am persuaded. To me those are among the significant words in our language.

Finally, there is his truly historic service. I think this is very important to emphasize for us on the Committee on Foreign Relations.

Some people in this country call BILL FULBRIGHT irresponsible and the reason is that he does not hesitate to take an extremely independent position which walks off the beaten path. If ever there was a time in the history of our country and in the history of the world when this absolutely irreconcilable spirit of questioning was in need, it is now. It is precisely because he will not accept the yoke of conformity that he is such a magnificent chairman of the committee.

I hope very much that these short remarks are listened to. The Senator from Arkansas has been the chairman of this great committee longer than anyone else in the history of the committee. We who serve on the Committee on Foreign Relations have a great diversity of views and we respect him not only as a chairman, but as a person and as a friend. The path on which he beckons this country will lead to the promise of constructive achievement in terms of justice and well-being in the world, with a far less doctrinaire approach to problems than shown so far, with deep understanding and friendship for all people in the feeling we are going to have to live with them, and we cannot live with them if we are afraid to try new ways.

So, Mr. President, I join with my colleagues in honoring BILL FULBRIGHT. I hope very much that he may exceed the longevity of Senator Green of Rhode Island and that we may have the benefit of his integrity, friendship, and leadership for decades to come.

Mr. President, I suggest—and I do this symbolically; perhaps the Senator from Alabama (Mr. SPARKMAN) can introduce it into the RECORD—that there be placed in the RECORD a list of the chairmen of the Committee on Foreign Relations, with the term of office, which is official evidence of the fact that the Senator from Arkansas is the chairman who has served the longest.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD a list of all the chairmen who have served in that capacity in the Committee on Foreign Relations, as was suggested by the Senator from New York (Mr. JAVITS).

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

CHAIRMEN OF THE COMMITTEE ON FOREIGN RELATIONS

[Senator, Congress, and date]

James Barbour, Virginia: 14th, 1816–1817.

James Barbour, Virginia; Nathaniel Macon, North Carolina (2d session): 15th, 1817–1819.

James Brown, Louisiana; James Barbour, Virginia (2d session): 16th, 1819–1821.

Rufus King, New York; James Barbour, Virginia (2d session): 17th, 1821–1823.

James Barbour, Virginia: 18th, 1823–1825.

Nathaniel Macon, North Carolina; Nathan Sanford, New York (2d session): 19th, 1825–1827.

Nathaniel Macon, North Carolina; Littleton W. Tazewell, Virginia (2d session): 20th, 1827–1829.

Littleton W. Tazewell, Virginia: 21st, 1829–1831.

Littleton W. Tazewell, Virginia; John Forsyth, Georgia (2d session): 22d, 1831–1833.

William Wilkins, Pennsylvania; Henry Clay, Kentucky (2d session): 23d, 1833–1835.

Henry Clay, Kentucky; James Buchanan, Pennsylvania (2d session): 24th, 1835–1837.

James Buchanan, Pennsylvania: 25th, 1837–1839.
James Buchanan, Pennsylvania: 26th, 1839–1841.
William C. Rives, Virginia; William S. Archer, Virginia (3d session): 27th, 1841–1843.
William S. Archer, Virginia: 28th, 1843–1845.
William Allen, Ohio; Ambrose H. Sevier, Arkansas (2d session): 29th, 1845–1847.
Ambrose H. Sevier, Arkansas; Edward A. Hannegan, Indiana (2d session and part of 1st beginning Mar. 14, 1848): 30th, 1847–1849.
Thomas H. Benton, Missouri (special session); William R. King, Alabama (1st session); Henry S. Foote, Mississippi (2d session); 31st, 1849–1851.
Henry S. Foote, Mississippi (special session); 32d, 1851–1853.
Henry S. Foote, Mississippi (special session); James M. Mason, Virginia; 32d, 1851–1853.
James M. Mason, Virginia; 33d, 1853–1855.
James M. Mason, Virginia; 34th, 1855–1857.
James M. Mason, Virginia; 35th, 1857–1859.
James M. Mason, Virginia; 36th, 1859–1861.
Charles Sumner, Massachusetts; 37th, 1861–1863.
Charles Sumner, Massachusetts; 38th, 1863–1865.
Charles Sumner, Massachusetts; 39th, 1865–1867.
Charles Sumner, Massachusetts; 40th, 1867–1869.
Charles Sumner, Massachusetts; 41st, 1869–1871.
Simon Cameron, Pennsylvania; 42d, 1871–1873.
Simon Cameron, Pennsylvania; 43d, 1873–1875.
Simon Cameron, Pennsylvania; 44th, 1875–1877.
Simon Cameron, Pennsylvania (special session); Hannibal Hamlin, Maine; 45th, 1877–1879.
William W. Eaton, Connecticut; 46th, 1879–1881.
Ambrose E. Burnside, Rhode Island (1st special session); George F. Edmunds, Vermont (2d special session); William Windon, Minnesota: 47th,1871–1883.
John F. Miller, California: 48th, 1883–1885.
John F. Miller, California: 49th, 1885–1887.
John Sherman, Ohio: 50th, 1887–1889.
John Sherman, Ohio: 51st, 1889–1891.
John Sherman, Ohio: 52d, 1891–1893.
John T. Morgan, Alabama: 53d, 1893–1895.
John Sherman, Ohio: 54th, 1895–1897.
William P. Frye, Maine (acting, special session); Cushman K. Davis, Minnesota: 55th, 1897–1899.
Cushman K. Davis, Minnesota: 56th, 1899–1901.
William P. Frye, Maine (acting, special session); Shelby M. Cullom, Illinois: 57th, 1901–1903.
Shelby M. Cullom, Illinois: 58th, 1903–1905.
Shelby M. Cullom, Illinois: 59th, 1905–1907.
Shelby M. Cullom, Illinois: 60th, 1907–1909.
Shelby M. Cullom, Illinois: 61st, 1909–1911.
Shelby M. Cullom, Illinois: 63d, 1911–1913.
Augustus O. Bacon, Georgia: 63d, 1913–1915.
William J. Stone, Missouri: 64th, 1915–1917.
William J. Stone, Missouri: 65th, 1917–1919.
Henry Cabot Lodge, Massachusetts: 66th, 1919–1921.
Henry Cabot Lodge, Massachusetts: 67th, 1921–1923.
Henry Cabot Lodge, Massachusetts (died Nov. 9, 1924): 68th, 1923–1925.
William E. Borah, Idaho: 69th, 1925–1927.
William E. Borah, Idaho: 70th, 1927–1929.
William E. Borah, Idaho: 71st, 1929–1931.
William E. Borah, Idaho: 72d, 1931–1933.
Key Pittman, Nevada: 73d, 1933–1934.
Key Pittman, Nevada: 74th, 1935–1936.
Key Pittman, Nevada: 75th, 1937–1938.
Key Pittman, Nevada: 76th, 1939–1941.
Walter F. George, Georgia (excused from chairmanship June 31, 1941); Tom Connally, Texas: 77th, 1941–1943.
Tom Connally, Texas: 78th, 1943–1945.
Tom Connally, Texas: 79th, 1945–1947.
Arthur H. Vandenberg, Michigan: 80th, 1947–1949.
Tom Connally, Texas: 81st, 1949–1951.
Tom Connally, Texas: 82d, 1951–1953.
Alexander Wiley, Wisconsin: 83d, 1953–1955.
Walter F. George (Georgia: 84th, 1955–1957.
Theodore Francis Green, Rhode Island: 85th, 1957–1959.
Theodore Francis Green, Rhode Island (resigned chairmanship Feb. 6, 1959); J. W. Fulbright, Arkansas: 86th, 1959–1961.
J. W. Fulbright, Arkansas: 87th, 1961–1963.
J. W. Fulbright, Arkansas: 88th, 1963–1965.
J. W. Fulbright, Arkansas: 89th, 1965–1967.
J. W. Fulbright, Arkansas: 90th, 1967– .

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

Mr. SPARKMAN. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I would join my colleagues in commending without reservation one of the most courageous Members it has ever been my privilege to work with.

Many years ago the distinguished Chairman of the Foreign Relations Committee said it was time for us to start thinking about the unthinkable, and based on the record, that may have been the most important statement of our time.

From the standpoint of my personally working with him over the years on this committee, I have come to learn that he has one of the finer intellects it has been my privilege to know. People say, "You have changed some of your thinking. All should have the right to change, but I have broadened.

Other things are now equally important to what I thought in the past was perhaps most important. To the able and courageous Senator from Arkansas, it is with great respect that I owe much of that thinking, that broadening, to the way he runs the committee, and to him.

The distinguished Senator from Arkansas, more than any other American, has asked quietly, and despite bitter criticism, What is the price, and is it all worth the cost, these foreign adventures which are bleeding the American economy to death and, what is far more important, exacting as price the lives of many young Americans.

If it is right, then so be it. We who have the decision to make in our hearts and minds are grateful that we have a colleague who constantly urges us to weigh the high cost as against what can be achieved. I salute him for that.

Finally, Mr. President, it was many years ago that I became disturbed about how much of the foreign policy of the United States was conducted in secrecy. As a former member of the executive branch, and a former member of the National Security Council, I knew something about this. But it was not when I came to the Senate, rather when I went on the Foreign Relations Committee, that I began to really understand how the foreign policy of the United States was conducted; again, thanks to the work of this committee and its chairman.

Mr. President, we all know that in recent months we have been deescalating a war in public, but escalating a war in secret.

In due time this great country will recognize the contribution being made by this independent and thoughtful gentleman who is doing his best to see the people get the facts, important facts that have to do with the survival and prosperity of the Nation. I am honored to be on his committee. It is thought provoking, stimulating, and challenging. There is no committee in the Congress contributing more to the welfare of the country.

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

Mr. SPARKMAN. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, it has been a great honor to know Senator FULBRIGHT, as a colleague in the Senate for 17 years. And, it has been a special privilege and an opportunity to serve under his leadership for over 3 years on the Foreign Relations Committee.

I think on this day of his diverse qualities, but it seems to me very appropriate that the Senator from Arkansas has diverse qualities. We can recall that he was a great halfback on the Arkansas football team. We know him as a scholar and as an intellectual. He can be very graceful in his speech and writings, but those of us who have served with him on the Foreign Relations Committee know that, if it is necessary, he has all the skill of a county attorney in the Ozarks of Arkansas.

I read about him before I came to the Senate, when, as a Member of the House of Representatives, he introduced the Fulbright resolution which laid down the broad framework of foreign policy for this country in the aftermath of World War II.

Then in the Senate, he was the one who initiated the program of exchange for students and scholars known as the Fulbright program, which has made such a positive contribution to international understanding and good will. He has proposed for many years that the foreign aid program should be administered through a multilateral organization. Two years ago, he was the one who proposed the national commitments resolution to strengthen constitutional processes used in the formulation of foreign policy.

I believe that his present service in the Senate may be his greatest in a distinguished career. He has insisted that the Congress, and particularly the Senate, exercise its responsibility—its joint responsibilty—in the field of foreign policy with the President of the United States. And most important of all, at this time, he has insisted that before our country shall be taken into war or take new directions that involve our security or foreign policy, the Congress of the United States shall join with the Executive in the making of such decisions.

So today I am glad that I can speak about his accomplishments, and glad that I have had the opportunity to serve with him. I pay my tribute to him and also to Mrs. Fulbright.

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

Mr. SPARKMAN. I am happy to yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I had occasion not long ago to read a fairly recent biography of the distinguished Senator from Arkansas, and in connection with it, read, as a portion of that book, some of the highlights, selected speeches of the Senator, including not only his more recent speeches, with which many of us are more familiar, but earlier speeches, including his speech on the occasion of the Senate's rejection of the Bricker amendment.

I think that particular speech is as fine an exposition of the relative powers and responsibilities of the Senate and the President in regard to the making of treaties and the conduct of foreign affairs as has been written since the Federalist Papers themselves. I was very much impressed again, Mr. President, in reading through that and all the other speeches there collected with the great intellect, clarity of thinking, and the wonderful command of the English language shown in the excellent writings of the distinguished Senator from Arkansas.

I shall not detain the Senate longer, except to say that I warmly endorse the other words which have been said by Senators on this occasion.

Mr. SPARKMAN. I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, I add my voice to those who have spoken in congratulation to the Senator from Arkansas on his many years of tireless and diligent work on the Foreign Relations Committee.

As one who arrived in the Chamber during the course of another speech, I have not heard all that has been said. Particularly, I did not hear it stated precisely how long the Senator has served on the committee, but I think I can recall, because I believe on my first day in the Senate the Senator from Arkansas was assigned to the Committee on Foreign Relations, and that was about 21 years ago.

I once had the privilege of serving on the committee with the Senator, and later under his leadership; and I must say that it is a very thankless and frustrating job. One can vote to do what he can to help others with their problems, but it is not within the power of this committee or of this country to make people use wisely the things that we are able to provide to them or do for them. When one has to study not merely the problems of one country, but the problems of 100 countries, and try to act wisely with respect to our relationships to those countries, it really consumes one's full time—more than one's full time, to be entirely fair about the matter—and it is not the kind of work that tends to get one reelected in his home State. It is something that he must do in addition to staying in touch with his constituents.

I can recall times when I gave my chairman considerable headaches, and times when he gave me some; but I am positive that he was in complete good faith and sincerity in pursuing his duty as he saw it, just as he is today, and that there is no one in the Senate more conscientious and more dedicated to the cause of world peace, nor is there any man in the Senate more completely independent, both of his colleagues and of the executive branch of the Government, than the Senator from Arkansas.

He has given the very best that he had to offer his country over a great number of years, and I join my colleagues in saluting him for the great contribution that he has made, as well as for the endless and painful efforts that he has devoted, year after year, through long hours day after day, to trying to help advise this Nation upon the wisest course, and trying to see that decisions which he regarded as being in error were corrected.

So I salute the distinguished chairman of the Committee on Foreign Relations, a Senator whom I am proud to call a member of the Finance Committee as well.

Mr. SPARKMAN. Mr. President, I yield to the Senator from Wyoming.

Mr. McGEE. Mr. President, I join those who have been saluting the chairman of the Committee on Foreign Relations today.

I do not know of a more exciting term of years with such responsibilities as the years which Senator FULBRIGHT's command of the committee has covered. The speed of change, the closeness of the issues on decisions that defy simple right and wrong answers or good and bad solutions, and the emotions of the times, have all combined to make a chairmanship on that committee in these days as trying as I could imagine any chairmanship in this body could ever be. As a member of his committee—to be sure, the lowest in the pecking order, but still a serving member of the committee—I personally salute my chairman for his patience, his understanding, his energy, and most of all his imaginativeness, at a time when we are desperately searching, not for his answer or my answer alone, but for the wisest answers that we can come up with. I would not want this occasion to go by without this personal salute from me.

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

Mr. SPARKMAN. I yield to the distinguished Senator from Illinois.

Mr. PERCY. I am very grateful to the distinguished and beloved chairman of the Committee on Banking and Currency for this colloquy. I would feel very remiss if I did not comment, and I have patiently waited for the colloquy to get down to my level of seniority, because of the high seniority of those who have preceded me.

Most of the speakers today have been members of the Committee on Foreign Relations. I think we ought to have someone speak who aspires some day to be on that committee, and I hope the number of years in the future that will require will not be so great that I shall not have the opportunity to serve under the chairmanship of the distinguished Senator from Arkansas.

I speak as a near neighbor in the New Senate Office Building, where I have been the recipient, as has my staff, since we moved into that office, of the Senator's southern hospitality. We have shared not only the refreshments offered as a welcome when we moved in, but also the only color television set I know of on that floor. When matters of earth-shaking importance would occur, we have congregated around Senator FULBRIGHT's television set.

Just four things occur to me that I think are particularly representative of the Senator from Arkansas.

First, I think the distinguished Senator offers tremendous hope to youth all over the country. He may be senior in the Senate, and he may be very senior in service, now, as chairman of this distinguished committee, but he has touched young people. He has made them feel that the Government is really responsible, and that senior Members of the Senate can express and articulate many of the deep-seated feelings that they have; and that is not just the young people of his State, but young people all over the country.

When I had the honor of addressing the students at the University of Arkansas, I mentioned a number of things that brought forth favorable responses, and some that brought forth unfavorable responses, that were hard for them to hear. But when I mentioned the name of their distinguished Senator, the chairman of the Committee on Foreign Relations (Mr. FULBRIGHT), we received a standing ovation, as an indication of the affection and high regard in which he is held by the young people of his State.

Second, he has demonstrated and proved that government can be made responsive to the strong feelings of people.

Third, he has demonstrated the independence of the Senate. He has demonstrated that we have a form of government which has three separate and distinct branches, and whether it is pressure from the executive branch under the control of his own party's leadership, or the leadership of the opposition party, there is no partisanship in the independent expressions of feelings and attitude of Senator FULBRIGHT, nor in his sense of purpose and conviction in carrying out those feelings.

Finally, I think we should not leave unmentioned the very difficult vote he placed with respect to the confirmation of the nomination of an Associate Justice of the Supreme Court. That was a difficult decision for many of us—for all of us, possibly. But I think that in his way he searched his own conscience and his own judgment and decided to cast his vote on the side of his own judgment and his own conscience, without giving in to the many pressures that prevailed. In the spirit of the independence of the Senate and the right of every Senator to stand up and vote his conscience as best he sees it, in his own judgment, he once again demonstrated the best traditions of the U.S. Senate.

I am honored, indeed, to pay tribute to my friend and my neighbor in the New Senate Office Building, Senator FULBRIGHT.

Mr. SPARKMAN. I ask unanimous

consent to have printed in the RECORD an article entitled "Fulbright Sets Record as Foreign Relations Chairman," written by Elizabeth Wharton, and published in the Washington Star of Sunday, April 19.

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

FULBRIGHT SETS RECORD AS FOREIGN RELATIONS CHAIRMAN

(By Elizabeth Wharton)

Whenever J. William Fulbright speaks, half of his listeners purr. The other half feel their hackles rise.

"I'm abrasive, I know," he says. "I don't know why that is."

Next Friday, the Arkansas Democrat will have been chairman of the Senate Foreign Relations Committee longer than anyone in history—11 years and 77 days.

In an interview, Fulbright said his greatest fear is that "if we make too big a mess of things, you'll have a right-wing takeover here just as has occurred in so many countries all over the world.

"All I try to do is meet each day as I can and, hopefully, to save this country from going down the wrong road," he said.

Fulbright also expressed his philosophy on a number of other subjects:

The U.S. role in the world—"it should be a modest one—we have so much to be modest about."

Super-patriotism—"A substitute for thought."

His battles with former President Johnson—"I never have liked these things to be on a personal basis—I was giving him what I thought was good advice."

Vice President Agnew's attacks on him—"I'm both offended by the crudeness of his expressions and at the same time complimented by the fact that he thought there was sufficient significance to warrant his special attention."

Fulbright also considers it "just a shame that President Nixon didn't move to close the war out" when he took office.

"Now he's going to have to sooner or later, but it's going to cost an enormous amount of money and deaths and so on, and he's going to wind up about the same way . . . ."

BREAKING RECORD

Fulbright is breaking the record of Sen. Shelby M. Cullom, an Illinois Republican who served as committee chairman from Dec., 18, 1901, until March 4, 1913.

Fulbright's nationally televised committee hearings on Vietnam in 1966 and 1968, and the second Tonkin Gulf investigation, were largely responsible for building anti-war sentiment and making public dissent respectable during the Johnson years.

But the resulting controversy also has tended to obscure his innovative moves in other areas during his chairmanship.

In 1959, while birth control was still a dirty word in many circles, Fulbright urged that some foreign aid funds be earmarked for population control assistance to overcrowded countries. The AID agency now spends up to $100 million a year for that purpose.

He was the first, in 1960, to propose channeling U.S. foreign aid through multi-nation agencies, rather than distributing it to individual countries on the handout basis—the approach now being recommended by a presidential task force.

Fulbright's investigation of lobbyists for foreign governments (including such political "untouchables" as the United Jewish Appeal) led to a tightening of registration and reporting requirements.

In 1966, he conducted a series of hearings on "U.S. policy toward mainland China," in which a number of "old China hands"—former State Department experts—testified on possible moves to begin normalizing relations. The moves now are beginning to be put into effect.

Fulbright steered to Senate ratification such landmark treaties as the atomic test ban agreement, the nuclear non-proliferation pact and the less-publicized but significant agreement to increase consular representation between the United States and the Soviet Union.

For the interview, Fulbright sat at a crowded but uncluttered desk in his walnut-paneled office. There was a large American flag on a brass staff by the window behind him, and a few miniature Democratic donkeys on a bookcase near the door.

Fulbright, who was 65 April 9, was dressed in his usual impeccably conservative suit, vest and tie.

How does he assess those 11 years and 77 days, and what are his hopes for the future?

"Well, they've been very strenuous years. I thought there was a great prospect for a new era in America, with the young president, you know, beginning with President Kennedy . . . but you know what happened to that . . .

"All I try to do is to meet each day as I can and, hopefully, to save this country from going down the wrong road. I mean, whenever I'm able to ascertain whatever I think the direction is. I think we've overdone the militarism. Their own figures indicate to me we've grossly overdone the militarism.

"The expenditures have drained the substance of the country, and I think this has a relation even to such things as the strike of the mailmen. Their wages have been eroded to where they are perfectly justified in their complaints, and then the government reacts to meet those complaints too slowly and so you get this kind of illegal strike . . . and other people are going to say, 'Well, we'd better strike.' These things are cumulative you know.

"But this is anarchy. This is dangerous—you look around the world at Greece and Peru and Pakistan and others—they all end up in the hands of the military. And when you look at the size of the military establishment here . . . this isn't any reflection on any particular military man's mind, he's not grasping, but it's built into the situation. This is what happened in these other places. Why should we be immune?

"So, the real immediate task is to preserve our system with all its faults, I think. When the revolutionaries destroy the system, invariably they end up with an extreme right wing. The people who make the revolution usually end up in the hoosegow and have their heads cut off. They don't benefit, nobody benefits. It's almost always destructive and the conditions are worse than they were, so I'm not a revolutionary at all . . . the number one objective at a time of great stress like this is to preserve the system through which you can work for revolutionary improvements. This is going to be a great challenge for it to survive—a terrific challenge."

What would he like to be remembered for 100 years from now?

"Oh, I don't have any great urge for immortality . . . I doubt if I'll be remembered for anything . . . all I'm concerned with is doing the best I can and trying to get the war over and trying to make it possible for a free system to survive."

Fulbright's critics claim he is leading the country back into an era of isolationism. What is his view of the U.S. role in the world?

"Isolationist is merely a pejorative term that people use, hopefully to discredit you . . . I don't know of anybody who is an isolationist in the sense that they want to come home and have nothing to do with the world. . . .

"Our role in the world should be a modest one—we have, as they say, so much to be modest about. It's a big country, but it has big problems, and I don't think it has the background, experience or the capacity to organize everybody else's business. I certainly don't subscribe to the view that we should respond to every country's request. . . .

"This is in a sense an outgrowth of the so-called Truman Doctrine at the time when . . . there was good apprehension that Stalin would move to overrun all of Europe. This would have been a catastrophic change in the whole balance of power, and under the impact of that, precipitated by the withdrawal of the British from Greece, the Truman Doctrine was announced as a temporary, stop-gap measure. I guess it was justified, but the trouble was that people like Rusk (former Secretary of State Dean Rusk) took it seriously as if we had been designated by the Lord to go about and convert evrybody all over the world. This is a romantic and utterly unrealistic policy. We not only can't do it but the world doesn't want us to do it. . . ."

TONKIN RESOLUTION

If he had the past 11 years to live over again, what would he do differently?

(Fulbright is a quiet man. He almost never raises his voice above normal conversational tones, and he never doodles or fidgets. But at this point he picked up a paper clip and began twisting it.)

"Well, if I knew at the time what I know now, I most certainly would have made an all-out fight against the adoption of the Gulf of Tonkin resolution. . . . I object to it because the basis for it was a misrepresentation. In other words, what they alleged as the grounds for passing it didn't happen. It was a misrepresentation . . . the President (Johnson) was urging all during that (discussion) that he didn't want a wider war. The resolution was to be used to stop the war, not to authorize its expansion. That was also a misrepresentation of the President's state of mind, of what he was thinking, of what his intentions were. . . .

"The President lost touch with reality because he was such an efficient manager of the Senate. Having been majority leader and having been the protege of Sam Rayburn, he knew how to subvert the Congress and he neutralized and nullified its influence. He didn't have the judgment on his own to make the right decisions and he lost contact with the Senate that might have helped him if he had allowed it to. But he manipulated it, he used his influence to overpower it. . .

"If he had come on the other hand and asked for a declaration of war . . . and had not alleged these other things but said it is in our interest to go to war over there, on the basis of the need to stop communism and so on, now what would have been the situation if he had put it on that basis and followed the constitution and asked the Senate to declare war? And given the reasons, real reasons, not phony and false reasons?

"Well, you would have had a terrific debate, wouldn't you? You would have had a real debate and you wouldn't have been carried away by emotions. My guess is that after debate the decision would have been no, it is not in our interest to fight a land war 10,000 miles away. . .

"Instead of getting in the war, we would have stayed out. This is a major thing, just think of the difference it would have made. . ."

Was it true he had attempted a reconciliation with Johnson?

"I wrote to him when he was in the hospital, that's right. I never had liked these things to be on a personal basis . . . I thought I was giving him good advice, with the friendliest nature . . . Mike Mansfield (now Democratic leader) did, too. I am abrasive, I know. I assume Mike is not as abrasive in the way he expresses himself. Very often, I know, he

said in substance the same things that I said. But they seem to take offense when I say it—I don't know why that is so."

Does it disturb Fulbright that some elements of the "silent majority" have attempted to picture themselves as the only true patriots?

"No, this is not new. It is the usual substitute for thought. I mean, to think and understand our policies and determine where our national interests lie is a difficult thing, a painful thing . . . it is easiest to wrap a flag around you and shout patriotism and the other shibboleths that accompany this type of thing."

Vice President Agnew seems to have selected Fulbright as a prime target for criticism. How does he feel about that?

"When anyone—the vice president or just a man in the street—thinks ill of you and says so, it is not pleasant. On the other hand, the fact that the Vice President of the United States would select me to give special attention to indicates that he must have thought that what I was saying, what I stood for, had some significance . . . So I'm both offended by the crudeness of his expressions and at the same time complimented by the fact that he thought there was sufficient significance to warrant his special attention. He was out to make an impression, to paint a picture with a broad brush and not to be too meticulous about the truth . . ."

How about President Nixon and the Vietnamization policy?

"It is just a shame that the President didn't move to close the war out when he took office. It wasn't his war, and he could have moved to close it out. Now, he's going to have to sooner or later, but it's going to cost an enormous amount of money and deaths and so on and he's going to wind up about the same way. . . . That's the shame of it, and it's just too bad."

Mr. SPARKMAN. Mr. President, I merely wish to add, in concluding the remarks of those who serve closely with BILL FULBRIGHT and other good friends who have spoken: These thoughts have come from the hearts of those who work closely with him, day in and day out. I suppose no other committee is called upon to do more work.

I should like to offer this word of advice to my friend and chairman: If Betty or anyone else ever gets critical of you, keep this RECORD and show them what those who know you most closely think of you.

Mr. FULBRIGHT. Mr. President, I am overwhelmed by the kind words that have been said here today. In the position I have held during this long period, I have become quite unaccustomed to any such compliments, in or out of the Senate. I am not well equipped to respond adequately.

But I do appreciate very much indeed, the Senator from Alabama for having taken the lead in drawing attention to my length of service as chairman of the Committee on Foreign Relations, as well as in the Senate, and also the kind words of the members of the committee and others who have spoken here today.

It has been an extremely interesting experience. The Senator from Alabama has already mentioned it, but again I cannot refrain from calling attention to the unique relationship we have had. Senator SPARKMAN was a Member of the House when I first came there. He has had a very long and distinguished career in Congress—longer than I have—but I came to the Senate before he did, which is the reason why I have been just above him in seniority on the Committee on Foreign Relations and on the Committee on Banking and Currency. I have enjoyed our long association immensely. His good judgment, his thorough calm, and his wise counsel have meant a great deal to me during my service on both of those committees.

One other Senator from Arkansas, Senator Ambrose Sevier, was chairman of the Committee on Foreign Relations from 1847 to 1849. He is the only other Senator from Arkansas who has been chairman of the committee. I might add, however, other Arkansans have been members of the committee.

The Committee on Foreign Relations has been in existence since 1816, a period of 154 years. It is one of the oldest standing committees in the Senate. In the early days it did not have the continuity it has today. The committee was merely appointed for a single Congress, and the following Congress could appoint an entirely new committee. It did not have continuity.

At the time Ambrose Sevier served as chairman, there were only five members on the committee. The matter of continuity is a more recent development.

Since I became a member of the committee, I have served under four chairmen—Senator Connally, Senator Vandenberg, Senator George, and Senator Green. They all were distinguished senior members of the Senate. During their service and mine we have been in extremely difficult and interesting times.

I did not become a member of the Committee on Foreign Relations when I first came to the Senate. I served on other committees such as Education and Labor, and for a short period of time, on the Judiciary Committee. I became a member of the Foreign Relations Committee in 1949.

There were a number of Senators ahead of me on the committee. Because of the hazards of elections and several unfortunate deaths such as that of Brien McMahon of Connecticut, who died prematurely, my progress on the committee was more rapid than might have been expected. One interesting sidelight concerns former Senator CLAUDE PEPPER. He was senior to me and had been a former professor of mine when I was at the University of Arkansas, back in 1924. We all know what happened to Senator PEPPER. He ran for the Presidency in 1948 and then was defeated for the Senate. However, he came back to Congress as a Representative, and he is a Representative today. He would have been chairman today had his continuity in the Senate not been interrupted. The vagaries of political life lead to some rather unexpected results.

I do not want to delay the Senate. I know that everyone is anxious to conclude. But I do wish to respond to some of the remarks that have been made about what we have done during these years in the Committee on Foreign Relations.

One of my principal objectives in recent years has been, as was said by the senior Senator from New York (Mr. JAVITS), to reassert what I believe to be the responsibility of the committee, as the agent of the Senate—to reassert its constitutional responsibility. In this respect, I confess that I am a strict constructionist. I want to live up to the Constitution. I want the Senate to play its proper role in our system, not only because the Constitution is a sound document but because the framers of the Constitution were very wise men. I also believe that the collective judgment of a hundred men from all 50 States has great value in basic decisions.

Of course 100 Members of the Senate, collectively, or through their committees, cannot become involved with every daily decision dealing with our foreign policy. We cannot be involved in tactical decisions such as whether 1,000 men should go into a particular paddy. But on questions of large strategy—of whether it is in the national interest to be waging a war 10,000 miles away, then I think this body is more likely to reach a sound and wise decision for the country as a whole than is a bureaucrat or a small select group of officers in the executive branch.

The commitments, resolutions, and other things that I have tried to promote—and the Foreign Relations Committee and the Senate has joined in these efforts—are of vast importance, I think, to the future of the country. I believe very much in the democratic process, and essential to the democratic process is the debate and discussion of 100 men with a background of experience, representing their constituents from all parts of the country and reflecting these varied viewpoints. From such debate and discussion, I think we are more likely to get wise decisions as to the general direction of our policy as distinguished from daily conduct of operations. Of course some of the daily conduct of operations has great bearing upon direction and larger strategic decisions.

As an illustration, the question of whether or not we should give assistance today or tomorrow to a country like Cambodia may look like a small thing. But it can well set the direction and larger strategic consequences, if it results in involvement and in the escalation of the war itself. Some small decisions may bring a whole new element into the war.

I recall that when we got into the war in Vietnam, we were told, with respect to the Gulf of Tonkin incident, that all that a congressional resolution would do would be to make a very small gesture of unity which would result in preventing the spread of that war. We were told that this was the way to stop the war from widening. The war was a very minor affair so far as we were concerned in August of 1964. At that time we had less than 20,000 people in that area.

The war was not really escalated until February of the following year. At the time the Gulf of Tonkin resolution was passed we were not supposed to have combat troops in Vietnam. We were told they were only advisers and assistants. But, in any case, I think the committee and the Senate learned a lesson and know now how important it is that we assert our proper constitutional role of giving advice to the Executive.

Every President needs it. They will

all benefit from it. Hopefully, they will take our advice seriously. It is not lightly or frivilously given.

Recently, when the Senate voted 72 to 6 for the Brooke-Cooper resolution, I was convinced, and still am, that history will say that was a wise piece of advice, and that the President would be well advised to pay attention to what the opinions of 72 Senators were as to what would be the right course to follow.

Fortunately, he has not rejected it. I think that he spoke too soon when he said the resolution was irrevelant. I do not think he meant to say "irrelevant", but that he meant to say "redundant." But I think the Senate is doing a great job.

I am proud to be a Member of this body and of the Committee on Foreign Relations. The committee's hearings are of a highly educational nature and of great importance to the understanding by the people of this country of the difficult and complex problems which confront them.

As long as we have a democracy—I certainly hope we will have it forever—I think it is essential that congressional committees play their part.

From time to time I have witnessed a tendency on the part of some Members of this body to feel that the President has the sole responsibility in the field of foreign policy, and that our duty is only to review and to agree with him.

I must say, with all deference, that I think this attitude is simply a failure to recognize the meaning of the Constitution. If we are going to take that attitude, there would be no need for a Senate. We would soon become no more than a ceremonial body, such as the House of Lords has now become in Great Britain.

I reject subservience to the Executive in the field of foreign policy as the proper role of the Senate. The concept of bipartisanship tended to downgrade the role of the Senate. I do not think that was the intent of proponents of bipartisanship. When I first came to the Senate, and during World War II, the idea grew up that there should be greater bipartisanship in the Senate, which is, in a sense, a perfectly proper concept. We do not want to play politics with foreign policy in the narrow sense. We use that terminology only for domestic matters. Nevertheless, if the concept of bipartisanship is used to mean that the Senate should stifle all discussion and exposition of its views which may differ from those of the administration, then I think it is a very faulty concept. I do not think it serves the country well or serves even the Executive if the Senate declines seriously to debate and make decisions on matters of great national importance, especially when decisions involve the kind of problems we face now with wars, which are, as the Senator from Missouri stated so well, beating our country to death. I shall not pursue that, but I am very grateful indeed to the senior Senator from Alabama and all my colleagues, and especially to the members of the Committee on Foreign Relations, who have spoken here today. It is very encouraging to have some words of approval come in my direction because, as I say, we get plenty of the other kind from outside agencies.

Foreign policy is a controversial subject. It is one which nearly everyone feels he is entitled to discuss.

Mr. President, I serve on the Finance Committee with the distinguished Senator from Louisiana (Mr. LONG), who is now in the Chamber. It is true that many of our constituents do not like the subject of taxes, but they also do not feel competent to pass sentence on the complexities of many of the tax bills that come before the Senate. I have had little criticism of my votes in that field, certainly less than I have received regarding foreign policy. Everyone considers himself an authority on foreign policy. Everyone is willing to express himself in this very controversial area.

One reason is that it involves directly the lives of so many people, especially the lives of our young men, and the vast expenditures of money required. Thus, naturally, it is an area in which there is great controversy.

Mr. President, once more, I thank very much the distinguished Senator from Alabama and other Senators who have today expressed themselves.

I appreciate it very much.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 2306) to provide for the establishment of an international quarantine station and to permit the entry therein of animals from any country and the subsequent movement of such animals into other parts of the United States for purposes of improving livestock breeds, and for other purposes.

The message also announced that the House insisted upon its amendments to the bill (S. 743) to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. JOHNSON of California, Mr. FOLEY, Mr. HOSMER, and Mr. BURTON of Utah were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendments to the bill (S. 2062) to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. JOHNSON of California, Mr. FOLEY, Mr. HOSMER, and Mr. MCCLURE were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 515) to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions"; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PERKINS, Mr. PUCINSKI, Mr. WILLIAM D. FORD of Michigan, Mr. AYRES, and Mr. QUIE were appointed managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. LONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SAXBE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT OF NATIONAL SCHOOL LUNCH ACT AND CHILD NUTRITION ACT OF 1966

Mr. HARRIS. Mr. President, on behalf of the Senator from Georgia (Mr. TALMADGE), I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 515.

The PRESIDING OFFICER (Mr. SAXBE) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 515) to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HARRIS. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. TALMADGE, Mr. MCGOVERN, Mr. AIKEN, and Mr. YOUNG of North Dakota conferees on the part of the Senate.

INDIAN HEALTH IS A NATIONAL SHAME

Mr. HARRIS. Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

The PRESIDING OFFICER (Mr.

PERCY). Without objection, it is so ordered.

Mr. HARRIS. Mr. President, Senators are aware that America, generally, faces a well-documented health crisis, characterized by a severe and growing shortage of health personnel and by such alarming facts as those which show that America stands twelfth or worse among nations in infant mortality and compares even less favorably with other nations in average life expectancy.

If America, generally, faces a health crisis, think, then, how much more acute that crisis presently is for American Indians, Eskimos, and Aleuts.

One who is not familiar with the sad state of the health of American Indians might consider the administration's proposed increase of $11,688,000 for the Indian Health Service for 1971, over the amount appropriated last year, a significant step forward. Given increased costs, however, that amount of money—providing a proposed budget total of $113,217,000—will only allow the Indian Health Service to continue the present level of its tragically inadequate health care.

Most Americans have begun to recognize the injustices suffered by American Indians in the past. But more and more Americans must also begin to realize that injustices and broken promises are still suffered by American Indians—that present and past injustices have produced terribly damaging and lingering impact.

The level of health of American Indians, Eskimos, and Aleuts lags 20 to 25 years behind the health advances of the general population in America—and we have seen that this, itself, is highly unsatisfactory. The average age of death for American Indians is 44 years of age, about one-third less than the national average of 64. American Indians are 8 times as likely to suffer from tuberculosis as the rest of us, and deaths due to influenza and pneumonia are nearly 2½ times higher for American Indians. There are 3½ times as many homicides and 2 times as many suicides among American Indians as there are among the general population.

If one is an American Indian, he is 10 times more likely to suffer from rheumatic fever, strep throat, and hepatitis. The incidence of otitis media, a middle ear disease which leaves hearing impaired, is far more prevalent among American Indians than among any other people in our society.

Twenty-eight percent of all Indian homes still lack running water and an adequate means of waste disposal. The average American Indian family of five or six members still lives in a one- or two-room house, and only about 24 percent of the dental care needs of American Indians are being met.

In September of last year, representatives from several tribes came to Washington to seek increased funds for Indian health. The story they told was shocking and almost unbelievable, confirming the facts and figures which I have just related.

That story has not basically changed since September of last year and will not change unless our commitment is greater than that demonstrated by the proposed 1971 administration budget. Statutory increases in salaries and rising costs for contract medical care will alone absorb most of the increase provided for in the 1971 budget.

Because of personnel shortages, it is not uncommon for one nurse in an Indian hospital to be responsible for more than one floor. Members of a patient's family, untrained in medical care, often have to be called upon to assist.

Physicians in Indian hospitals frequently have an impossible patient load, and those physicians going to field stations or clinics see as many as 80 patients a day. One physician at an Indian hospital in Oklahoma has a patient load which allows him only 3 minutes per patient per day. The result is long lines and degrading treatment.

The Indian Health Service estimates that outpatient visits for the past 2 years have increased 6 to 7 percent a year, but there has been no provision for any staff increase in the past 2 years. In fact, since expenditure controls were implemented in 1968, there has been a decrease in personnel working in the Indian Health Service—218 vital positions in the hospital health activity of the Service have been lost.

It is estimated by the Indian Health Service that, in order to meet the staffing requirements for Indian hospital facilities, 225 to 250 employees are needed for each 100 average daily patients hospitalized, and that 120 employees are required for each 100,000 outpatient visits. In fact, however, in 1968 the Indian Health Service was staffed with only 165 employees for each 100 average daily patients and with only 47.8 employees for each 100,000 outpatient visits.

Along with shortages of personnel, most of the Indian hospitals have serious drug shortages. Last month, an Indian hospital in Oklahoma chosen at random was telephoned by my office to determine its needs for drugs and supplies.

The administration of the hospital reported:

> We have in the past run out of essential antibiotics—penicillin, ampicillin injectible, tranquilizers, such as the anti-depressant, librium, and analgesics (pain relievers), as well as Darvon and aspirin on occasions. At the present time we are completely out of Fiorinal—dentists use this for pain from extractions.
>
> Essidrix, which is a diuretic most essential for removal of fluid from the body, is often not in stock. From time to time, we have run out of birth control pills.
>
> At the present time there are no baby vitamin drops and they have not had any for at least one month. On occasions we have run out of cough syrup. Also, a very inexpensive item, sodium salicylate, used for rheumatoid arthritis is often out of stock as well as Indocin which is a more expensive drug used for rheumatoid arthritis.
>
> The hospital stockroom would need $18,000 in order to bring their stock up to a safety stock. These items are surgical items such as sutures, examination gowns, gloves, x-ray film, band-aids, bandages, paper towels, and other items. In the past we have had to give diabetics reuseable syringes because they did not have disposable syringes.
>
> Our basic problem is that we cannot obtain sufficient supplies so as not to run out before we can get funds to replenish the supply.
>
> At present we have a shortage of approximately twenty-one people in the hospital and the lack of help has required a lot of unpaid overtime on the part of the whole staff in order to care for the sick.

Earlier reports from other hospitals in Oklahoma indicated that testing for tuberculosis had from time to time been discontinued because necessary supplies were not available. Last year, influenza shots could not be given to more than 600 Indian students at Chilocco Indian School because the vaccine was not available. Almost all of the hospitals were sometimes either low in supply or out of many of the basic and needed drugs.

With the tremendous increase in medical costs, the increases in the Indian Health Service appropriations have not really resulted in increases in the level of care. In 1968, the appropriation was $84,862,000; in 1969, the appropriation was $91,710,000; in 1970, the appropriation was $101,529,000; and in 1971, the budget request is $113,217,000. This is a percentage increase from 1968 to 1971, of approximately 33 percent, yet the cost of providing the same medical care by the Indian Health Service has increased approximately 34 percent during the same period.

There is little hope that any significant changes will occur in the shameful statistics I have recited or that the pathetic lack of personnel and drugs in the Indian hospitals will be materially improved unless there is a substantial increase in funds.

As the Indian members of the National Council on Indian Opportunity stated February 16, 1970:

> In light of the dire need for all health facilities and health needs, it is criminal to impose a personnel and budget freeze on Indian health programs. Even without a freeze, Indian hospitals are woefully understaffed and under supplied, even to the extent of lacking basic equipment and medicine. We deplore the budget decisions that have caused this state of inadequacy.

The crisis we are facing will not be solved by the level of commitment we have thus far been willing to make. Because the situation is as grave as it is, established not only by statistics, but also by the strong words of tribal representatives and by my own personal research to which I have referred, I think a thorough investigation should be made of all Indian health facilities and programs, not for the purpose of determining what is necessary to continue operating at our present inadequate levels, but to determine how we can bring the level of health care of American Indians up to a decent level.

I do not advocate some long, drawn-out study. American Indians and their needs have been studied to death. It is time for action, and no field of concern requires more urgent action than the health of American Indians. It would be an easy matter to call Indian Health Service and other officials before the Subcommittee on Interior of the Senate Appropriations Committee and learn almost overnight the detailed justifications for greatly increased appropriations for this purpose. I urge that this be done.

The jurisdictional disputes between the Indian Health Service and the U.S.

Public Health Service must end. American Indians are American citizens and are entitled to all the services of their Government. Indian health services must be extended into the communities where Indian people live, rather than, as is often true, just at far away hospital locations. Indian hospitals should be governed by Indian hospital boards with actual, not just advisory, authority. And a national health insurance system for all, Indians and non-Indians, must be established. The National Council on Indian Opportunity stressed these recommendations.

Emphasizing, as I do, that nothing less than a quantum jump upward in appropriations for Indian health will suffice to meet the crying needs, I want to point out some obvious steps which can be taken immediately to improve the 1971 administration budget. I trust and hope that, before the 1971 budget is finally processed by Congress, the Appropriations Committee will have an opportunity to secure the necessary information and figures to add other and more substantial items to it.

First, additional personnel in the Indian health field is an extremely pressing need. Last year, in the closing days of the session, the Senate adopted an amendment which I offered to add $2 million to the supplemental appropriations bill for Indian health programs, in addition to $1 million already contained in the bill for that purpose.

The conference between the House and Senate reduced this $3 million figure to $2,048,000, of which $1,048,000 was to be used to provide 300 desperately needed additional positions in Indian hospitals. Instead, the administration used these funds to extend last year's Federal pay raise to Indian health service personnel. Obviously, this should have been done, but not at the expense of Indian health. The personnel shortage, therefore, continues and worsens.

Moreover, even though Congress last year clearly recognized the need for these 300 additional positions, the administration budget for 1971 does not contain funds for such additional Indian health positions. Funds are requested for 178 new positions, but of this number 100 would staff new facilities and 40 would be positions in nutrition and mental health programs. These new positions are needed, but additional such staffing does nothing to alleviate the basic shortage in personnel generally. One Oklahoma hospital alone has a shortage of 21 employees who are critically needed.

I believe the case for at least these additional 300 positions has been overwhelmingly proved. To many American Indians it is a life and death matter, and I think it is clearly our duty to respond to the plain facts. Testimony which has already been presented to the Senate Appropriations Subcommittee established that, because of the shortage of personnel, treatment of the health problems of many Indians is being "deferred." It is intolerable that because of a lack of funds some Indian hospitals have had to adopt a policy of treating only the most serious health problems, those which cannot be ignored and which require immediate treatment.

To provide the 300 positions for fiscal year 1971 would only cost approximately $2,514,000, a small sum in relation to the need and to the resources of this Nation.

Second, funds should be increased to provide the basic and needed drugs for Indian hospitals. The appalling set of conditions which I have outlined ought not to be allowed to continue for one additional day. The severity of these problems was recently called to the attention of the President in a letter signed by 90 Members of Congress, myself included. Shortly thereafter, the President released $957,000, which had been held in reserve from the 1970 Labor-HEW appropriation for this purpose.

Notwithstanding the fact that the need for at least this $957,000 in additional funds to help meet the shortage of critical drugs and supplies was thus established, even this inadequate amount of $957,000 was nevertheless not carried forward in the 1971 administration budget. I therefore strongly recommend that this serious defect in the budget be corrected.

Third, I recommend that the appropriation to improve the sanitation facilities for Indian communities be increased, rather than decreased, from $19,120,792 for 1970 to $17,950,000 for 1971, as the administration budget recommends.

The undisputed fact that lack of safe water and adequate waste facilities contributes greatly to gastroenteritis, which is second among the reportable diseases for Indians, and to amoebic and bacillary dysentery, which is 35 times worse among American Indians than in the general population, demands that we give these problems high priority. Twenty-five percent of all patients discharged from Indian hospitals last year were treated for infectious diseases which could be traced to poor sanitation.

The death rate for American Indian infants 1 through 11 months of age is 3 times the death rate of the same age groups in the general population, and this sad situation is largely attributable to poor living conditions.

I recommend an increase of $5 million for the sanitation program for fiscal year 1971.

A fourth recommendation is that the U.S. Government begin really to attack the tragic situation in regard to Indian mental health services. Much has been written to explain how the pressures of the reservations, with ways often at variance from those of the white man's world, have led to mental health problems in the Indian population far in excess of those of other citizens on a proportionate basis, but next to nothing has been done about treating them.

The high rate of suicide and homicide, as well as the problem of alcoholism, are all symptoms of the deeper failures in American policy toward American Indians; we must correct these failures and not just treat the symptoms. But we must also give greater and immediate attention to the problems of mental health. Only $984,000 is provided for this purpose in the 1971 administration budget. An increase of only $404,000 is requested, but the Indian Health Service estimates that before a good program can be offered an additional $1 million would be needed. The enormity of this problem justifies at a minimum an increase of $1 million to provide additional mental health care.

Fifth, we need to increase the funds for community health representatives. There is no way to meet the alarming shortage of health personnel in America, generally, except by greatly increasing the use of paramedical and subprofessional people. This is especially true in the Indian Health Service. While community health representatives cannot take the place of professionals, nor fully answer the great need for increased professional personnel, they can take up a great deal of the slack. Moreover, community health representatives can help to humanize Indian health programs, make them more responsive to the needs of the people whom they seek to serve, and help bring such services to the people.

It is sad enough that this program only provided for training 125 community health representatives in 1970. It is even sadder that the 1971 administration budget reduces this figure to 100 trainees for 1971; $282,000, added to the 1971 administration budget, would enable training to continue for all those presently in training and permit the addition of another 25 trainees. These numbers, spread out all over the United States, and serving the entire Indian population are pitifully low, and I hope they can be greatly expanded. There is not enough human warmth and sensitivity in most Government programs which deal with American Indians, and that is true of the Indian Health Service which is greatly overworked and understaffed. American Indians want to have a greater say in these programs and a greater part in carrying them out. That is why I have so vigorously advocated the establishment of Indian hospital boards, and it is a strong additional reason for greatly increasing the number of community health representatives as well.

Mr. President, these specific recommendations are much too modest and are mere stopgap measures.

I have already communicated these views and recommendations to the Interior Subcommittee of the Senate Appropriations Committee. I present them here, so that, hopefully, other Senators may become more aware of these critical health needs and join in efforts to meet them.

I commend the Appropriations Committee for all it has done in the past. I know that the requests made to it and the calls on the budget generally are enormous, but I know of no needs more urgent, no claims more valid, no conditions more shocking than those in the field of Indian health.

The late Robert F. Kennedy, who did so much to further the cause of the American Indian, Eskimo and Aleut, frequently quoted the words of Camus, who wrote:

> Perhaps we cannot prevent this from being a world in which children are tortured. But we can reduce the number of tortured children. And if you don't help us, who else in the world can help us do this?

The American Indian, the first American, is the last American in health. Except with compensatory attention to his health, housing, employment, education and income needs, coupled with full assurance at last of his right to self-determination, these health needs cannot fully be met. But we can make a start, and we must do what we can.

Thousands of little Indian children will continue to suffer the personal, social and economic crippling of bad health unless we help. We can reduce the number. And, if we do not help, who will?

THE PRESIDENT'S WELFARE BILL

Mr. LONG. Mr. President, the Committee on Finance has just begun its consideration of the President's welfare bill, H.R. 16311. This bill has been hailed by the administration as a workfare bill instead of a welfare bill. It is said that the emphasis is on welfare reform and work incentives. Based on our committee's first look at the bill, it looks like a reenactment of the work incentive program Congress wrote into law in 1967—which I had the privilege to sponsor in the Senate—and an expansion of welfare to make 15 million people eligible for welfare payments, in addition to the 10 million now on the rolls.

A great deal has been said about the need to provide incentives for welfare recipients to work, and I think we would all agree that a person's total income should rise as his earned income rises, so that he does not have an incentive to stop working or reduce the amount he earns in order to increase his total family income.

I am in agreement with the President that present law needs some revision if we are to meet this goal. But Senators should be aware that the welfare bill before the Finance Committee today does not solve the problem—it just makes it cost $4 billion more. Under the bill, a fully employed father of a family of four with low earnings could increase his family's total income if he quit work, or if he reduced his earnings.

Let me cite a few specific examples. A typical aid to families with dependent children payment for a family of four today in many States is $250 a month, or $3,000 a year. A father in a family of four who earns $2,000 annually will be eligible under the bill for welfare payments of $960, bringing his total income up to $2,960. This is less than what he would get if he were totally unemployed. In other words, he can increase his family's income $40 a year by quitting work entirely.

But that would not be his best move. For, by working part time, he could increase his family's income substantially by reducing his earnings to $1,000 a year. Instead of $2,960, his family's income would jump to $3,813—$853 more than if he continued working full time.

That, Mr. President, is an obviously ridiculous situation, for if a man works and makes $2,000 a year, he does not receive substantial assistance. He receives a payment of $853 a year more by working part time compared to what he would receive if he were working full time.

Mr. President, in April of last year, the Washington Post reported on a conference held by the National Welfare Rights Organization in Washington. I would like to quote from it because in that conference they discussed the provisions we had passed in the Senate, and which became law, to try and provide work for people who are capable of working. That was directed at mothers who could work, as well as others. Let me read a quotation from the Washington Post as of that time:

> At one conference session yesterday, for example, participants got a two-hour course on how they could avoid job training or work under the city's new Work Incentive Program if they wished to stay at home with their children.
>
> Steven Wexler, a lawyer on the National Welfare Rights Organization staff, told them how they could "exhaust appeal after appeal to stay out of the work program, designed to train and place welfare clients in jobs.
>
> "You can stay out of the program until Hell freezes over if you know how to do it," he said.

I hate to say it, but the Department of Labor made a contract for about $430,000 to that same organization which shows people how not to go to work. It is still being helped with Federal aid, so it can show able-bodied people how they can avoid going to work, as Congress intended they should as a condition of receiving welfare assistance.

The examples of the work disincentive features under the bill show just how important the provisions are to these people.

The estimates submitted by the Department of Health, Education, and Welfare admit that the cost of the present welfare program for families is going up at a rapid rate and will continue to do so for the foreseeable future. However, they assume that once the welfare bill is enacted, the number of families receiving welfare will decline rapidly from year to year. Today, about 1.8 million families are receiving welfare. By 1972, the first year the bill goes into effect, this is estimated to increase to 2.2 million families. The Department of Health, Education, and Welfare assumes that 1.5 million families will be added to the rolls in 1972, but that the number of families will decline by a quarter of a million a year so that by 1976, only 2.7 million families will be receiving welfare. I find it difficult to believe that the enactment of this bill will result in a continual decrease in families on welfare when it provides major incentives not to go to work, or to quit full-time work and work only part-time and achieve greater total income.

The cost estimates of the Department of Health, Education, and Welfare are related to their estimates of the numbers of families receiving welfare. While they admit that the cost of aid to families with dependent children will rise from $2.9 billion in 1972 to $5 billion in 1976—almost twice the 1972 figure—they assume that declining welfare rolls will keep the cost of payments to families under the bill at an almost even level year after year. The cost of welfare payments to families under the bill, says the administration, will be $4.7 billion in 1972. Five years later, that cost is predicted to be only $4.9 billion. This prediction is made notwithstanding the fact that under this bill families can increase their total income by quitting full-time employment and working only part time, and in many cases they can increase their income by quitting full-time employment and being unemployed full time. Once the working poor understand this, why should they continue to work when they can make more money by not working?

Mr. President, the Committee on Finance is going to have to look at this bill carefully so that we can help the President achieve his goal of turning welfare into workfare as far as can be done, and make this a decent program—one that will dignify employment, rather than unemployment. We will be questioning the Secretary of Health, Education, and Welfare closely next week, and with a view toward making the bill what it is supposed to be.

Along this line, Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a feature article that appeared in the Washington Star on Tuesday, April 21, 1970. I will read the headline, which shows the problem: "Mother of Five Can't Afford to Keep Working."

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

MOTHER OF FIVE CAN'T AFFORD TO KEEP WORKING

(By Harvey Kabaker)

When you boil it all down, Mrs. Marie Beverly can't afford to keep working.

Since her husband left two weeks ago, it seems her $1.80-an-hour cashier's job in a Peoples Drug Store won't support her five children and stay the marshal at the door.

So with great reluctance, on the advice of the D.C. Welfare Department and her lawyer, she intends to quit working for a few months and apply for public assistance. And she most likely will move into public housing.

Mrs. Beverly, attractive at 37 and scarcely showing any sign of strain, spoke yesterday in her far Southeast apartment of her plan for self-help.

She said all she needs is a cash grant for two months' rent, until her 18-year-old daughter, Veronica, graduates from high school in June and begins a full-time job. Food stamps and Medicaid would supplement their incomes, and they could get by, she believes.

Her story of the past week might have been composed by critics of the present welfare system in America:

During several stops at various offices, it was always another office that might help, and one official even gave her the brush-off, before she finally encountered a Welfare Department supervisor sensitive to her plight, and aware of the built-in problems of government procedures.

ENCOURAGED TO STOP

Hardest for Mrs. Beverly to accept was that the system encourages the poor to stop working and move into public housing, because rents are cheaper and the income is higher.

"I was really hurt when they said I would have to quit my job to get public assistance," she said. If she could keep working, by July they could subsist on the $50 a week extra her daughter will earn, she predicted.

At the same time, the family would keep the bright, well-kept four-bedroom apartment they have had since 1967—after a two-year wait.

But the welfare people already are applying subtle pressure for her to move into a cheaper place: The monthly rent of $154 is too great a proportion of her $250 net income, or even the combined $475 she and her

daughter will net beginning in June, the supervisor fears.

If Mrs. Beverly decides to apply for the aid to dependent children money, she'll get $317 a month, still not enough to keep the apartment. If she can be placed in a training program, as the supervisor has urged, Mrs. Beverly will get another $75, plus free day care for Valerie, 5, who won't go to school until the fall.

YIELDING TO SUPERVISOR

Yesterday, learning that the training program probably would include refresher courses for a high school equivalency exam, Mrs. Beverly, who finished only elementary school in rural Virginia, began to accept the welfare supervisor's point of view.

Her lawyer thinks the public cost of $308—April and May rent—would be cheaper than the tax-free $317 a month the family will get from the Welfare Department for several months while Mrs. Beverly is in training. The welfare supervisor thinks the training will help Mrs. Beverly get a better job later, since she already is motivated to get off welfare within a few months.

Normally, the rent grant would be made from a $70,000 fund the department allots for emergencies every month. But Mrs. Beverly's husband has already drawn from the fund, the department found, and she may not do so herself this year.

All of this might not have come about, if the Nixon administration's welfare reform plan, passed last week by the House, were in effect. The program for the first time would benefit the working poor by giving cash grants without requiring the head of the household to be unemployed.

These figures were calculated for Mrs. Beverly's situation: The federal government would contribute $57 a month, and the D.C. government would pay another $121, to add to her $312 salary (before taxes).

HER GROSS INCOME

Her gross income, then, would be $490 a month, and she would be working. If her daughter chose to keep her own salary, the allotment would be unaffected (present law requires a reduction in the welfare payment if a minor is working).

The Senate Finance Committee has scheduled hearings on the bill next month, and liberals are expected to push for increased allotments.

But none of this will affect Mrs. Beverly, who must appear tomorrow in landlord-tenant court, may have problems with bill collectors trying to satisfy a note she cosigned with her husband and, reluctantly, will apply for public housing by the end of the week.

Mr. LONG. Mr. President, in this article it is explained how welfare workers have advised this very fine Negro mother here in Washington how she must not work so she can increase her income, because if she continues to work she will have a lower income. This mother points out that if someone would give her help for 2 or 3 months, until her oldest daughter graduates from high school, that daughter will go to work and help supplement that family income and they would not require welfare assistance. Notwithstanding that fact, she is being urged to go onto welfare and to move out of private housing into public housing, subsidized with Government money, quit her job, live on welfare—all at the advice of the Department of Welfare.

That type of thing is just exactly the opposite of what we ought to be doing.

This is an oversight in the law that ought to be corrected. We ought to be moving in the direction of giving this woman such help as she may need to stay at work, rather than providing her a 50-percent increase in her income if she quits working. In my judgment, it is utterly ridiculous to proceed in such a fashion. This is the kind of ridiculous situation we ought to try and correct.

The bill before the Committee on Finance is not much better. It, too, would provide an incentive for many low-income working people to quit work, rather than try a little harder to improve their condition and that of their families.

Mr. President, I also ask unanimous consent to have printed in the RECORD at this point two tables, both of which show the earnings disincentive effect of H.R. 16311 compared to the situation under present law.

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

TABLE 1.—EFFECT OF H.R. 16311 IN A STATE THAT BASES AFDC PAYMENTS ON A NEEDS STANDARD OF $3,000 FOR A FAMILY OF 4, AND WHICH AIDS FAMILIES IN WHICH THE FATHER IS UNEMPLOYED

Family of 4 headed by	Income under present law	Income under H.R. 16311
1. Mother, earnings of $2,000, work expenses $30 per month	[1] $2,267 [3] 2,000	[2] $960 [4] 1,187
Total under present law	4,267	2,000
Total under H.R. 16311		4,147
2. Unemployed father, no earnings	[1] 3,000	[2] 1,600 [4] 1,400
Total under H.R. 16311		3,000
3. Unemployed father, part-time earnings of $1,000, work expenses $15 per month	[1] 2,753 [3] 1,000	[2] 1,460 [4] 1,353 [3] 1,000
Total under present law	3,753	
Total under H.R. 16311		3,813
4. Employed father, earnings of $2,000, work expenses $30 per month	[3] 2,000	[2] 960 [3] 2,000
Total under H.R. 16311		2,960

[1] AFDC.
[2] FAP.
[3] Earnings.
[4] State supplement.

TABLE 2.—EFFECT OF H.R. 16311 IN A STATE THAT BASES AFDC PAYMENTS ON A NEEDS STANDARD OF $2,200 FOR A FAMILY OF 4, AND WHICH DOES NOT AID FAMILIES IN WHICH THE FATHER IS UNEMPLOYED

Family of 4 headed by	Income under present law	Income under H.R. 16311
1. Mother, earnings of $2,000, work expenses $30 per month	[1] $1,467 [3] 2,000	[2] $960 [4] 387
Total under present law	3,467	[3] 2,000
Total under H.R. 16311		3,347
2. Unemployed father, no earnings	None	[2] 1,600 [4] 600
Total under H.R. 16311		2,200
3. Unemployed father, part-time earnings of $1,000, work expenses $15 per month	[3] 1,000	[2] 1,460 [4] 553 [3] 1,000
Total under H.R. 16311		3,013
4. Employed father, earnings of $2,000, work expenses $30 per month	[3] 2,000	[2] 960 [3] 2,000
Total under H.R. 16311		2,960

[1] AFDC.
[2] FAP.
[3] Earnings.
[4] State supplement.

Mr. LONG. This is the highlight of the problem: Do we want to pass a bill which develops the course of public welfare in such a way as to provide fantastic, illogical incentives for people to quit work, or do we want to pass a bill which helps those who have need and have a problem—a bill which encourages them to find constructive employment for their own advantage, and to move up the economic ladder?

Mr. President, I really do not believe that anyone ever explained these illogical situations to the President of the United States when this bill was sent to Capitol Hill with the blessings of the White House. It is my judgment that the President, looking at the same facts, will agree with the kind of solutions that we on the Finance Committee hope to recommend, so that we will have a program that would subsidize the working poor, rather than taking them off the job, or at least away from prospective jobs, and that would provide an incentive for them to continue to improve themselves until they no longer require welfare assistance from their government.

Insofar as the bill before the committee moves in the wrong direction, it is my hope that we can develop a bill which will move in the right direction. May I say in that connection, Mr. President, that it has been very disappointing and frustrating, under two administrations, now, to find that we in the Senate and we on the Finance Committee in particular provided a work incentive program to put people to work for their own betterment, only to find that the administration—and I am now speaking of the previous administration, and I am not blaming the President, but I am blaming those holdovers in the Department of Health, Education, and Welfare, and in Labor who are handling the program in the fashion they are handling it—proceeded to frustrate the intention of that program. They declined to spend the money that was appropriated to be spent in work training, and in providing day care for children so that mothers could work. Instead, they frittered away government money hiring professional troublemakers and professional agitators to show people how not to go to work.

Those who have the present responsibility, such as Secretary Finch, can point out, and very correctly, that they did not start this kind of mischief in the way of poor administration, but it is continuing under their administration, and they cannot blame it on the other fellow any longer. It is time they should start making the program work, for if they spend their money to frustrate the existing work program, we can have little confidence that they will wisely spend money we provide in the future to make their own programs work.

Therefore, Mr. President, I pledge my own efforts to see that we work out a good bill, to help preserve the national interest and the interests of all concerned, and at the same time enact a bill that would ultimately reduce the welfare burden on the taxpayers of this country.

I believe that the technicians over in the Department of Health, Education,

and Welfare should sharpen their pencils and redo their estimates of the effects of the bill before our Finance Committee hearings begin next year. I point out, Mr. President, that in recent years we on the Finance Committee have been much more accurate in predicting the costs of these HEW programs than has the Department. For example, the cost of medicare was predicted on the basis that it would exceed existing costs for similar services by 20 percent, and the actual cost has been far in excess of that. So where we have pointed out that realism and commonsense would dictate that a program will cost more than the Department was estimating, we are in a position to tell them that history has proved us correct, and that we would hope that in the future they would try to be more realistic, and that when they send us a program whereby a person could increase his income by 50 percent by working only part time instead of full time, that they recognize it would greatly increase the burden of welfare, and that commonsense would so dictate.

So, Mr. President, it is my hope that we can move ahead expeditiously with this bill. It is my hope we can pass it in this Congress. But I would hope that the Senate again this time, as it has in the past, would take a major bill as passed in the House of Representatives, under conditions that did not permit amendments to be offered, and provide the amendments and improvements to such a bill that logic and commonsense would dictate.

S. 3757—INTRODUCTION OF A BILL TO EXEMPT OVERNIGHT PADDLEWHEEL RIVER STEAMBOATS FROM THE SAFETY-AT-SEA ACT

Mr. SAXBE. Mr. President, unless the 91st Congress acts, 159 years of passenger service on the Mississippi River and its tributaries will be legislated out of existence November 2, 1970.

The *Delta Queen,* the last overnight paddlewheel passenger steamboat in operational condition in the United States must stop serving Americans who want to catch the flavor of the great steamboat tradition that developed commerce in mid-America unless she is exempted from certain provisions applicable to deepwater vessels. I am particularly interested in the continued operation of the *Delta Queen* since her home port is Cincinnati, Ohio.

The safety-at-sea law, Public Law 89–777, which this bill amends was passed in 1966. It condemns America's last overnight passenger riverboat to an existence as a dockside museum, or even worse to be modified as a day excursion boat carrying many passengers packed together on all decks without any overnight accommodations. This condemnation must occur unless we act here in the Congress of the United States because the *Delta Queen's* construction cannot meet the requirements of the safety-at-sea law which were designed to protect Americans from substandard foreign-flag deep-draft operators.

There are many reasons why the *Delta Queen* should continue to operate in overnight river passenger service. She regularly plies the Mississippi, Ohio, Tennessee, and Cumberland Rivers, never more than a few minutes from shore. Her safety record is unblemished. In 1926 when the *Queen* was launched she was the most expensive, $875,000, most luxurious, and safest paddlewheel riverboat ever built. Every compartment and room is equipped with full coverage sprinkler systems maintaining constant pressure.

Unlike ocean vessels most of the *Delta Queen's* staterooms open directly to the outside decks. There are no long enclosed corridors where passengers or crew members could be trapped. In an emergency everyone can reach outside deck areas in seconds.

Further, many major improvements have been made that substantially contribute to the *Delta Queen's* safety. Oil-fired galley stoves were removed immediately after passage of the 1966 law and replaced with electrical equipment. Fire-retardant coatings were applied to crew quarters, all master lounge areas and many individual passenger staterooms. New and additional communications equipment, firefighting equipment and emergency devices have been voluntarily added. A stepped-up program of crew fire drill training was initiated by the company immediately after message of the 1966 law and since then the Coast Guard inspections have been more frequent and more effective in preparing the crew to cope with an emergency.

It is impossible at this time to replace the *Delta Queen*. The money is not available in today's market at reasonable rates. Shipbuilding costs are prohibitive. Consideration has been given to rebuilding the *Delta Queen* but it is impossible to meet the requirements of the present law because no wood may be used and requirements on stairway, steamplants and electrical machinery as well as hull design are different. Practically every piece of the *Delta Queen* would have to be rebuilt in order to make it conform to the deep-draft safety standards. This cost would be astronomical and the net result would be an architectural monstrosity.

I have been assured by the owners of the *Delta Queen,* Overseas National Airways, that they will voluntarily make many additional safety improvements in the boat. Their plans include augmentation of the fire sprinkler system as well as new detection and firefighting improvements. They plan to dry-dock the *Queen* and make major structural improvements in her plating and framing. One of the most important improvements will be a diesel-powered variable-speed bowthruster which will allow better maneuverability in midstream or docking. In short, the owners of the *Delta Queen* intend to do everything possible to meet or exceed present safety standards. All safety changes would be at substantial expense to the owner. Such expense could not be economically justified without the knowledge that the *Delta Queen* would be allowed to operate for several years. If the *Queen* remains in operation her owners feel that she would develop an increasing demand for riverboat passenger service. The company then plans to construct and operate new boats to meet this demand. All new boats will meet or exceed the requirements of the present Safety-At-Sea Act.

However, it is apparent that no amount of modification can realistically bring the *Delta Queen* under Public Law 89–777. For this reason a permanent exemption from the law is the only appropriate means to preserve this historic riverboat in operating condition, and give some assurance of future safe riverboat passenger service.

Mr. President, my distinguished colleague from Kentucky, Senator COOK, and I introduce, for appropriate reference, a bill to exempt certain overnight paddlewheel river steamboats operating on inland rivers from the safety-at-sea law. Joining us in the introduction of this legislation is our distinguished colleague from Tennessee, Senator BAKER, who earlier introduced S. 3737, a bill directed at the same subject.

The PRESIDING OFFICER (Mr. PERCY). The bill will be received and appropriately referred.

The bill (S. 3757) to amend the act requiring evidence of certain financial responsibility and establishing minimum standards for certain passenger vessels in order to exempt certain vessels operating on inland rivers, introduced by Mr. SAXBE, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Commerce.

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

Mr. SAXBE. I yield.

Mr. LONG. Mr. President, the Senator is to be congratulated for introducing this bill.

As a practical matter, the very thing that makes the *Delta Queen* desirable for passenger traffic is not that it gets there faster, not that it is safer, but that it restores an era that passed perhaps a hundred years ago. The boat, for example, has a virtually all-mahogany interior. The mahogany staircase would have to go if the *Delta Queen* is to be replaced and made to meet the standards that we require of vessels plying the high seas.

I traveled on that steam paddlewheeler about 21 years ago, and enjoyed it immensely. I was in the company of other Senators who were inspecting the flood-control situation on the Mississippi River at that time, and all of us fondly remember the luxurious accommodations of the boat, which had all the markings of the old river steamboats. We would certainly not like to see it taken from service, because I am sure it would mean as much to others as it meant to us to travel on it.

The boat is safer today than it was when I traveled on it 21 years ago, and there has been no accident or mishap to anyone because of any safety defect in the boat since that time. As I understand it, those who own the boat are proposing to install an additional quarter of a million dollars worth of safety devices, so that for the future it would be safer than it ever has been for the 40 years in the past. I understand that there has never been an accident in that time.

Unfortunately, the boat is affected by

a bill which we passed directed toward navigation on the high seas. It is true that the *Delta Queen* has lifejackets under every bunk, so that if there were an accident, one could don a lifejacket.

Mr. SAXBE. And it has lifeboats.

Mr. LONG. As a practical matter, if the boat sprang a leak, the bank is only a hundred yards away; and all that would be necessary would be to give the boat a full right or left rudder and run it aground on a sandbar. So that the dangers one would fear are nonexistent.

Of course, one can never tell whether there will be an accident at some point in the future. It may be that that boat, like any other, might run into a barge carrying explosive chemicals, or something of that sort. If that type of commercial accident should happen, there could perhaps be a disaster, just as there would be if two boats meeting all the safety standards should meet.

Mr. SAXBE. It has not happened in 40 years.

Mr. LONG. In 40 years nothing of that sort has happened. As the Senator has explained, the boat would be safer than it ever has been in the last 40 years, under the bill the Senator is introducing.

As chairman of the Subcommittee on Merchant Marine of the Committee on Commerce, I say to the Senator with confidence that had we been aware of this problem when the bill was passed which makes it necessary to retire this boat from service, we would have provided some sort of grandfather clause to provide for this fine old boat, which is about 40 years old but looks like those which would be 140 years old if they were still available, to remain in service.

I think the Senator will find that every chamber of commerce and every civic organization up and down the Mississippi River, the Ohio River, and the Missouri River, upon becoming aware of the facts, would express themselves to us by saying that we should by all means save the *Delta Queen*.

I am happy that the Senator is introducing this measure.

Mr. SAXBE. I thank the Senator from Louisiana, because he has stated very directly the fact that when this bill was passed in 1966, there was no intention to throw the *Delta Queen* off the Mississippi River. As he has pointed out, lifeboat drill on a river boat is really rather ridiculous, because if there were a fire, they need only run it aground and run off on the bank.

In introducing this bill, we want to give these communities on the river an opportunity to retain this nostalgic reminder of the day when the riverboat was king of the river and when that was the primary means for all of central United States—what is known as the United States—to market their goods. There are several other smaller boats, some that are barges and some that are showboats that can be moved around; but this is the only remaining riverboat that supplies overnight accommodations and still gives people the opportunity to visit the far reaches of the Tennessee River and the Kentucky lakes, as well as north to the head of navigation.

I yield to the Senator from Kentucky.

Mr. COOK. Mr. President, I know that this may seem like a rather mundane measure to bring before the Senate; but it is a bill—and one of the few bills, I believe—that would cost the Federal Government absolutely nothing. As a matter of fact, the corporation that owns the *Delta Queen* is a taxpaying corporation in the United States.

Mr. President, those who never have seen a paddle steamboat in mid-America really have missed something. In 1962 it was my pleasure, when I was county executive in Louisville and Jefferson Counties, to buy a steamboat for our community. We bought a steamboat at public auction, and we renamed it the *Belle of Louisville*. It is an excursion boat, and it carries a thousand people.

Every year, on the Tuesday before the Derby—next week, that race has been changed to Thursday rather than Tuesday—every year for the past 6 years before the Kentucky Derby on Saturday, there is an old-fashioned steamboat race on the Ohio River, over a 12-mile course, between the *Delta Queen*, out of Cincinnati, and the *Belle of Louisville*. Over 200,000 people gather on each side of the Ohio River to see this reenactment of what young children used to read in Mark Twain and all the stories of the past about the nostalgic history of the river.

Although its home port is Cincinnati, the *Delta Queen* takes excursions during the year down to New Orleans. They go down to New Orleans for the Mardi Gras. They get back to Louisville in time for the Derby. During the course of the summer, they take excursions up to Pittsburgh, down the Ohio River, into the Kentucky lakes. Late in the fall they take a trip up to Minneapolis-St. Paul. It is probably one of the most beautiful vessels one could ever see. This is in a day when one can no longer get on a train and go anywhere—and in my part of the country, one cannot, although one can still do so on the east coast of the United States. But one can no longer get on a train and go anywhere through the central United States.

I might say, for the benefit of those who are not familiar with the reasons for the act of 1966, that it was because of the horrible fire on the *Yarmouth Castle* in the Caribbean. It was one of the old vessels, and it was full of wood. It caught on fire, and it was far out at sea and was not available to rescue very many of the passengers on the vessel.

I may say that the Senator from Ohio is wrong. No serious fires delayed the river boat. The Coast Guard sees to it that the steamboat *Belle of Louisville* has fire drills every week. But I will say to him that he is right in one respect, that the *Belle of Louisville*, which takes over 300,000 people a year on excursions, on occasions during the rather fast storms that can come up along the Ohio River, with winds from 75 to 80 miles an hour, the *Belle of Louisville*, which is, of course, a short draft vessel, merely pulls over to the side of the river and is held to the banks and waits for the storm to pass, and then proceeds on its way.

I might say, too, that the history of the *Delta King* is interesting. The *Delta King* is a sister ship of the *Delta Queen*. Both boats were night packets on the Sacramento River and passed between San Francisco and Sacramento.

During World War II, the *Delta Queen* was used by the U.S. Navy which took it up to Tacoma, Wash., where it operated between ports in the Navy shipyards up there.

After World War II was over, the *Delta Queen* was purchased by people in Cincinnati, Ohio, who took off its paddlewheel, boarded up the sides of the vessel, and towed it all the way from the west coast through the Panama Canal and into New Orleans.

I am delighted that the Senator has introduced the bill. I am happy to be a cosponsor, and I think that everyone that has anything to do with the Ohio River, the Mississippi River, or the Missouri River, all the States all the way north to Minneapolis-St. Paul, as well as all the States going all the way down to New Orleans, feel that they have a vital interest in maintaining a part of American history, especially at a time when, somehow or other, we seem so anxious to fly so far ahead of history, that to see us go by default in the case of the *Delta Queen* would be a horrible mistake.

Mr. LONG. Mr. President, in Louisiana, we have, as does Kentucky, some magnificent antebellum homes. Unfortunately, because those fine old edifices were not built to modern standards, they were built for the most part of wood and were pegged together rather than nailed together, and, of course, they did not have sprinklers or firefighting equipment in those homes, there were fires in some instances. The rivers have climbed their banks and proceeded to form new channels which have taken away many of those magnificent antebellum homes. However, I am glad to say that we do have a few left, and they are beautiful sights which everyone loves to see.

Mr. President, those who ride on the *Delta Queen* find it a meaningful experience to be on that magnificent old boat as it steams on the river. It is something that warms the heart and brings back memories of previous days. So that not just those who have occasion to take a trip on the *Delta Queen* would benefit by the passage of this bill but those who live along the river in Louisville, Baton Rouge, New Orleans, and so forth, would also be beneficiaries of the bill, to continue the *Delta Queen* in service for the future.

I regret that I have never seen the steamboat race between the *Belle of Louisville* and the *Delta Queen* to which the Senator from Kentucky refers, but, perhaps, if this bill passes, I may yet have the opportunity to witness it.

Mr. COOK. I want to thank the distinguished Senator from Louisiana for his kind remarks. Truly this is a matter of being able, by a simple procedure—as I said to the Senator from Illinois—to pass a bill that will cost the Federal Government and Congress absolutely nothing in order to preserve an era of history.

It would be most unfortunate for this country if that opportunity should be lost.

Mr. PERCY. Mr. President, on the basis of the knowledgeable representations which have been made today, the uniqueness of a bill that will not cost the Federal Government any money, and the further fact that we have all just returned, on yesterday, from engaging and participating with millions of other Americans in commemorating Earth Day, that our environment must be preserved, I cannot imagine anything that we could do in the Senate that would be more in keeping with our objectives, rather than just to file away copies of speeches and bring them out again next year, than to do something like this today that would be constructive.

ADDITIONAL COSPONSOR

I cannot imagine anything more fitting than to preserve a vessel that would help thousands of Americans better appreciate what can be possible when we navigate our streams, and reinforce in them the desire to make our streams and rivers clean and preserve the fine heritage given to us by our forefathers.

Mr. President, I therefore ask unanimous consent that my name be added as a cosponsor of the bill.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 11:30 A.M. ON MONDAY, APRIL 27, 1970

Mr. HARRIS. Mr. President, notwithstanding the preceding order, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 11:30 o'clock a.m. on Monday next.

The PRESIDING OFFICER (Mr. SAXBE). Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR BAKER ON MONDAY NEXT

Mr. HARRIS. Mr. President, I ask unanimous consent that on Monday next, immediately after the convening of the Senate, and after the prayer, the distinguished Senator from Tennessee (Mr. BAKER) be recognized for not to exceed 30 minutes.

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

CURRENT CRISIS IN INDOCHINA

Mr. HARRIS. Mr. President, since I introduced Senate Resolution 383 for myself and the distinguished senior Senator from Kansas (Mr. PEARSON) on April 2, the current crisis in Indochina has intensified. In addition to increased fighting between Communist and non-Communist forces throughout the Indochina Peninsula, long-held national and racial enmities have again surfaced, resulting in additional needless slaughter and adding another difficult-to-resolve dimension to an already confused and complex situation.

Developments off the battlefields also give cause for great concern. Transcripts of a portion of the hearings on U.S. commitments conducted by the distinguished senior Senator from Missouri (Mr. SYMINGTON) have finally become available. They reveal to the country that the so-called neutral status of Laos has been at best a polite fiction for more than 5 years. Today we learned that the administration has agreed to send several thousand rifles to Cambodia, which is a most disturbing development.

There is another course of action open to us, if we will seize the initiative. That is the policy suggested in Senate Resolution 383. This resolution, if adopted, would express the sense of the Senate that affirmative U.S. action is needed to bring the hostilities in Indochina to an end, and, further, that a comprehensive multilateral conference of all interested parties, with the end of true neutralization of all of Indochina, would be the most promising form such affirmative action could take.

I ask unanimous consent that the names of the distinguished junior Senator from South Dakota (Mr. MCGOVERN) and the distinguished junior Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of Senate Resolution 383 at its next printing, which brings the total number of cosponsors of the resolution to 12.

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

Mr. HARRIS. Mr. President, I am under no illusions that such a conference would be easy to bring about or that it would inevitably produce substantial results and neutralization of Laos, Cambodia, and Vietnam. But we will never know what is possible unless we make a serious attempt to find out, including consideration of changes in U.S. policy which might be necessary to bring all the interested parties to the conference table in Geneva or some other suitable place.

Events of the past week illustrate both the potential of such an approach and some of the difficulties which need to be overcome. Soviet Ambassador Yakov Malik's support of a new Geneva Conference as the only way to "bring about a new solution and relax tension on the Indochina peninsula," was a clear indication of interest, despite subsequent backtracking somewhat. On Saturday, Secretary Rogers said that the United States was pressing the Soviet Union to see if they had any specific proposals concerning a new conference. While I am pleased that the administration is showing interest in the idea proposed in Senate Resolution 383, I am afraid that it has been too passive, preferring to wait for initiatives from others, rather than attempting to break the logjam itself.

We need movement in our policy, if we want to bring hostilities in Indochina to an end. I believe the course charted by Senate Resolution 383 would offer the best chance for movement in the right direction. I am pleased to announce these additional cosponsors.

Mr. President, I yield the floor.

EUROPEAN TRAINS PROSPER AS U.S. TRAINS DIE

Mr. ALLOTT. Mr. President, the Denver Post of April 15 contained an important article pertaining to railroads in the United States and Europe.

The article was filed from Paris by Warren Trabant and it confirms something that American specialists in transportation—and American tourists abroad—have been saying for some time.

That is, European railroads are showing continued steady improvement, while American railroads continue to suffer a variety of ailments, and continue to provide passenger service that is not attracting passengers.

Various European nations are proving that passenger rail service can be a success even in modern industrial nations which enjoy good roads and convenient air service. The Europeans are showing that rail passenger service can coexist with competnig forms of passenger transportation.

I commend this article to the attention of the Senate, and I ask unanimous consent that it be printed in the RECORD.

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

EUROPEAN TRAINS PROSPER AS U.S. TRAINS DIE

(By Warren Trabant)

PARIS.—European railways are announcing faster and more comfortable trains at about the same rate American railways abandon them.

Recently, just as the California Zephyr was making one of its final runs, the French railways announced it would, in a few years, be setting passengers down in Lyon two hours after leaving Paris. (The present running time is 3 hours 50 minutes.)

It is possible today to beat air travel from city center to city center on the famous "Capitole"—the fastest train in Europe. It runs the 250 miles between Paris and Limoges in 2 hours 45 minutes at an average speed of 85 miles an hour.

The "Societe National Chemin de Fer," France's state-owned railroad, has just completed a study of turbo trains that will travel up to 185 miles an hour. In cooperation with builders of new super highways, they are rerouting the old roadbeds, cutting almost 60 miles of track between Paris and Lyon. The plan calls for an investment of $220 million.

TRAINS ON TIME

Trains are completely international in Europe and almost always on time. Every afternoon at exactly 2:45 a train leaves the North Station of Paris with cars for Berlin, Copenhagen, Warsaw and Moscow. The Moscow car, Russian owned and operated, is much like an old American pullman, completely staffed with a Russian crew.

French express trains run with great precision. In 1969, 95.1 per cent arrived on time or less than 15 minutes late.

There are 28 special daytime trains connecting the major cities of Europe. Called Trans European Express (TEE), they consist of four to eight lightweight, roomy, tastefully decorated cars including a club car and restaurant. It is possible to set your watch with the arrivals and departures, as they pull in at a station for exactly a 60-second stop.

TEEs average better than 60 miles an hour. On certain stretches they hit 100 m.p.h. Each bears its own romantic name: Rheingold, Le Cisalpin, L'Oiseau Blue, etc. The routes range from 700 miles (Bremen to Milan—12 hours 39 minutes) to as short a run as 220 miles (Zurich to Munich—4 hours 20 minutes).

Meals on TEEs are superior to those on average trains. Each serves the specialities of the country of origin. The seats are wide and roomy.

MOST SPECTACULAR

The most spectacular is the "Mistral" running from Paris to Nice. It averages 74 miles an hour, making the 670-mile run in 9 hours 5 minutes. Aside from an excellent restaurant and bar, it carries a gift shop, newsstand, secretary, barber and beauty parlor.

A good selection of night trains crisscross Europe, as well. Most are comfortable with roomy first-class sleeping compartments, less roomy but practical second-class space. Many offer "couchette" accommodations, made up from day coaches in which each compartment contains six or eight bunks. A blanket and pillow are provided, but passengers sleep in their clothes as they do not separate sexes. The advantage is economy; they cost about one third as much as first class.

Certain trains include automobile carriers. For little more than it would cost to drive, you can start driving when 100 miles or more away from the heavy traffic.

A new train between Paris and Rome has introduced the "all in" fare. Called the "Palatino," it leaves Paris at six p.m., arrives in Rome at 9:30 a.m. the next morning. Dinner and breakfast are included in the fare. It's a delightful trip, especially from the breakfast car as the train rolls through Lombardy and Tuscany toward Rome.

LESS ROMANTIC

The famous old "Orient Express"—no longer luxurious or glamorous, but still international—leaves Paris at 10 p.m. with cars marked Munich, Salzburg, Vienna, Bucharest, Sofia and Belgrade. Breakfast is served in bed, if you wish.

There is still an excitement in the bustling, noisy railway stations of Europe that no airport can match. Although the trains are no longer as romantic as described by the filmmakers and novelists of the '20 and '30s, they still offer some exciting scenery, interesting people and adventurous travel.

The clean, comfortable TEEs are soundproofed, but conversations can be heard for several seats away. Friendships can be made at the bar or during a relaxed meal over a bottle of good wine and a glass of Napoleon brandy. The atmosphere of the train contrasts to that of a plane—there is freedom of movement that makes it possible to choose a dinner companion rather than accept the person assigned to the next seat.

TOURIST BENEFIT

Tourists can benefit as well with a money-saving "Eurail Pass." For as little as $110, one can travel first class an unlimited number of miles in 21 days on the railroads of 13 European countries. A 20-day trip by train, for example, from Paris to Copenhagen, to Naples and back, including stops in 10 major cities (a distance of over 3,000 miles) would cost only $140 (for a one-month pass) plus perhaps $10 to $20 for sleeping accommodations. The cost without a Eurail pass would be close to $300.

MODERN TRANSIT MARKETING

Mr. ALLOTT. Mr. President, the concept of modern transit marketing is one about which very little valuable material has been written.

Therefore, I was extremely pleased to read a new booklet entitled "Transit Marketing in Chicago" by George Krambles, Superintendent of Research and Planning of the Chicago Transit Authority.

Working with the full cooperation of CTA's outstanding Chairman George De Ment, Mr. Krambles, who is an internationally known expert on these concepts, has developed some very practical and workable ideas for encouraging patronage of rapid transit lines.

The ideas have been largely put to work in several recently completed rapid transit projects in the Chicago area, all of which were assisted financially by the Federal Government, through the Urban Mass Transportation Administration.

Because I have long contended that the money we have spent on the Skokie, Englewood, Dan Ryan and Kennedy lines in Chicago is among the best investment in transit DOT has made since the beginning of the urban transit program, I found this statement by Mr. Krambles to be further confirmation of my belief in this regard.

Mr. President, I ask unanimous consent that the text of "Transit Marketing in Chicago" be printed in the RECORD.

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

TRANSIT MARKETING IN CHICAGO

(By George Krambles)

In transit, an ideal market-oriented planning effort increases ridership and simultaneously reduces unit cost.

Transit is a service industry with high capital content in its equipment and high labor content in its product. The possibility of reducing labor content per vehicle hour is small. On buses the limit may have already been reached. Trains, even with automation, will be at the limit when policing and maintenance manhours begin to overtake operator manhours; a point that does not seem very far off.

Transit must increase its labor rates in parallel with the whole economy or not have an adequate labor force, yet may not increase its fares without serious sociological impact.

Useful service output per hour of transit equipment and manpower must be increased therefore to minimize subsidy from outside the farebox.

The approach to increasing productivity adopted for the new Chicago projects is that of increasing average speed so that more passenger miles are served for each hour of work of man or machine. Not only may unit costs thus be minimized, but existing riders are benefitted and new riding is generated by the improvement in competitive qualities of transit. Intermodal journeys are a vital ingredient in accomplishing these goals.

A glance backward through time shows how this policy developed. In 1948, buses (and streetcars) in Chicago generated about 2.7 million fares on an average weekday. Rapid transit brought in a little less than 400 thousand fares. Twenty years later, buses were bringing in only about 1.2 million fares—a loss of more than half, but rapid transit had no loss. In the downtown area rapid transit has for 15 years served more people than have buses. 70% of the people downtown each day use the L-subway.

Over the last 20 years continuous changes were made to both the bus and rapid transit systems to adapt to changing land use, and to optimize the Authority's position in the face of the injection into the city of at least $3 billion in new urban highway and personal automobiles.

To service newly developing areas, the number and length of bus routes was increased, expanding route mileage by 30%. Buses replaced fixed track streetcars. All surface vehicles were replaced by new ones.

There was constant attack on problems of vehicle design, performance and operation and continuous effort in traffic engineering, but speed, dependability and regularity in bus operation have shown discouraging little improvement.

In the same 20 years rapid transit was not expanded in coverage. To the contrary, without reducing coverage, 11 miles of weak branches were taken out of service; the number of cars required was reduced about 30%, and the number of stations was reduced 42%. By this process, plus the introduction of 'A' and 'B' express service, however, the average distance between stops of trains, and hence average speed, was substantially increased.

It has only been possible so far to replace about 80% of the rapid transit car fleet, but even so through the combination of better cars and wider stop spacing average speed was raised 30%. Furthermore, because of the exclusive right-of-way of the rapid transit system, and using modern line supervision technology, the all-weather dependability and regularity of rapid transit service was greatly improved.

We believe the public is better served when opportunity for the use of rapid transit is maximized. Speed and dependability only obtainable from that mode is vital if we are to serve a growing share of the market.

In planning for the new Chicago transit projects it was therefore the aim to shift passenger-miles from buses, averaging 12 to 14 mph, to rapid transit averaging 25 to 32 mph. Rapid transit is made conveniently accessible to a greater number of multi-modal riders by having buses complement, rather than compete with, rapid transit.

The basic change in the rapid transit system is its extension farther from the city center, although still well within city limits. In the bus system the accompanying change is that appropriate routes focus into, rather than continuing to parallel, rail lines.

The flat geography of Chicago led to a rather unimaginative gridiron street pattern. Surface transit followed the arterial street pattern with a network of very long north-south and east-west routes. Aiming at the concentrated needs of the central business district, the rapid transit and suburban railroads followed a radial course as did expressways, when they were built.

To make every station in the new Chicago transit projects an intermodal interchange point, parts of the historic grid of parallel bus routes are rearranged to form neighborhood-oriented radial networks, each focussing at an appropriate intermodal transfer station. As a result, within a year it is expected that some 26,000 *new* rides daily will be generated and at least another 140,000 per day will have changed their mode of travel to ride the new lines for a shorter journey time.

Fifty-four bus route changes were made to contact the new stations. For example, seven CTA bus lines are routed to the 95th station, while ten are routed to the Jefferson Park station. Formerly, only two served each location.

Bus routes changed to feed the new rapid transit lines are in many cases shortened yielding important incidental improvement in dependability and regularity. For example, no longer will service on North Michigan Avenue be disrupted by a ball game break in the peak of the afternoon rush. Service on Milwaukee Avenue north of Jefferson Park won't be short-changed, as it was in the past, by congestion on Washington Street or a parade downtown.

Off-street bus turnarounds are provided for intermodal transfer at the most important stations on the new projects. At others, buses stop in front of station accesses provided on each side of the expressway overpass, or passengers use marked crosswalks protected by traffic signals.

The current series of projects began with an extension of the Englewood line only about one quarter mile in length. The major aspect of this project was to provide an adequate intermodal transfer station facility, not possible at the original terminal because

of street access and property limitations. Much attention was given to improved amenities for passengers and to better handling of trains as compared to the previous terminal which had been "temporary" for 60 years!

The Dan Ryan line is an extension of the present Lake rapid transit route from Chicago's historic Loop via expressway median strip to the south side of the city. A trip over the 20.5 miles between Harlem/Lake and 95/Dan Ryan is made in only 41 to 45 minutes with 'A' and 'B' express service. The new route is the first rapid transit through service between the south and west sides of the city and eases the travel burdens of many who are employed outside the central business district.

The 95th street terminal represents a unique solution for a major transfer facility, being contained wholly within the expressway right-of-way. It is built over the outside slopes adjacent to the shoulders of the roadways, and on a new bridge across the highway 300 feet north of 95th street. CTA, Suburban and Greyhound buses circulate around the station providing passengers direct access to the rapid transit facilities. At 69th station a similar exclusive bus bridge was built.

Even the car storage yard and maintenance shop at the end of the line was squeezed into expressway median space.

The Kennedy line is an extension of the West-Northwest rapid transit route about five miles northwest from Logan Square. About ¾ of the extension is in expressway median and the remainder is in subway. 'A' and 'B' skip-stop express service is being operated. Under this plan, used on most Chicago rapid transit lines, stations with heavy traffic are designated 'AB' stations; lighter stations are successively 'A' or 'B' stations and alternate 'A' and 'B' trains make the corresponding skip-stops. As applied to the Kennedy extension the plan doubles the average distance between station stops and decreases travel time 20%.

The most extensive and comprehensive intermodal interchange on Chicago's new projects is at Jefferson Park station, which is served by a dozen city and suburban bus routes, the Chicago & North Western Railway as well as, of course, rapid transit trains to the city center and beyond to two important west suburban destinations. Here the railroad lies between the rapid transit in the Kennedy median and Milwaukee Avenue. The bus terminal is on land connected to the railroad and rapid transit platforms by a pasageway under the railway and over the southbound expressway lane. There are two separate bus loops, each with eight lanes.

Ultimate extension of rapid transit to the passenger terminals at O'Hare International airport was anticipated in the planning for the Kennedy project, as it was in the design of the expressway itself. However, the short supply of both city and federal funding and the urgency of spending what was available to meet the highest priority transit needs throughout the city made Jefferson Park the logical terminal at this stage. Although the North Western Railway, which claimed that rapid transit to O'Hare would irreparably damage its suburban service through rider diversion, threatened to block the whole project until CTA agreed not to operate in the median beyond Jefferson Park, the decision to build rail only that far had already been reached.

However, under a project sponsored by the Mayor's Office of Cultural and Economic Development, the immediate need for direct service from O'Hare to Jefferson Park is being tested by an entirely new non-stop bus route, thus adding our highest level of intermodal link.

Greyhound buses, which originate in its downtown station (with grade-separated access) now emerge from the expressway to use Jefferson Park, Skokie Swift and 95th as satellite stations. Some suburban buses terminate at 95th or Jefferson Park instead of continuing into slow-moving central area streets.

One type of intermodal interface yet to be developed on the Dan Ryan and Kennedy extensions is Park 'n' Ride. With the exception of the Englewood project, there is no new parking available initially on the new Chicago projects. It is planned that this deficiency should be overcome in a next phase with modest parking lots at key stations, and a later phase with high capacity facilities at terminals, which by that time are likely to be farther out than the present ones.

Additional car requirements imposed by the Dan Ryan and Kennedy extensions are being met by an order of 150 stainless steel cars now being delivered. These silver sky liners are notable for the panoramic windows usually found only in special sightseeing equipment.

In the Northwest Passage project, the Clinton 'L' station of the Lake-Dan Ryan route is being linked with the terminal of the North Western Railway by a shortcut passageway with escalators. This will afford suburban railroad passengers broad distribution throughout the central business district and beyond into the south and west sides of Chicago.

The construction of each of the major projects was completed within three years from approval of the respective grants by the federal government.

ILL–UTG, project, HUD approval, in service

First, Englewood, 5/6/66, 5/6/69.

Fourth, Dan Ryan, 3/13/67, 9/28/69.

Second, Kennedy, 3/13/67, 2/1/70.

Third, Northwest Passage, 6/23/67, Est. 5/11/70.

Fifth, 150 cars, 6/12/68, Est. 6/ /70.

This accomplishment is made more remarkable by the fact that all of the projects were in progress at the same time.

An important part of the preliminary planning work for all the projects was the series of traffic estimates and related cost/benefit studies. Although there had been several line relocation projects through the years, the last previous rapid transit extension within Chicago was completed in 1907, so there was no clear precedent to guide traffic estimates. Nevertheless the results to this writing indicate reasonable expectation of meeting the traffic projections.

The Dan Ryan extension after about six months of service is providing about 82,000 rides per weekday, which is 86% of the one-year goal.

The Kennedy extension after less than three months is now about 53,000 per weekday, which is 76% of the one-year goal.

Planning of the new Chicago projects was a comprehensive coordinated effort of the City of Chicago, the Chicago Area Transportation Study, the Northeastern Illinois Planning Commission and the Chicago Transit Authority. Construction was sponsored by the City of Chicago and the U.S. Department of Transportation under urban mass transportation programs initiated in the last few years.

The combination of these diverse viewpoints, we believe, has led to even better utilization of the best qualities of each mode of travel to provide the urban transportation system needed for Chicago in the 1970s.

TRIBUTE TO CONGRESSIONAL SECRETARIES ON OCCASION OF NATIONAL SECRETARY WEEK

Mr. ALLOTT. Mr. President, as I have been reminded—constantly, not to mention aggressively—by a slew of constituents right in my own office, this is National Secretary Week.

Thus I come to this Chamber today to profess my profound appreciation for God's handiwork in creating the secretary, and to urge all Senators to join me in a special salute to the Capitol Hill variety of that species.

I urge this for two reasons.

First, it is prudent to salute them. There are more of them than there are of us. The spirit of women's liberation is abroad in the land and, for all we know, some of those demure creatures in the offices have been out practicing karate in their copious spare time, the better to avenge themselves for centuries of what today is called male chauvinism.

Second, we should love, honor, and cherish our secretaries during National Secretary Week, and maybe even into the middle of next week, because they are such cheerful and vital parts of any functioning office.

So to those who say "Three cheers for secretaries!" I say "Yea, verily," type it in triplicate, and file under the appropriate headings.

DENVER—LEADING TRAINING CENTER FOR PILOTS OF MODERN JET AIRCRAFT

Mr. ALLOTT. Mr. President, I am pleased and proud to note that Denver, Colo., is serving as a leading training center for pilots learning to fly the most modern jet aircraft.

The training takes place at an installation run by United Air Lines. An interesting article concerning this center appeared in the Washington Star on March 25, and I ask unanimous consent that this article be printed in the RECORD.

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

[From the Washington Star, Mar. 25, 1970]

UAL PILOT CENTER: CREWS OF 22 AIRLINES TRAINED AT DENVER

(By Dean C. Miller)

NEW YORK.—Japanese pilots go to school in Denver to brush up on their skills and to learn how to fly the big new jets.

The $30-million United Air Lines flight training center at Stapleton Airport is something like a United Nations with wings. Business executives and corporate pilots from the Congo, West Germany and Pittsburgh go there to learn to fly the Learjet and other company-sized planes. Dancer Danny Kaye and Golfer Arnold Palmer, who fly their own planes for business reasons, also drop in for brush up work or just to kibitz with Glenn Allred, manager of airline and corporate flight training activities for United.

"We think this is a growing segment of the airlines business," said Allred in a recent trip to New York, "and we're out to get business."

MAJOR TRAINING CENTER

Last year the UAL center trained the crews of 22 other airlines, including 11 foreign carriers. It put 175 corporate pilots from 52 companies, 10 from overseas, through the paces of handling a Learjet. Another 107 flight personnel from 87 companies underwent special training. Companies like Anheuser Busch, Boise Cascade, Federated Department Stores and Trimof Fertilizers of Johannesburg, South Africa, put in time at the UAL center and get paid for it.

United collected $2 million in training fees from outside companies aside from giving $22 million worth training to its own crews. United captains must take refresher courses every six months.

"We're projecting a $3-million intake from other companies this year," said Allred, a pilot for 29 years.

One reason for the optimism is the need for training on the big new Boeing 747. Three Japan Air Lines crewmen began 747 training at the center on March 23 and other JAL crews will follow. Braniff also will get its 747 training at the UAL center.

Tuition is expensive, about $11,000 per man on the 747. That is figured on the basis of a three man crew, training for 28 days and getting 32 hours of simulator time and six of actual flight time. Simulator time goes for $360 per hour. It soars to $3,200 per hour when the students actually fly the big bird.

TUITION IS EXPENSIVE

Expenses also run high. Insurance on the $22-million plane is expensive. Instructor time, fuel, cost of the plane itself, maintenance crews and the like run into big money.

Even training on the 737 doesn't come cheap. It costs $800 per hour. Learjet lessons go for $500 per hour.

To offer training in so many different planes requires a tremendous amount of equipment at the center. UAL has $25 million invested in its 16 all-jet simulators, nine cockpit procedure trainers in addition to a standby fleet of 12 planes.

"When you consider that an airline spends about $10,000 training each pilot, and another $90,000 keeping him brushed up during his career," said Allred, "you get an idea of why we think we're in a growth business. Consider all the companies which are going in for flying and you know you are."

ONE-THOUSAND-DAY DELAY IN TRIAL OF H. RAP BROWN

Mr. ALLOTT. Mr. President, on July 24, 1967, H. Rap Brown made an incendiary speech in Cambridge, Md. He urged burning down America, and suggested that his listeners might begin the job right there in Cambridge. That night rioting and arson did $300,000 worth of damage in Cambridge. In August 1967, Mr. Brown was indicted by a Dorchester County grand jury on charges of incitement to riot, incitement to arson, and arson.

Last Monday, there was another development in the interminable process of trying to bring Mr. Brown to trial in nearby Maryland.

The development was another failure to get the trial underway. This would hardly be news—such failures are depressingly common—but it is worth noting for one reason.

This delay came exactly 1,000 days since H. Rap Brown made his famous visit to Cambridge back in 1967.

Yesterday the trial was postponed again—for the eighth or ninth time—depending on whose count you accept—until at least next Monday. Then, or some time thereafter, a three-judge panel from the Fourth Circuit will hear arguments on the defense contention that the State of Maryland is violating Mr. Brown's rights.

Mr. President, I am not concerned about the details of the arguments being advanced over the years by the prosecution or the defense. I am concerned with the way the current state of our judicial system causes a case such as this to be strung out over many years.

For over 1,000 days Mr. Brown's team of lawyers has managed to spare him the inconvenience of coming to trial. This has been the special handiwork of Mr. William M. Kunstler, who divides his time between inciting crimes and defeating attempts to prosecute persons accused of crimes.

For a number of weeks there has been much disingenuous talk from Kunstler about how anxious he was to find a Maryland community suitable for a trial. But the other day, Mr. Kunstler revealed what has been apparent to the trained observer right along—Mr. Kunstler said that even if he knew where Mr. Brown is hiding, he would not bring his client into court.

Kunstler thinks the climate of opinion in Maryland is so corrupted and threatening that it would be risky to the physical safety of Mr. Brown to ask him to enter the State.

This is patent nonsense. But it is part of the current strategy to get the case shifted from a State court to a Federal court. The case is now tenuously lodged in a Baltimore Federal court, pending a ruling by a Federal judge as to whether it shall remain there or go back to a State court in Ellicott City. Senators recall that it landed in Ellicott City after it was moved from Bel Air, where it arrived after being moved from Cambridge.

Approximately 5 weeks ago I spoke to the Senate about the tortured attempts to bring Mr. Brown to justice. At that time I voiced the fear that radical Leftists may have hit upon a new way of avoiding trial and punishment for their sundry forms of misbehavior. The new tactic is stunningly simple: They refuse to come to trial or, failing that, they turn the courtroom into a circus and refuse to allow the trial to proceed.

This last was the technique adopted by Mr. Kunstler's defendants in the Chicago conspiracy trial. It worked so well that seven of the conspirators are roaming the country giving lectures, publishing books, inciting riots, and making money fist over glove.

So far it appears that Mr. Brown will not have to go to all the trouble of disrupting a courtroom. On the evidence of the past 1,000 days, Mr. Brown may never see the inside of a courtroom.

Many bad consequences can result if radical defendants are allowed to escape trial and punishment. For example, this may have unfortunate consequences with regard to police behavior.

Let us be very candid. The last 5 years have been very difficult years for policemen. They have been confronted with extremely explosive mob situations—some of which have posed military problems rather than police problems.

Further, there have been instances when the police have used excessive force in dealing with these situations. When this has happened the good name of the American policeman has suffered, and so has respect for the enforcement of law.

There are several possible explanations for these few instances of police excesses, but one thing is clear. The police often feel that the individuals who are making their lives so unpleasant and so dangerous will never be punished by the due process of law.

Mr. President, it is very dangerous for any part of the citizenry to become convinced that persons who flagrantly break the law are going to indefinitely delay any day of reckoning in court. It is doubly dangerous when the police become convinced that this is so.

When this happens, the police feel a strong temptation to take on the punishing function of the law. This is an intolerable usurpation of a function which properly belongs to persons and institutions other than the police.

To say that the policeman's temptation is understandable is not to say that it is pardonable for the policeman to yield to that temptation. Yielding to that temptation is an unconscionable violation of police professionalism, and a grave threat to law and order.

Nevertheless, we all should be worried when we see an instance such as the case of Mr. Brown, wherein the fears of the police seem to be confirmed.

There is great concern in some circles that the youth of the Nation will get the impression that the "system" does not work. In some circles there is even a tendency to violence on the part of young people when they believe the "system" is not working.

It is important to remember that there are other Americans beside young people who have moments when they doubt whether the "system" will work. And it is important to remember that frustration can lead to violence among various groups of Americans when they feel that some part of the "system"—for example, the courts—is not functioning.

For this reason let us hope that the depressing example of the Brown episode soon becomes the encouraging example of a trial conducted according to due process.

FUTURE OF THE U.S. SPACE PROGRAM

Mr. ALLOTT. Mr. President, on April 18 on his way to Honolulu, President Nixon discussed the future of the U.S. space program at length with Dr. Thomas O. Paine, the NASA Administrator. Excerpts of the President's views expressed during this conversation have appeared in the press in the last few days, but so that these views are placed in proper context, I ask consent to have printed in the RECORD the complete statement by Dr. Paine on his conversation with the President.

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

STATEMENT OF DR. THOMAS O. PAINE, NASA ADMINISTRATOR, APRIL 19, 1970

During the flight to Honolulu yesterday I had an opportunity to spend an hour and a half with President Nixon talking about the future of the U.S. space program. The President has authorized me to tell you about the conversation, and I would like to share a few of his thoughts with you tonight.

The President reiterated his strongest support for a vigorous, on-going program and

particularly in manned space flight. We will press on, he said, in the exploration of the moon and eventually explore the planets.

There will be those, the President said, who will seize upon this accident as an opportunity to call for a slowdown or a turning back; but, he said, we are not the kind of people whose purpose is diverted by adversity or setback. We have set a good course, a forward course, he added, and we will not falter in our resolve.

During the past few months I have visited a number of countries on the President's behalf to express to scientific and space leaders the President's strong desire for all nations to share in the exploration of space. I briefed the President on my recent trips to Bonn, London, Ottawa, Canberra, and Tokyo, and he was pleased to hear that other nations were considering new ways to cooperate with us in very tangible ventures. He told me that we should continue these efforts and that he was particularly gratified by the messages of good will and support that he received from scores of nations during the Apollo 13 mission.

I told the President of our plans for a thorough review of the Apollo 13 accident. He once again expressed his confidence in, and his admiration for, the NASA organization, and he said that these men and women, joining with our colleagues in other Government agencies, in industrial plants, and on college campuses would find a solution, fix the problem, and set forth again.

I told the President that I cannot yet set a firm schedule for the Apollo 14 mission and as soon as the Apollo 13 review board has completed its review of the accident and we know that we are ready to apply the lessons of Apollo 13 to the next mission, fix the equipment, and understand the procedures, we will announce the launch date for Apollo 14.

Finally, the President was pleased to see an enthusiastic flight crew in Hawaii, but they are tired, and he told me to go easy on the debriefings and to give Jim and Fred and Jack some well-deserved rest and relaxation. The President generously offered the use of Government facilities for this purpose, and I expressed my deep appreciation for his thoughtfulness, and I have passed this on to the Apollo 13 crew.

We in NASA heartily agree they have earned all the vacation we can give them.

Mr. ALLOTT. Mr. President, I am pleased to read this report of the conversation between the President and Dr. Paine. I am especially pleased to note Dr. Paine's report that other nations are now considering ways to increase cooperation with the United States in space exploration.

Such added cooperation is much to be desired. In this regard, I would like to call to the attention of the Senate a most interesting comment from an editorial in the distinguished British weekly, the Economist, dated April 13:

During the long hours, the world, listening to reports of deteriorating conditions inside the spaceship, hearing the edge creep into Lovell's professionally cool voice, has had plenty of time to think about whether the Americans should any longer be left to carry the whole burden of pioneering space, or whether they do not need at least a token moral support from other countries to encourage them in what they are doing—something more positive than taking their television programs from space, and placing rescue ships at the American's disposal. That answer, at least, ought not to be in doubt.

This statement by the Economist does, I believe, add emphasis to the point that the U.S. space program benefits many nations and peoples—it is truly an effort for all mankind—and thus the United States might feel more willing and able to bear the cost of this wonderful program if it received some more support from other nations.

Mr. President, when the Apollo 13 mission made its safe return to earth last week, I issued a statement expressing some of my thoughts on the space program—its past, its present, its purposes, and its future. I have been associated intimately with the program since I first became a member of the Committee on Appropriations, in 1959.

Mr. President, I ask unanimous consent that the statement which I made last week may be printed in the RECORD at this point.

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

SUCCESS OF APOLLO 13

The safe return of astronauts Lovell, Haise, and Swigert was a joyous event for all Americans, and for prayerful people the world over.

It is simply not possible to find words adequate to the task of praising these men. Suffice it to say that they gave the world a glimpse of the greatness of real men locked in combat against a hostile environment.

I think it is appropriate to pause a moment today and examine once again the many benefits we—and the world—derive from our vigorous program of manned space exploration.

Bismarck was so bewildered by the American ability to get into tight scrapes—and then escape unharmed—that he was moved to declare: "God must love drunks, babies and the United States."

Well, surely God was looking after the astronauts. But they were also looking after themselves.

They displayed one absolutely American virtue—splendid Yankee know-how. Faced with the desperate necessity to improvise breathing equipment, they used odds and ends—including the plastic wrapper from a piece of clothing—to construct a gadget that does add new luster to the idea of a "Rube Goldberg invention."

There is a big moral in this small facet of Apollo 13. It is quite possible that we learned as much about space, and space craft, from this difficult Apollo 13 mission than we have learned from any other to date.

Apollo 13, far from being the failure, is a many-faceted triumph. This is not really surprising. The social return from space exploration has always been enormous.

The yield in scientific knowledge about our universe is beyond the dreams of all prior generations of scientists. Our dedicated pursuit of this knowledge reaffirms our dedication to the principles of enlightened respect for truth.

Further, Americans are increasingly well-aware of how much they have gained from technological spin-offs from the space program. One can hardly overestimate the myriad social benefits these have brought.

But perhaps we have not given sufficient attention to another kind of benefit we—and other peoples—receive from the space effort. Beyond the intellectual and material gains from the space program there is a moral and spiritual gain.

This gain is hard to express, and impossible to quantify, but it is nevertheless very real. It is a gain for the American community, and for the world community.

I would venture to guess that the flight of Apollo 13 has given to Americans—and to the world—something more precious than we ever thought could be brought merely from a voyage of exploration.

What these three astronauts brought us was new knowledge of the most precious sort. They brought new knowledge of the human spirit.

By their own bravery they showed the world again what resources the individual has when faced with an extreme challenge.

By the splendid moral support they received from all the world's peoples, they demonstrated the common humanity which transcends—and will outlive—the political divisions that divide the planet.

The outpouring of prayers and concern from around the world has been astonishing, gratifying, and instructive. It has demonstrated another ancillary value of the space effort. It has shown how the personal heroism of a relatively few men, supported by the technological competence and steadfast backing of a great nation, can win the admiration of men and women everywhere.

The multi-national gathering of rescue ships in the Pacific, and anywhere else they are needed, has produced a temporary comity among nations.

Of course, this comity is a gossamer thing. It cannot erase the real differences that now divide the family of man. But any moment of harmony and common concern in this troubled world is precious, and anything that produces such a moment is to be cherished by all mankind.

The space programs has allowed all human beings to feel and demonstrate once again the common ties of sympathy that unite mankind. The numbing fear and desperate hope which the world felt while the astronauts fought their fight were, in their very humanness, powerful reminders of the common humanity of all peoples.

Back at the beginning of the 1960's there was much talk about the bold exploration of "new frontiers." The words belong to John F. Kennedy. The space program which he did so much to advance is a clear commitment to the idea of exploring new frontiers. Indeed, rarely has there been such a successful translation of political rhetoric into practical and successful programs.

Theodore Roosevelt understood this. His call for Americans to lead the "strenuous life" represented his understanding of the fact that national greatness depends on a citizenry that hungers for challenges.

John F. Kennedy understood this. His constant emphasis of national "vigor" represented his understanding of the fact that a nation that does not thrive on vigorous exertions will not thrive at all.

There will undoubtedly be some men of small soul and constricted vision who cannot comprehend the moral significance of the space program. They will look at this most recent triumph of the human spirit and wonder merely if it is not slowing the march of urban renewal, or some other personally favored enterprise.

Perhaps these persons can be reached with this single argument. Of course we face many challenges here on earth. Of course they will not be solved without a large and steady commitment. And even with such a commitment, the tests will be severe and the sacrifices painful.

But none of this will be possible—not the commitment, not the steadfastness, not the capacity for sacrifice—if we lose our appetite for rigorous exertions.

For this reason we must not panic in the face of Apollo 13's difficulties. We must not be led to abandon manned space flights.

Yesterday a Navy jet and an Air Force jet collided in midair over North Carolina. Six men died in this accident. Such accidents are not common, but nor are they unknown. No one is complacent about them. But no one thinks accidents can be entirely eliminated from the many flight training programs and regular operations of all the parts of the armed services which use aircraft.

Hazards—and even death—are grim, but

accepted features of life in the air age. But, it is interesting to note that we do not hear people asking that we abandon the use of airplanes every time there is an airborne mishap. Yet in recent days we have heard talk to the effect that the difficulties experienced by Apollo 13 constitute a good reason for putting an end to manned space flights.

Our three astronauts have survived a narrow brush with death. Yet the only time they showed even a flicker of emotion was when, upon separating from the service module, they saw the extent of the damage their equipment has suffered.

These are cool men, confident men, men enjoying a spiritual self-sufficiency that embodies all the classic heroic virtues. We do not honor them, we do not serve the nation, when we engage in a lot of nervous nattering about putting an end to manned space flights simply because three heroes were called upon to display heroism.

From the space program Americans gain a re-affirmation of their continuing capacity for great exertions and splendid achievements. They gain a chance to demonstrate and pay tribute to the most noble qualities of the human soul—ingenuity, comradeship and courage.

Hemingway defined courage as "grace under pressure." By this defintion—by any definition—the three astronauts have written a bright new chapter in the history of American courage.

S. 3759—INTRODUCTION OF A BILL TO REMOVE LIMITATION TO PERMIT THE SECRETARY OF THE NAVY TO SATISFY CLAIMS IN CONNECTION WITH CHESAPEAKE BAY BRIDGE-TUNNEL ACCIDENT

Mr. BYRD of Virginia. Mr. President, I introduce a bill and ask that it be appropriately referred. I offer this legislation for myself and for my distinguished colleague from Virginia (Mr. SPONG). Identical legislation will be introduced by all Members of the Virginia delegation in the House of Representatives.

The legislation concerns the accident of a naval vessel on January 21, 1970, which collided with the Chesapeake Bay Bridge Tunnel and did substantial damage to that bridge-tunnel. There is no doubt that the Government has a liability and an obligation in regard to this matter. It will be handled in the appropriate and customary manner.

However, this legislation is necessary because at the present time there is a limitation of $1 million as to the amount for which the Secretary of the Navy may settle claims affecting naval vessels. The damage to the Chesapeake Bay Bridge-Tunnel by this accident has not been permanently established but it is estimated to be about $2.7 million.

The purpose of the legislation is to remove the limitation so as to permit the Secretary of the Navy, after all the facts have been established, to take action to satisfy justified claims against the Government.

The PRESIDING OFFICER (Mr. SAXBE). The bill will be received and appropriately referred.

The bill (S. 3758), to remove the present $1 million limitation which prevents the Secretary of the Navy from settling and paying the claim of the Chesapeake Bay Bridge and Tunnel District arising out of the collision of the U.S.S. *Yancey* with the bridge-tunnel span, introduced by Mr. BYRD of Virginia, for himself and Mr. SPONG, was received, read twice by its title, and referred to the Committee on the Judiciary.

AUTHORIZATION FOR PRESIDENT TO PROCLAIM THE LAST FRIDAY OF APRIL 1970 AS "NATIONAL ARBOR DAY"

Mr. HARRIS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 251 to authorize the President to proclaim the last Friday of April 1970 as "National Arbor Day."

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HARRIS. Mr. President, I wish to state to Senators that this matter has been cleared on both sides of the aisle.

The PRESIDING OFFICER. The question is on third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 251) was ordered to a third reading, was read the third time, and passed.

DRAFT AND THE VOLUNTEER ARMED FORCE

Mr. PERCY. Mr. President, at the request of the distinguished Senator from Kansas (Mr. DOLE), I ask unanimous consent that a speech by him on the President's message on the draft and the volunteer armed force be printed in the RECORD.

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

DRAFT AND THE VOLUNTEER ARMED FORCE

(By Mr. DOLE)

During his campaign for the Presidency, Richard Nixon announced his support for the concept of a volunteer Army. Soon after taking office, he appointed a Commission to study the feasibility of creating such a force. On February 21, the Gates Commission reported that the interests of the Nation would be best served by the creation of an all-volunteer force.

During the time the Commission was studying this question, President Nixon forwarded several recommendations for changes in the draft system. The Congress responded to the need for immediate action and passed legislation restoring to the President the discretionary authority to determine the relative order for induction within specific age groups.

Today, President Nixon took another important step to remove the unfairness and discrimination in our present draft system. Because of our commitment in Southeast Asia, he declined to abolish the draft, but stated that it was "the objective of this administration" to reduce draft calls to zero. To achieve this objective, the President recommended a combination of financial incentives and improved enlistment procedures. Of particular note was the President's directive to give new emphasis to the needs, capabilities and aspirations of all military personnel. Too often, the individual's needs and desires are disregarded, which ultimately effects the reenlistment rate.

Although the President proposes continuation of the draft, he has recommended significant changes in the present system. Employment and paternity deferments will be abolished by Executive order. At the same time, the President's request for discretionary authority to grant student deferments will insure that all young men are treated equally.

His second legislative proposal to abolish quotas and establish a direct national call will guarantee that the system applies equitably nationwide.

Of course, we would all like to see the need for a draft and voluntary army cease to exist. But the realities of world politics will not permit this. The President has recognized these realities as well as the discouragement and disillusionment felt by many young people toward the present system. I am hopeful that this message, along with the actual performance of the President, will demonstrate his commitment to youth and the vitality of our institutions.

ADDITIONAL STATEMENTS OF SENATORS

GO FLY A KITE?

Mr. MATHIAS. Mr. President, I am very much pleased that the Secretary of the Interior has added his support to the campaign to repeal one of the District of Columbia's most inane laws, the prohibition against flying kites in the city of Washington.

The freedom to go fly a kite is one of the traditional rites of spring in most parts of the world—but not in the city of Washington. This ridiculous prohibition, ensconced in the District of Columbia Code for over 60 years, deprives Washington residents of one of the most innocent of outdoor pleasures. It threatens to make misdemeanants of young children. It distracts the District of Columbia Police and the Park Police from the serious business of combating crime. Recently, it has even tied up the time and efforts of a number of lawyers.

The kiteflying ban ought to be repealed. Language to this effect has been included in the Senate version of S. 2601, the omnibus District of Columbia crime control bill now in conference. I am much pleased that Secretary Hickel has endorsed the Senate action as being fully consistent with his drive to open up our national and local parks for all the people.

While the right to fly a kite is hardly the most serious issue confronting us in the District of Columbia crime conference, I hope that we can reach prompt agreement on the Senate position.

AMERICAN PRISONERS OF WAR

Mr. BYRD of West Virginia. Mr. President, the United States has again shown its resolve to bring, as soon as possible, a permanent peace to Vietnam. President Nixon's announcement of the withdrawal of 150,000 additional troops from Vietnam during the next 12 months should be an explicit indication to the Government of North Vietnam and the Vietcong of our sincere intention to bring peace to Vietnam.

I continue to be concerned over the American men held prisoners in North Vietnam. Repeatedly, the American Government has asked the North Vietnamese and the Vietcong to respect existing international legal and moral standards in their treatment of the unfortunate

American prisoners now their captives. In response, the other side has demanded that the United States withdraw all its troops from Vietnam before negotiations on the prisoner-of-war issue could commence.

Mr. President, the fact is that, with the announcement just made by the President, the United States will have withdrawn a total of 265,500 American troops by April 1971. What this means is that the United States will have reduced its forces by almost one-half of the maximum troop level reached in April of 1969.

It is time now for the North Vietnamese and the Vietcong to indicate, with a proper response, that their desire for peace is also sincere.

I can think of no better way for the other side to do this than to release immediately the seriously ill and wounded Americans held prisoners. The South Vietnamese have been releasing the seriously ill North Vietnamese POW's for years. Surely, no military advantage can be gained by keeping these men as hostages.

Furthermore, it would be appropriate at this time for the North Vietnamese and the Vietcong to begin immediate negotiations for the mutual exchange of prisoners and to open their prisoner-of-war camps to international inspection so that we and the world can be assured that our men are receiving adequate food and medical care. Hanoi could easily release an accurate list of all Americans held captive, and they could allow these men to communicate with their families on a regular basis.

Mr. President, I hope the other side will now show at least a modicum of sincerity by acceding to the wishes expressed over the years by the Vatican, the United Nations, and the International Red Cross. Similar pleas have come from the prisoners' families, who have traveled to all parts of the world in vain, from foreign governments and from the great humanitarian organizations of the world. To date, all these appeals have been met by stubborn refusals.

The President of the United States has taken a forward step to end the conflict in Vietnam. He is steadily withdrawing American troops on an orderly basis. I commend the President for these efforts to bring peace to Vietnam.

However, Mr. President, we cannot rest 1 minute while there are Americans held prisoner. I have today written to the President urging him to intensify our Government efforts in Paris, and through private channels on behalf of those Americans now held captive.

Mr. President, the United States has declared its intentions. We have made a commitment to withdraw a total of 265,500 American troops by April of next year. If the North Vietnamese and the Vietcong are men of conscience, let them now respond. If they are not, let the whole world bear witness.

BROKEN PROMISES OF NORTHEAST AIRLINES

Mrs. SMITH of Maine. Mr. President, the record of Northeast Airlines is one of years of broken promises to the people of Maine. Repeatedly Northeast Airlines has welshed on its promises to expand and improve air service to Maine.

Because it has welshed on its promises, I have refused to join other Members of the Maine congressional delegation and other congressional delegations from New England to support Northeast's applications for routes outside of Maine.

For a long time, I felt like a lone "voice in the wilderness" in my refusal to support Northeast's applications. But, in time, growing numbers of officials began to see through Northeast as I did, and as thousands of air travelers in Maine and northern New England long have.

Among those who have publicly expressed disenchantment and resentment at Northeast Airlines is the Maine Sunday Telegram. Because of its excellent and blunt to-the-point editorial in its April 19, 1970, issue, I ask unanimous consent that the editorial be printed in the RECORD, and I pointedly call the attention of the Civil Aeronautics Board to it.

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

[From the Maine Sunday Telegram, Apr. 19, 1970]

CURE NEEDED FOR MAINE'S AWFUL AIR SERVICE

Next Wednesday in Washington the Civil Aeronautics Board will consider whether Maine will get a different airline. Northwest Airlines wants to take over and merge with Northeast Airlines, the carrier which "serves" Maine today.

Our interest is whether the proposed merger will provide an air service for Maine which is as bad, worse or better than the "service" we now get from Northeast.

Northwest is not promising us much. That at least is a change from Northeast, which promised lavishly when it was ogling to get the longdistance run to Florida, Bermuda, etc., but has since welshed on many of those promises to expand and improve air service to Maine.

Northwest promises Maine that if they come here they will "continue the service as presently provided by Northeast."

That service is best described by a three-letter word, BAD.

The Greater Portland Chamber of Commerce told CAB Northeast's service had been "erratic and deteriorating."

The Chamber showed CAB dismal evidence that daily round trips by Northeast at Portland had been reduced from 12.4 in November 1969 to 8.6 in March 1970. This is a reduction of 31 per cent.

Now, Northwest states it does not intend to increase or improve service between Maine and Boston, New York, Philadelphia and Washington.

Furthermore, Northwest will abandon nonchange flights from Maine to Florida, for which there were 17,550 passengers in 1968. Northeast instead offers as a substitute, service to Minneapolis, for which there were only 1250 passengers in 1968. Northwest will NOT restore service to Augusta-Waterville or Lewiston-Auburn, on which Northeast reneged. Northwest is likely to abandon service to the 150,000 people in the Presque Isle area.

Maine may gain nothing by this proposed merger, by which an international carrier will give us skimpy short haul service.

CAB should refuse to grant permission for Northwest to absorb Northeast if the best Northwest promises to Maine is to continue the "erratic and deteriorating" service our state gets from Northeast.

CAB should, at minimum, insist that Northwest deliver on the promises made to Maine by Northeast, but never kept. Better still, CAB should encourage a competent regional carrier, such as Alleghany, to bring excellent short haul service to Maine.

We urge the Maine Congressional delegation now go to work with CAB and insist upon better service for Maine, as a condition of any new arrangement.

Linwood F. Wright, Director of the Department of Aeronautics for the State of Maine told the blunt truth to the CAB examiner this week when he said:

"Mr. Examiner, the public convenience and necessity of air travellers to, and from, and within Maine have been flaunted by Northeast Airlines and neglected by CAB for the past 15 years. Instead of receiving a satisfactory level of air service we have received broken promises and suspensions of service."

The needs of Maine will be met, said Mr. Wright "only if the CAB directs Northwest to provide and maintain the required level of service, and periodically reviews in public hearings the service and performance of Northwest on the routes serving the State of Maine."

CAB, unless it too wants to earn the reputation of a regulatory agency which is a 'patsy' for the industry it is supposed to police, would do well to judge this case from the view of the public, whom it is in existence to represent, rather than from the view of the airlines, whom it is in business to "keep up to snuff."

Talk of "keeping up to snuff," we turned to the air schedules of thirty years ago. And we found that back in 1939 the Boston-Maine Airline provided five flights daily between Portland and Boston. In 1970, guess how many flights Northeast provides? Still Five flights—when the weather is fair and the Yellowbird feels up to it.

How's that for "keeping pace with the American public's expanding need for air service," Mr. CAB examiner?

NAPA AIR POLLUTION CONTROLS

Mr. PEARSON. Mr. President, our country is at last awakening to the dangers posed to our environment by continuing air and water pollution. This week, which will be known forevermore as "Earth Week," has brought an impressive demonstration of public concern with the problem of pollution. Millions of Americans have gathered in "teach-ins" all across the country to discuss how we can protect our threatened environment. Government and industry must redouble their antipollution efforts if they are to meet their responsibility to enhance the quality of American life. One industrial group, the National Asphalt Pavement Association, adopted voluntary air pollution controls 5 years ago, and like many other socially concerned business operations continues today to urge its member firms to make every effort to meet their obligations to help preserve the endangered character of our ecology.

Mr. President, as we consider the various legislative proposals designed to control pollution that will be coming before this body in the months ahead, let us also pause to remember that a number of industries have already been accelerating their efforts in this field and have much to offer us in the way of experience and research. As explained in a recent letter which I received from Mr. George M. Myers, a fellow Kansan of outstanding reputation and national president of NAPA, his industry has es-

tablished, for example, a special environmental quality committee to upgrade the character of the industry's voluntary air pollution controls and to gather data which will be of use to all of us who are active in this field. Other industries, too, are active in this regard and all deserve our commendation.

Mr. President, I ask unanimous consent that Mr. Myers' letter outlining his industry's antipollution efforts be printed in the RECORD.

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

NATIONAL ASPHALT PAVEMENT ASSOCIATION,
Riverdale, Md., March 25, 1970.

Hon. JAMES B. PEARSON,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PEARSON: Recent issues of the *Congressional Record* make reference to the 1970's as the Environmental Decade. We at the National Asphalt Pavement Association share the government's concern for improving the quality of our ecology. We enclose a copy of voluntary air pollution controls adopted by our industry in 1965, well before the beginning of the current degree of public concern for an improved environment. With five years behind us upon which to reflect, we feel that even our model codification of voluntary restraints requires adjustment. We are moving toward that end by assigning a special Environmental Quality Committee to study the matter prior to our taking further action. Our new task force will study water pollution, noise abatement and land usage as well as further work on air pollution.

We plan to continue our precedent of sharing otherwise marketable technological information. Moreover, our lead has been shared with our counterparts in the Netherlands and Japan and could have great international implications in keeping with the President's proposal for a third dimension of NATO (the Committee on the Challenges of Modern Society) and would also be beneficial to other international councils.

We pledge our collective energy to do our part as an industry in helping to improve the quality of American life. We place ourselves at your disposal should you require the benefit of our experience and research. We do hope that in the same fashion that we as an Association led our industry into action on behalf of the general public, we may be of service to you in your deliberations in successfully combating this grave national problem.

Very sincerely yours,
GEORGE M. MYERS,
President.

SENATE-HOUSE CONFEREES AGREE ON VITAL AIRPORT/AIRWAYS PROGRAM — STOL AIRCRAFT BREAKTHROUGH COMES NEARER—PARADE ARTICLE PROVIDES PROOF OF PROGRESS

Mr. RANDOLPH. Mr. President, we have experienced the advent of the jumbo jets and their high speeds—their fast traveling between distant cities and between continents. Yes, they provide fast traveling, indeed—but, too often only while airborne.

Ben Kocivar, writing in the April 19, 1970, issue of the Parade supplement to many Sunday newspapers, reminded us that we suffer through long delays in traffic to arrive at the airport and in waiting for takeoff from overcrowded runways. And, furthermore, at a busy destination airport, there are often delays on landing, on achieving a gate for deplaning, in baggage handling, and in proceeding by taxi or limousine into the city.

CONGRESSIONAL ACTION TAKEN

Mr. President, I believe a major step was taken last Tuesday toward providing a means for correction of many of the vexing and frustrating delays air travelers have been experiencing. My reference is to the significant development which took place April 21 when the Senate-House conferees agreed to file a conference report on the differences between the Senate-passed and the House-passed versions of H.R. 14465, providing Federal assistance for expansion of the Nation's airports and airways, and to amend the tax laws to provide financing for the much needed airport/airways expansion program. We owe a debt of gratitude to the Commerce Committees of the two bodies, and to the House Ways and Means Committee and Senate Finance Committee as well—and especially to the conferees from those committees. They worked long, patiently, and effectively to develop and finally concur on the provisions for authorizing and financing the vital expansion of the Nation's airport/airways system.

It should not be many days before final action will be taken on this act by Congress and by the President in signing it at the White House. There must follow compliance and months of perfecting implementation, mainly by the Federal Aviation Administration, the commercial airlines, units of general aviation, the airports, and the Treasury Department which will manage the airport/airways trust fund. Doubtless, there will be more frustrations and impatience during the early period of FAA administration and while the trust fund is being built up as a competent source of the main financing of expansion and maintenance of the airports and airways system. But, surely a much brighter and, hopefully, safe and happier future is ahead for that system and for the millions upon millions of Americans and travelers from foreign lands who use it.

The airport/airways program to be authorized in the new law will be a national program. It must not be keyed to the solution of the problems of the big jets and the metropolitan airports alone. The problems created by the jumbo jets in transcontinental and transoceanic service at major international airports must have attention—but so must there be solutions for the medium- and short-range airlifts, especially in the overcrowded eastern seaboard corridor, both as relate to commercial and general aviation.

Mr. President, I have been discussing in this forum and I have been encouraging here and throughout America for several years the better development—indeed, the perfection of a special or supplemental airport/airways system to accommodate both commercial and general aviation STOL aircraft.

Earlier, I mentioned Ben Kocivar's article for Parade magazine supplements to many of last Sunday's newspapers, headed: A Revolution in Air Travel: Let's Fly Downtown. He referred, of course, to STOL, meaning short takeoff and landing—a new breed of airliner which he predicts is just around the corner in spite of the fact that—

STOL AIRCRAFT BREAKTHROUGH

Supersize jets are getting all the publicity these days—but the STOLs will revolutionize air travel in their own way. All they need for takeoff is a 2000-foot strip and usually you don't have to go miles out of the city to find room. . . . Thanks to STOL, the airport will be available near the center of the city.

STOL is almost upon us. A Civil Aeronautics Board Examiner, after two years of consulting place makers, airlines and city groups, has decided it's necessary and possible to develop a new kind of air service in the Northeast. It will be called "Metroflight" and its first 8 cities may be Boston, Hartford, New York, Newark, Trenton, Philadelphia, Wilmington and Washington.

I am reminded, Mr. President, that I spoke in the Senate on September 27, 1967, of a speech made earlier by Arthur D. Lewis, then senior vice president of Eastern Airlines, in which he said that the airline industry will have to get behind new short-haul concepts. I pointed out that Mr. Lewis had declared:

The airline industry must move aggressively to develop STOL aircraft and STOL landing strips. . . . Ultimately, Eastern's shuttle and other similar short-haul operations must be performed by efficient STOL airplanes.

I also emphasized in that September 27, 1967, speech in this forum that the then Director of FAA Aircraft Development Activities had declared that STOL aircraft are both technically and economically practicable—those which, the FAA official declared:

Become airborne in less than 1,500 feet of runway, compared to more than 5,000 feet needed by jets; and those with design concepts for planes to carry up to 120 passengers, cruise at 500 miles per hour, and land at speeds as slow as 60 miles an hour.

On June 21, 1968, in reporting in this forum that STOL aircraft test flights over the Northeast Corridor were planned to begin the following August, I said:

The Washington Evening Star reported yesterday (June 20, 1968) that demonstration flights are to be conducted for test operation of STOL aircraft over the congested northeast corridor of the United States. The McDonnell Douglas Corp. has built the 188 STOL which reportedly can take off on 1,000 feet of runway and land on 500 feet on a standard day. This is a significant engineering achievement. I commend the manufacturer and Eastern Airlines for having moved with such progress as to be prepared to begin a 7-week demonstration.

In the September 9, 1968, issue of the RECORD, I had inserted as part of a further discussion of STOL developments the following from an August 14, 1968, editorial in the Seattle, Wash., Post-Intelligencer:

A 12-passenger commercial aircraft with short, stubby wings under the main wings and with extra large flaps rolls down the runway at 60 miles per hour and lifts off the ground only 10 seconds later after a 600-foot run. The scene is New York City's LaGuardia Airport and the occasion was the opening last week of the first short takeoff and landing strip for commercial airplanes in the United States. Such a strip is

called STOL—and in the run of years immediately ahead, hopefully, it will be called a major remedy for much of our critical airport congestion. The new airstrip at LaGuardia is 1,095 feet long as compared with 4,000 feet for the shortest regular runway at the airport. The STOL-plane, as it is called, lands and takes off at a speed of 60 to 70 mph, compared with 105 mph for other planes of its size. By taking off on its own short runway, a STOL-plane not only leaves a regular runway clear for conventional planes, but also provides more airspace because it flies out and in under a totally separate pattern. Airline officials predict . . . that within two years STOL-planes will be developed capable of carrying up to 100 passengers and cruising at speeds over 300 mph.

Furthermore, Mr. President, an article in the New York Times of Friday, September 6, 1968, underscores and, in fact, expands on the comments of the editor of the Seattle Post-Intelligencer, the two leading paragraphs being as follows:

Plans to build a 32-to-36 passenger short-takeoff-and-landing (STOL) plane for service late in 1970 have been announced by General Aircraft Corporation of El Segunda, California.

The GAC-100 four-engine turboprop will be designed primarily to serve communities with airports too small for modern jets. It may also come in handy on high-density routes such as Boston-New York-Washington because it can operate from close-in air strips shorter than 2,000 feet, bypassing congested metropolitan airports and their access highways.

Speaking September 19, 1968, in the Senate, I again addressed the subject and noted that on the day before, Charles Yarborough, aviation specialist and staff writer for the Washington Star, undated events and demonstrated how much closer to reality is the STOL aircraft to scheduled airline service than was even dreamed of a year earlier. I quoted the following from his article:

An airplane that is up, off, turned and gone while a big jet is taxiing out to wait in line flew its own "road map" out of National Airport today (Sept. 18, 1968). It was a demonstration of what may be a big factor in solving today's problems of airport congestion and delay. The aircraft was a four-engine turboprop McDonnell Douglas 188, known in Europe as the French-built Breguet, probably the world's most advanced STOL—short takeoff and landing. Eastern Airlines, McDonnell, Douglas, and the Federal Aviation Administration are running evaluation tests with the airplane, simulating air shuttle scheduling.

On January 29, 1969, I reported:

Today, I am elated by one ray of hope for a potential major breakthrough—not a claimed total solution, but a development capable of generating a very real impact for good on congested airways and overcrowded airport landing areas. I refer to the report made yesterday by an Eastern Airlines executive to the Aero Club of Washington on a protracted experiment—which he termed an unqualified success. It was a report on the flying of short-take-off-and-landing aircraft equipped with modern navigation gear. Those tests in the super-saturated northeastern air traffic corridor, mainly over Eastern's shuttle route between Washington and New York, proved to the company's officials, according to vice president A. Scott Crossfield, that the STOL can relieve congested airways and increase airline revenues. He reported that his firm believes this potentiality is so real, in fact, that its engineers are already drawing up specifications for a STOL plane to be built for scheduled carrier service over segments of Eastern's franchise routes.

We have read much, and I have discussed on previous occasions in this forum, the fact that Eastern Airlines and the McDonnell-Douglas aircraft manufacturing organization used their version of the French-designed Breguet 941 STOL plane in the experiments. It is a 64-passenger craft that made more than 350 landings and takeoffs at Washington, New York, and Boston airports during the 7-week trial period. Takeoff required only approximately 500 feet of runway—and landings very little more, according to Mr. Crossfield's report.

Impressive were these additional important facts reported by the Eastern Airlines vice president:

The specifications for the new STOL which Eastern will order will include capacity for 125 passengers and flight speed of more than 250 miles an hour, to be maneuverable at speeds as low as 70 miles an hour.

Although a jet-powered DC-9 can make the trip from Washington to New York in 31 minutes of flying time, the airways have become so congested that the average trip time now is 70 minutes. Such wasted flying time cost the Eastern system up to $1 million a week last summer, Mr. Crossfield said. The experimental STOL plane used took 58 minutes to make the New York-Washington trip without wasting any flying time. The proposed new 125-passenger, 250-miles per hour or over STOL's would be expected to do even better.

If airports are properly developed to accommodate STOL aircraft on a permanent basis, and if navigational problems and landings can be worked out in the airways system, Eastern officials believe the new plane would be capable of leading to a doubling of the landing capacity of airports by utilizing taxiways and the ends of unused runways. But, as Mr. Crossfield pointed out, STOL could not alleviate congestion if it uses the same navigational equipment as other conventional aircraft and if it is forced to use the same air corridors as the conventional craft.

According to today's Washington Post account of Mr. Crossfield's report on the experimental STOL, it had an onboard computer-controlled system which indicated to the pilot where he was on a map. And the system was claimed to be accurate within 25 feet of altitude and 100 feet of latitude. By using the new device, in addition to existing navigational aids, the Eastern plane was able to make its own corridors, avoiding congested routes and reducing flying time.

The special computer-controlled system used in the STOL experiment is manufactured by Decca in England. Mr. Crossfield reported that it also was used in a DC-9 which made 1,500 runs off the regular air corridors and was so effective that Eastern is considering installing it on all shuttle flights. He indicated that there is evidence to support a belief that eventually a navigation system like or similar to the Decca equipment could make arrival times so accurate that a pilot could reserve his landing time through the airport tower with a 30 second or better accuracy.

It is heartening to read in the Washington Post account today that the navigational system and the same STOL plane currently are being tested by American Airlines and that both American and Eastern officials have indicated that it might be possible to offer scheduled STOL service by the mid-1970's.

This could have a very real and helpful impact on the fight against air traffic and airport takeoff and landing congestion—and could influence legislative solutions for the airport/airways crisis.

PARADE ARTICLE SIGNIFICANT

Mr. President, I believe the foregoing chronology of events makes more meaningful and understandable Mr. Kocivar's up-to-date and optimistic Parade article on the future of the STOL, which I ask unanimous consent to have printed in the RECORD.

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

[From Parade Magazine, Apr. 19, 1970]

A REVOLUTION IN AIR TRAVEL: LET'S FLY DOWNTOWN

(By Ben Kocivar)

A merchant in the heart of New York City will phone a customer in downtown Boston, 188 miles away, and tell him, "I'll be in your office in a little over an hour." An ardent young man in Portland, Ore., will call his fiancée in Seattle, 145 miles distant, in late afternoon to announce, "I'll pick you up for dinner at 6:30."

Fast traveling? Yes, and most of us are accustomed to it these days—but only while airborne. Time and again you suffer through long delays in traffic to get to the airport and in waiting for takeoff from overcrowded runways. Then, at a busy destination airport, there are often delays in landing, and in proceeding by taxi or limousine into the city.

ACCESSIBLE AIRPORTS

But cheer up. Soon, like the merchant in New York and the young Portland man, people in hundreds of U.S. cities will be able to count on a speedy arrival—because they won't have to put up with those ordeals at each end of a trip. Thanks to "STOL," the "airport" will be available near the center of the city.

STOL stands for "short takeoff and landing" and designates a new breed of airliner that's just around the corner. Supersize jets are getting all the publicity these days but the STOLS will revolutionize air travel in their own way. All they need for takeoff is a 2000-foot strip and usually you don't have to go miles out of the city to find room for one of those, as you do for the 10,000-foot strips the jets require.

STOL is almost upon us. A Civil Aeronautics Board examiner, after two years of consulting plane makers, airlines and city groups, has decided it's necessary and possible to develop a new kind of air service, in the Northeast. It will be called "Metroflight" and its first eight cities may be Boston, Hartford, New York, Newark, Trenton, Philadelphia, Wilmington and Washington.

IS IT REALLY NEW?

Doesn't this promise of fast, short-jump air service have the ring of something not so new? Haven't we had helicopters hopping from the top of the Pan Am Building in New York to various airports? Isn't there already a network of some 200 commuter airlines in the short-hop business all over the country?

The answer to both questions is, "Yes, but."

Helicopters are expensive to buy and operate. On the other hand, they can use smaller, cheaper landing pads than STOLs. And, commuter planes have to work in and out of many airports already jammed with big jet airliners. They help a passenger make plane connections faster than he could by car but if he wants to get downtown there's still that long drive from the airport.

The new promise lies in spotting the short STOL strips conveniently along the Hudson River in Manhattan and at downtown sites in other cities. In New York, this would put the downtown "airport" right handy to railroad, subway, bus terminal and the fast-moving West Side Highway.

New York is considered a kingpin in the new system, not only because of its size, but because when air traffic backs up at the three airports serving it the jam-up reaches all the way to Los Angeles, Paris and other far-off cities. Reasons? (1) A plane delayed in or

over New York can't meet its schedule at other airports. (2) A serious boxup in the air over New York keeps New York-bound planes from even taking off from St. Louis, Bermuda or Miami because there is no point in getting airborne if there is no place to land.

While New York is vital to make the metroflight service work in the Northeast, other cities are moving ahead. And even the Russians are developing STOL planes for faster service between big and small cities.

A number of cities already have downtown airports. Boston, Hartford, Washington, Chicago and Cleveland are among these. All they need are small strips in suburban areas to make the system feasible. Even at today's busy airports, the ability of the STOL plane to fly from short strips and to make quick turns in flight without using up lots of airspace makes it practical to build special STOL runways in unused areas of big airports. But the major benefit will come from downtown strips.

Noise? The new planes are quieter than conventional planes and helicopters, and tests flown along the Hudson River revealed that many people didn't know the plane was flying by unless they saw it.

Air pollution? The promise is that there will be less air pollution than from the comparable number of autos needed to move the same number of people.

COST AND SAFETY

Cost? About the same as downtown-to-downtown service by the combination of plane and cab. Less than it costs to drive and park a car from an outlying suburb to downtown. A big plus is the new freedom in hopping off to another place from downtown.

Safety? It will be at least as safe as other air travel, which is already safer than the same trip by auto.

The most significant saving is going to be time. Today, even with 500-mph jets in service it takes as long to go from downtown New York to downtown Washington as it did 20 years ago. Add a chunk of frustration to the trip as you often sit at the runway waiting for ten to 30 other planes to take off ahead of you.

Only tomorrow will prove the promise but the implications of this new Metroflight system are impressive.

The business advantages are obvious.

Socially, it means you will be able to hop into town to a concert or show from 100 miles away as casually as you now drive 20. It means technical experts and medical specialists will be able to spread their skills among more communities. Patients needing heart surgery or other critical care will be moved faster and more safely to specialized centers. Shoppers will be able to find a change of pace and fashion without taking a week to do it.

It also means that getting to your relaxing retreat in the country or the shore will no longer take a big chunk out of your time and energy.

It's going to take more than new planes and new short airstrips. It will also take a new system of air traffic control and new sophisticated area navigation guidance to keep all the airborne vehicles separated. Actually, this new traffic control is in the works and is part and parcel of the decision to go ahead with the system. Tests flown by Eastern and American airlines with a converted French military STOL indicate that the system can be made to work on a large scale in the next few years even though many problems must be resolved.

AIRLINES ARE EAGER

Meanwhile, the Federal Aviation Administration and Pan Am have urged that downtown-to-downtown service, even in a limited way, should be started immediately. And Pan American and a number of small commuter lines have offered to start as soon as they can get a go-ahead. There is much to be learned and more economically by starting in a small way than by waiting until 100- to 150-passenger STOL machines are ready.

The first planes used would probably be DeHavilland Twin-Otters. These are 18-passenger, conventional looking twin-engine turboprop planes. There are hundreds in use already around the world. There are some other small STOLs in use like the nine-passenger Britten-Norman that could also start now.

But the *big* breakthrough can come in three years when a new generation of planes and large, more economical helicopters could be available for this special service. They are already designed and the names of manufacturers and airlines interested in this next step read like the Who's Who of the aviation industry.

EXCITING DESIGNS

The machines are jet powered. The designs are way out. They include planes with special high-lift wings with giant flaps, planes with engines and wings that tilt up for takeoff and convertiplanes that go up straight and then fold their helicopter rotors and fly on small wings when they move forward.

What is it like to fly a STOL? I have flown several different ones and it is more fun and has more flying sensation than riding in a shiplike giant jet airliner. You fly low enough to see what's happening on the ground below and on short trips you don't have time to be bored. Present STOLs fly at about 150 mph; future ones will be pressurized and able to fly at over 400 mph and 20,000 feet high on longer trips.

So, fasten your seatbelts and get ready for Metroflight—the next big revolution in air travel.

AMENDMENT OF FEDERAL MEAT INSPECTION ACT

Mr. BELLMON. Mr. President, the Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture and Forestry held hearings on April 16 to consider three bills which would amend the Federal Meat Inspection Act. The subcommittee will resume its hearings on Monday, April 27.

One of the bills under consideration by the subcommittee is S. 3603, a bill introduced by the Senator from Maryland (Mr. MATHIAS) for the purpose of allowing meat and meat food products produced under a State meat inspection system that has been certified by the Federal Government as "at least equal to" the Federal meat inspection system, to move in interstate commerce. I believe this bill would rectify a serious discriminatory situation that now exists, and one which will become increasingly discriminatory as more and more States upgrade their meat inspection programs and are certified by the Federal Government as the equal of the Federal meat inspection system.

Under present law, the States will have had—by December 15 of this year—3 years in which to bring their State meat inspection programs into compliance with Federal law and regulations. During the past 28 months, the activity on the part of the States in meeting their obligations under the Wholesome Meat Act of 1967 has been commendable, and such activity indicates that there is no lack of awareness on the part of the States of their responsibilities under the law. Already, three States—Maryland, Florida, and California—have been certified by the U.S. Department of Agriculture as being "at least equal to" the Federal standards of meat inspection. Forty-six States have been given to December 15 of this year to bring their systems and plants up to Federal standards. Only one State, North Dakota, has been unable to move as rapidly as the law requires, and has been taken over by the Federal authorities.

S. 3603 would, in my opinion, correct the discriminatory situation which I referred to a moment ago, in that it would allow a State, after becoming equal to the federal system, to enjoy the same privilege as those plants under the federal system—that privilege being the movement of product in interstate commerce. Under present law, plants operating under a State inspection program are deprived of moving their products in interstate commerce even after the State system and all the plants in that system have been approved by the U.S. Department of Agriculture as being "at least equal to" the Federal program. The U.S. Department of Agriculture has, in past years, supported this type of legislation, and such support has been documented by the distinguished Senator from Florida (Senator HOLLAND), CONGRESSIONAL RECORD, volume 114, part 17, page 22523.

However, in testimony last week before the Subcommittee on Agricultural Research and General Legislation, the witnesses for the Department of Agriculture stated that this legislation is "premature." I fail to understand the Department's reasoning here, in that it is the USDA which has the authority to certify a State inspection system as being "at least equal to" the federal system; should the Department, in its survey of the States for certification, determine that a State has not met the Federal standards, then it does not have to grant the State "at least equal to" certification. On the other hand, should the State system be certified as the equal of the federal system, why should not these States be allowed to move their meat and meat products produced in interstate commerce? The product would be wholesome, it would have been produced under strict standards of sanitation, it would be correctly labeled, and it would carry a State-Federal inspection legend that would give the necessary assurance of protection to the consumer.

I find the Department's policy of precluding the interstate shipment of this product difficult to justify when one realizes that more than 1 billion pounds of imported meat will reach our shores this year from foreign plants, which plants have not had the benefit of the close inspectional surveillance that our own State plants are subjected to.

It is my understanding that the USDA has 14 roving meat inspectors in approximately 40 foreign countries in which more than 1,100 plants are producing meat for export to this country. The USDA approves only the system under which these meat products are produced, and makes periodic checks at the plant level. This meat may be shipped

thousands of miles to reach our shores and then be allowed to travel in interstate commerce. I find it difficult to equate, in terms of consumer protection, that meat produced under a foreign system which does not have the benefit of our own inspection system, can be allowed the privilege of moving in interstate commerce whereas the meat produced in our own State inspected plants, which undergoes continuous inspection, cannot move across a State line.

To deprive our own plants and States of the privilege of selling their products across State lines after those plants and the States have met with the requirements of equality under Federal law is, in my opinion, an inequity of great magnitude.

ECONOMIC CONSEQUENCES OF THE VIETNAM WAR

Mr. FULBRIGHT. Mr. President, in recent months some of the most responsible and successful businessmen in our country have become deeply disturbed by the continuation of the war in Vietnam. These men who bear a great responsibility for the success of our private enterprise economy now recognize that the war in Vietnam is undermining and destroying the integrity of our private enterprise system, and they are demanding that the war be brought to a close.

We have had testimony before the Committee on Foreign Relations by some of the leading businessmen and economists. A most important example of this concern by the business community is contained in the "Message From Management" of the First Security Corp. of Salt Lake City, Utah. The First Security Corp. consists of a system of banks serving Western States under the direction of Marriner S. Eccles, chairman of the board, and George S. Eccles, president and general manager. Many of my colleagues will remember Mr. Marriner S. Eccles, a longtime business leader of our Nation, and certainly one of the greatest.

The statement taken from the "Message From Management" reads as follows:

At this time, we feel that it is completely proper within our sphere of responsibility to point out the economic consequences of the Vietnam War. It distorts the American economy. It is the primary contributor to inflation. It draws on billions of resources which could be put to work solving the critical social and economic problems facing the nation. Our essential priorities are: end the Vietnam War, control inflation, begin to deal effectively with our very pressing domestic problems—poverty, hunger, crime, housing, education, pollution, transportation, etc. They are all interlocked and cannot be brought under control until the Vietnam War is ended. Until that time, the amount of money available to meet these numerous domestic problems will be inadequate. This makes the ending of the Vietnam War imperative at the earliest possible date.

ENVIRONMENTAL CONTROL

Mr. PEARSON. Mr. President, I ask unanimous consent to have printed in the RECORD a "Memorandum on Environmental Control" which I feel might be helpful to some. The memorandum, without going into great detail, gives a rundown on some of the problems of pollution, what has already been done and is being done to combat them, what the Nixon administration has done and has proposed, and what further actions could be taken in the future.

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

MEMORANDUM ON ENVIRONMENTAL CONTROL

(By U.S. Senator JAMES B. PEARSON)

"Everyone talks about the environment, but nobody does anything about it."

This is one way we might update that popular old complaint about the weather. But while such an expression might become timely and unpopular, it would hardly be true. *More is being done today than at any time in human history to understand our natural and man-made environments and bring man and nature into a more harmonious relationship.*

Millions of people—particularly the young—observed Earth Day in this country on April 22. The environmental programs were held on 2,500 campuses and in 10,000 high schools. This occasion could have great significance in mustering continued support for the national drive against air, water, and land pollution.

WHAT IS THE PROBLEM?

For the most part, the damage done to our environment has not been the work of evil men, nor has it been the inevitable by-product either of advancing technology or of growing population. It results not so much from choices made, as from choices neglected—not from malign intention, but from failure to take into account the full consequences of our actions.

Water pollution has three principal sources: municipal, industrial and agricultural wastes. All three must eventually be controlled if we are to restore the purity of our lakes and rivers.

Of these three, the most troublesome to control are those from agricultural sources: animal wastes, eroded soil, fertilizers and pesticides. Effective control will take time, and will require action on many fronts: modified agricultural practices, greater care in the disposal of animal wastes, better soil conservation methods, new kinds of fertilizers, new chemical pesticides and more widespread use of pest control techniques.

Air is our most vital resource, and its *pollution* is our most serious environmental problem. Factories, furnaces, autos, burning dumps, power generating stations and many of our daily activities create air pollution. Every city of 50,000 (and many cities that are smaller)—whether they know it or not—have air pollution problems.

When air pollution is severe, it triggers illness and may bring premature death to thousands of people. Even "ordinary" levels of air pollution can make you cough, sneeze, wheeze and suffer. Short range discomfort may be followed by long range disease. Both emphysema and lung cancer are more prevalent in areas of high air contamination. Existing technology for the control of air pollution is less advanced than that for controlling water pollution, but there is a great deal we can do within the limits of existing technology—and more we can do to spur technological advance.

"Solid wastes" are the discarded leftovers of our advanced consumer society. Increasing in volume, they litter the landscape and strain the facilities of municipal governments. New packaging methods, using materials which do not degrade and cannot easily be burned, create difficult new disposal problems. Though many wastes are potentially re-usable, we often discard today what a generation ago we saved. Most bottles, for example, now are "non-returnable." We reprocess used paper less than we used to, not only adding to the burden on municipal sanitation services but also making wasteful use of scarce timberlands. Often the least expensive way to dispose of an old automobile is to abandon it—and millions of people do precisely that, creating eye-sores for millions of others.

Increasing population, increasing mobility, increasing incomes and increasing leisure will all combine in the years ahead to rank recreational facilities among the most vital of our public resources. Yet land suitable for such facilities, especially near heavily populated areas, is being rapidly swallowed up.

What Has Been Done and What Is Being Done?

My recognition of the problem concerning the pollution of our planet is not new.

When I first came to the United States Senate some nine years ago as a Member of the Government Operations Committee, I joined with another young Senator by the name of Edmund Muskie, and, together, as a Democrat and a Republican, we wrote the first clean air and pure water legislation. Since then we have passed many laws, and, as a result, many new arms of the Federal Government have been created to deal with this problem.

There are many Departments and agencies of the Federal Government which are working in the area of *water pollution*. I will mention only two most directly involved: In HEW, the Bureau of Water Hygiene establishes criteria and recommends standards of water quality for protection of the Nation's health, and develops and conducts a program of technical assistance to public and nonprofit institutions operating public water supply systems and use of water resources.

In the Interior Department, the Assistant Secretary for Water Quality and Research is responsible for carrying out the duties of the Secretary for the control, prevention, and abatement of water pollution. Also under Interior is the Federal Water Pollution Control Administration, created by the first major piece of legislation dealing with water pollution, the Water Quality Act of 1965. Under this Act, which passed the Congress unanimously, all States, territories, and other affected jurisdictions were given the option of preparing water quality standards for their interstate streams, rivers, lakes, and coastal waters or of possibly having the Federal Government do it for them.

All 50 States and the other jurisdictions involved elected to draft their own water quality standards, which, under the law, were subject to the approval of the Secretary of the Interior. Approvals of the standards by the Secretary are practically complete.

A standard package from a State contains three main elements: (1) The use to be made of a particular stretch of a river, lake, or coastal water, such as swimming, drinking water, industrial use, or a combination of these uses; (2) A scientific determination of the specific characteristics or criteria which would permit the appropriate uses agreed on by the State and the Federal Government. Limits on such pollutants as bacteria, toxic materials, and taste- and odor-producing substances in the water are set by the standards; and (3) A step-by-step plan for construction by cities and industries of waste-treatment facilities and use of other measures to meet the water quality requirements. Once standards submitted by a State have been approved by the Secretary of the Interior, they become Federal standards as well, and are therefore subject to Federal enforcement action.

In 1966, the Clean Waters Restoration Act was passed. But we failed to keep the promises of this act to ourselves. This act provided matching grants to local governments up to $1¼ billion in 1971 for treatment

plant construction. However, Federal appropriations for constructing municipal treatment plants have totaled only about ⅓ of authorizations. Municipalities themselves have faced increasing difficulty in selling bonds to finance their share of the construction costs.

The question of *air pollution* has been one that has required more research than that of water pollution. In July, 1955, the Congress passed legislation authorizing a Federal program of research in air pollution and technical assistance to State and and local governments. This legislation established the policy—still in effect—that State and local governments have a fundamental responsibility to deal with community air pollution problems, and the Federal Government has an obligation to provide leadership and support. Between 1955 and 1963, progress was made toward improving scientific knowledge about the nature and extent of the air pollution problem, including its impact on health, techniques for controlling large sources of pollution, and needs for better techniques in many cases.

In December, 1963, Congress passed the Clean Air Act to help States and local governments join with the Federal Government in a more vigorous attack on this problem. The Clean Air Act authorized two major Federal activities: (1) grants made directly to States and local agencies to assist them in working up, establishing, and improving control programs; and (2) Federal action to abate interstate air pollution, a situation obviously beyond the reach of individual States and cities. Amendments to the 1963 Act were passed in 1965, under which national standards for controlling motor vehicle pollution were promulgated for initial application in the 1968 motor vehicle model year. However, air pollution problems—despite the national and local effort—grew and worsened.

In 1967, the Air Quality Act was passed, calling for a coordinated attack on air pollution on a regional basis and giving something of a blueprint for action at all levels of government and industry. The Department of HEW was given the responsibility for carrying out the intentions of all these air pollution control Acts. In January, 1967, there was set up in HEW the National Center for Air Pollution Control, and it later became the National Air Pollution Control Administration. The mission of this Air Pollution Control Administration is to conduct a national program for the prevention and control of air pollution to promote the public health and welfare.

State and local governments are now spending approximately $50 million a year, including Federal funds, for air pollution control programs. This is in contrast with about $12 million spent annually prior to the enactment of the 1963 Clean Air Act. As of January, 1969, grant support from the Federal Government was going to about 175 State, regional, and local agencies, and many new agency applications for assistance have come in since that time.

It was in 1965 that the Government's attention was focused on the problem of *solid waste disposal* when, on October 20 of that year, the Solid Waste Disposal Act of 1965 became law. This law charged and authorized the Secretary of HEW to initiate and conduct a broad program in the solid wastes fields, including the following activities: (1) To promote the coordination of research and studies relating to the operation and financing of solid waste disposal programs; (2) to cooperate with and give financial assistance to public and private agencies in the conduct of such activities; (3) to make grants to States and interstate agencies for making surveys of this problem; and (4) to collect and make available the results of solid wastes research. After a reorganization of HEW in 1968, there is now a Bureau of Solid Waste Management under the Environmental Control Administration of HEW.

The Secretary of the Interior was given the same authorization as the Secretary of HEW under the Solid Waste Disposal Act "with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities." A memorandum of understanding between the Departments of the Interior and HEW outlines the responsibility of the two agencies, defines and describes the principal areas of program interest, and clearly establishes a mutually-acceptable working relationship.

So, you can see that, while the public interest has only recently been captured by the question of environmental control, the Federal Government has not been sitting idly by.

Just last session of Congress, several major pieces of legislation were passed dealing with environmental quality and productivity.

P.L. 91–190, the National Environmental Policy Act, declared that it is the policy of the U.S. Government to create and maintain conditions under which man and nature can exist in productive harmony. Also, it created in the Office of the President a permanent Council on Environmental Quality, the principal function of which is to recommend environmental policies to the President and to assist him in the preparation of an annual environmental report to be submitted to the Congress beginning in July of this year.

P.L. 91–137 amended the 1963 Clean Air Act, extending for one year research grants of $45 million in air pollution resulting from fuel combustion.

But the Nixon Administration has not been in any way pleased with the results that have been forthcoming from action and involvement in the problems of pollution by the Federal Government.

Therefore, when President Nixon made the salvation of the environment the central theme of his State of the Union Address in January of this year, he said:

"The great question of the seventies is, shall we surrender to our surroundings, or shall we make our peace with nature and begin to make reparations for the damage we have done to our air, our land, and our water?"

On February 10, the President followed this up by sending a major message to the Congress on environmental control. He requested several new laws be passed in this field, but he also announced what he had done by way of powers already vested in him.

He announced the following actions which he had already carried out or had ordered to be carried out:

(1) Phasing out the use of DDT and other hard pesticides;

(2) Federally assisted treatment plants will be required to meet prescribed design, operation, and maintenance standards, and to be operated only by State-certified operators;

(3) Municipalities receiving Federal assistance in constructing plants will be required to impose reasonable users' fees on industrial users sufficient to meet the costs of treating industrial wastes;

(4) Development of comprehensive river basin plans will be required at an early date, to ensure that Federally assisted treatment plants will, in fact, contribute to effective clean-up of entire river basin systems;

(5) Wherever feasible, communities will be strongly encouraged to cooperate in the construction of large regional treatment facilities, which provide economies of scale and give more efficient and more thorough waste treatment;

(6) The Secretary of HEW, on February 10, published a notice of new, considerably more stringent motor vehicle emission standards he intends to issue for 1973 and 1975 car models—including control of nitrogen oxides by 1973 and of particulate emissions by 1975;

(7) Ordered the start of an extensive Federal research and development program in unconventional vehicles, to be conducted under the general direction of the Council on Environmental Quality;

(8) As an incentive to private developers, ordered that the Federal Government should undertake the purchase of privately produced unconventional vehicles for testing and evaluation;

(9) Ordered a re-direction of research under the Solid Waste Disposal Act to place greater emphasis on techniques for re-cycling materials, and on development and use of packaging and other materials which will degrade after use—that is, which will become temporary rather than permanent wastes;

(10) Asked the Council on Environmental Quality to take the lead in producing a recommendation for a bounty payment or other system to promote the prompt scrapping of all junk automobiles;

(11) Asked the Chairman of the Council on Environmental Quality to work with the Cabinet Committee on the Environment (set up last year by the President), and with appropriate industry and consumer representatives, toward development of such incentives and regulations for submission to the Congress;

(12) By Executive Order, directed the heads of all Federal agencies and the Administrator of General Services to institute a review of all Federally-owned real properties that should be considered for other uses. Special emphasis will be placed on identifying properties that could appropriately be converted to parks and recreation areas, or sold, so that proceeds can be made available to provide additional park and recreation lands;

(13) Established a Property Review Board to review the GSA reports and recommend to the President what properties should be converted or sold;

(14) Will shortly ask a group of the Nation's principal industrial leaders to join in establishing a National Industrial Pollution Control Council; and

(15) Ordered the U.S. Patent Office to give special priority to the processing of applications for patents which could aid in curbing environmental abuses.

Also, the Nixon Administration has used a 70-year-old law to move against major polluters—including giant U.S. Steel—in the Chicago area. So far, 13 corporations have been indicted or charged with violation of the statute.

The Federal Aviation Agency, long at loggerheads with the airlines over jet engine pollution, has forced an agreement with the carriers on engine changes. Under the agreement the airlines will have to modify all jet engines to curb pollution.

Interior Secretary Walter J. Hickel has asked the Department of Justice to inquire into possibilities of legal action against oil companies involved in pollution off our coasts.

Also, the Administration refused permission to build a giant new jetport in Florida because of the probable damage to Everglades Park and its wildlife. Previous Administration had gone along with the project.

WHAT THE NIXON ADMINISTRATION PROPOSES

In addition to what the Administration has already done, in the February 10 environmental message, the President asked Congress for comprehensive legislation to carry forward the battle against pollution. A few days later, a series of seven Administration anti-pollution bills, of which I am one

of the cosponsors, was introduced into the Congress. Although there are many important elements in all of the proposals, I would like to highlight several of particular interest.

After a thorough study, taken at the President's direction, the Administration has recommended several significant amendments to the Federal Water Pollution Control Act of 1965, in order to achieve a more satisfactory operation of the Federal-State partnership set forth in that act. In four separate bills—S. 3468, S. 3470, S. 3471, and S. 3472—the President proposes (a) to modify the policy, abatement and enforcement provisions of the act; (b) to improve the Federal-State program development provisions of the act; (c) to accelerate and improve the municipal waste treatment grant provisions; and (d) to add a new and innovative Federal Environmental Financing Authority to assure the ability of States and local communities to construct proper waste treatment facilities.

A common thread runs through all of these water bills—to create a comprehensive and modern water quality program that recognizes the interrelationship of all water resources. In several areas the authorization and granting provisions of the bills are directed to achieving this broadened scope.

S. 3466 is the Nixon Administration bill to amend the Clean Air Act. The President has recognized that while the basic operative provisions of this Act were substantially modified in the Air Quality Act of 1967, several provisions of the existing Act are in need of revision. In addition, the program experience under this Act has revealed areas where new provisions are necessary. Among the many proposals, the President has proposed that the Secretary of HEW be given explicit authority to inspect assembly line vehicles for compliance with emission standards set by regulations under existing law.

Under this bill, in an attempt to decrease the time-consuming and procedural complexity involved in the setting of regional ambient air standards under the present law, the President has proposed that such standards setting be shortened by 6 months or more through the establishment, by the Secretary, of national ambient air quality standards for any pollutant or combination of pollutants which endanger the public health or welfare. The President has also asked for necessary adjustments in the general Federal enforcement provisions that include, among others, a provision that enables courts to assess penalties up to $10,000 per day for violations continuing after the expiration of the period set for compliance in the notice of the Secretary in the administrative abatement proceeding.

S. 3469 will be known as the Wastes Reclamation and Recycling Act of 1970. This bill authorizes the Council on Environmental Quality to conduct studies and make recommendations respecting the reclamation and recycling of material from solid wastes, and it extends the provisions of the Solid Waste Disposal Act of 1965.

S. 3467 amends the Land and Water Conservation Fund Act of 1965 to provide that the $200 million minimum which is now deposited in the Fund in each fiscal year (through fiscal year 1973) shall be increased by an amount equal to the net proceeds placed in the Fund from the sale of surplus real property and related personal property in excess of the presently-budgeted level of $54.7 million in any one year. Under present law there is deposited in the Fund each year revenues from the motorboat fuel tax, entrance and user fees from Federal recreation areas, and the sale of surplus real property and related personal property. This fund is used to promote outdoor recreational facilities and parks, and the bill would increase the amount in the fund.

On April 15, the President proposed to Congress the establishment of large "containment areas," into which the dredged pollutants in the Great Lakes would be pumped and allowed to dry. This will be one of the major tests of the President's anti-pollution campaign. After a time, the White House theory goes, the containment areas could be converted into parks, housing tracts, industrial sites or even airports. Under the President's plan, the cost of such a program—estimated at $70 million for the 35 most polluted harbors of the Great Lakes—would be shared equally by the Federal Government and the State and local governments.

His proposal for the Great Lakes would (1) discontinue disposal of polluted dredged materials into the Great Lakes by the Corps of Engineers and private interests as soon as disposal sites on land are available; (2) require the disposal of polluted dredged spoil in containment areas located at sites established by the Corps of Engineers and approved by the Secretary of the Interior; (3) require States and other nonfederal interests to provide half the cost of constructing containment areas and also provide needed lands and other rights; and (4) require the Secretary of the Army, after one year, to suspend dredging if local interests were not making reasonable progress in attaining disposal sites. The threat of suspension of dredging is seen by some authorities as a goad to local officials to act quickly to find containment areas. The alternative is the prospect of having harbors and rivers choked by debris.

WHAT MORE CAN BE DONE

In addition to what has already been accomplished by the Federal Government, by the Nixon Administration, and in addition to what the President has recommended be done, many other steps can be taken in the future. Some of these include the following:

(1) A constitutional amendment which will recognize and protect the inalienable right of every person to a decent environment;

(2) Phase out the internal combustion automobile engine by January 1, 1978, unless it can meet national emission standards by that time;

(3) Eliminate persistent, toxic pesticides—the "chlorinated hydrocarbons"—by 1972;

(4) Set strict anti-pollution standards on detergents, including a ban on their phosphorous "builders" that have contributed so much to the pollution of our lakes all across the Nation;

(5) to dramatically reduce pollution from jet aircraft, establish a deadline of December 1972, for the installation of smokeless combustors on their engines;

(6) Eliminate bottles, jars, and cans from the American landscape through a combination of effluent charges, development of reusable or degradable containers, and packaging standards;

(7) Establish and protect the right of every citizen to plan his family. The funds and coordination must be made available for conducting necessary research into population problems and providing family planning services;

(8) Involve the citizen in environmental decisionmaking through new mechanisms, including establishment of new channels and forums for public participation, creation of a citizen environmental advocate agency, and creation of an environmental overview committee in Congress;

(9) Launch a broad-scale effort to halt the pollution of our sea. Municipalities and industries could be required to halt their wholesale dumping of wastes into the ocean environment, and we could declare a moratorium on new leases or permits for oil production and other activities on the undersea Outer Continental Shelf until criteria are established for its protection;

(10) Establish an environmental education program which will make the environment and man's relationship to it a major interdisciplinary subject at every level of public education;

(11) Utilize the billions of dollars a year that could be made available on completion of the Interstate Highway System to provide new transportation alternatives, including mass transit, in our polluted, congested, highway-choked urban areas;

(12) Delineate and implement a national policy on land use that will halt the chaotic, unplanned combination of urban sprawl, industrial expansion, and air, water, land, and visual pollution;

(13) Establish a national minerals and resources policy; and

(14) Create a nonpartisan national environmental political action organization, with State and local organizations providing the foundation.

I feel that some of these steps could and should be taken immediately—such as the national environmental education program. Some others have already been introduced into the Congress as legislation; some others are a bit drastic, unless all else fails.

In addition to the Administration package of bills, there are at least 22 bills and resolutions pending in the Senate and over 100 bills and resolutions pending in the House of Representatives which deal with some aspect of environmental control.

I am extremely encouraged with the progress that is beginning to be made.

There are more people in the White House now working on the environment than on any single issue—and that includes Vietnam. Spending on the Vietnam War is at the rate of $25 billion annually, but the total spending on pollution control in the United States is almost that much—between $20 billion and $40 billion annually. Because national defense is solely the responsibility of the Federal Government, spending on the Vietnamese war is all Federal and can be pinpointed. Pollution abatement and improvement of environmental quality are a joint responsibility of State, local and Federal Government and industry. Therefore, actual spending in this area must be the total spent by the various levels of Government—State, local, and Federal—plus all the amounts spent by industry because of State or Federal law or local ordinances.

The United States has invested over $100 billion—almost as much as we've spent on foreign aid—for sewage lines and treatment plants alone, most of it since World War II. Since the early 1950's, almost every U.S. city has undertaken a major sewage construction program.

Administration officials attribute the Nixon Administration's commitment and sense of urgency to act on environmental pollution to the "public ken" and the Nation's youth. Because of this, I salute those who took part in the April 22 activity. One reason the Government has failed in the past is that it did not have the public so soundly behind it.

Billions of dollars and many years will be spent before this problem is controlled. But I believe it will be controlled and eventually eliminated. The doomsday prophets are in for a bitter disappointment.

We are not going to choke to death on soot;

We are not going to suffocate from lack of oxygen;

And we are not going to drown in a sea of rising beer cans.

We have now earnestly joined the fight—and we will win!

THE GENERAL ACCOUNTING OFFICE INVESTIGATORS

Mr. FULBRIGHT. Mr. President, the General Accounting Office is one of the

most efficient agencies in our Government, and the one especially created to be of assistance to the Congress. Mr. Elmer B. Staats, the Comptroller General, is an experienced and efficient man, and all of us are in his debt. He has a fine staff of dedicated public servants, and they have done an especially good job in uncovering the questionable payments made to the members of the Philippine Government.

I ask unanimous consent that Mr. Causey's article be printed in the RECORD.

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

[From the Washington Post, Apr. 13, 1970]

GAO INVESTIGATORS OUTFOX AGENCIES

(By Mike Causey)

Smoke screen artists at the Pentagon and State Department are still baffled as to how the General Accounting Office came up with solid dollar figures on American government contributions for Philippine troops fighting in Vietnam.

The fact is that despite backstage string-pulling, and liberal use of the "secret" rubber stamp, State and Defense were outfoxed, royally, by the GAO, the watchdog agency that works for Congress.

Late last year, Sen. Stuart Symington (D-Mo.) began a probe into reports that the U.S. was making "quid pro quo" payments to the Republic of the Philippines, to help support that nation's Vietnam troop contingent, the Philippine Civic Action Group (PHILCAG), which had 2,200 officers and men in Vietnam.

The U.S. government grudgingly admitted the payments in secret testimony to a Senate Foreign Relations subcommittee. When the censored version came out, however, the Philippine government, facing a national election, denied "any kind" of U.S. support for its Vietnam contingent.

At that point, Symington ordered the hard-digging General Accounting Office into the act. GAO is, at least in theory, supposed to have access to all financial records of all federal agencies.

But both State and Defense, the two federal departments most directly involved in the affair, balked at the GAO investigation. Comptroller General Elmer B. Staats, who runs GAO, reported both used a "time-consuming screening process" to block information. They resorted to the old trick of delaying information, and of reluctantly giving only exactly what was asked for, rather than volunteering to help the congressional agency. Staats was so frustrated that he later told Symington "there is the possibility that the agencies may have withheld information which is pertinent to our study."

The breakthrough in the GAO vs. State-Defense investigation might never have come, had not Staats been a seasoned veteran of the bureaucracy. The U.S. government (after the Philippine denial) said it may have made some payments, but records could not be located. Everyone was very value about the whole thing.

Staats got to thinking. He reckoned that if this government had been paying another government, the checks must be floating around somewhere. The problem—since Uncle Sam pays a lot of people—was where.

Staats ordered his auditors to look in the basement of GAO's downtown office, where the Treasury Department maintains a small unit. Guess what they found?

You were right if you said cancelled checks, representing part of the $35 million for logistical support and another $3.6 million in direct payments. The checks were written by Defense and made payable to the Philippines' Secretary of National Defense. Most of them—written between October, 1966, and January, 1970—were deposited in the Philippine Veteran's Bank, Camp Aguinaldo branch.

Armed with the photostats of the checks, Symington confronted some very red-faced Defense and State Department officials.

Now he's asking why the payments were made, why no accounting of them was kept (because officials could not seem to lay their hands on the documents) and finally, why GAO had such a hard time getting at the truth?

GAO auditors turn up in the most unlikely places, and agencies that want to fool them had better do a little spring cleaning—with special attention to those unmarked boxes in the basement.

"CIVILIZATION"—A BRITISH EXHIBITION AT NATIONAL GALLERY OF ART

Mr. PELL. Mr. President, in this day and age when only the sensational and the outrageous seem to command any type of attention, it is most heartening to see that there does appear to be a place in our national life style for a discussion of values, the study of history, quiet contemplation of beauty, and the understanding that man does not simply pollute his planet but also brings to it ideas and artifacts of excellence which please the mind and eye.

We have in our own Capital many museums and galleries which greatly enhance our quest for meaningful leisure. A simple listing of these institutions would indicate that their spheres of interest are wide. What is more important is that they are widely patronized, whether for the review of mechanical creations or the contemplation of the art of yesterday and tomorrow.

I specifically call to the attention of the Senate the phenomenal success which is now being experienced by the National Gallery of Art which is sponsoring the exhibition of a British film series, originally created for television, entitled "Civilization." This film is not a stale compendium of facts or straight photographs of old masters, but rather a lively journey through Western culture utilizing color, music, and some very erudite and witty commentary by Sir Kenneth Clark of Saltwood, England.

Interestingly enough, this program was originally offered to the national commercial television networks, but was passed up with the thought that such a series would not be economically feasible. Nevertheless, the National Gallery of Art took what in the vernacular would be called a flyer and decided to present "Civilization." The rest is, as they say, history. The gallery was besieged by requests for tickets—on the first Sunday approximately 10,000 people queued up for 300 seats—and had to schedule many more showings than they had anticipated. Indeed, the screening was so successful, with 150,000 people attending, that a second full series was scheduled and is now in progress. And to make this success story a real fairy tale the commercial value of this program was at last recognized and it is my understanding that "Civilization" will now be shown by one of the major networks.

The success of "Civilization," besides being a personal one for the National Gallery and its brilliant young director, J. Carter Brown, of Rhode Island, it also enhances my belief that there is a place in our country for truly enlightening cultural activity; that there is a hunger for visual and aural experience which does not bombard the senses and that the quest for knowledge is one which is held by many throughout the land. The cultural level of our populace has been denigrated ad nauseam—the experience with "Civilization" gives the lie to this type of downgrading.

Mr. President, many newspaper articles and editorials have spoken with praise about this film. I ask unanimous consent that a sampling of them be printed in the RECORD.

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

[From Vogue, Jan. 15, 1970]

PEOPLE ARE TALKING ABOUT LORD CLARK OF SALTWOOD AND "CIVILIZATION"

With mock humility and profound erudition, Lord Clark invented what he calls an "intellectual soap opera" for television: his thirteen-part series, *Civilization*, a magnificant traipse through Western Civilization in colour and with music that was written never more than ten years before or after the scene it accompanies. Amusing and deliberate, Lord Clark talks throughout the programs making small jokes, great generalizations, and entertaining his audiences with scholarly observations. After its run on BBC-TV last year, *Civilization* has been the hot free ticket given out by the Metropolitan Museum of Art and New York University in New York and by the National Gallery of Art in Washington, D.C. By now CBS-TV may have bought it, perhaps to make up for *The Secret Storm*. While in New York recently, Lord Clark received an honorary Doctor of Fine Arts degree from New York University at a special convocation. A life peer, Kenneth Clark has had a succession of high posts which included Keeper at the Ashmolean Museum at Oxford, from which he was graduated, Director of the National Gallery in London, and Surveyor of the King's Pictures. At Saltwood in Kent, where he was photographed for Vogue in front of his castle, he has kept on with his writing, there wrote part of the commentary for *Civilization*. Lord Clark said that the BBC asked him to lunch and while they were eating smoked salmon, someone said the word "civilization," and he immediately felt a call. The BBC expected him to say "no" to another proposition: he said "no" to it but said he would do a series on civilization, which rather put the BBC out. For the next two years he travelled with two producers and a crew photographing art and architecture from the Dark Ages to the Impressionist period, but leaving out Spain, its Moors, and the German Romantics. Almost everything else, however, is on film, marvelous, chatty, a window opened by a man whose mind is an orchard of plums.

[From the Washington Post, Nov. 2, 1969]

OUR CIVILIZATION UNDER THE GLASS

(By Meryle Secrest)

"His biographer once asked the Duke of Urbino what is necessary to rule a kingdom. The Duke replied, 'Essere umano; to be human.' "

So says Sir Kenneth Clark in an intensely human, immensely informed discourse on Western man. "Civilisation," a 13-part series of one-hour films narrated by Clark and originally made for British TV, will be shown Sundays at the National Gallery of Art, beginning today.

At one point, the narrator discusses what the term civilization means to him:

"I have tried throughout this series to de-

fine civilization in terms of creative power and the enlargement of human faculties; and from that point of view, slavery is abominable. So, for that matter, is abject poverty."

The series, when shown in Britain, attracted a wide following and universal admiration; not only for its grandeur of sweep but the erudition, clarity, imagination and wit with which it has been carried out by its author and chief narrator, Sir Kenneth Clark.

Clark begins with the thesis that one can learn most about a civilization through its arts: "If I had to say which was telling the truth about society, a speech by a Minister of Housing or the actual buildings put up in his time, I should believe the buildings."

Through a highly effective combination of art, architecture, the filming of locations all over Europe, newsreels, political satire, music, poetry and history, Sir Kenneth develops a panoramic view of the history of Western man that takes one, in its 13th and final sequence, up to the present day.

Beyond this point, Clark refuses to speculate. However, the novelist J. B. Priestley, who wrote an otherwise favorable review of the series, suggested that Sir Kenneth could have concluded with a 14th program on the dehumanizing aspects of present-day society.

"He might have added that there seem to be among us now . . . creatures from other planets . . . They want to put an end to the human race. So they are building larger and larger . . . intricate machines, ready to take us over soon. At the same time they are working hard to persuade us that we are machines and second-rate at that."

Priestley believes that the series is in itself a contribution to civilization.

"It represented a bold step in civilizing television itself," he writes.

An ironic note is that "Civilisation" has not yet come to the American television screen, although one of the commercial networks is said to be interested in it.

So, in this country, what was designed to be shown on the color TV screen has to be presented as a film; as a public service by a cultural institution.

The National Gallery of Art is showing the series without charge on Sundays at 5:30 p.m. through Dec. 14. The opening film will be seen today at 5:30 p.m., 6:30 p.m. and 7:30 p.m. and again at 2:30 p.m. on Saturday, Nov. 8. On succeeding Sundays, two films will be seen and performances will be repeated on demand.

Credit for the fact that Washington is seeing this series (similar showings are being held concurrently in New York) goes to J. Carter Brown, director of the National Gallery, who is intensely interested in films about art. His own film, "The American Vision," made a few years ago, is a brilliant example of the genre.

Credit also goes to the gallery's new assistant administrator, Howard Adams.

"I had the good fortune to be having dinner one evening with Mary Lasker," he said. "She had just returned from London and was talking about this fantastic series she had seen. So I got in touch with the BBC next day."

The National Gallery of Art knew of the existence of the series, since it had supplied color transparencies to the BBC for the films. The National Gallery is interested in developing its own series, modeled on "Civilisation" but less grand in scope. It would focus on individual artists.

"We would like to find a way to create a series of smaller vignettes of film interpretation of the great artists which could become part of a great film library on the arts," Adams says.

In narrating "Civilisation," Clark's great gift is that he is not only enormously well read, but also can knit together disparate elements to make a coherent whole. He can look at a carving in the nave of Chartres cathedral and make you see how it personifies the spirit of an age.

He pulls out a few sentences from the dazzling storehouse of his mind and makes the listener immediately curious to know more about the subject.

His lectures are of the kind one would hope to find in a graduate seminar. Yet his thesis is so winningly illustrated and clearly and persuasively developed that the viewer does not need special knowledge to be challenged by the ideas.

In an age of specialization, when most people seem to be focusing on a narrow and narrower fragment of the whole, Sir Kenneth Clark proves that it is still possible to see the history of civilization in terms of a single, unifying vision.

If one has any quarrel with the series at all, it is that painting, sculpture, architecture, music, philosophy and even poetry do very well as sources of references. But literature seems to get the short end of the stick.

But perhaps this is the weakness of the television medium itself; it cannot project what is seen by the inner eye.

Priestley is perhaps right in pointing out that Clark has not taken into account the enormous strides man has made into the exploration of inner space; that is to say, what has been learned about the unconscious in the last 100 years.

And there are some aspects of our visual heritage whose absence from the series is inexplicable: Venice and the court at Versailles, under Louis XIV, for instance.

Clark, who was knighted by Queen Elizabeth, is the son of a well-to-do thread manufacturer who was brought up with the idea that "to look at pictures and admire them was a reasonable activity."

At Oxford, he wrote a book on Gothic revival in his last year. His wife relates: "He told me about it when we were walking out. I didn't like to admit I didn't know what Gothic revival was in case I lost my place in the queue."

Clark began by wanting to be an artist. But in an interview printed in The Listener, the BBC magazine, he states that he gave it up because "I'd just this much sense: if an Englishman can write a bit and paint a bit, if he has any sense he'll be a writer, because that's our medium."

At the age of 30, he was made director of London's National Gallery. Twelve years later he retired to become Slade Professor at Oxford University.

In 1953, he became chairman of the Independent Television Authority and when he retired as chairman in 1957, he lectured on art for the next eight years for the ITV.

He is an authority on the Italian Renaissance and has written a book on the subject. He has another on Ruskin and a book on the nude in art that has become a classic.

This book arose out of a series of lectures he gave at the National Gallery of Art in Washington in 1953.

People like to remind Sir Kenneth Clark that, about three years ago, he expressed the gloomy view that television was likely "to exclude solemn topics, that can only be stated in measured terms."

He then thought that television tended "to cut off its audience from some of the greatest achievements of the human spirit."

It is fitting that he has magnificently disproved his own theories. As a great humanist, he led us to contemplate those values upon which a civilization worthy of the name has to depend. In his concluding film, "Heroic Materialism and the Awakened Conscience," Clark says:

"At this point I reveal myself in my true colors, as a stick-in-the-mud. I hold a number of beliefs that have been repudiated by the liveliest intellects of our time.

"I believe that order is better than chaos, creation better than destruction . . . On the whole I think that knowledge is preferable to ignorance and I am sure that human sympathy is more valuable than ideology.

". . . And I think we should remember that we are part of a great whole, which for convenience we call nature. All living things are our brothers and sisters. Above all, I believe in the God-given genius of certain individuals, and I value a society that makes their existence possible."

[From the National Observer, Dec. 22, 1969]

ART FILM AT NATIONAL GALLERY DRAWS LARGEST CROWD SINCE "MONA LISA"

WASHINGTON, D.C.—An educational film originally made for British television has turned into the sleeper of the year in two U.S. museums.

When officials of the National Gallery of Art here scheduled the 13-part film, Civilisation, for a seven-week run, two parts at a time, they modestly hoped it would fill the gallery's 300-seat auditorium on Sunday afternoons. The first afternoon, 24,000 people showed up, thousands of them waiting outside in the rain for hours. Officials quickly decided to show the film one segment a week on an expanded five-times-a-day, seven-day-a-week schedule.

Now in its seventh week Civilisation continues to draw the largest crowds to the gallery since the Mona Lisa was here six years ago. Among the 14,000 a week to queue up have been Government workers on their lunch breaks and peace marchers in town for the Nov. 14 mobilization. Museum officials are at a loss to explain the series' popularity except to ascribe it to word-of-mouth advertising and "the power of a very fine cultural film."

Civilisation features gorgeous footage of some of the greatest works of art in the Western world. But its real attraction is the running commentary delivered from the banks of the Seine, from Ravenna, from Monticello, and from dozens of other locations in 11 countries by art historian Sir Kenneth Clark. A humanist as well as scholar, Sir Kenneth argues in the film that the race has taken giant steps toward civilization in periods when men have striven for "something extra," whether the all-embracing love preached by St. Francis of Assisi or the intellectual order worshipped by the Eighteenth Century rationalists.

Each segment of the series takes up one period—the Renaissance, the Reformation, the Romantic Era—and explores it in terms of its artistic accomplishments, which Sir Kenneth regards as more trustworthy than the pronouncements of its statesmen.

The National Gallery obtained the film after a friend of director J. Carter Brown saw the series on the BBC. Because Sir Kenneth had delivered a series of lectures at the gallery in 1953, the BBC readily agreed to make the film available. Under the sponsorship of the Metropolitan Museum of Art and New York University, the film is also being shown in New York City, where four extra showings a week have been added.

So far there are no plans to show civilisation anywhere else in the United States. But one major television network is investigating the possibility of putting it on the air.

In the meantime the National Gallery will continue to pack them in, but a spokesman admits that, in a nice sort of way, the film has become something of a nuisance.

With the series here one-half complete, gallery officials last week expressed the hope that the audience may soon begin to dwindle. "After all," one spokesman said, "even Hair can't go on drawing huge crowds forever."

[From the Washington Post, Nov. 4, 1969]

CIVILISATION

(By Phil Casey)

The National Gallery of Art, which apparently figured it had a nice, quiet cultural festival on its hands, was wrong as it could be.

About 10,000 extra persons showed up and wanted to sit down in the gallery's 303-seat auditorium Sunday night to watch showings of the first program in a 13-part series of films and narration called "Civilisation".

J. Carter Brown, director of the National Gallery, noting immediately that he had a popular hit on his hands, decreed there shall be frequent showings of each of the films daily and Sunday, so that some of the thousands who want to see the series can see it.

Brown, who is getting the series free from the BBC, wishes that TV, either educational or network, would buy the series and show it to all of the people who apparently are eager to see it.

He has no control over that, but he can show the films as frequently as possible, and he is doing that, ever since he came face to face with what happened Sunday night.

"Civilisation" is a series of 13 one-hour films narrated by Sir Kenneth Clark and made originally for British TV. The plan had been to show the series only on Sundays and Saturdays, but Brown has given up that dream and he's glad Civilisation is such a hit.

This week, through Friday, the first program will be shown daily at 10:30 a.m. and 2:30 p.m. Then, on Saturday, the program will be shown at 10:30 a.m. 12:30 p.m. and 2:30 p.m.

On Sunday, programs two and three in the 13-part series will be shown together. Each show consists of two one-hour films. The shows begin at 12:30 p.m., 5:30 p.m. and 7:30 p.m.

These programs will be shown through the following week: at 10:30 a.m. and 2:30 p.m., Monday through Friday, and at 10:30 a.m. 12:30 p.m. and 2:30 p.m. on Saturday, Nov. 15.

The gallery will advertise a schedule of all programs and showings from now on. There is no charge. Free numbered tickets will be available in the gallery each day for the shows that day.

Last Sunday was an astounding day at the gallery. Normally, for a Sunday at this time of year, about 8,000 persons are counted visiting the gallery. On this occasion there were 22,000 persons, and Brown has a deep impression that about half of them wanted to go to the movie.

[From Newsweek, Dec. 15, 1969]

THE GRAND TOUR

"One has to face it," said British art historian Sir Kenneth Clark not long ago. "TV is an entertainment medium. I heartily sympathize with the viewers. I always switch off very serious programs." The next thing anyone knew, Sir Kenneth had produced and narrated for BBC television a series of thirteen 50-minute films on the history of Western civilization from the fall of the Roman Empire through the nineteenth century, ordinarily a very sober subject indeed. But in Clark's able hands, his basically serious subject was transmitted into high entertainment so smoothly that some 1.5 million fascinated English families tuned in the series week after week.

Now Clark's films—all in color—are being shown to jam-packed audiences in New York City's Town Hall and Washington's National Gallery, and there is a good prospect that one of the big U.S. commercial networks—which seemed to evince little interest in the series at first—may be showing it early next year. "It's the hottest show in town," says Carter Brown, director of the gallery, who was nearly bowled over when thousands of people queued up for the 300 seats in the museum's theater one Sunday afternoon. "It's even beating out 'I Am Curious (Yellow)'."

Chatty: Much of the reason for the series' box-office success is the 66-year-old Clark himself. He not only planned and wrote the scripts for all of the films, but also stars in each one as a witty, chatty and grandly intelligent tour guide with a sure dramatic touch. In the opening film, "The Skin of Our Teeth," the camera leads the viewer to the top of Skellig Michael, a jagged rock with the wind whistling around it that rises out of the sea off the coast of Ireland. There, Clark explains, a handful of Celtic Christians huddled in their stone huts through the Dark Ages, and civilization itself seemed to hang on by its fingertips. But Clark has a profound sense of humanity, its grandeur and its ironies. "Charlemagne never learned to write," he notes dryly after crediting the great conqueror with saving Western civilization. "He just never got the hang of it."

Some further observations from Clark's film history:

"In the nineteenth century people used to think of the invention of printing as the lynchpin in the history of civilization. Well, fifth-century Greece and twelfth-century Chartres and fifteenth-century Florence got on very well without it . . . Still, on balance, I suppose that printing has done more good than harm."

"New York . . . took almost the same time to reach its present condition as it did to complete the gothic cathedrals. At which point a very obvious reflection crosses one's mind; that the cathedrals were built to the glory of God, New York was built to the glory of mammon; money, gain, the new God of the nineteenth century."

The idea for the series came first from David Attenborough, head of BBC–TV, three years ago, as the BBC was preparing to start transmitting in color. "My simple ambition," says Attenborough, "was to set on the screen the loveliest things to look at and to hear." The BBC approached Clark, who had already prepared 60 programs for them. "In the course of the conversation," Clark recalls, "They used the word 'civilization.' When I heard that word, it seemed to me that that might be worth trying. That's all there was to it."

The BBC assigned Clark two producers and a three-man camera crew to make the series. For two years they traveled 80,000 miles in eleven countries, filming paintings, sculptures, churches, palaces and landscapes. By coincidence, the crew arrived in Paris in May of 1968 when hundreds of Sorbonne students went to the barricades. "It made it very interesting," says Clark, "being there shooting a piece on the French Revolution while a real revolution was going on."

What the series adds up to is a wide-angle view of Western civilization accompanied by Clark's personal, witty and ever trenchant commentary. "I suddenly realized when I was writing," he explained last week, "that these were the things that I have always believed, but was too timid to say out loud. One of the nice things about growing older is that you gain the courage of your convictions."

Now the courage is spreading to U.S. TV. "It's an extraordinary effort, and Clark emerges as a major television personality, a cross between Maurice Evans and Alistair Cooke," says Mike Dann, senior vice president in charge of programing for CBS. "We're looking for a place to put it on Sunday afternoons." After the pro football season, of course.

SOME COMMENTS FROM "CIVILIZATION" BY SIR KENNETH CLARK

The Middle Ages: "The old idea that he [Charlemagne] saved civilization isn't so far wrong because it was through him that the Atlantic world reestablished contact with the ancient culture of the Mediterranean world."

The Renaissance: "Well, it is certainly correct to say that we are more graceful than other animals, and we don't feel much like immortal gods at the moment. But in 1400 the Florentines did."

The enlightenment: "The smile or reason may seem to betray a certain incomprehension of the deeper human emotions; but it didn't preclude some strongly held beliefs—belief in natural law, belief in justice, in toleration, in humanitarianism. Not bad."

[From the Staten Island Advance, Nov. 2, 1969]

CIVILIZATION PARADES FOR FILM MAKER

(By Barry Leo Delaney, curator of art, Staten Island Museum)

Something to watch for in the near future is a new film series written and narrated by Kenneth Clark (Lord Clark of Saltwood) entitled "Civilization." Although the art of the film is normally outside the scope of this column, this particular group of 13 filmed programs from the British Broadcasting Corp. is, I believe, an important exception.

The subject that Lord Clark has chosen to treat in this series is nothing less than the last 1,600 years of Western European civilization, together with its colonial expansion and development in the Americas over nearly five centuries. The forces and events that have shaped our present-day society are analyzed in these films through an examination of the great artistic achievements of the past.

The concepts presented are modestly described by Lord Clark as "a personal view." In addition to being one of the world's foremost art historians, Lord Clark has had extensive experience in the fields of film and television. Between 1934 and 1941 he was the director, and later chancellor, of the film division, house publicity, in the British Ministry of Information.

He was also chairman of the Independent Television Authority in Great Britain from 1954 to 1957. For nearly 40 years he has held numerous important museum posts in England, including that of director of the National Gallery in London during the decade between 1934 to 1945. He has also been the author of several books on the history of art.

This impressive background has now been brought to bear on what is surely one of the most outstanding series of educational films that has ever been produced. "Civilization" was first shown on the BBC television last spring and is now being previewed in the United States at New York University's Town Hall in midtown Manhattan. The film showings are being jointly sponsored here under the auspices of NYU and the Metropolitan Museum of Art, through the benefaction of Charles B. Wrightsman—a trustee of both institutions—and with the cooperation of Time-Life Films, distributors in this country for the BBC.

The present audience is an invited one, consisting primarily of members and patrons of the Metropolitan and the faculty, students and alumni of the university. The demand for the free tickets was so overwhelming that extra showings have had to be scheduled. Even so, virtually all of the seats for the six screenings each week on successive Tuesdays and Wednesdays through Dec. 9 have now been promised.

There seems little doubt, however, that these films are ultimately destined for some more widespread public distribution, perhaps on one of the major television networks, and probably within the next year or so. Furthermore, the series will almost certainly be made available to high schools and colleges. It is likely that everyone will have some opportunity to see these films eventually. A companion volume is also already on the presses.

To make the series Lord Clark traveled some 80,000 miles in Europe and America with a team of technicians, shooting thousands of examples of architecture, sculpture, painting, and allied arts. The production team wandered from Istanbul in Turkey to our own state of Virginia, recording the greatest artistic achievements of our civilization. All of this was accomplished within two years.

The first 50-minute film is entitled "The Skin of our Teeth." It picks up the thread of western history where it was broken off after the decline of Greco-Roman civilization, starting in the 4th century A.D. In this picture the precarious survival of our western civilization after the fall of the Roman Empire is traced until its stabilization under Charlemagne (742–814), king of the Franks, and first of the so-called Holy Roman emperors. The title was suggested by the contention that civilized man survived during this period only just by the skin of his teeth.

In the narration Kenneth Clark proposes that there is a decided difference between a culture and a civilization. He contrasts the energy and will of the barbarian invaders from the north with the original stability and permanence of the old Roman Empire. He touches lightly upon how confidence in the seemingly solid, but actually very fragile, Roman civilization was gradually undermined. Finally, as we all know, it crumbled and fell.

The result was four centuries of chaos. The Vikings, for example, may have had a unique culture, but it is questionable whether they ever had a civilization. Under Charlemagne the Atlantic world re-established contact with the ancient civilizations of the Mediterranean region, and western civilization began anew.

The remaining 12 films examine this civilization. In the end, there will doubtlessly be many nagging implications for our time. In the middle of the 20th century we are asking ourselves, "Can Man survive?" let alone his civilization. Can we learn to control our own technology or will it destroy us?

Art may not be able to provide the answer to these questions, but it is often able to diagnose some of the ills. One is reminded of the work of the late Edward Hopper (1882–1967) where man's loneliness and isolation from his fellow men is so frequently a theme. The painting "Western Motel" of 1957 is characteristic. (It is now on loan from the Yale University Art Gallery to the Metropolitan for the exhibition "New York Painting and Sculpture: 1940–70.")

The boredom and despair of the lone central figure in the anonymous motel room is an indictment against the transitory and unsettled nature of much of modern Western civilization.

[From the Washington Star, Nov. 13, 1969]

BOUQUETS AND BRICKBATS

One of the characteristics differentiating man from beast is an intelligent interest in the past.

Accordingly, the National Gallery of Art is to be applauded for making it possible for Washingtonians to see the British Broadcasting Corporation's excellent thirteen-part documentary, "Civilisation," which charts the cultural accomplishments of man over the past two millennia.

By the same token, it is some sort of commentary on the three major networks and their sponsors that Sir Kenneth Clark's production, which was considered eminently suitable for general audiences in Britain, should be regarded over here as not America's cup of tea.

The implication, of course, is that the series is too high-brow—or that Americans are too low-brow—to make such a long series either interesting or commercially feasible. The television moguls, of course, may be correct.

But the 10,000 people who showed up Sunday in quest of the 303 seats available obviously disagree. The crush was so great that the gallery, which had planned free Sunday showings through December 14, has decided to provide multiple daily screenings through that date.

Get on down there. It beats "Laugh-In."

[From The Washington Star, Nov. 13, 1969]

THE RAMBLER PONDERS "CIVILIZATION"

(By John Sherwood)

"If I had to say which was telling the truth about society, a speech by a minister of housing or the actual buildings put up in his time, I should believe the buildings."—Sir Kenneth Clark.

With the above in mind, the Rambler passed by the Rayburn Building with head bowed and one eye closed because his thoughts were on a visit to Chartres Cathedral, and sights like the grand House Office Building are very bad indeed for visions like Chartres.

He was going to see an hour-long movie, and it was free. But it was being shown in the National Gallery of Art, which meant that culture might be involved, and since the Rambler doesn't generally go for public culture he walked in feeling a little uncomfortable.

The color film was the second in a 13-part series produced by the British Broadcasting Corp., and it seems it is the biggest smash hit here since Mona Lisa came to town. Entitled "Civilisation," it takes on one immense subject and the Rambler wondered how much different he would come out from the man who went in.

"We thought that we would show maybe one of the films, or perhaps at the most two," explained the Gallery's Bill Morrison. "But the response has been unbelievable. "We're on No. 2 now, showing it several times throughout the day, and expect to be showing the whole thing into 1970. If only it could somehow be shown on TV."

Sitting down in the 300-seat theater the Rambler was taken right into a cathedral of the Middle Ages in the No. 2 program, called "The Great Thaw." Soon a man appeared on the screen talking about the 11th century's "outpouring of energy" and describing it as "a Russian spring."

It was Sir Kenneth Clark, narrator and writer of the mammoth documentary that dares to cover the trek from the bleak Dark Ages of Europe to the New York cathedral skyscrapers built "to the glory of Mammon—money, gain, the new god of the 19th century."

The Rambler liked the man on the spot and immediately agreed with a written description of him: "He is the perfect intellectual pin-up—subtly suited in autumn colors, tie carefully chosen to go with the silk handkerchief—his rosy complexion and silver hair are those of some endearing though awe-inspiring uncle. He is shrewd, sarcastic and witty; he is also kind . . ."

There was a point he made, going from one great Gothic cathedral to another, that the Rambler thought was especially fine because it was the kind of thing that separated the brilliant production from one of those TV features on the royal palaces.

He showed a figure of a saint who had been martyred because she refused to worship idols. Now, alas, he said, here she was a saintly relic turned into an idol herself.

Charting the ideas and events that have led Western civilization from the collapse of Greece and Rome to our own century, Clark, in this episode, which is being shown through this week, was taken most by Chartres Cathedral.

There was no fancy camera work, but the eye looked lovingly upon the carvings and the stained glass as chants illuminated the narrative. The buildings were put up by man to God, but it seemed to the Rambler as if God had a hand in the creation. Certainly no man could do the same today.

The packed theater was suspended in the glory of Chartres. There was no talking. No fussing about. No chomping of popcorn and sticky candy. The gentle voice of Clark carried them through as if they were special guests on a very special, magical mystery tour.

Most of the priceless objects that adorned Chartres in the 12th century are gone now, but Morrison piped up to tell the Rambler that the Gallery had a French Romanesque chalice that was used at Chartres by four generations of French kings.

It was in the Widener Collection, and the Rambler asked to see it. Morrison led the way to a remote room on the lower level and there, behind a glass case, sat one of the finest chalices in the world. It is priceless and it is something to watch for a very long time.

Commissioned about 1140, it was first used by Abbot Suger, the most powerful political figure in France at the time. It has a fluted bowl, a single piece of carved sardonyx which dates back to ancient Rome. On the base of it are gold-embossed medallions.

The Rambler was aware of his heavy breathing while looking at the chalice, and the film he had just seen had brought it all the more to life.

* * * * *

Unable to leave the Gallery without stopping by to visit an old friend who wears a halo over his head, the Rambler headed for the self-portrait of French impressionist Paul Gauguin and thought of the legend behind those sullen eyes and longed for a thatched hut in the South Pacific.

The walk down the steps of the Gallery was slippery in the soft rain and, once outside, the Rambler looked around in vain, with his mind still swimming among the towers of Chartres.

He tried to avoid the Rayburn House Office Building on his return voyage, but something drew him there.

My God, it's so awful.

It is a checkered vest with popped buttons and a fat, stale cigar with the paper band still on. God does not figure in it at all.

[From the Washington Post, Nov. 10, 1969]

AROUND TOWN—"CIVILIZATION"

If there is one thing the National Gallery of Art needs less than another, it is probably an enlargement of the line already waiting for tickets to see the British Broadcasting Corporation film called "Civilisation." We have no wish to add to the Gallery's problems, yet we cannot refrain from telling readers they ought to run, not walk, to the nearest Gallery entrance. "Civilisation" is a series of 13 one-hour motion pictures in color narrated by Sir Kenneth Clark and made originally for British TV. This first of that series, shown last week three times a day, gratis, in the gallery's lecture hall, is nothing less than superb in every respect.

The photography of classical and medieval works of art and architecture is almost flawless in its brilliance and beauty. And Sir Kenneth Clark's commentary on the tissue margin by which the civilization responsible for those glorious achievements escaped extinction must be characterized as supremely civilized—or, as he no doubt would prefer it, supremely civilised. He takes his hearers gently by the hand and leads them through a creative evolution in a manner that is at once scholarly and simple.

The National Gallery is, of course, a thoroughly appropriate place for the showing of these films. We cannot help wishing, however, that they could be shown as well on television networks so that people all over the country could view them and glimpse the wonders of which man has proved himself capable. In this time when so many—and so many of the young in particular—are experiencing a sense of despair about Western culture and the values of civilization, and are so recklessly ready to tear down all that has been built up in the past, this record of man's accomplishments, of man's

limitless reach for beauty and for creativity, has something to say of immense significance.

"Civilisation," Sir Kenneth Clark says, rests upon a "sense of permanence." The past affords a lamp for the future. If it is wise for men to be dissatisfied, it is folly for them to lose hope.

[From the Mamaroneck (N.Y.) Daily Times Nov. 3, 1969]

"CIVILIZATION" FILM SERIES TO GO ON VIEW

Thomas P. F. Hoving, director of the Metropolitan Museum of Art, and James M. Hester, president of New York University have announced special showing in New York of one of the most distinguished color-film series ever produced, on Tuesdays and Wednesdays, as of tomorrow, through Dec. 10. Admission is free.

The series, entitled "Civilization," was written and narrated by Kenneth Clark (Lord Clark of Saltwood) and prepared for British Broadcasting Corporation television.

The films will be shown under joint auspices of the Museum and the University at Town Hall, NYU's midtown cultural arts center, to an invited audience consisting principally of friends and patrons of the Museum, and faculty, students and alumni of the University. Special showings have also been scheduled at Town Hall for metropolitan area high school students.

The demand for tickets has been so great that extra showings of the series have been added to the two showings originally scheduled. More than 11,000 recipients of invitations have responded with requests for more than 40,000 tickets.

Lord Clark, the renowned art historian, presents in the series a personal view of the forces and events that have shaped present-day Western civilization as seen in the artistic achievements of the past 16 centuries. On Tuesday, Nov. 18, he will speak in person at the 5:30 and 8:30 p.m. showings.

To make the film, Lord Clark and a team of technicians devoted two years and traveled some 80,000 miles in Europe and America to shoot thousands of examples of sculpture and architecture, theater and paintings, books and artifacts. The production team traveled from the Hebrides to the Mediterranean, from Istanbul in the east to Virginia in the west, to film such significant artistic achievements as the interior of Chartres Cathedral and the ceiling of the Sistine Chapel.

ILLEGAL WORK STOPPAGES

Mr. BELLMON. Mr. President, millions of Americans have watched over the past few weeks as illegal work stoppages occurred in two essential services of the Federal Government. I refer to the postal workers strike and the so-called sick out of the air traffic controllers. This has been a time of trial, and I applaud those who have brought our country through this period. I am hopeful that methods have been developed to deal effectively with crises of a similar nature should they arise in the future.

During the 3-week period of March 25 to April 17, the Nation's air traffic control system was seriously disrupted by an illegal strike called by the Professional Air Traffic Controllers Association. As a result, air commerce was seriously disrupted; business suffered economic losses; military training, a vital part of national defense, was hindered; and the personal travel plans of countless Americans were rudely shattered.

It is to the credit of the U.S. Government that it stood firm in this critical period. The issue was clear: An illegal strike against our Government. Both John A. Volpe, the Secretary of Transportation, and John H. Shaffer, the Administrator of the Federal Aviation Administration, were steadfast in their determination to uphold the law. The Nation should be grateful for men of this caliber who are courageous in the face of adversity and who were able to act decisively and responsibly in this unprecedented crisis.

The Nation also owes a great debt of gratitude to the "silent majority" of the Federal Aviation Administration's air traffic controllers. Eighty percent of these men stayed at their posts throughout the strike. These controllers, along with their dedicated and skilled colleagues who maintain the ATC electronic equipment, kept the system operating safely with remarkable efficiency and established an impressive record of safety. The National Transportation Safety Board noted that there were no reports of near collisions or unsafe air traffic control practices. Fortunately, the Federal Aviation Administration had the foresight to establish a central flow control facility in Washington which acted as a nerve center for handling understaffed air traffic control facilities.

There are others who also deserve commendation for their cooperation in softening the impact of this illegal strike. The airlines, for example, canceled some 50 percent of their passenger flights during one period in the busy Chicago, New York, Washington triangle. There were extensive delays to flights in all parts of the country although the South and Southwest were the least affected. It is not possible at this time to assess the total impact on the airlines, but, unquestionably the financial loss was enormous. Nevertheless, the scheduled air carriers unhesitatingly canceled flights in order to relieve the impact on the air traffic control system.

The military services also were extremely helpful in easing the impact of the strike. During 1 week the Air Force canceled some 30 percent of their normal training flights. Throughout all the military command nonessential training was canceled in an all-out effort to cooperate with the FAA.

The largest segment of aviation, general aviation, representing such diverse private flying as corporate, business, personal, air taxi, and so forth, also lent an important helping hand. Many of their flights were rerouted so as to avoid congested areas.

Mr. President, the most regrettable thing about this whole matter is that it was precipitated without justifiable reason. We all recognize the vitally important role occupied by the air traffic controller in our Nation's aviation industry. I am especially cognizant of this fact because of the location of the FAA Aeronautical Center in Oklahoma City, where controllers are trained, not only to serve the airports of this country but for many other countries as well.

Congress certainly recognizes this role and has acted accordingly. After a 5-year period without an increase in the air traffic controllers work force, Congress authorized an additional 1,500 controllers beginning with the 1968 fiscal year. Another 2,000 were authorized for fiscal year 1969, and an additional 3,800 for fiscal year 1970. If the fiscal 1971 request is approved, by the end of that fiscal year the FAA will have added more than 9,500 controllers, which means that the work force will have been doubled since the beginning of fiscal year 1968.

The Department of Transportation and the FAA, mindful of the intent of Congress, have been making a special effort to lighten the burdens of air traffic controllers and to improve their working conditions.

The additional controllers are being placed into the system as rapidly as they can be trained and assigned. The FAA also has been undertaking to reduce the amount of overtime required of air traffic controllers. During a 4-week period in January, for example, 67 percent of the work force worked less than 41 hours per week, 4.5 percent worked 41 to 44 hours, 28 percent 45 to 49 hours, and only .5 percent 50 to 54 hours.

Also, in order to increase compensation for about half of the journeyman controllers, the FAA last year obtained Civil Service Commission approval to increase them one grade in the Federal pay scale. After this increase the pay of controllers in the top grade ranged from $15,812 to $20,555, plus premium pay for night, holiday and Sunday work.

Another sign of progress is the fact that the FAA is engaged in the greatest program of equipment improvement and modernization in the history of aviation. The agency is now proceeding with the implementation of a computer-based semiautomated air traffic control system and expects to have it fully operational in all of the domestic air route traffic control centers and the 60 busiest towers by 1974.

Additional improvements will be forthcoming from the implementation of the recommendations of the Corson committee, appointed by Secretary Volpe to assess the needs for establishment of a fully adequate and smoothly functioning air traffic control system.

Mr. President, Secretary Volpe and FAA Administrator Shaffer are to be complimented for their sincere desire to provide this system with the necessary manpower, equipment, training and supportive services to insure the safe, efficient operation of our Nation's airports.

These officials deserve the support of Members of Congress in their continuing efforts to achieve these goals. We also should direct our thinking to the steps that must be taken to avoid the recurrence of the serious situation that prevailed only a few weeks ago. We must practice better planning for the location and construction of new airports, so that potential air traffic jams can be prevented. Perhaps we need to begin to disperse some of the traffic at existing terminals, in order to relieve some of the crush at New York, Chicago, and other busy airports. We should give careful consideration to legislation which is designed to assist air traffic controllers in the difficult job they have to do.

Mr. President, I am confident that

with as much traveling as we have to do, the Congress will be sympathetic to these needs and will work actively to bring about a safe and stable air control system for our growing Nation.

PRESERVATION OF BOSTON LANDMARKS

Mr. BROOKE. Mr. President, attachment to historic sites is deeply engrained in the human experience. But nowhere, it seems, is the urge to preserve more actively pursued than among the good people of Boston. Where else could a copper teakettle win a victory over urban renewal?

The growth of history and tradition, the creation of national legends, continue to fascinate us all. But I believe that the effort to preserve our landmarks and our customs can prove to be equally fascinating. For this reason I ask unanimous consent that two brief articles pertaining to the preservation of historic Boston landmarks be printed in the RECORD.

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

IF YOU CAN'T SAVE A LANDMARK, MOVE IT

BOSTON, MASS., April 10, 1970.—Remember the mouse that roared? He's alive and well in Boston, where he owns a tiny quick lunch place known as the Oriental Tea Company.

His name is Nathan Sharaf, and his roar still echoes through the offices of the Boston Redevelopment Authority which not long ago tried to bulldoze Nate from his beloved turf in back of the old City Hall. The reason it didn't was that Sharaf used his noodles: instead of invoking images of a big, cold and indifferent bureaucracy driving small business out of an area marked for urban renewal, he played the BRA's civic conscience like an instrument. Drive me out, he seemed to say, and you will have to answer to the historians.

At issue was not Sharaf's trade of hungry pols and bankers but his old store's giant, steaming copperplated kettle hanging over the sidewalk of Court Street. The kettle, valued at $10,000, is the oldest animated trade sign in the U.S. It is so big that, in 1873, the City Recorder wouldn't quite accept the claim that its water contents were "227 gallons, 2 quarts, 1 pint and 2 gills." He did, however, record that it had a proven capacity to hold eight young boys and a 6 ft. tall man.

In 1965, when plans were activated to turn Boston's seedy old Scollay Square district into what is now the 61 acre, $230 million Government Center, Sharaf's Oriental Tea Company was told to move. Its property, on the periphery of the sprawling Government Center complex, was taken by the BRA into public domain and was to be assigned to a private developer, City Bank & Trust Co. But seeing as how the restaurant had been at the spot for 97 years, the BRA promised Sharaf "just and proper compensation" as well as assistance in finding a new spot elsewhere in town.

Sharaf, who had purchased the Oriental Tea Company in 1945, wasn't interested. He insisted that if he couldn't stay at 57 Court St., he'd insist on staying within the perimeter. Until then, he wouldn't budge.

While he was gearing to do battle with the bureaucracy, the bureaucracy was itself having problems. Midway between the soon-to-be-demolished Tea Company and the historic, brick Sears Crescent, the well-spring of the pre-Civil War Abolitionist Movement, stood a sliver of a building dating back to 1835. Actually, to be more precise, a building *facade*, behind which lay a roofless, cut-up ruin filled with a useless collection of junk. This building was the so-called "Sears Block" which also had been scheduled for demolition.

Then, BRA project director Esther Maletz remembered Nate Sharaf, holding the bulldozers at bay with his sandwich board.

Before Miss Maletz approached the restaurateur, she spoke with architect John P. Bennett of the firm Stahl/Bennett Inc., which had been engaged by a group of private investors to rehabilitate the Crescent. The land on which the Crescent, the Sears Block *and* the Oriental Tea Company stood bore the designation of Parcel 10, and since the BRA, as policy, preferred to have the same architects handle entire land parcels at a time, why not introduce Bennett, etc. et al. to Sharaf?

Although Stahl/Bennett and the Crescent developers later parted company the architects were retained by City Bank & Trust, and this gave John Bennett the inspired idea of treating the Sears Block as a continuation of the proposed bank's facade; steam-cleaning the sooty granite blocks of the corner "building" to blend into the pre-cast concrete panels of the abutting bank project.

Nate Sharaf, who by now already could see his beloved kettle hanging 30 ft. up the street, was delighted. But then, Bennett and a fellow architect, Franklin B. Mead, took a good hard look behind the facade and just about threw up their hands in despair. "It was unbelievable," Bennett recalls. "We knew we'd have to gut the interior and start from scratch."

Sharaf, of course, was willing. He would even make do with less, figuring to abandon the coffee shop concept for a jiffy-stand-up bar operation—without seats, grills, steam-tables, sinks, etc.—using only plastic and paperware, pre-wrapped sandwiches and the like.

"The notion of a 600 sq. ft. restaurant excited us," Mead says. "But what none of us figured on at the time were the fire laws." Following the 1943 Cocoanut Grove holocaust in which hundreds perished, Boston enacted the country's toughest fire regulations. Among them, a place the size of Sharaf's vest-pocket luncheonette would need at least two fire exits and, considering the three stories above, two stairwells.

"The only trouble here was that the stairwells alone would chew up 600 sq. ft.," Bennett says.

At this point, Stahl/Bennett decided to apply a little political muscle to the BRA. They suggested to Miss Maletz that if the agency were really as concerned about landmark preservation as its speech-making officials claimed to be, then certainly it could "arrange" to have the Sears Crescent developers give up a 10-foot strip of property and thus give Sharaf one of his two stairwells. The second stairwell, reasoned Mead, actually already existed next door, in the proposed bank building. The BRA, by now caught up with something approaching patriotic fervor, went along on both scores. They made an "arrangement" with the Crescent owners and agreed to let the bank's fire egress be shared by Sharaf—through the simple expedient or adding a door leading into the mini-restaurant.

Now came the crunch. Sharaf was willing to ante up $80,000. But to do the job right, figured Stahl/Bennett, would take at least $180,000. Even so, that estimate proved to be unduly optimistic. Contractors, called in to bid on the job, wouldn't touch it for less than $250,000. "They were obviously petrified of what had to be done," remembers Bennett. "They clearly lacked confidence."

So, back to the drawing board; and out went the elevator—temporarily—and many other refinements, and in came Kirkland Construction Co. of Cambridge. They agreed to do the work on a time and materials basis rather than for a lump sum. "But then Nate started asking for so many improvements," Mead points out, "that the budget climbed right back up to $180,000."

It ended up costing Sharaf $200,000.

Does he have any regrets? "None," he says, now that the giant kettle is blasting away again. Business is fabulous: jammed into those 600 sq. ft., some 2,100 downtown Bostonians are gobbling up over $750 worth of food a day—"at least $300 more than we had any right to expect." Upstairs, he's planning to build a private dining club for footsore businessmen who prefer not to gulp their way through a stand-up quickly, and above the club, he intends to build office suites for those who want a clear and unobstructed view of Boston's stunning new City Hall.

Sharaf, whose other cafeteria-type restaurants in Back Bay and on Beacon Hill serve some of the most honest portions in town, continues to play it straight. "Of course," he says, "when we're ready to rent I'll have to tell prospective tenants that their windows might get a bit steamed up when the wind blows the wrong way."

LANDMARKS

Since 1941, the number of U.S. cities enacting so-called "Landmark Laws" in an effort to slow down the urban renewal bulldozer have gone from two to nearly 70. Most of these laws were passed too late because there was too little left.

By 1969, nearly half of America's 6,400 "important" landmarks had been dispatched in the name of progress. And in their place rose much of today's ubiquitous, characterless downtown construction.

Uncounted are the many thousands of lesser-known historic buildings that nobody knew about. They either failed to draw the attention of the many Landmark Commissions that were being formed in various towns and cities or they lay well outside those sections that were subsequently designated by Congress as historic districts. Or, more inexcusably, they simply failed to fit what architectural gadfly Ada Louise Huxtable of the *New York Times* likes to call "the predictable core development formula for profitable urban blight."

Gone are such reminders of America's architectural past as H. H. Richardson's Marshall Field store in Chicago, Frank Lloyd Wright's Larkin Building in Buffalo, McKim, Meade & White's Pennsylvania Station in New York, and the entire St. Louis riverfront.

It was to thwart such a tragedy in America's oldest major city that Boston's Mayor Kevin H. White on November 25, 1968, announced a plan to save from extinction the city's Quincy Market District. This six-acre area is better known to tourists as the Faneuil Hall Markets due to the close proximity of that well-known "Crade of Liberty" (see below).

What made the announcement important was not the sheer size of the project—currently the largest restoration project under way in the country—but the bold unorthodoxy of snatching from the jaws of limbo 428,000 sq. ft. of usable and productive space. The men responsible for the project don't talk of "historic preservation." They speak of "urban retrieval," of plugging into the 20th Century scene an entire section of a city that, to all intents and purposes, had long ceased to be relevant to a mechanized society. And just so that there would be no mistaking his backing as mere municipal altruism or sheer politicking (the Mayor aspires to be governor in 1970) White presented his plan as a pragmatic business proposition. He implied that whoever would be chosen to develop the property would make money—lots of it—and to make the job more attractive, the city would be willing to arrange for special leases and tax shelters.

Behind White's announcement lay over two years of intensive planning and research. It began, as these things usually do, with a

phone call between two prime movers—architect Frederick A. Stahl and preservationists Roger S. Webb. (Although Stahl/Bennett Inc. works extensively in modern high-rise office building development, its 39-year-old president is heavily committed to the past glories of U.S. architecture: he lives in a refurbished Victorian house on the far side of Beacon Hill and serves as a "working trustee" of the Society for the Preservation of New England Antiquities. Webb, an MBA from Harvard, heads Architectural Heritage Inc., a non-profit group of consultants whose horizons extend well beyond the New England scene.)

Both were struck by the same notion at more or less the same time. To what extent, they wondered, was the Boston Redevelopment Authority concerned with that small parcel of now-seedy market buildings midway between its two most ambitious undertakings, the $230-million Government Center and the $125-million Waterfront Redevelopment Project? The answer: BRA was concerned but, without funds or plans, powerless to do more than arrest the decay that was overtaking the public areas of the market district—once regarded as the very model of 19th Century urban planning.

Stahl, Webb and a number of other interested parties next collared Edward J. Logue, then BRA's controversial administrator (and now head of New York State's powerful $6 billion Urban Developmnet Corporation). Logue, intrigued by the notion of private sector involvement and with the support of then-Mayor John F. Collins, quietly commissioned Architectural Heritage and SPNEA to study the potential for private redevelopment of property jointly owned by the City and the BRA. It provided partial ($30,000) funding, with Webb's people raising the remaining $20,000 needed to complete the massive (5-volume) study. By the time the research had been completed, both Logue and Collins were out of office. But the impetus withstood partisan politics, and early in 1968, Collins' successor, Kevin White, and his first BRA administrator, Hale Champion, made the first of what would be several pilgrimages to the fount of federal funding, the Department of Housing & Urban Development. They would successfully plead the project's case by citing Title I of the liberalized Housing Act of 1949 and a document bearing the imprimatur of Lyndon Johnson's Great Society—the 1966 Demonstration Cities and Metropolitan Development Act.

Interestingly, the money came through during the last four days of the Johnson Administration, courtesy Sen. Edward M. Kennedy and House Speaker John McCormack. So far the BRA has received two separate grants totaling $2.1 million—closing the gap between the appraised value of a refurbished, rentable market complex ($8.5 million) and the estimated restoration cost ($10.6 million). More may be needed. Soaring construction rates since the study was completed could well force the planners to revise their estimates by adding another $1.9 million.

In responding as it did back in 1966, the BRA was merely acknowledging a cross-current in urban renewal which surfaced during the Kennedy years but did not actually make itself felt until President Johnson invoked "Creative Federalism." There was a feeling among enlightened city dwellers throughout the country that not everything old was necessarily bad; that all the stainless steel and glass of the new cityscape could and should be contrasted with more durable and therefore older architecture; and that if preservation had to rate low on the urban priority list, then perhaps government would be willing to play silent partner to energetic private interests. What these people were after was not just money but an urban coalition of private and public sectors, a "creative bureaucracy" that could change on a do-it-ourselves and pay-as-we-go basis.

In one way or another, the coalition gambit could be made to work. In San Francisco, it ripped out a rotting section of the waterfront and produced Ghirardelli Square and The Cannery, a $10 million private rehab that has since served as the prototype for similar mercantile projects in other cities. In Chicago, there is now Piper's Alley; in St. Louis, Gaslight Square; in Pittsburgh, Shadyside; and in Denver, Larimer Square. The coalition has even gone subterranean as in Underground Atlanta. And in New York the coalition is now planning the most ambitious proposal yet—a $40 million effort to retrieve Lower Manhattan's South Street Seaport.

In all of these projects as in Faneuil, there is nothing remotely resembling the Rockefeller grandiosity of Colonial Williamsburg where—according to critic Ada Louise Huxtable—"the art of scholarly self-delusion reaches the extravagantly, $79 million sublime." What bothers Mrs. Huxtable isn't so much the abundance of money as the total lack of perspective. "What preservation is all about," she says in scornful reference to those cities that would seek to package the past in Saran-wrapped museum-districts, is "the retention and active relationship of the buildings of the past to the community's functioning present. You don't erase history to get history," she says. "A city's character and quality are products of continuity. It is not recaptured in quarantine."

Historian Lewis Mumford puts it another way. To arrest municipal decay, you don't unleash the bulldozer. You practice what he calls Conservative Surgery—the "removal of dead urban tissue with the smallest possible injury to the rest of the organism, and then resorting to a blood transfusion of new enterprises both economic and social, conceived on a human scale and directed to clearly defined human needs."

That's what the Stahl, Webb et al. proposal is all about. And it will first become evident in the spring and summer of 1970 when workers will start refacing the handsome granite walls of the principal market buildings—the initial step to a project that may take up to $12.5 million and four years to complete. Of the project, architect Stahl says "it will again prove that urban retrieval and commercial development can coexist—at a profit."

For ground plans, Stahl's consulting architects are going back 146 years to the original work by architect Alexander Parris (1780–1852) who first produced the entire district for his patron, Boston Mayor Josiah Quincy (thus the appellation of "Quincy Markets"). According to project architect James Howland Ballou, "we'll be restoring the district to its 1824 grandeur, or as close to it as we can possibly come." Ballou explains that while the 535-ft.-long, two-story granite Greek Revival market house is fully intact, the two flanking rows of granite-faced, slate-roofed four-story buildings are not. "Originally, there were 47 of these buildings. Now there are 45 left."

Interior work will not begin until the present occupants, the produce markets, have been relocated to a new market district in nearby Chelsea, by which time a developer will have been selected. However, Ballou's staff is already working up detailed plans for converting the existing space. Says project manager Roger P. Lang, "The warehouse block concept is ideally adaptable to a great many contemporary uses without disfiguring history or ignoring basic tenant needs. The adjacent building units function like a horizontal skyscraper. Parris has made our job really quite simple!"

"The use concept," according to Webb, "involves more than just businessmen looking for attractively-priced office space. We envision a diverse area composed of retail, office and residential tenants, living and working alongside the relocated pushcart market, with its street vendors who have long given the area a distinct Old World character." Thus the automobile will be banished from the streets that will be repaved with cobblestones and red brick, and pedestrians, an almost extinct species of city dweller, will be welcomed back.

Meanwhile, Stahl's architects and Webb's technical consultants are, in the words of Roger Lang, "trying everything in sight of reason, and beyond, to restore Alexander Parris' vision within the limits of contemporary materials, techniques, unions and inflation." Among the techniques Lang lists "field measurements, archival research and occasional seances with Mr. Parris." Adding to the planners' difficulty of retrieving the past is the knowledge that they are working with more than a commercially hot property. They are entrusted with one of the nation's most valuable historic assets.

Here is where it all began—1776 and all that. Actually, it began in 1742 when a French Huguenot merchant named Peter Faneuil (name which Bostonians today insist rhymes with "flannel") offered to build for his adopted town "at his own cost and charge a noble and compleat edifise for a market."

Though it falls outside of the legal purview of the planners, Faneuil Hall is clearly the crown jewel, the magnet that will insure a brisk pedestrian traffic flow. Here, in the hall that bears the distinct hand of an even more famous architect, Charles Bulfinch, John Adams his fellow colonists into revolution against the Crown. A scant block away, Adams' followers brewed the Boston Tea Party. Two blocks away was to be the scene of the equally infamous Boston Massacre.

Still, no real estate developer—especially in this tight money market—is going to commit upwards of $10 million to indulge the city's historic whims or the aesthetic passions of a handful of preservationists. What developers will want to know is what will it cost and how big will be the return?

For that reason, much of the painstaking historic research that characterizes the study is apt to be skimmed over. As a breed, developers don't care much for redeeming social significance. Instead, they're apt to be poring over the fourth and fifth volumes of the study, in which the development strategy is carefully spelled out in terms of "preferred procedure." The BRA is to select the developer on the basis of submissions to be received late this fall. The developer then enters into a simultaneous net lease for a 40 or 60 year period, with the City of Boston Real Properties Board for the dominant market building and the BRA for the two flanking rows. The lease stipulation gives the joint lessors maximum control over the development process.

Once completed, the project will pay the City an established annual minimum tax payment (in lieu of real estate taxes) plus a percentage of the developer's profits. Roger Webb explains that the percentage payment may be based on a sliding scale so that the developer will pay less to the City during the early formative stages than he would later when the project is well established and capable of supporting a larger burden. This arrangement allows the lessors to share the wealth with the developer.

As an alternative or fall-back proposition, should no takers present themselves, the City and the BRA are prepared to invoke Chapter 121A of the Housing Act and set up a tax shelter. This would mean the developer would have to operate as a limited dividend partnership (in which earnings are limited to a 6% return or equity) or as a non-profit corporation. "But we don't expect it will ever have to come to that," says architect Stahl.

He figures conversion costs at $15–22 a square foot, which is highly competitive with new office construction in Boston. Rental, he believes, will also be competitive ($7–10 a square foot).

"We won't lack for tenants," he says confidently. "There are hundreds of businessmen who will prefer to work in the unique spaces here." For businessmen tired of conventional high-rise towers, "unique" means timber ceilings, exposed brick walls, a vibrant pedestrian mall seen through small-paned glass windows—and all the convenience of modern office environment.

The BRA will start taking applications this summer and intends to name its developer by November 1. Construction of interiors will start early in 1971 for a mid-1973 occupancy.

THE NEED FOR UNIFORM COST ACCOUNTING STANDARDS

Mr. PROXMIRE. Mr. President, the Subcommittee on Production and Stabilization of the Committee on Banking and Currency has recently completed hearings on S. 3302, which would require defense contractors to follow uniform cost accounting standards on Government contracts in excess of $100,000. Admiral Rickover has testified before the subcommittee that the adoption of uniform cost accounting standards could save the Federal Government as much as $2 billion a year in lower procurement costs. Admiral Rickover is a noted expert on defense procurement and has been right many times in the past.

The hearings held by the subcommittee were in response to an excellent report issued by the General Accounting Office on the feasibility of uniform cost accounting standards. The GAO concluded that uniform cost accounting standards were both feasible and desirable and that the Government would save substantial sums of money if they were put into effect. Most of the professional accounting groups supported the GAO findings.

Additional support on the need for uniform cost accounting standards may be found in an excellent article by Robert N. Anthony in the May–June issue of the Harvard Business Review. Mr. Anthony brings a life time of expertise and special knowledge to the subject. He was formerly the Assistant Secretary of Defense, Comptroller, from 1965 to 1968. He has an extensive background in accounting, and his book entitled "Management Accounting: Text in Cases" is the definitive work in the field. He is presently serving as a professor of management control at the Harvard Business School.

Mr. Anthony has written a lucid and closely reasoned article on the need for uniform cost accounting standards. He argues that the lack of meaningful cost accounting standards gives defense contractors too much flexibility in determining or estimating their costs on Government contracts. I recommend a close reading of the article to anyone interested in the subject.

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:

WHAT SHOULD "COST" MEAN?

(By Robert N. Anthony)

(NOTE.—The Comptroller General of the United States recently produced a report which accepted the feasibility of developing cost concepts and standards, and the matter is now before Congress. The author of this article maintains that the time is ripe to end the confusion over what "cost" means in business situations. This is especially important in contractual arrangements where costs of materials or services are a factor. The author gives his ideas on what the bases of the standards should be, how the task should be approached, and how the undertaking should be organized.

(Mr. Anthony has long been concerned with problems of cost, as a teacher, government executive, member of professional groups, and consultant. He is Ross Graham Walker Professor of Management Control at the Harvard Business School, and was Assistant Secretary of Defense, Comptroller, from 1965 to 1968. As a consultant, he advises many companies and trade associations, as well as the General Accounting Office. His many books include *Management Accounting: Text and Cases*, now in its fourth edition and in several translations.)

Suppose the president of a widget company says, "Last year our cost of manufacturing widgets was $1.80 each." The ordinary person may think he has learned a concrete piece of information from this statement.

Anyone who understands the vagaries of cost accounting knows differently. He knows that "cost" in this context has no generally accepted meaning, that two manufacturers of physically identical widgets who use different, but acceptable, methods of measuring cost could differ in their reported costs of making widgets by 100% or more. The informed person therefore realizes that he cannot understand a number that purports to be the cost of a widget unless he knows a great deal about the particular cost accounting system from which it was derived.

Some persons say this situation is inevitable, in view of the complicated nature of business. Others say it is desirable: manufacturers should be encouraged to exercise their own best judgment in measuring cost. Still others, including me, find it neither inevitable nor desirable. They find it deplorable.

The increasing number of responsible persons who find it deplorable has generated activity on several fronts to develop cost standards. The activity involves accounting groups, the General Accounting Office, and the Senate Banking and Currency Committee, which plans hearings on the subject. (I shall have some suggestions as to how cost concepts can best be formulated.)

CORRECTION OF INADEQUACIES

For reasons discussed in the next section, I shall limit myself here to the meaning of "cost" in this situation:

Two parties facing each other across a table are negotiating a contract. Mr. A has agreed to manufacture some articles or perform some services for Mr. B. They have agreed on the specifications and delivery schedule of the articles or services. They also have agreed that the purchaser (B) will pay the supplier (A) for the cost of manufacturing the articles or providing the services, plus a profit. The problem is: What should "cost" mean in this situation?

There are several conceivable ways of answering this question, but in most situations only one way is both fair and practical. Let us look at the possibilities:

1. The parties could leave "cost" undefined, in the belief that there exists a body of generally accepted cost accounting principles defining it. They would be wrong.

2. At the opposite extreme, they could try to imagine all the cost accounting problems that might arise in the course of manufacturing the articles or providing the services, and agree on how each of them is to be resolved. The end product of such an approach would be a cost accounting manual.

But it is not generally practical to write a manual for a specific contract, except for a very simple job; the circumstances, and the possible ways of treating each circumstance, are too numerous. Moreover, the negotiations would be extraordinarily time-consuming.

3. The buyer could permit the manufacturer to define cost to mean what the manufacturer says it means, no more and no less. Even Alice would not accept this White Queen approach, and it is preposterous to expect that a hardheaded buyer would agree to it.

It is, nevertheless, an approach advocated by a number of people for contracts in which they sit on one side of the negotiating table and a government representative sits on the other side, as indicated by this excerpt from a letter written to the General Accounting Office by a trade association representative: "We do not believe that the adoption of Uniform Cost Accounting Standards would be practical for government or industry. Each industry already has developed, and is utilizing, the most appropriate accounting systems and procedures for its needs."

4. They could negotiate de novo a set of standards that would provide at least the general direction of solutions that arose in measuring the cost of the contract. This would be very inefficient. Since most problems that arise in measuring costs have arisen thousands of times before, working out solutions from scratch for each new contract is a waste of everyone's time.

5. They could agree to use a set of standards that has been developed by someone else for contracts of the type being negotiated, or perhaps a set of standards for contracts in general. This is the only fair and practical solution. Neither the first nor the third alternative is fair to the purchaser, and neither the second nor the fourth is practical.

An agreed-on definition of cost that is applicable to a number of situations is what is meant by the term "cost standards." (Incidentally, the phrase "cost standards" should not be confused with "standard costs." Standard costs are a device used for internal control, which is intended to express what costs *should be*, not what they *are*.

Several such definitions already exist. Section XV of the Armed Services Procurement Regulations (ASPR) is one; it helps to define cost in negotiations when one of the participants is the government. Many trade associations have developed standards for defining costs applicable to their industries.

But these existing sets of standards have serious deficiencies, and the time has come to attempt the construction of a set of standards that will define cost whenever one party to a contract agrees to pay to the other party an amount based on the cost of performing the contract.

The time is propitious because of the interest in this problem that has been generated by a study conducted by the General Accounting Office (GAO) as required by Public Law 370 of the 90th Congress. This law only required the GAO to report on the "feasibility" of applying "uniform cost accounting standards" to negotiated defense contracts. (In the quoted phrase, "uniform" is clearly redundant, and I shall omit it henceforth. Can anyone give an example of a nonuniform cost standard?)

The Comptroller General made his report on January 19, 1970. He stated that it is feasible to develop and use cost standards for defense contracts. He could scarcely have concluded otherwise, for it is inconceivable that the two parties to a contract could communicate with one another in the absence of such standards. They communicate now, and have for years, using the previously mentioned ASPR standards.

But these standards are inadequate. The Comptroller General summarized their inadequacies this way: (a) in some crucial matters, ASPR instructs the parties to use

"generally accepted accounting principles," whereas relevant principles do not exist; (b) in other matters, ASPR is silent or vague as to which of several possible cost constructions may be used in a given set of circumstances.

Admittedly, some persons oppose any effort to develop better cost standards. Analysis of their arguments shows that they are not questioning the desirability of standards per se. What they are really worried about is that the standards may be *bad* standards; that is, that the group responsible for developing them will not do a good job.

This, it seems to me, is an untenable position, for such a possibility exists in any proposal to change the status quo. Instead of merely expressing opposition, these critics could make a constructive contribution if they focused their energies on ensuring that the effort to develop standards is well conceived, well organized, and well manned.

HOW BROAD THE STANDARDS?

The first question to be resolved is how broad the standards should be. There are two extremes:

They could define "cost" in whatever context it is used.

They could define cost as used in "all negotiated prime contract and subcontract defense procurements of $100,000 or more," which is the language of P.L. 90-370.

In my view, one extreme is unmanageably broad and the other is unnecessarily narrow. That is why the question at the beginning of this article was framed in such a way that it applies to all negotiated contracts where the payment is in part based on cost, but only to such contracts.

PROBLEM CATEGORIES

If the group concerned set out to develop all-inclusive cost standards, it would have to cover at least these five contexts:

1. There is the situation I described, where the problem is to measure the total (i.e., "full") costs incurred in performing a contract.

2. There is the problem of defining the costs that company management should weigh in deciding between proposed alternative courses of action. These are often labeled "decision making" costs. In contrast with the first type, these are not incurred costs, but estimates, of future costs. Neither are they necessarily full costs, but differential or incremental costs.

3. There are the costs considered in setting selling prices for other than cost-type contracts. Some persons regard pricing as one type of decision-making problem, while others regard it as a special case in the measurement of costs incurred. In view of this disagreement it would be arbitrary to classify the costs relevant for pricing as coming within either the costs-incurred or the decision-making categories.

4. There are the costs involved in measuring inventory amounts on the balance sheet and cost of sales on the income statement. Perhaps the principles governing measurement of costs for financial statements are so similar to those in the first category that this is not really a separate category. Such a conclusion is, however, premature.

5. There are the costs used as a basis for influencing the actions of managers and measuring their performance. They may be called "management control" costs. They properly involve motivational considerations, so they differ in some respects from those in the other categories. As with the previous category, further analysis may show that these differences are not significant enough to warrant the creation of a separate category.

To summarize this list, there are at least two quite different kinds of costs: total, incurred costs and differential, future costs. There may also be other important categories, depending on whether the principles relevant to costs for pricing, costs for financial statements, and costs for management control are essentially the same as those in one or the other of the categories listed.

Some very broad comments about cost can be made that apply to all these categories. This, for example, is the approach taken in William J. Vatter's *Standards of Cost Analysis*.[1] A study of this excellent report shows, however, that statements made at this level of generality provide only what Vatter himself describes as "first steps" in approaching any of the classes of problems I described.

The cost concepts study sponsored by the American Institute of Certified Public Accountants, AICPA—and described in the February 1969 issue of *The Journal of Accountancy*—appears to take the same broad approach as does Vatter.

CHOOSING A CATEGORY

If the contexts in which cost is used are too diverse to allow tackling them simultaneously, which one should be selected as the focus for a program to develop standards? Of the two main categories—a focus on total costs that have been incurred versus a focus on estimates of differential costs *to be* incurred—the former is clearly the more desirable.

In internal decision making, company management can specify the definition of cost it thinks best. Some cost constructions are more useful than others, and management should welcome advice on what constructions are most useful for purposes of decision making. But it should be free to accept or reject this advice; there is no compelling reason why some outside agency should impose its views on the company in the guise of a set of standards.

On the other hand, A and B, the negotiators in the episode at the beginning of this article, *must* have some standards. Without them, A and B have no practicable way of reaching a meeting of minds as to what the contract means by the word "cost," once the parties have agreed that reimbursement is to be based in part on cost. This area is the one on which the standards-development effort should be focused.

The effort should not be limited to developing cost standards for defense contracts. Those responsible will render a greater service to the business community if they view their job as relating to all cost-type contracts. For what difference is there, in principle, between costs that are relevant to a defense contract and those relevant to a nondefense contract? The defense establishment consumes 8% of our gross national product, and its contracts cover nearly every conceivable kind of product and service.

Defense contracts do, however, have a few peculiarities. DOD has rules for reimbursing contractors for some items that may not fit within a general definition of costs incurred on a contract—principally those known as "independent research and development costs" and "bid and proposal costs." Provision in the standard for such items, if they indeed turn out to be exceptions (and it would be premature to so classify them before cost standards have been developed), could easily be treated as special cases, applying only to defense.

A set of standards is useful in most contracts involving payments based on cost. The standards would in no way prevent the parties, whether or not it is a government negotiation, from defining cost in a different way if they mutually agree to do so.

Many construction contracts, for instance, specify the use of 2" × 2" lumber. There is a standard for 2" × 4" lumber which, among other characteristics, defines it as having dimensions of at least 1½" × 3½" under certain circumstances and at least 9/16" × 9/16" under other circumstances. It is normally not done, but the parties can, if they wish, change this definition and require that the lumber actually measure 2" × 4", or any other dimension they specify.

The problem of defining cost obviously is vastly more complicated than that of defining the dimensions of lumber. Cost standards would therefore not be anywhere near as specific as those for lumber or those for similar criteria worked out by the U.S.A. Standard Institute. I stress this point because many persons have a mistaken impression about it.

Parameters of analysis: The question posed in the "A and B negotiate" episode was worded so as to restrict the analysis in certain dimensions. For one, it is deliberately limited to the problem of reimbursable costs.

Costs are used for other purposes, in connection with contract work, such as measuring performance while the work is going on. But performance measurement involves several problems that need not be faced in measuring the costs to be reimbursed. For example, in the Defense Department a controversy currently goes on as to the proper timing of material charges for performance measurement purposes: Should they be reported when material is acquired or when it is consumed? This question of timing does not even arise in the cost reimbursement area; if an item of material is used on a contract, it is unquestionably a cost of that contract, regardless of when it is acquired or used.

The question early in the article was stated so as to exclude also the problem of developing standards for cost estimates that are often used by negotiating parties in deciding on the work to be done under a contract. They are important in negotiated fixed-price contracts as well as cost-type contracts.

These cost estimates should be influenced by the standards in the sense that the buyer ought to insist that the cost constructions used in the estimates are consistent with the standards applicable to the measurement of costs incurred. The job of making the estimates, however, involves certain considerations (some of them quite complicated) that are not present in the measurement of costs incurred.

For example, the standards for measuring costs incurred should indicate what kind of effort constitutes direct labor, and what, if any, fringe benefits should be included in the price of each hour of direct labor. *Estimates* of this labor cost should ordinarily be constructed in the same terms; but the estimator must also make certain assumptions about future wage rates, future labor productivity, and the number of hours required to produce the article. It does not appear feasible, as a part of the initial effort to develop standards, to work out standards governing the choice of these assumptions.

The contracting parties may also be involved in change orders, repricing formulas, renegotiation provisions, termination costs, and similar complications. All involve the measurement of costs actually incurred, as distinguished from estimates of costs to be incurred, and therefore the standards should apply to them.

For these reasons, then, the approach suggested at the beginning of this article seems to be the most feasible and the most useful. By limiting the focus to developing standards for costs incurred, we can avoid the complications involved in developing standards for other kinds of cost. By broadening it from defense contracts to all negotiated contracts, we gain in breadth of coverage with no significant increase in effort.

FIRST THINGS FIRST

The formulation of cost standards resembles the efforts of the Accounting Principles

[1] Report to the Comptroller General of the United States (Washington, General Accounting Office, August 1969).

Board (APB) of the American Institute of Certified Public Accountants to develop standards for financial accounting. Its experience teaches an important lesson; namely, that the undertaking should consist of two sequential stages:

The development of a few underlying, basic concepts.

The development of standards based on those concepts.

(A third possible stage, the development of detailed rules and procedures, is not property a part of the effort, of course.)

When the APB began its work in 1959, it decided that its opinions should rest on a foundation of broad principles. It therefore encouraged research that could be used as a basis for formulating principles. The work culminated in "A Tentative Set of Broad Accounting Principles for Business Enterprises."[2]

The APB did not accept the principles proposed in that study, but neither could its members agree on any alternative set of principles. So the APB proceeded to formulate standards for specific topics, without the conceptual underpinning that a statement of broad principles would have provided. There was some justification for this approach; certain problems required immediate resolution, and it may not have been feasible to hold up action on them until an agreement on broad principles could be reached.

Whatever justification there was at the time, we know by hindsight that the subsequent APB opinions, and the discussions leading to them, have suffered greatly from the absence of an agreed-on conceptual foundation. As a leading practitioner comments:

"The APB . . . has been so busy 'putting out fires' and dealing with a large and ever-increasing backlog of current problems that it has never established an adequate basis upon which to build. This deficiency results not only in the waste of a great deal of time in debating each subject on a more-or-less isolated basis but also in makeshift conclusions which could in the end defeat the entire effort to improve accounting principles. . . . This approach can be compared to building a room for a house without having either a foundation or plans for the house."[3]

In 1968, the APB began another effort to decide on broad concepts, so the importance of doing so is still recognized. In the meantime, whoever is responsible for developing cost accounting standards can learn from the experience. The individual standards must be derived from a conceptual foundation, and the first task is to build it.

BUILDING THE FOUNDATION

What should the conceptual foundation look like? Its general nature is, I believe, quite easy to sketch out. Cost measures the use of resources. To return to my original example:

When B agrees to pay A an amount based on cost incurred, he has in mind that A will use certain resources in the time period covered by the contract, and that this use will be measured by a dollar amount known as cost.

Some of this use of resources can be directly related to the contract, and B expects to pay the cost of these resources. Some are used jointly for contract work and noncontract work, and B expects to pay a "fair share" of the cost of these resources. The sum of these two elements he regards as the cost of performing the contract. (He may specify that he will pay for these costs only to the extent that they are reasonable.)

This suggests that the conceptual foundation should spell out in broad terms the answers to two questions:

1. What are the total costs incurred by an organization in an accounting period?

2. How should this total be divided among the several cost objectives of that period? (A cost objective is anything to which costs are assigned. We are here interested in a contract as one cost objective.)

COSTS INCURRED IN A PERIOD

The concepts governing measurement of the total costs incurred in an accounting period are financial accounting concepts. If the APB had adopted a complete and acceptable set of broad principles, the cost accounting effort would require no further work with respect to this question. It seems highly unlikely that the APB will answer this question in the near future. If it does not, the new group must develop these concepts.

This job involves wrestling with only a relatively few topics. A measure of agreement already exists on at least some of them, and the task is therefore to find words to express the concepts unambiguously. There is general agreement, for example, that the accrual concept should govern measurement of costs, but no generally accepted unambiguous statement exists on what should be meant by the accrual concept. For writing such a statement, the literature can be used as a basis for discussion.[4]

The principal aspects of the main question to be considered are:

The types of resources that are properly included in the costs of an accounting period.

How these resources should be priced.

In regard to resources that provide services to more than one accounting period, how the amount applicable to a single period should be measured.

In addition, attention should be given to the terms "materiality" and "consistency." Moreover, since most cost-type contracts contemplate that reimbursement will be limited to "reasonable" cost, rather than cost in an unqualified sense, "reasonable" needs to be defined.

There is, finally, the special problem of the cost of capital. Although capital has a cost, it is not recognized as such under currently accepted financial accounting principles. Interest, which is the cost of *debt* capital, is recognized for some purposes, but there is no formal recognition in the accounts of the cost of *equity* capital.

This situation has led to confusion and inequity in contract costing. Under ASPR (paragraph 15-305.17), interest is an unallowable cost. If, however, a contractor leases an asset, the lease payment generally includes an allowance for the cost of capital—both debt capital and equity capital—and such a lease payment is often an allowable cost.

The cost of a building constructed by a contractor's own work force may include an allowance for interest, but it rarely includes an allowance for the cost of equity capital. If a third party constructed the building for the contractor's account, the cost would normally include the cost of capital.

It is inappropriate here to suggest a solution to this problem, but it surely is one to which special attention must be given.

ASSIGNMENT OF COSTS

The second question, the assignment of total costs to cost objectives, is the province of cost accounting. In this area APB opinions give no substantial guidance. The closest authoritative precedent is ASPR, and this is useful in providing a structure for the conceptual problem. In rough outline this structure is:

Costs are divided into direct costs and indirect costs.

Direct costs are assigned to cost objectives.

Each cost objective is assigned a "fair share" of the indirect costs.

This structure suggests two main considerations, investigation of which can provide the conceptual foundation necessary for the construction of individual standards:

The *first* consideration has to do with how direct costs should be defined. The definition should, I believe, encompass more costs than those that clearly can be traced to a cost objective, because they exclude most kinds of fringe benefits, overtime, labor that is closely but not unequivocally related to a cost objective, many aspects of material cost, and many services.

Some of these cost elements should be included within the definition of direct costs, leaving the indirect cost category as small as possible, for the more costs that reasonably can be assigned directly, the more confidence that the total costs are indeed equitable. So the answer to this question is by no means as simple as it may appear.

The way to approach this problem, I believe, is to break it into: (a) What physical inputs should be costed as direct? (b) How are these inputs to be priced?

The latter is the more difficult. Consider, for example, two pieces of timber of identical size which required an identical amount of effort to grow, harvest, and transport to where they are to be used. Log X is in some significant sense "better" than Log Y; it has fewer defects or a better grain. If Log X is used on Contract A and Log Y, on Contract B, it seems reasonable to some persons that more than half the cost of the two logs should be assigned to Contract A. Others believe that the same amount of cost should be assigned to each contract.

This is a basic conceptual disagreement that must be resolved. The treatment of overtime and material waste and spoilage are other topics that have this same characteristic.

The *second* consideration has to do with the concepts governing the assignment of indirect costs to contracts. Although some persons find the idea of "fair share" or "equity" a less than satisfactory basis for approaching this question, no one, as far as I know, has proposed a better one.

If those responsible cannot come up with a better approach (and I doubt that they can), they will presumably use the foundation that is already familiar to cost accountants: costs are initially collected in relatively homogeneous pools, and the total of each of these pools is then divided among the cost objectives on some equitable basis. So there needs to be one set of criteria for specifying what is meant by a "homogeneous pool" and another set for deciding among the possible ways of allocating the total of each pool to cost objectives.

In the report to the Comptroller General which I mentioned, Vatter classifies cost pools as people-oriented, payroll-oriented, materials-oriented, machine-oriented, or uncorrelated with any of the others. This classification provides a good starting point in approaching the question of homogeneity. It should not be difficult to frame a general concept of the meaning of homogeneity, together with a *de minimis* qualification that limits the creation of separate pools in situations where the effort to do so is not worthwhile.

A decision on the concepts governing the method of allocating the total cost accumulated in a pool to the relevant cost objectives is much more difficult to reach. The literature suggests a number of alternatives,

[2] Robert T. Sprouse and Maurice Moonitz, *Accounting Research Study No. 3* (1962).

[3] George R. Catlett, "Better Objectives Needed to Improve Accounting Principles," *The Journal of Accountancy*, October 1969, p. 62.

[4] See W. A. Paton and A. C. Littleton, *An Introduction to Corporate Accounting Standards* (Madison, American Accounting Association, 1940); the Sprouse-Moonitz study, op. cit.; and the subsequent study for the APB by Paul Grady, *Accounting Research Study No. 7* (1965).

including benefits received, correlation with individual input elements, correlation with total input cost, correlation with outputs, relative use of facilities, and degree of control by cost objective. These must in some way be sorted out.

There are several possible ways of doing this. One is to arrange the methods of allocation in a hierarchy according to their conceptual desirability and specify that a particular method should be used only when a more desirable one is not feasible.

The concept might state, for example, that the costs in a pool should be allocated to cost objectives in proportion to the benefits received, if it is feasible to do so. If this is not feasible, another criterion should govern, then another, until one is left with a pool of costs for which no logical basis for allocation exists. (Such a pool would contain at least part of the element often labeled "general and administrative costs.")

In the absence of a logical basis for allocating such costs, the method of allocation is necessarily arbitrary. The relevant concept is therefore also arbitrary. But this is nothing to be concealed or be ashamed of; it is simply inherent in the situation.

The set of basic concepts emerging from this analysis should be relatively brief, a few thousand words at most (which is much shorter than Section XV of ASPR). There will nevertheless be much sweat, some tears, and possibly even some blood shed by members of the group responsible for this effort. The job of selecting the best ideas is a formidable exercise in logic tempered by the realities of practice, and the job of expressing those ideas in unambiguous language is almost as difficult.

But unless this job is completed before the work of setting standards on individual elements of cost begins, the undertaking is likely to be a patchwork of loosely related, sometimes conflicting, statements, which is one of the troubles with the present state of affairs.

APPROACH TO PROCEDURE

This is what I have in mind by the term "concepts": they are broad, they are few in number, and they govern the standards to be developed for individual elements of cost—but they do not themselves deal with those elements. Once these concepts have been agreed to, the task of developing cost standards can begin. Probably this work could be divided according to the principal elements of cost, although other methods of breaking it down may turn out to be preferable.

Whatever the basis for selecting topics, the research and analysis leading to a recommendation on each topic should seek to:

Define alternative circumstances that warrant different methods of cost assignment.

State the method (or methods) that is appropriate under each of these circumstances.

Take one of the most difficult problems as an example: the amount of depreciation cost assigned to an accounting period can be determined on a straight-line basis, a units-of-production basis, an accelerated basis, or an annuity basis. The standard on depreciation should spell out either the circumstances under which each of these methods is appropriate, or, as a minimum, the circumstances under which each is inappropriate.

At best, cost accounting standards are guides to practice; they cannot provide detailed solutions to all problems. They can and must narrow the choice of alternatives, but they cannot eliminate the necessity for making judgments among alternatives according to the circumstances in a specific situation. The real world is too complicated for that.

ORGANIZING FOR THE TASK

Next, there is the question of how to go about it. In other words, what organization should be responsible, and what procedures should it follow? Here are some considerations bearing on these questions:

The organization must be a continuing one, for the formidable task has no foreseeable end. While results in development of the broad cost concepts can be produced in two years or so, devising standards consistent with those concepts is a much more time-consuming job. It has no foreseeable end because any set of standards will doubtless require modification as circumstances change.

One organization should be responsible for both aspects of the undertaking. Otherwise, human nature is such that the standards-setting group would probably start by a reexamination of the cost concepts, which might well take as much time as the concepts formulation in the first place.

The organization must be authoritative Experience has demonstrated that recommendations of an individual or an ad hoc committee, however brilliant or logical they may be, have little practical impact. Authority can be derived either from legislative fiat or from the prestige of the organization, although each of these sources of authority offers disadvantages.

Authority, incidentally, is a necessary, but not a sufficient, condition. A poor set of standards is unlikely to gain permanent acceptance even though it is promulgated with substantial authority.

Standards can be developed for contracts in general, in which case they could be applied to government contracts as a special case, or to defense contracts as an even more special case. Alternatively, standards can be developed for defense contracts, or for government contracts, and then extended to other types of contracts.

I have given the argument for the first approach: essentially the same standards should apply to most contracts, and it is therefore artificial to select a special category for attention. The argument for the second approach is the practical one that Congressional interest, and hence public interest, is aroused about the problem of defense contracts, and this interest might dissipate if the problem were tackled in broader terms.

With respect to defense contracts, there is a basic conflict of interest between the parties. The contractor wants the standards to be few and general, giving him the maximum amount of latitude in choosing the most advantageous cost alternative in a particular circumstance. The government, on the other hand, wants the standards to be specific in order to minimize the judgments required in auditing cost reimbursements.

(Some, by the way, deny the existence of this conflict. They assert that a contractor, even in the absence of standards, will voluntarily measure costs according to what is fair, even when this is inconsistent with his interests. This is a naive point of view, and it is surprising that knowledgeable men appear to expect that other knowledgeable men will give credence to it.)

The task of devising standards is expensive. Counting the work done in the public accounting firms and the salaries of those who spend a substantial amount of time on the effort, the work of the APB costs more than a million dollars a year. The cost concepts effort should be even more expensive per year than that unless it is strung out over an unacceptably long period of time.

The organization must be able to attract competent people. The task requires experts who have a profound understanding not only of accounting, but also of the realities of business—plus an ability to think conceptually and write precisely. Such people are scarce and are well paid in their current jobs. Much thought needs to be given to the inducements that would lead them to undertake this novel and potentially frustrating effort.

If the job of developing standards is carried out under the aegis of a professional organization, it may take a long time. The standard for 2" × 4" lumber I mentioned took 7 years to develop.[5] The APB has issued only 15 opinions in the 10 years of its existence. Some of them supersede others, and it has not yet covered all the important topics even once.

Some persons fear that standards developed unilaterally by a government agency might be more restrictive than the situation warrants. The accounting standards developed by the Interstate Commerce Commission, the Civil Aeronautics Board, the Federal Power Commission, and the state public utility regulatory agencies are examples of overly restrictive standards. On the other hand, those of the Securities and Exchange Commission are by no means too restrictive; and the regulations of the Internal Revenue Service, though restrictive, are in my view not overly restrictive. This concern is therefore not necessarily justified.

PRIVATE OR PUBLIC

With these considerations in mind, we are in a better position to weigh the decision whether the work should be carried out under private or public auspices.

A private-sector effort: The business community undoubtedly would like to see this effort undertaken by a group in the private sector analogous to the APB. But the considerations of authoritativeness, permanence, and financing lead me to the reluctant conclusion that such an approach is unlikely to succeed.

The APB, in its work on financial accounting principles, has had two great advantages that no other private organization seems likely to match in developing cost accounting standards:

1. The APB is authoritative. It can enforce its pronouncements through sanctions applicable to all members of the AICPA. The other leading organizations—the National Association of Accountants, the Financial Executives Institute, and the American Accounting Association—have no way whatsoever of ensuring compliance with their pronouncements.

2. The APB can raise substantial sums of money from the profession, since the development of financial accounting standards is now recognized by the public accounting firms to be very much in their own interest. No other private group has corresponding sources of support for the development of cost concepts and standards.

As for the AICPA itself, it is unlikely that it could succeed in this endeavor. It would have no way of obtaining adherence to cost standards comparable to the sanctions it can apply to information on published financial statements, and it has no obvious new source of financial support that would at least double the money it now raises.

Congress, moreover, which will undoubtedly have the final say on how the job gets done, would be unwilling to rely on a private organization unless it was convinced that the group would be permanent, well financed, and authoritative; that it adequately represented the interests of both government and business; and that it had safeguards against dilatory tactics.

I cannot visualize a private-sector effort that would satisfy these conditions. Indeed, the generally negative testimony of trade association representatives before the Senate Banking and Currency Committee in 1968 and negative responses to the General Accounting Office's request for comments on the feasibility of cost standards indicate that substantial segments of the business com-

[5] According to *The Wall Street Journal*, December 2, 1969.

munity are unwilling to meet these conditions.

A government effort: It seems likely, therefore, that the organization will be set up within the framework of the federal government. This can be done in either of two ways:

1. Congress could direct the Comptroller General to undertake the task. (The Bureau of the Budget, the other possibility among existing organizations, has not been as close to the problem, nor does it have the nucleus of a staff.) The Comptroller General might then set up a cost standards board, similar to the APB. He probably would obtain nominations for membership on this board from the accounting profession, business organizations, government organizations, and the academic community.

The board would specify the research that should be undertaken, and it would eventually make recommendations on cost concepts and standards to the Comptroller General. The ground rule might be that the Comptroller General would normally accept these recommendations, but he could modify or reject them for substantial cause.

2. An independent organization could be created, consisting of a small group of commissioners supported by an appropriate staff.[6] It would be appointed by the President (probably in consultation with the Comptroller General as the representative of the legislative branch in these matters) and financed with appropriated funds. Its pronouncements on standards would be authoritative since they presumably would be binding for government contracts, and might well be made applicable to the cost-measurement systems prescribed by various regulatory agencies.

Such a body could easily evolve into the "accounting court" which Leonard Spacek, Chairman of Arthur Andersen & Company, has long advocated.[7] After cost standards are developed, questions of interpretation will arise, and the board would provide a logical mechanism for resolving such questions. With such a procedure, there would also be a greater likelihood that the standards are kept in tune with changing circumstances.

The choice between these alternatives is by no means clearcut. An independent commission would give greater status to the effort, and it also would be more acceptable to those segments of the business community that are worried about the impartiality of an effort lodged within the General Accounting Office.

On the other hand, a commission is an unknown quantity. With appointees of the right caliber, it could do a better job than an existing organization, but if its members are second-rate, nothing useful would happen. It will not be easy to find high-salaried men who are willing to risk their careers in a much lower-paying job. Perhaps a part-time commission is the answer, though this device is rarely used in the federal government.

However established, the organization needs an adequate staff both to undertake research and to arrange for outside parties to do research. Such a staff would also operate the mechanism for circulating drafts of proposed concepts and standards for comment, and it would analyze and summarize the comments for the board or commission.

[6] This commission would function in a manner similar to the board proposed by Robert M. Trueblood to replace the APB; see his article, "Ten Years of the APB; Trueblood One Practitioner's Appraisal," *The Journal of Accountancy*, January 1970, p. 6.

[7] See, for example, his *A Search for Fairness in Financial Reporting to the Public* [Chicago, Arthur Andersen & Company, 1969], pp. 27–38.

CONCLUDING NOTE

Too often, as I have tried to show, the word "cost" has a vague and ill-defined meaning, which can be troublesome particularly in contracts where cost is part of the reimbursement. An increasing number of persons for whom the meaning of cost is important have come to realize that standardization of meanings is a feasible goal.

These persons—in the business sector, in government agencies, and in Congress—understand that what must be done is to establish an authoritative, well-financed group which is charged with development of cost concepts and standards. So far the activity is just talk, but in the not-distant future the creation by the mutually interested parties of such a body may become a reality.

Inaction would be very disadvantageous to business. Congress might be persuaded to take no action, either on the false premise that there is no problem or on the promise that the business community will do the job in some unspecified way.

If Congress does not act, and if the subsequent voluntary effort is half-hearted and dilatory, in a few years the problem will make the headlines once more, and we will then almost surely see a unilateral government effort, probably with only insignificant participation by business.

APRIL 22—QUEEN ISABELLA DAY—EARTH DAY

Mr. PASTORE. Mr. President, the month of April continues to add days and dates immortal in the history of America. In this month of challenging space and conserving the earth—we might well harken back to our beginnings.

It is only natural that Americans—hanging on the fate of Apollo 13 and the peril of the astronauts—should think back to another daring exploration—the discovery of America itself.

April 17, 1970, will forever be cherished as the day of happy recovery of our space explorers—in answer to the prayers of the entire world.

And April 17 happens to be the anniversary of the contract of exploration between Christopher Columbus and Queen Isabella of Spain.

For it was on that very day and date in the year 1492 that the royal agreements were signed and sealed—and Columbus could begin to assemble his fleet of three ships and his crew of 88.

It was his reward for his years of persistence in "selling" his idea that the earth was round—that the East could be reached by sailing West—and that untold riches awaited those with courage to sail the uncharted seas.

It was sort of a birthday gift, for within a week, on April 22, 1492, Isabella would celebrate her 41st birthday.

Historians have called Isabella "the godmother of America"—and there is a growing movement that her part in the discovery of America should be recognized in a general observance of her birthday.

Among such items of observance is a proclamation of the Honorable Joseph A. Doorley, Jr., Mayor of the city of Providence, so designating April 22 as Queen Isabella Day "so that schools and citizens should appropriately observe this significant event in the history of the world."

I ask unanimous consent that the mayor's proclamation be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PASTORE. Mr. President, we find that history has a tendency to repeat itself—as we recall the trials and triumphs of the Great Discoverer—succeeding in his quest beyond all mishap and even mutiny.

It is a centuries-old document of human courage—justifying Columbus' faith in himself and Isabella's faith in Columbus—to risk the then princely—or queenly—sum of $8,000 in an adventure that has so affected the destiny of mankind.

It will pose again the question whether the discovered continents were not a liability rather than a profit for Spain as she poured her manpower into immigration and development of the distant lands—Spain was gradually sapping her inner strength and losing her dominance in the world.

There might be a lesson for America to conserve her own strengths—her manpower and material resources—against a day of reckoning in a competitive world.

It will help us to understand the problems that beset the head of government in a world that grows too close for comfort even as it grows greater—and faces new dangers as its destiny takes on new dimensions of space—new dimensions of survival.

It is a good omen that survival and conservation bestir America on Queen Isabella's anniversary—that her birthday is also Earth Day.

It means America's solemn resolution that, looking back over these 500 post-Columbus years, we are determined to conserve the glorious promise of the past—that America shall have an imperishable tomorrow of beauty, liberty, opportunity, sanity, equity, and security.

EXHIBIT 1

CITY OF PROVIDENCE,
Providence, R.I.

PROCLAMATION

Whereas, April 22, 1970 marks the 519th anniversary of the birth of Queen Isabella, dynamic Castillian queen, who through her faith and confidence in Christopher Columbus, gave the civilized world a new dimension, and

Whereas, Queen Isabella, wife of Ferdinand of Aragon, by her support of Columbus in his plans for exploration, earned for herself a unique place in the history of Western civilization, and

Whereas, in her own time, Isabella was a queen noted for her clear intellect, energy, virtue and patriotism, and

Whereas, the qualities of confidence in the future, spirit of adventure with a purpose and sacrifice in the cause of human progress exhibited by Queen Isabella are characteristics worthy of emulation in our twentieth century era of exploration.

Now, therefore, I, Joseph A. Doorley, Jr., Mayor of the City of Providence, do hereby proclaim April 22, 1970 as Queen Isabella Day in Providence and urge that all citizens, schools, historical and other interested organizations suitably observe this significant event in the history of the world.

In witness whereof, I, Joseph A. Doorley,

Jr., hereunto set my hand and caused my seal to be affixed this 15th day of April 1970.

JOSEPH A. DOORLEY, JR.

NATIONAL SECRETARIES WEEK

Mr. SMITH of Illinois. Mr. President, April 19 through April 25 is National Secretaries Week. Yesterday, April 22, was Secretaries Day. The purpose of setting aside this specific week and day is to draw attention to the role which professional secretaries play as management's good right arm. In business, in industry, in education, in the professions, and certainly in government, secretaries provide invaluable and absolutely essential assistance. I am certain that my colleagues here in the Senate could not function even for a day without the splendid, unselfish, and extremely skillful assistance which their secretaries provide daily.

No longer is a secretary simply a clerk or a stenographer. She has become a true professional, trained and required to think, as well as have at her command a wide range of office skills. With the development of new and complicated office machinery, a secretary is often required to be a mechanical technician as well as a stenographer and typist. Perhaps the best definition of a secretary is an executive assistant with mature office skills who assumes responsibility without direct supervision, exercises initiative and judgment, and, perhaps most importantly makes meaningful decisions within the scope of her defined authority.

Over the years, a very distinct improvement in the standards of secretarial assistance has been evident to all of us. By improving the working environment and raising salaries, secretaries in the past 10 years have risen in stature to where now, according to the National Secretaries Association, the average secretary has 13 years of formal education. By 1980, it is expected that this will rise to 14 years, and an associate degree in secretary science will be commonplace.

For all the people of Illinois and all the Nation, I extend to our secretaries our deepest thanks and congratulations for a job well done.

QUEEN ISABELLA DAY

Mr. MUSKIE. Mr. President, Governor Kenneth M. Curtis of Maine recently proclaimed April 22 as Queen Isabella Day in honor of the 519th anniversary of the birth of Queen Isabella of Spain. I ask unanimous consent that the Governor's Proclamation be reprinted in the RECORD at this point.

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

STATE OF MAINE.

PROCLAMATION

Whereas, April 22, 1970, marks the 519th anniversary of the birth of Queen Isabella, dynamic Castillian queen, who through her faith and confidence in Christopher Columbus, gave the civilized world a new dimension; and

Whereas, Queen Isabella, wife of Ferdinand of Aragon, by her support of Columbus in his plans for exploration, earned for herself a unique place in the history of Western civilization; and

Whereas, in her own time, Isabella was a queen noted for clear intellect, energy, virtue and patriotism; and

Whereas, the qualities of confidence in the future, spirit of adventure with a purpose and sacrifice in the cause of human progress exhibited by Queen Isabella are characteristics worthy of emulation in our twentieth century era of exploration;

Now, therefore, I, Kenneth M. Curtis, Governor of the State of Maine, do hereby proclaim Wednesday, April 22, 1970, as Queen Isabella Day in the State of Maine, and urge all citizens, schools, historical and other interested organizations suitably observe this significant event in the history of the world.

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this Ninth day of April, in the Year of Our Lord, One Thousand Nine Hundred and Seventy, and of the Independence of the United States of America, the One Hundred and Ninety-fourth.

KENNETH M. CURTIS.

POLLS OF ATTITUDES OF VIETNAMESE PEOPLE

Mr. FULBRIGHT. Mr. President, during a hearing on March 19, when the Committee on Foreign Relations heard testimony from Mr. Edward Nickel, Director of the Joint United States Public Affairs Office in Vietnam, questions were raised concerning the taking of polls of attitudes of the Vietnamese people. Mr. Nickel was under instructions not to discuss this subject, but I have since received from the U.S. Information Agency copies of the polls that have been taken from 1965 to 1970. Unfortunately, they are classified and cannot be made available to the general public. I see no reason for classifying them and have asked the Director of the USIA to review this entire question.

In view of the general interest in this subject, I ask unanimous consent to have printed in the RECORD an exchange of correspondence between myself and Mr. Shakespeare. I hope that future USIA polls in Vietnam will be made available to the public.

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

MARCH 31, 1970.

Mr. FRANK J. SHAKESPEARE, JR.,
Director, U.S. Information Agency,
Washington, D.C.

DEAR MR. SHAKESPEARE: As you know, there was considerable discussion during the Committee's recent meeting to hear Mr. Edward J. Nickel concerning U.S.I.A. or other government sponsored polls taken in Vietnam and elsewhere. I hope that your Agency will supply the Committee with the polls which were requested prior to and during the course of the hearing.

The March 20 issue of the Baltimore Sun, copy of which is attached, reports that the chief information officer for the U.S.I.A. stated that there was an agreement between the U.S.I.A. and the House Subcommittee on Foreign Operations and Government Information of the Government Operations Committee concerning the public release of polls. If there is such an agreement, I would appreciate your providing this Committee with the details and also information on whether or not the Committee on Foreign Relations and the House Committee on Foreign Affairs were consulted prior to the time that agreement was reached.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

USIA AIDE REFUSES SENATE DATA ON VIET OPINION POLL

(By Gene Oishi)

Washington, March 19—The United States Information Agency refused today to give the Senate Foreign Relations Committee any information on public opinion polls it has taken in Vietnam.

Edward J. Nickel, director of the USIA's joint United States public-affairs office in Saigon, said he had been forbidden by his superiors to give information on polls because of "the possible security involved."

APPLIES LEVERAGE

Senator J. William Fulbright (D. Ark.), committee chairman, pointedly reminded Mr. Nickel that his committee has the authority to hold up the USIA's budget, then went on to assail the USIA for supporting the South Vietnamese effort to "indoctrinate and brainwash" the Vietnamese people.

Mr. Nickel testified that he runs a $10.8 million-a-year operation in Vietnam, with much of his office's effort going toward giving technical and financial assistance to the South Vietnamese Ministry of Information.

His own salary is $45,473, not including a car and housing, he said.

USIA's operation in Vietnam—which includes radio and television broadcasts, airdrops of leaflets and publication of newspapers and magazines—is in addition to the propaganda operations of the United States military, Mr. Nickel testified.

GREATEST ANNOYANCE

Senator Fulbright was mostly angered, however, by Mr. Nickel's refusal to provide information on the poll in an open hearing.

"You don't consider the USIA a sensitive operation as the CIA, do you?" Mr. Fulbright asked. "You have no authority to engage in any covert operations, do you?"

The witness answered, "No, sir," to both questions, but still declined to give any further information.

Eugene Rosenfield, chief public information officer for the USIA, when reached by telephone at USIA headquarters, said that Mr. Nickel had acted in accordance with an agreement reached in 1962 between the agency and Representative John E. Moss (D., Calif.), chairman of the subcommittee on foreign operations and government information.

IN PRIVATE ONLY

According to the agreement, the USIA is to provide all polling information to appropriate committees—including the Senate Foreign Relations Committee—but only in executive sessions, Mr. Rosenfeld said.

Under USIA policy, he said, poll results are made public two years after they are taken, but only if national security is not involved.

U.S. INFORMATION AGENCY,
Washington, D.C., April 6, 1970.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in response to your letters of March 10 and 31, 1970 requesting the results of our research into the attitudes of the Vietnamese people.

I am enclosing classified copies of the surveys conducted in Viet-Nam from 1965 to 1970. Interviewing and data processing were handled by the Center for Vietnamese Studies, the Saigon associate of Gallup International, Inc. USIA American personnel assigned to the Joint U.S. Public Affairs Office (JUSPAO) analyzed the data provided by the Center.

These studies are made for our specialized operational needs. The survey findings are interpreted in the light of the inevitable bias associated with any effort to poll attitudes in war-time Viet-Nam. Interviews can only be conducted in relatively secure areas and respondents are likely to avoid candid

replies to certain questions. Nevertheless, the surveys do provide some parts of a pattern of public opinion to guide us in our programs. But public disclosure of these findings would give a distorted picture to someone not familiar with the entire operation.

I am also enclosing for your information an explanation of USIA policy concerning the availability of its foreign public opinion surveys and supplemental information. This Agency reached an understanding in 1963 with Representative John E. Moss, Chairman of the Subcommittee on Foreign Operations and Government Information of the Committee on Government Operations, regarding the classification of our surveys and release of polling data to Committees of the Congress. This was an outgrowth of the unauthorized release of classified USIA polls which became a major factor in the 1960 Presidential campaign.

I find no definite indication that the Committee on Foreign Relations and the Committee on Foreign Affairs were consulted prior to the formalization of this understanding. However, our General Counsel, Charles D. Ablard, discussed the matter with Mr. Stanley Plesent, who was the General Counsel at the time of that understanding with Representative Moss, who says it is his recollection that there were discussions with staffs and members of both Committees. In any event, since 1963 both Committees have been provided public opinion poll data and there has been no breach of security on information provided the Congress about these surveys.

I must emphasize both the limited application of the Vietnamese surveys and their classified nature. Unauthorized release of this material would seriously compromise national security.

I hope this letter and the enclosed material are responsive to your questions. Please do not hesitate, however, to call on my office if you would like to have any further information.

Sincerely,

FRANK SHAPESPEARE.

ATTACHMENT A.—USIA POLICY CONCERNING AVAILABILITY OF ITS FOREIGN PUBLIC OPINION POLLS

In 1963 the Agency reached an understanding with Representative John E. Moss, Chairman of the Subcommittee on Foreign Operations and Government Information of the Committee on Government Operations, concerning the availability and classification of such surveys. This was an outgrowth of the release of classified USIA polls during the 1960 campaign which became a major factor in the election. Below is the statement of the policy adopted in 1963 which remains in effect today.

1. Foreign public opinion polls bearing the classification "Confidential" and the contracts under which such polls were taken will, upon request by the Chairman of the appropriate Committees or Subcommittees of the Congress, be made available to the requesting Chairman and the ranking Minority Member of such Committees or Subcommittees. This availability will be made with the understanding that the material furnished will not appear in the records of the Committees or Subcommittees nor in any way be made public.

2. Polls bearing the classification "Confidential" will be declassified automatically two years after their completion unless at that time the interests of national security require them to remain classified. The declassified polls will be available at any time upon request of Members of Congress or the Press.

3. Polls bearing the designation "Official Use Only" will, upon request by the Chairman of the appropriate Committees or Subcommittees of the Congress, be made available to the Members of such Committees or Subcommittees. This availability will be made with the understanding that the material furnished will not appear in the records of the Committees or Subcommittees nor in any way be made public. One year from the completion of these polls, they will be available at any time upon request of Members of Congress or the Press.

4. Since USIA lacks authority to disseminate classified material originating in other Agencies of Government, documents in which such classified material is integrated with our polls will not be made available. The polls contained in such documents will be isolated from the other classified material and treated in accordance with points 1, 2 and 3 above.

ATTACHMENT B. SUPPLEMENTAL INFORMATION

1. The sampling pattern used by the Center for Vietnamese Studies has varied depending on the study's design. This in turn has been dictated by the individual study's purposes. Both sampling plan and study purposes are described in each of our reports.

2. You will note from the reports that our study specifications have not enabled us to report the data according to a District and Provincial pattern.

3. In view of certain inevitable biases associated with any effort to poll attitudes in wartime Viet-Nam, it could be highly misleading to accept the results of any single question taken by itself as a precise reflection of the thinking of the entire public being sampled. Patterns of responses should be taken into account.

4. We do not have in our files in separate form the questionnaires with which the Center worked. Please note, however, that the tables which accompany our reports do indicate every question which was asked.

5. CORDS also conducts a program to measure attitudes related particularly to the pacification and development program in the Provinces; however, JUSPAO has no responsibility for, nor substantive involvement in these studies.

6. Attitudinal surveys such as those attached are presently being fielded in Viet-Nam as part of a continuing program to assist operating officials to measure the attitudes of the South Vietnamese people.

7. Public opinion surveys as conducted by USIA have two primary purposes: (1) Agency programming and policy officers require accurate information on certain aspects of the climate of opinion in the countries in which our program are fielded, and (2) the Agency also requires accurate readings of foreign attitudes over a broad range of subjects to fulfill its function as psychological advisor to the Executive.

8. The current cost per interview in a survey of 40 questions, taken of a modified probability sample of the general population in some key capital cities, is as follows: Manila, $10 . . . Bangkok, $16 . . . Tokyo, $5.50 . . . New York, $18 . . . London, $11 . . . Saigon, $9.50 . . . Danang/Hue, $15.

U.S. SENATE,
Washington, D.C.

Mr. FRANK SHAKESPEARE,
Director,
U.S. Information Agency,
Washington, D.C.

DEAR MR. SHAKESPEARE: I have your letter of April 6 concerning the U.S.I.A. polls that have been taken in Vietnam. I appreciate your cooperation in providing the Committee with the polls that have been taken in Vietnam, as well as the background information enclosed with your letter.

After reviewing these polls, I am still unable to see any need for putting a security classification on them. For an agency which is supposedly devoted to promoting the free and open exchange of ideas and information, the suppression of polls not relating to military operations or similar matters seems most unusual and uncalled for. I hope that this entire question will be reviewed.

As to the matter of an agreement with the Subcommittee on Foreign Operations and Government Information of the House Committee on Government Operations, I wish to make it clear that this Committee is not in any way bound by such an agreement. I might add that the members of the Committee staff who were here at that time have stated that they are not aware of any consultations with either members, or the staff, of this Committee about the matter.

You may recall that during the hearing on March 19 I also raised the question about U.S.I.A. polls in other countries concerning United States Vietnam policy. I would appreciate your furnishing the Committee with any analyses made during the last three years concerning foreign attitudes about our policy in Vietnam.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

MONTGOMERY COUNTY CITIZENS OPPOSE DISTRICT OF COLUMBIA CRIME BILL

Mr. ERVIN. Mr. President, I have on several occasions expressed my strong opposition to H.R. 16196, the District of Columbia omnibus crime bill, now pending before a Senate-House conference committee. In my judgment, this legislation contains many unconstitutional and unwise provisions.

I am gratified to know that a number of citizens and groups of citizens, both in the District of Columbia and throughout the country, are expressing their opposition to this kind of legislation. An example of this increasing public opposition is a resolution recently adopted by a group of Montgomery County citizens. I ask unanimous consent that a letter from the president of the Alliance for Democratic Reform of Montgomery County, Md., and an accompanying resolution opposing H.R. 16196 adopted by that group be printed in the RECORD.

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

ROCKVILLE, MD.,
April 15, 1970.

Hon. SAMUEL J. ERVIN,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR ERVIN: The Alliance for Democratic Reform of Montgomery County, Maryland, a reform Democratic club of over 300 members, has passed the attached resolution. We share your concern that the House version of the District of Columbia Crime Bill is indeed a blue-print for a police state.

We are all concerned with ways to effectively eliminate crime from our society. You, however, are particularly to be commended for your efforts to insure that Congressional action in this area does not erode the basic Constitutional rights of American citizens.

Sincerely yours,

RAYMOND E. VICKERY, Jr.,
President, Alliance for Democratic Reform.

ALLIANCE FOR DEMOCRATIC REFORM RESOLUTION OF THE DISTRICT OF COLUMBIA CRIME BILL

Be it resolved that the Alliance for Democratic Reform (ADR) wishes to make known its opposition to certain provisions contained in the proposed District of Columbia Crime Bill now before the Senate House Conference Committee. Although ADR favors in principle any proposal which conclusively attacks

the crime problem locally and/or nationally, it believes that any bill to that end must be drawn so as to prevent incursions from being made into the constitutional liberties guaranteed our citizens. Specifically, the ADR objects to such provisions as "no-knock," wire-tapping, and preventive detention provisions or any broad grants of sweeping police power to Government that tend to weaken in any way the presumptions of innocence upon which our system of justice is founded. ADR believes that unless the views previously outlined by Senator Ervin of North Carolina on the District of Columbia Crime Bill prevail in conference, the Bill should be defeated.

TARIFF PREFERENCES FOR DEVELOPING COUNTRIES

Mr. JAVITS. Mr. President, on February 26, the Acting Assistant Secretary for Congressional Relations of the Department of State wrote to me and other Members of Congress summarizing the status of the U.S. tariff preferences proposal designed to grant generalized tariff preferences for all developing countries including Latin America. Earlier, I had conferred with Under Secretary Samuels and other responsible officials of the State Department regarding the administration's thinking on this subject.

The State Department's briefing paper of February 26 did not address itself to some of the questions that have been troubling me. As a result, I requested the State Department to provide additional information particularly as it relates to the economic value of the American proposal to the developing world. The State Department has now responded to my inquiry and I believe that Members of Congress will be interested in this reply.

I ask unanimous consent that the State Department's letter of April 15 to me and its earlier briefing paper of February 28 be printed in the RECORD.

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

DEPARTMENT OF STATE,
Washington, D.C., April 15, 1970.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your letter of April 2, 1970 concerning generalized tariff preferences for the developing countries.

As you know, on October 31 President Nixon announced that the United States would press in world trade forums for the establishment of a liberal system of generalized tariff preferences for all developing countries including Latin America. Shortly thereafter, we submitted to the OECD and to UNCTAD a paper describing the type of preference system the US would like to see adopted by the prospective preference granting countries. We have made clear to the other developed countries and to the potential beneficiary countries that the President's decision was made after long and careful consideration of all the factors involved. We have also made clear, of course, that extension of preferences by the United States would require Congressional action.

We have emphasized to both the potential preference granting countries and the potential preference receiving countries that we seek a genuinely progressive and meaningful system, one which will help developing countries to increase their export earnings and thus contribute to balanced development and economic growth and one which will go as far as possible in eliminating the discrimination arising from existing selective preferential trading arrangements. We propose to reduce our duties to zero on manufactured and semi-manufactured products, excepting only textiles, shoes, and petroleum and petroleum products, and on a selective list of agricultural products. We propose to use the standard escape clause and adjustment assistance as safeguards for domestic industries and workers.

We have conducted some internal computer studies in an effort to estimate the economic value of our proposal to the developing countries and the impact of preferences on US trade and the domestic economy. Any study of this kind has obvious limitations. It involves the application of static analysis to a dynamic problem and simplifying assumptions concerning, for example, trade coverage and import and price elasticities of demand. Nor can it take fully into account the most recent trade trends since the latest available data are about two years old. The state of the US economy is, of course, another key variable. While we hope to be able to improve our studies, I can give you a brief summary of our preliminary conclusions.

In most general terms, assuming a meaningful system such as the one the United States has proposed is implemented and that dependent areas are not eligible as beneficiaries, our studies suggest that within a period of about three years imports from developing countries of manufactures and semi-manufactures (excepting textiles, shoes, petroleum and petroleum products) into the United States might increase by as much as $350–400 million. Of this amount about 60 to 65 percent would represent imports formerly supplied by developed countries, and about 35 or 40 percent would be new trade. In other words, the amount of additional imports resulting from a generalized preference system should be less than one half of one percent of total US imports.

At the same time, since the United States, provides about 30 percent of total world exports of manufactures and semi-manufactures to developing countries, we could expect those countries to spend a great deal of their new foreign exchange earnings on US products. Given this "feed-back," the net effect of preferences on our balance of payments should be quite small. There would, of course, be other effects, many of them positive. Preferential imports should, for example, result in lower prices to the consumer and, through competition, to a more efficient allocation of resources. The precise effect on domestic employment would be difficult to assess. As noted above, the standard escape clause and adjustment assistance would be available to protect domestic workers and industries. Furthermore, the President has proposed in the Trade Bill for 1970 that the escape clause and adjustment assistance provisions be modified to make them more effective.

As noted above, we are interested in establishing a preference system which is meaningful for the developing countries, and it was for this reason the President announced his determination to press for the adoption by all industrialized countries of a liberal system of generalized preferences. While the effect on our economy should be very small, especially when viewed in the context of a GNP of over $900 billion, the benefits to the developing countries should be considerable. Our preliminary studies indicate that additional annual imports from all developing countries into all 18 potential donor countries could amount to $1 billion or more within the first three years. While this certainly would not solve all of the developmental problems of the LDCs, it should be a healthy first step toward promoting industrial diversification and self-help which is so important in economic development.

I hope that this information is helpful. Should you have any additional questions, please feel free to call me or Mr. Philip H. Trezise, Assistant Secretary for Economic Affairs.

Sincerely,

H. G. TORBERT, Jr.,
Acting Assistant Secretary for Congressional Relations.

BRIEFING MEMORANDUM—GENERALIZED TARIFF PREFERENCES FOR DEVELOPING COUNTRIES (LDC's)

Our proposal to extend generalized tariff preferences to the LDCs, based on the President's decision of October 31, has been disseminated to all interested Governments by the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD). It has been explained to foreign government officials by our Embassies, our Missions in Paris, Brussels, and Geneva, and by Department officers. In keeping with the President's decision we are seeking agreement on a common scheme of generalized tariff preferences for all LDCs which incorporates the main elements of our proposal. We have, of course, made it clear that our action will require enabling legislation by Congress.

We have been discussing intensively with the other major developed countries (DCs) a common preference scheme along the lines of our proposal. The European Communities (EC) have indicated a willingness to explore ways of bringing their scheme closer to ours on the key question of the safeguard (escape clause) mechanism. The LDCs are generally favorable to our scheme but are reluctant to take sides publicly. Their attitude seems to be that the various proposals are generally responsive to their repeated demands for preferences and that early implementation is the most important objective. Some have suggested that efforts be made to harmonize the schemes *after* they have been in operation for some time and their relative effectiveness tested.

COMMON ELEMENTS

There are certain elements in the various proposals which are, or are close to being, identical. These are:

(1) *Beneficiaries.*—There is general agreement among the DCs that the lists of beneficiary countries should be as uniform as possible, although it is recognized that complete uniformity is not possible or necessary.

(2) *Zero duties.*—In general, there is agreement that duties on all manufactured and semi-manufactured products, other than those items specifically excepted, would go to zero. Tariff reductions on selected agricultural and fishery products would vary but since these items are few in number and would have a very limited trade significance, this departure from the zero duty rule is not of great consequence. (The selected agricultural and fishery products on which the United States would grant preferences were shown on a Positive List attached to the U.S. preferences proposal. We recently submitted a supplement to our Positive List, Attachment One, to the OECD.)

(3) *Duration.*—All are agreed that the scheme will run initially for ten years.

(4) *Special Preferences* which now are granted to certain LDCs by the EC and the UK would automatically cease to exist for products covered by the generalized preference scheme since duties on these items would go to zero.

DISSIMILAR ELEMENTS

(1) The main difference in the schemes relates to the question of *safeguard procedures.* We intend to use our standard escape clause procedures and the UK, Scandinavia, and probably Canada would employ similar systems. Japan would use a tariff quota system as would the EC. EC represent-

atives say they would enforce the tariff quota limits only on certain sensitive items and would permit imports of other items at preferential rates beyond the limits unless problems affecting domestic industry arise. The so-called sensitive items would be roughly equivalent to our exceptions list with the important exception that under the EC scheme all imports, including imports of sensitive items, would come in duty-free within the quota limits whereas under our scheme no concessions would be afforded items on our exceptions list. If the EC could *de jure* commit itself to a test of injury for the non-sensitive items (similar to our escape clause procedures) the EC and US schemes would be close to uniformity on this important point.

(2) The US *exceptions list* covers three sensitive product categories—textiles, shoes, and petroleum and petroleum products. This covers over 40% of dutiable imports from the LDCs in manufactured and semi-manufactured goods. The British have proposed an exceptions list somewhat similar to ours in content but less comprehensive than ours. The Scandinavian proposal has no exceptions list. The EC and Japan also have no exceptions lists but would limit preferential imports by tariff quotas. Attached is a list of the US tariff item numbers, with summary descriptions, for the footwear and textile products which would be excepted from preferences (Attachment Two). Identification of the petroleum and petroleum products to be excepted has not yet been completed.

(3) With respect to *reverse preferences* now granted by certain LDCs to the EC and the UK, we have taken the position that the DCs concerned should volunteer to forego these preferences since the LDCs might hesitate to take the initiative to renounce them for fear of retaliation by the DCs. The EC disagrees with this, and argues that under the Yaounde Convention the LDCs have the clear option of cancelling reverse preferences, but the Community does not. The UK also has shown no disposition to announce a willingness to forego all reverse preferences. We consider it important that these reverse preferences be eliminated since they discriminate against our exports as well as exports of other countries, including Latin America.

NEXT STEPS

While there is substantial common ground in the various proposals, we have not yet achieved our goal of a common scheme. Consequently, we intend to intensify our efforts to persuade other DCs to adopt our scheme and, concurrently, to seek more active support from the LDCs. This would involve another round of high-level representations both here and abroad, probably before the next UNCTAD meeting on preferences scheduled for March 31–April 17. After such representations and after the LDC reactions from the March UNCTAD meeting are evaluated, we should be better able to decide what modifications, if any, are required in our approach.

KEEPING PROMISES TO AMERICA'S CHILDREN

Mr. McGOVERN. Mr. President, for a quarter of a century we have been promising food to America's schoolchildren.

Last Christmas Eve, the White House promised that each needy child would be receiving free or reduced price lunches in school by Thanksgiving, 1970.

Rodney E. Leonard, former administrator of these food programs, has written an article, "Keeping Promises," that indicates just how difficult it will be to fulfill that pledge. The article, published in the March issue of P.I.C. News, spells out the size of the job that must be done by Federal, State, and local governments between now and November. I ask unanimous consent that it be printed in the RECORD.

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

KEEPING PROMISES

(By Rodney E. Leonard)

(NOTE.—Mr. Leonard is the former Administrator for Consumer and Marketing Services, U.S. Department of Agriculture, and author of a recently published report, "Why Child Nutrition Programs Fail.")

The White House's Christmas gift to the nation was the promise of a school lunch for all needy children by Thanksgiving of 1970.

It was the latest in 24 years of promises to hungry children.

Jean Mayer, the President's advisor on Nutrition, said the United States has 6.6 million needy children. The latest government figures available, supplied by the President's Commission on Income Maintenance, estimate 8.6 million.

But, never mind. Those interested in providing food for children waited for the fiscal 1971 budget to see if the gift was real.

It is and it isn't. The something in the package is an I.O.U.

A detailed analysis of the budget, which the President presented on February 2, indicates that unless the states or the Congress cough up an additional $200–$400 million there will be nearly as many empty plates next Thanksgiving as there were this past November.

The new budget projects an increase of 2.8 million in the number of children participating in the National School Lunch Program over those participating in fiscal 1970.

The cost in fiscal 1970, including federal and state contributions, children's payments and local revenues, will amount to $2.3 billion. This figure assumes an average per lunch cost of 60 cents and an average of 21.6 million children served each day.

The cost in fiscal 1971 will be more than $2.6 billion, assuming an average daily participation rate of 24.4 million children to account for the 2.8 million more children to be covered. It also assumes there will be no increase in program costs because of inflation—although wholesale food costs are rising at an annual rate of about 6 percent.

Since the 2.8 million more children are supposed to be those from needy families, little or none of the additional cost of providing those lunches will be made up from fees paid by the children for their meals. All of the additional $300 million required for fiscal 1971 must be obtained from federal, or state, or local government sources.

The Administration's budget appears to propose an increase of only $11.4 million for the child feeding programs; fortunately, the funding of lunches served free or at reduced prices to needy children actually is raised by about $94 million.

However, $94 million is not nearly enough. If 2.8 million more needy children are to be supplied lunches free or at reduced prices, the projected increase in program costs will be $300 million. Some of this may be trimmed by new developments which will lower production costs, although the escalating costs of food, labor and equipment will make it difficult to achieve net savings.

It is the deficit between the Administration's $94 million and the actual cost of $300 million which must be supplied by the Congress, or the states, or local governments, if the Christmas promise is to become edible.

The gap may be even larger than $206 million. The fiscal 1971 budget estimates the special assistance program will reach 5.5 million children a day. This program is budgeted for $200 million in fiscal 1971, or an average federal reimbursement of 20 cents per meal. Assuming the U.S. Department of Agriculture will provide seven cents in commodities for fiscal 1971 just as it did in fiscal 1970, the total federal contribution for these 5.5 million daily lunches next school year will be 27 cents, leaving a total of 33 cents per meal to be provided by state and local governments. This will cost $299 million that must be provided from sources other than the children.

If the number of free and reduced price lunches is increased to 6.6 million—still too few—as pledged by the White House on Christmas eve, the additional cost to state and local governments will be $392 million.

For almost one quarter of a century, the country has been on record with a pledge to "safeguard the health and well-being of the nation's children" through the school lunch program. We went even farther. We promised to provide lunches free or at reduced prices without discrimination to all children "who are determined by local school authorities to be unable to pay the full price." The quotations are from the National School Lunch Act of 1946.

The Congress is moving to help the President carry out his pledge. In the week following Washington's birthday, the Senate passed a bill proposed by Senator Herman Talmadge, with amendments submitted by Senators McGovern, Javits and Kennedy. The legislation, which now goes to the House, shifts most of the cost for free lunches to the federal government, makes these lunches available to children whose parents earn less than $4,000 a year, and requires a plan to be developed and sent to Congress for extending food service to all children in schools. The legislation stands a good chance in the House, which last year passed a bill submitted by Representative Carl Perkins containing similar proposals. It will face a far better chance with a push from the White House.

The White House has moved us onto an even higher level—orally. This is not a small matter because it places the President's word and prestige on the line. Clearly, if he puts the full power of his office behind a national, state and local drive, the promise can be kept.

DISCLOSURE OF KEY FOREIGN POLICY ACTIVITIES

Mr. FULBRIGHT. Mr. President, frank disclosure by the executive branch to Congress of key foreign policy activities—in executive session if necessary—is one basic necessity for the continued functioning of our form of democratic government.

Among the several important issues raised in the recently released Laos transcript of the Symington subcommittee of the Foreign Relations Committee is that of the questionable nature of that disclosure when it came to U.S. activities in Laos.

This issue was discussed on Tuesday, April 21, by two perceptive Washington journalists, Murrey Marder, of the Washington Post, and Tom Wicker, of the New York Times.

I recommend both articles to Senators for the problem they discuss is as applicable to facts developed or held by the administration on ABM capabilities as it is to our military adversaries' activities in Laos.

It also is particularly pertinent today to any present or planned military assistance activities the United States may undertake in Cambodia.

I would remind the administration that the Foreign Relations Committee

expects to be consulted before this Government takes that first step—however small it seems.

The history of Vietnam and the recently disclosed story of Laos reveals a pattern of constantly escalating involvements which grew uncontrolled from small steps first taken without full public debate of future consequences.

I ask unanimous consent that the articles be printed in the RECORD.

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

[From the Washington (D.C.) Post, Apr. 21, 1970]

DECEPTION IN LAOS A DELIBERATE ONE

(By Murrey Marder)

For more than six years, the Symington Subcommittee's report on Laos shows, the United States practiced a policy of official deception about its extremely extensive military operations in Laos.

It did not do so idly or haphazardly. The policy of official deception was carried out deliberately and systematically, for what officials at the highest levels of government were convinced were sound reasons of national security. Many of those officials are still just as convinced that the reasons for deception were and are fully justified, and that U.S. operations in Laos are a "model" of an efficient, successful, relatively low-cost, effectively clandestine, counter-guerrilla operation.

On the last count, the officials may be right—the Laos operations may be a model of a successful, secret operation against tough odds. But that by no means answers the real question which is whether a handful of counter-insurgency zealots should have the right to define our national interests for us in this fashion, and then involve us in a dangerous and entangling mission without the public knowing anything about it. This is the critical moral issue raised by the Laos hearings and toward the end of the censored transcript Sen. Stuart Symington, who is anything but anti-military, and who knew from visits to Laos as much as any Senator did about the U.S. role there, raises the matter in blunt terms:

"We incur hundreds of thousands of U.S. casualties because we are opposed to a closed society. We say we are an open society, and the enemy is a closed society.

"Accepting that premise, it would appear logical for them not to tell their people (what they are doing); but it is sort of a twist on our basic philosophy about the importance of containing communism.

"Here we are telling Americans they must fight and die to maintain an open society, but not telling our people what we are doing. That would seem the characteristic of a closed society."

The situation recalls a comment made in private, by a Western European friend who is extremely pro-American and who was troubled by the international moralistic consequences of the American military intervention in the Dominican Republic in April, 1965. When the Johnson administration was caught lying about its original rationale for the intervention ("to save American lives"), this man remarked in dismay:

"This will secretly please a lot of Europeans."

"Because," he answered, "they always have resented the holier-than-thou American attitude about intervention, about imperialism, about your claim to a 'higher morality.' Now you are down in the gutter with us. The U-2 (spy-plane flights over the Soviet Union) affair was the first blow to American 'virginity'; this is the second. Now we are all moral prostitutes."

Later that year came the major American slide into Vietnam, then afterward, increasing unofficial disclosure of the clandestine American involvement in Laos.

Senate Foreign Relations subcommittee hearings on Laos showed how Congress itself is misled by artful or deliberately technical official replies to questions.

In 1968, the Laos transcript reveals the parent committee was informed that: ". . . We do not have a military training and advisory organization in Laos." The Laos inquiry confirmed that there are hundreds of U.S. "advisers" in Laos and at training bases for Laotian forces in Thailand. The Symington Subcommittee demanded an explanation.

There is no inconsistency, government witnesses responded; in military parlance, "an advisory group's" sole mission is "to provide advice . . . down to lower unit levels," came the explanation. U.S. military personnel in Laos provide "advice," but officially do not constitute "an advisory group."

His committee, Sen. Fulbright protested, was victimized by "semantics."

It is argued by many officials, members of Congress—and even newsmen as well—that nothing vitally new has been disclosed about U.S. operations in Laos that was not, or should not have been, known to any careful reader of his daily newspaper.

This is basically correct. But there is a fundamental difference in a nation that claims a standard of "higher morality" between admitting its actions officially, and having knowledge of them seep out.

In fact, this is precisely the case that the United States government argued for maintaining officially secrecy for six years, as the testimony shows: to take "official cognizance" of what it was doing in Laos carried a whole range of possible international repercussions.

Newspaper accounts can be disavowed; a report that is inaccurate even fractionally—as accounts of secret operations are very likely to be—can be officially dismissed as containing "innumerable inaccuracies." This often has been the official response to enterprising news reports about Laos—or Vietnam, or Cambodia. It is hardly a satisfactory answer to the national moral questions raised by such clandestine military operations, therefore, to counter that "everyone" knew about them anyhow, so there was no real deception.

Nor is it any moral "out," as Sen. Symington noted, to shift blame to the Central Intelligence Agency for operational activities it was directed to perform by the nation's leadership. The moral responsibility is government-wide.

Those who express bafflement about why a younger generation loses faith in the words of its leaders will find some answers in the Laos transcript.

[From the New York Times, Apr. 21, 1970]

IN THE NATION: THE—NOT QUITE—OPEN SOCIETY

(By Tom Wicker)

WASHINGTON, April 20.—Much more now is known about the secret war in Laos because of the official testimony forced by the Symington subcommittee last fall and published Monday after a lengthy struggle with the State Department over "security" clearance. The testimony also was eloquent as to how even the Senate was misled for years about the extent of the Laotian involvement.

When Senator J. W. Fulbright criticized the secrecy, Deputy Assistant Secretary of State William H. Sullivan, once Ambassador to Laos, justified it by saying that the United States had sought "to preserve, even though it may be pretty badly torn, preserve the substance of the 1962 (Geneva) agreements so that eventually we could have a reversion to the conditions which made those agreements possible."

NO OFFICIAL ACKNOWLEDGMENT

The North Vietnamese, Mr. Sullivan said, had "violated strenuously" the agreements, forcing the United States to do the same thing in response. But American officials had felt the agreements might be more easily reestablished if the war resulting from the violations was not officially acknowledged.

This elicited from Senator Stuart Symington something of an outburst. "Here we are telling Americans they must fight and die to maintain an open society, but not telling our people what we are doing. That would seem the characteristic of a closed society. We are fighting a big war in Laos, even if we do not have ground troops there."

Mr. Sullivan: I must say, Mr. Chairman, that I consider these hearings as a very sincere token of an open society. In other words, that we are telling the representatives of the people . . .

Mr. Symington: You would not go so far as to say we were holding them because the State Department has been urging us to hold them, would you?

Senator Fulbright then quoted Mr. Sullivan's 1968 testimony, in a secret session of the Foreign Relations Committee, that the United States "does not have a military training and advisory organization in Laos." Col. E. W. Duskin, the American military attaché in Vientiane, was then asked to describe the activities in Laos of American military personnel.

Senator Fulbright: But they do not ever give them advice?

Colonel Duskin: I did not say that.

Senator Fulbright: I am asking you, do they or don't they?

Colonel Duskin: My personnel at regional level do provide advice, yes.

Senator Fulbright: Then what is an advisory group?

ADVISORY GROUP DEFINED

Colonel Duskin: An advisory group, sir, is an organization that is constituted for the sole mission to provide advice to include it down to lower unit levels.

Senator Fulbright: . . . We are getting so technical with your semantics it is impossible for us to understand.

The Arkansas Senator also read portions of Mr. Sullivan's secret 1968 testimony, which mentioned bombing only by the Lao and not by the American Air Force, although the latter had been active since 1964.

Senator Fulbright: That very clearly leaves the impression that the Lao air force, not the U.S. Air Force, is doing what is being done. In going through this hearing in 1968, there was tentative probing on our part to see what we were doing, and I would think it is a fair interpretation of this whole record that you indicated we were not doing much, if anything, directly.

Mr. Sullivan (a little later): But if there were any direct questions asked of me about U.S. air operations—

Senator Fulbright: You see, we did not know enough to ask those direct questions, and this is what I meant about quibbling about whether the U.S. role in Laos is exclusively advisory. . . . There is no way for us to ask you questions about things we don't know you are doing.

SUBCOMMITTEE METHOD

There is one way, of course, which the Symington subcommittee ultimately had to adopt. It sent its own agents to the field in the Philippines, Thailand, Korea, Laos, and recently to Europe; on the scene, they developed the kind of first-hand information with which the Senators finally were able to get the State Department to admit most of the facts about the secret Laotian war.

So, as Senator Fulbright observed, there does not seem all that much "to brag about on the openness of the society."

NICHOLAS DE B. KATZENBACH OPPOSES DIRECT ELECTION BUT FAVORS REFORM

Mr. ERVIN. Mr. President, in the course of the Judiciary Committee's recent hearings on electoral college reform, former Attorney General Nicholas De B. Katzenbach submitted a most illuminating statement on the subject.

I could not agree more strongly with Mr. Katzenbach's approach to reforming such a fundamental part of our political process as the method by which we elect our President. He cautions that—

> On a matter so basic to the confidence and structure of the country, we ought not to abandon the familiar and workable for the new and untried without the clearest demonstration of need.

He adds:

> In my judgment, no such demonstration has been made.

The former Attorney General particularly emphasized the important part the present electoral system has played in maintaining our two-party tradition. He said:

> The unit rule—requiring that the total of a state's electoral votes go to the winner of the popular vote in the state, no matter how close the vote—has been one of the principal guarantees of the two-party system. Accordingly, it has been one of the crucial supports for this nation's extraordinary political stability. I strongly believe—and surely the vast majority of Americans would agree—that this is not the time to cast aside the heritage of national unity that the two-party system has historically promoted?

Mr. President, while opposing such a drastic change as direct election, it was Mr. Katzenbach who first advocated the type of electoral college reform which is incorporated in my current resolution, Senate Joint Resolution 191. Of this proposal, he says:

> S.J. Res. 191 is precise; it is sound; it is necessary. I urge you and the Congress to give it speedy and favorable consideration.

Having studied this particular proposal and the entire subject of electoral reform in considerable detail, Mr. Katzenbach is uniquely qualified to address himself to this important matter. I am certain that his statement will be of great interest to every Senator. I ask unanimous consent that it be printed in the RECORD.

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

STATEMENT OF NICHOLAS DE B. KATZENBACH

Mr. Chairman: I welcome the opportunity to make a statement on the subject of electoral reform.

Over the past ten years, I have had several opportunities to appear or make statements before the Subcommittee on Constitutional Amendments of this Committee on the subject of electoral reform (June 28, 1961; June 4, 1963; March 8, 1966). This statement draws upon my testimony and statements at these prior hearings in support of the view which I have consistently advocated.

The need for change in our electoral system has been long clear. No one argues that point any longer. Since the adoption of the Constitution, more than 500 proposals have been submitted to Congress to change the method of selecting a President. It is time we acted upon the issue.

SENATE JOURNAL RESOLUTION 191

The manner of selecting the President gave the framers of the Constitution much difficulty. Direct election by the people, it was feared, would promote confusion and deprive the smaller states of an effective voice. Election either by the Congress or by the state legislatures, on the other hand, was opposed because it would deprive the President of independence.

The resulting compromise provided for election of the President by an independent body of electors, appointed in each state to serve that one function only.

The fears of the smaller states were allayed by giving each state, regardless of size, an extra two electors, and the independence of the President was to be assured by the transience of the electing body.

Each of these considerations has proved important to the working of our government. Yet the framers did not foresee what was perhaps the most valuable development of that electoral structure: the two-party system.

It had been hoped, as Hamilton noted, that in one way or another distinguished citizens would be chosen as electors. They, in turn, would exercise informed and independent judgment, free from the stress of a political campaign, to select a person well qualified for the office.

In practice, of course, the electoral college system never operated that way. Few voters knew or cared who the electors were, and the electors seldom were selected in a manner inspiring confidence in the superiority of their judgment.

Instead, national parties arose and the electors become figureheads pledged to cast their votes for the party nominees on whose ticket they ran.

The unit rule—requiring that the total of a state's electoral votes go to the winner of the popular vote in the state, no matter how close the vote—has been one of the principal guarantees of the two-party system. Accordingly, it has been one of the crucial supports for this nation's extraordinary political stability.

The fact that a party must win a popular majority in a state in order to secure any electoral votes for a President has been the most effective control on splinter parties and a decisive contribution to our national unity.

I strongly believe—and surely the vast majority of Americans would agree—that this is not the time to cast aside the heritage of national unity that the two-party system has historically promoted.

Therefore, the changes embodied in S.J. Res. 191 would seek—wisely, I believe—only to give Constitutional recognition to the actual, historical development of our system.

I believe that the more fundamental alterations of the electoral system that have been proposed would undermine the two-party system; dilute the identity of the states in a Presidential election; discourage, in many cases, political participation; and encourage divisive elements.

The changes that S.J. Res. 191 would make are not radical, but they are important. The danger of trying to preserve the present working electoral system without Constitutional sanction is not imaginary.

In 1948, a Tennessee elector, running on both the Democratic and States Rights tickets, voted for the States Rights candidate even though the Democratic candidate won a substantial plurality in the state. In 1960, Alabama and Mississippi selected 14 unpledged electors who then voted for a person who was not even a Presidential candidate. So did an Oklahoma elector, elected on the Republican ticket.

To be sure, these aberrations have been rare. But as long as electors can run unpledged or can ignore their pledge, they *can* use their present independence to block a major candidate in a close race or purposely throw an election into the House of Representatives. There is no adequate reason—even including the difficulty of decision—for tolerating these dangerous aberrations.

S.J. Res. 191 would eliminate that possibility by abolishing the office of elector and requiring the electoral votes of each state to be cast automatically for the candidates winning the popular state majority.

In short, S.J. Res. 191 would write into the Constitution the system that now exists in practice but has no Constitutional protection. The need for this reform is almost universally conceded.

Over the years, there have been three other basic plans embodied in the various proposals submitted to Congress.

The "proportional" plan, though overwhelmingly defeated in the House, passed the Senate in 1950. This plan would eliminate the unit rule binding state electors, and apportion the electoral votes of any state according to the different candidates' shares of the popular vote.

The "district" plan would also preserve electoral votes, but award only two on the basis of the statewide results and the rest on the basis of results in Congressional districts.

The "national election" or direct popular vote plan would eliminate electoral votes and the role of the state entirely and award the Presidency to the winner of a national plebiscite.

DIRECT POPULAR VOTE PLAN

This has also been referred to as the "national election" plan. Of the three new electoral plans, this is probably the simplest and the most familiar, although it has not always been as popular as it is now. As you will recall, the Senate defeated a national election plan almost 15 years ago by a vote of 66 to 17.

On first look, the national election is the most democratic proposal. Yet under this over-simplified rallying cry, it would eliminate a number of subtle balances that have made the American system an envied model:

First, and most significant, by eliminating the requirement that, to be counted at all, a party win at least one state's popular majority, the national election plan would invite splinter minorities to vote their own candidates and to seek to block the election of major candidates.

Second, in an urban age, the influence of urban voters will be reduced. Where the vote is going to be predictably close, there are going to be very few votes to be gained by major parties campaigning extensively in urban areas, or even in appealing to urban voters as a group. There is no sense to going backward in times where dealing with the problems of large metropolitan areas is a crucial challenge of the present and future. The urban vote—which today includes much of the minority vote—has long been too ignored. Whatever influence the metropolitan vote now has in national elections (resulting in greater recognition by the Federal Government) should not be reduced.

CONCLUSION

There is little wisdom in abandoning what we know for what we do not know because of abstract principle without real substance. Our political system is under sufficient strain today without adding new practices. We can ill afford the Balkanization of political parties, the dilution of minority influence through the adjustment of two-party politics or the predictable weakening of the influence of voters in our great metropolitan areas. A popularly elected President will feel little incentive to be more than a television personality. Our political system should not—without urgent and compelling reason—be put under pressure to diversify when we need unity, or to promote blandness when we need substance and reality.

And so, as I have said before, I strongly feel that on a matter so basic to the con-

fidence and structure of the country, we ought not to abandon the familiar and workable for the new and untried without the clearest demonstration of need. In my judgment, no such demonstration has been made. We should not substitute untried democratic dogma for proven democratic experience. And this is no time to tinker with success.

S.J. Res. 191 is precise; it is sound; it is necessary. I urge you and the Congress to give it speedy and favorable consideration.

STEUBEN SOCIETY AWARD TO VICE ADMIRAL RICKOVER

Mr. HRUSKA. Mr. President, on Saturday, April 11, the Steuben Society of America bestowed upon Vice Adm. H. G. Rickover, of the U.S. Navy, the fifth Steuben Society Award.

Admiral Rickover, pioneer in nuclear research and father of the nuclear submarine, thus joins the previous illustrious recipients of the award—the late President Herbert Hoover—1945—the late General of the Army Douglas MacArthur—1956—J. Edgar Hoover, Director of the Federal Bureau of Investigation—1965—and the late beloved Senator Everett McKinley Dirksen—1967.

The award was presented upon the occasion of the Steuben Society's 51st founders' day banquet. It might be appropriate to remind the Senate that the Steuben Sociey was founded to carry on the principles of Gen. Friedrich Wilhelm von Steuben, a native of Prussia who came to our shores in 1777 to offer his heart and hand in assistance in our struggle for independence.

General von Steuben joined General Washington at Valley Forge and immediately bolstered Washington's forces. He distinguished himself at Monmouth and Yorktown, was instrumental in promulgating drill, order, and discipline regulations for U.S. troops as adopted by Congress in 1779, and he is historically credited with the fundamental idea of establishing the U.S. Military Academy at West Point.

It is most fitting, it seems to me, that the recipient of the Steuben Society Award upon its 51st Founders' Day observance, was like General von Steuben a man of persevering courage and crusading zeal. Admiral Rickover, whose vast store of energy belies his age of 70, has devoted 48 years to serving and improving the Navy he loves so much.

Holder of innumerable citations and awards, Admiral Rickover became a self-taught expert on nuclear matters and literally pioneered nuclear power in the Navy.

In 1964, with his role in American history already firmly established, he faced mandatory retirement, but President Johnson immediately reassigned him to active duty as Director of Naval Nuclear Reactors for the Atomic Energy Commission. Today he directs research on nuclear powerplants, their installation and refueling in submarines and surface ships from the Atomic Energy Center.

Mr. President, I am pleased that the Steuben Society, which seeks to memorialize the highest type of courageous public service, has chosen this year to recognize Admiral Rickover.

I ask that the Steuben Society's announcement of Admiral Rickover's selection, and the admiral's official biography, be printed in the RECORD.

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

STEUBEN SOCIETY OF AMERICA ANNOUNCEMENT

The 5th Steuben Society Of America Award To An Outstanding American: Vice Adm. Hyman George Rickover U.S. Navy, father of the nuclear submarine.

Always driven by a crusading zeal, Admiral Hyman Rickover was haunted by the thought that time may run out before he had completed his "revolution" of the U.S. Navy which he loves dearly. He fought a tough battle with a then obstinate administration until he won the support of the U.S. Congress. Finally, in 1963, the Navy, after years of opposition, accepted the Rickover doctrine that the surface fleet of combatant ships should be converted to nuclear power. He did pioneer work in leading the Navy into the nuclear age. One of the missile carrying ships is the "Von Steuben" SSB (N) 632.

Admiral Rickover's experiences in the nuclear reactor program have led him to his sometimes outspoken, sometime philosophical indictment of the American industrial and school system. He has no patience with waste and inefficiency.

The future Admiral had a hard beginning when he entered the Naval Academy in 1919. His father was a tailor who had immigrated from Russia and settled in Chicago, where young Rickover was born and attended the public schools. In his early Naval career he went through the normal jobs of an engineering officer, serving aboard ships and at shipyards. Not until after World War II did he arouse controversy, when he began pressing the Navy to study the feasibility of developing nuclear propulsion for submarines.

Rickover, already an engineer, got some of his special interest in harnessing atomic power during a brief assignment with the war-time Manhattan project, which developed the atomic bomb. Since then, he has been self-taught on nuclear matters. Out of his efforts came the Nautilus the first atomic submarine, and the construction of the nation's first large-size atomic power station at Shippingsport, Pa.

In 1965 he was awarded the Enrico Fermi Medal, one of a total of 52 awards, medals and citations.

With his mandatory retirement in 1964, his prominent place in American Military history was firmly established. But, retirement was not for him. The then President Johnson immediately reassigned him to active duty as the Director of Naval Nuclear Reactors for the Atomic Energy Commission, so he could continue his tireless efforts to modernize the United States Navy.

Today he directs the research on nuclear power plants, their installation and refueling in the submarines and surface ships of the U.S. Navy from the Atomic Energy Center. While his specific field is nuclear propulsion, he keeps a close watch on the conversion of the ballistic missile submarines to Poseidon missile carrying ships, increasing their power ten fold. He does not hesitate to call the ships captain, even at his home, when the project is not progressing as well as he feels it should.

The "Father" of the nuclear submarine is uncompromising in his insistence upon exact performance of duty, absolute loyalty, dedication to service to Country and genuine patriotism of the men who serve in the nuclear submarines.

He is held in high esteem by all who serve under him as well as the officers on the highest echelons of the United States Navy and is considered an outstanding patriot, serving beyond the call of duty, without much public notice and without fan-fare.

We salute Vice Admiral Hyman George Rickover, U.S.N., a genuine Patriot.

WARD LANGE,
National Chairman.
EDWARD J. SUSSMANN,
National Secretary.

BIOGRAPHY OF VICE ADM. HYMAN GEORGE RICKOVER, U.S. NAVY, RETIRED

Hyman George Rickover was born on January 27, 1900. He attended John Marshall High School, Chicago, Illinois, before his appointment in 1918, from the State of Illinois, to the United States Naval Academy, Annapolis, Maryland. He was graduated and commissioned Ensign on June 2, 1922; subsequently he advanced, attaining the rank of Vice Admiral to date from October 24, 1958.

Following graduation from the Naval Academy in 1922, he had consecutive duty afloat until April 1927 on the USS LA VALLETTE and the USS NEVADA. Ordered detached from the latter, he returned to Annapolis, for instruction in electrical engineering at the U.S. Naval Postgraduate School. He continued the course at Columbia University, New York, New York, from which he received the degree of Master of Science in electrical engineering in December 1929.

Between January and June 1930 he had submarine training at the Submarine Base, New London, Connecticut, and afterwards served consecutively in the USS S-9 and the USS S-48. From July 1933 until April 1935 he was attached to the Office of the Inspector of Naval Materiel, Philadelphia, Pennsylvania. Sea duty aboard the USS NEW MEXICO followed, and when detached from that battleship in the fall of 1937, he assumed command of the USS FINCH on the Asiatic Station, commanding her until later that year when he was selected for Engineering Duty and reported for duty at the Navy Yard, Cavite, Philippine Islands.

In June 1939, he was assigned to the Bureau of Ships, Navy Department, Washington, D.C., where he remained throughout the greater part of World War II. "For exceptionally meritorious conduct . . . as Head of the Electrical Section of the Bureau of Ships . . ." he was awarded the Legion of Merit on February 7, 1946. The citation follows:

"Overcoming tremendous procurement difficulties created by shortages in materials, manpower and manufacturing facilities at a time when an unprecedented increase in production of electrical equipment was required to meet the needs of our rapidly expanding Navy, Captain Rickover rendered invaluable service in obtaining competent engineers to man the Electrical Section, in determining the raw materials required, in scheduling and expediting production and in providing adequate manufacturing facilities for all electric power and lighting equipment necessary for the Navy's shipbuilding and maintenance program. Working with foresight and ability, he brought about continual improvements in electrical equipment to meet the developing and expanding needs of modern naval warfare, thereby contributed to the increased military effectiveness of the vessels of the Fleet and to the successful prosecution of the war."

Between April and July 1945 he had temporary duty on the Staff of the Commander, Service Force, U.S. Pacific Fleet, after which he became Industrial Manager, Okinawa, with further duty as Commanding Officer of the Naval Repair Base, Okinawa. Here he was in charge of building the Repair Base and facilities to repair vessels which might be damaged in the impending attack on Japan. "For meritorious service (in that capacity) . . . from July 20 to November 26, 1945 . . ." he received a Letter of Commendation, with authorization to wear the Commendation

Ribbon, from the Commander in Chief, U.S. Pacific Fleet.

In December 1945 he reported as Inspector General, NINETEENTH Fleet, with headquarters at San Francisco, California, and remained there until May 1946. The NINETEENTH Fleet was engaged in "mothballing" vessels of the Pacific Fleet. He was then assigned to the Manhattan Project at Oak Ridge, Tennessee. He received a Letter of Commendation from the War Department, with authorization to wear the Oak Leaf Cluster on his Commendation Ribbon. The citation follows:

"For outstanding service in connection with the development of the Atomic Bomb as Assistant Director of Operations, Manhattan District during the period June 4, 1946 to December 31, 1946."

From September 1947 to February 1949 he had duty in connection with nuclear propulsion in the Bureau of Ships, Navy Department. He was then assigned to the Division of Reactor Development, United States Atomic Energy Commission, Washington, D.C.

In July 1952 he received a Gold Star in lieu of a Second Legion of Merit, "For exceptionally meritorius conduct in the performance of outstanding services to the Government of the United States as Chief of the Naval Reactors Branch, Division of Reactor Development, United States Atomic Energy Commission, and as Director of the Nuclear Power Division of the Navy Bureau of Ships, from March 1949 to July 1952. . . ."

The citation further states:

"Displaying exceptional talents in the field of Mobile Power Reactors and exercising unceasing drive and energy, Captain Rickover more than any other individual, is responsible for the rapid development of the nuclear ship program. He has held tenaciously to a single important goal through discouraging frustration and opposition and has consistently advanced the submarine thermal reactor well beyond all expectations; his efforts have led to the laying of the keel of the world's first nuclear powered ship well in advance of its original schedule. His careful and accurate planning, his technical knowledge and his ability to clarify and resolve problems arising between Atomic Energy Commission, the Bureau of Ships and civilian contractors, have proven a contribution of inestimable value to the country's security and reflect great credit upon Captain Rickover and the United States Naval Service."

In January 1961, Secretary of the Navy William B. Franke presented him with the Distinguished Service Medal. The citation follows in part: "For exceptionally meritorious service . . . from January 17, 1955 to January 17, 1960 while in charge of the Naval Nuclear Propulsion Program in the Department of the Navy and in the United States Atomic Energy Commission. Though Vice Admiral Rickover's skillful technical direction, unusual foresight, and unswerving perseverance, the United States has attained preeminence in the field of naval nuclear propulsion. His vision in the training of the crews of our nuclear-powered ships, and his insistence on high engineering standards are influencing those who bear a responsibility in preparing the Navy and the Nation for the demanding and exacting trials of the nuclear and missile age. As a result of his untiring and relentless efforts, nuclear propulsion has provided us with the foundation of the new Navy—nuclear-powered submarines which have revolutionized naval offensive and defensive tactics and nuclear-powered surface ships free to go anywhere at any time. Nuclear propulsion, developed under his astute leadership, will take place in history as one of the key developments profoundly affecting all the navies of the world. In addition to his major efforts in the nuclear propulsion field, Vice Admiral Rickover has made other important contributions in the field of Naval Engineering and has always been a source of wise counsel in matters affecting both the Navy and the national interest . . ."

"For exceptionally meritorious service . . . as Manager, Naval Reactors, Division of Reactor Development, U.S. Atomic Energy Commission, and as Assistant Chief of the Bureau of Ships for Nuclear Propulsion from January 1961 to January 1964 . . ." he was awarded a Gold Star in lieu of the Second Distinguished Service Medal. The citation further states: ". . . Vice Admiral Rickover exercised dynamic leadership and outstanding professional competence in assuring the continuing contributions of a major element in our national capability to deter aggression. He skillfully directed the efforts of his staff toward the cooperative development of the POLARIS weapons system to its present advanced state, with sixteen POLARIS submarines now in active service and twenty-five more under construction. In addition, during this period, the nuclear-powered surface ships, ENTERPRISE, LONG BEACH and BAINBRIDGE, joined the Fleet. These ships, each of a different combatant type, are establishing high standards for the new fleet of combatant surface ships to follow. Under Vice Admiral Rickover's leadership, the cost of United States naval nuclear propulsion plants has been lowered, reactor core life has been increased, and significant improvements in simplicity and dependability have been achieved. His contributions in the field of civilian reactors have been important factors in the continued development of these units. He has exerted continued development of these units. He has exerted considerable influence on the industrial community in general with his keen insight and discerning comments on quality control and product reliability . . ."

On February 1, 1964 he was transferred to the Retired List of the U.S. Navy, but continued to serve in the United States Atomic Energy Commission with additional duty as Assistant Chief of the Bureau of Ships for Nuclear Propulsion, Navy Department. Upon the reorganization of the Navy Department, effective May 1, 1966, his additional duty title was changed to Deputy Commander for Nuclear Propulsion, Naval Ship Systems Command.

In addition to the Distinguished Service Medal, the Legion of Merit with Gold Star and the Commendation Ribbon with Oak Leaf Cluster, Vice Admiral Rickover has the World War I Victory Medal; the China Service Medal (1937); American Defense Service Medal; American Campaign Medal; World War II Victory Medal; Navy Occupation Service Medal, Asia Clasp; and the National Defense Service Medal. He is an Honorary Commander of the Military Division of the Most Excellent Order of the British Empire, citation for which follows:

"As Head of the Electrical Section of the Bureau of Ships, Captain Rickover rendered very valuable assistance in supplying of electrical equipment to be used in the Royal Navy, and his cooperation, in placing at the disposal of the Royal Navy results of electrical research and development in the United States Navy, was one of the very greatest value to the Admiralty."

Admiral Rickover presently resides at 4801 Connecticut Avenue, Northwest, Washington, D.C. He is married to the former Ruth Dorothy Masters of Washington, D.C.; they have one son, Robert Masters Rickover.

LEGAL SCHOLARS OPPOSE LOWERING VOTING AGE BY STATUTE

Mr. ERVIN. Mr. President, on March 13, the Senate passed the so-called "voting rights" bill which included an unwise and unconstitutional provision giving 18-year olds the right to vote in local, State, and national elections. Regardless of the merits of extending the franchise to younger Americans, this attempt to circumvent the process of constitutional amendment is a dangerous affront to our constitutional form of Government. Expediency appears to have prevailed over sound constitutional principles.

I am encouraged to learn that several outstanding legal scholars have expressed their opposition to their provision of the Voting Rights Act. I ask unanimous consent that a letter to the editor of the New York Times from these distinguished lawyers be printed in the RECORD.

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

AMENDMENT FAVORED FOR LOWERING VOTING AGE

To the Editor:

As The Times has reported, the Justice Department opposes, as unconstitutional, the pending proposal to lower the voting age in national and state elections to 18 by statute.

As constitutional lawyers—some of whom favor and some of whom oppose lowering the voting age, and none of whom counts himself a knee-jerk partisan of all Justice Department positions—we believe the Department is right on this very important constitutional issue. Our reasons are these:

1. Within broad limits, the Constitution leaves states free to set qualifictaions for participation in national and state elections. The limits are these: Those qualified to vote for the most numerous branch of the state legislature must be permitted to vote for Representatives and Senators.

No would-be voter can be excluded from any election on grounds of race (the 15th Amendment) or sex (the 19th Amendment). And no state can impose a poll tax in any national election (the 24th Amendment) or, in any election, prescribe a voting qualification so invidious or irrational as to be a denial of the equal protection of the laws (Section 1 of the 14th Amendment).

2. Those who believe Congress can lower the voting age by statute argue in substance that Congress can declare that the 46 states with a minimum voting age of 21 are denying younger would-be voters the equal protection of the laws.

Reliance is placed on Katzenbach v. Morgan, where the Supreme Court sustained a Federal statute barring states from denying the vote to Americans of Puerto Rican origin literate in Spanish but not in English. Katzenbach v. Morgan makes sense as part of the main stream of 14th Amendment litigation, policing state restrictions on ethnic minorities. But it has little apparent application to a restriction affecting all young Americans in 46 states.

3. There is a further, and to us conclusive, reason why Katzenbach v. Morgan is unavailing: The long-ignored Section 2 of the 14th Amendment explicitly recognizes the age of 21 as a presumptive bench mark for entry into the franchise. It surpasses belief that the Constitution authorizes Congress to define the 14th Amendment's equal protection clause so as to outlaw what the Amendment's next section approves.

A statute lowering the voting age would raise the expectations of ten million young Americans—expectations likely to be dashed by a judicial determination that the statute is unconstitutional. This lends point to the fact that when heretofore the nation decided upon a fundamental change in the composition of the electorate, the consensus was embodied, in permanent and unchallengeable form, in a constitutional amendment: One hundred years ago the 15th

Amendment, enfranchising blacks, was added to the Constitution.

Fifty years ago the 19th Amendment, enfranchising women, was added to the Constitution. If, in 1970, the nation is ready to welcome into the political process Americans who have reached the age of 18, Congress should, in fidelity to our constitutional traditions, submit to the states for ratification a new constitutional amendment embodying that new consensus.

ALEXANDER M. BICKEL,
CHARLES L. BLACK, Jr.,
ROBERT H. BORK,
JOHN HART ELY,
LOUIS H. POLLAK,
EUGENE V. ROSTOW.

NEW HAVEN, April 1, 1970

(NOTE.—The writers are members of the faculty at Yale Law School.)

SUPPLY AND DEMAND OF NO. 2 FUEL OIL

Mr. BROOKE. Mr. President, on Tuesday, April 7, before the Subcommittee on Small Business of the Banking and Currency Committee, impressive testimony was given about the New England heating oil problem and the competitive squeeze of the east coast independent deepwater terminal operators.

I commend to the particular attention of Senators the statement of Mr. William F. Kenny, Jr., of New York, presented on behalf of the Independent Fuel Terminal Operators Association. In his statement, Mr. Kenny presents a new—and most disturbing—analysis of supply and demand for No. 2 fuel oil. Using oil industry refining statistics, he demonstrates that there has been and will be a steady decline in refinery output of No. 2 fuel—home heating—oil, with a total drop by 1980 of 18 to 23 percent from the 1968 level. This will mean a decline in production of between 300,000 and 350,000 barrels per day. During the same period No. 2 fuel oil demand is projected to increase steadily. The result is very clear: a dangerous supply gap in heating oil will appear in the 1970's. It will obviously have two effects—even higher prices for home heating oil, and recurring shortages. Signs of the gap have already appeared in certain areas at certain times in the Northeastern States over the past few winters.

Mr. President, the projected trend would pose no problem to the American consumer but for one fact: the present oil import program prevents importation of sufficient No. 2 fuel oil to fill the supply gap.

The solution is clear and simple: more imports of No. 2 fuel oil, which is cheaper and in plentiful supply from overseas sources such as the Caribbean, for the east coast. The President could, with the stroke of a pen, amend the oil import proclamation to prevent the disastrous consequences of the steady decline in domestic refinery output of home heating oil.

The majority and minority of the task force have recommended increased imports, so I would expect that a decision to head off this critical heating oil problem will be forthcoming in the near future.

Mr. President, I ask unanimous consent that Mr. Penny's statement be printed in the RECORD, and call particular attention to part 3, entitled "Supply-Demand Projection."

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

STATEMENT OF WILLIAM F. KENNY, JR., ON BEHALF OF THE INDEPENDENT FUEL TERMINAL OPERATORS ASSOCIATION

Mr. Chairman, thank you very much for the opportunity of appearing before you.

My name is William F. Kenny, Jr. and I am President of the Meenan Oil Company of New York. With me today are Arthur T. Soule of the Patchogue Oil Terminal Corporation of New York and Mr. Andrews Nixon of the Webber Tanks Company of Maine. All of us are independent deepwater terminal operators and we are appearing today on behalf of the Independent Fuel Terminal Operators Association; Mr. Soule is President of the Association.

Our Association is composed of 17 independent deepwater terminal operators along the East Coast from Maine to Florida. A membership list is included as Attachment A of my statement. All members own or control deepwater terminal facilities capable of receiving ocean-going tanker shipments, and none is affiliated with a major oil company.

In my statement today, I should like to cover four areas related to No. 2 fuel oil:

First, the nature of our business;

Second, the competitive squeeze we are experiencing;

Third, the projected supply and demand of No. 2 fuel oil; and

Fourth, a proposed solution to the East Coast fuel oil problem.

1. NATURE OF BUSINESS

Our member companies have terminals located in ports along the East Coast. Ocean-going tankers dock at our facilities and unload finished petroleum products, largely home heating oil, into the storage tanks that are located adjacent to the docks. Oil is then customarily pumped or barged from these tanks to smaller terminals at in-land locations for further distribution, or is sold and pumped through a system or racks at our terminal sites into tank trucks which carry the product directly to the consumer.

A deepwater terminal is a major facility and involves a substantial investment. The total investment made by our members alone for their facilities is estimated at more than $70 million.

We are wholesalers who buy product from refiners and sell to retail jobbers, dealers and consumers. In this Committee's consideration of solutions to the No. 2 fuel oil problem, it is important to realize that the marketer; aside from the major oil companies, who has facilities to receive imports and can physically bring No. 2 fuel oil from overseas.

We estimate that the total demand for No. 2 fuel oil in District I, the East Coast from Maine to Florida, is 1 million barrels per day. More than half is consumed in New England and New York State.

Independent deepwater terminal operators handle 250,000 barrels a day or 25% of the wholesale market. The remaining 75% is largely handled by major oil companies. As is apparent, the major oil companies enjoy a dominant position in the market.

2. COMPETITIVE SQUEEZE

The independent deepwater terminal business has known better days. Our period of greatest strength was the decade of the 1950's. During that time the large integrated oil companies produced substantial amounts of No. 2 fuel oil from their refineries and they needed outlets for this product. So they encouraged independent terminal operators and marketers to build and expand and provided us substantial supplies of product at competitive prices.

As independent businessmen, we find ourselves operating in a land of giants, for the petroleum market is truly dominated by the largest and most powerful companies in the world. We welcome competition from these giants on an equal basis. Unfortunately, we have been placed at a severe competitive disadvantage by the oil import controls instituted in 1959, which cut us off from foreign supplies; and, of course, the majors control the domestic supply of No. 2 fuel oil. Thus, our competitive situation vis-a-vis the majors has steadily worsened, particularly over the last three years and the struggle to remain in business has become more difficult. In 1969 even some of the strongest independent deepwater terminal operators began to show significant losses in their domestic No. 2 fuel operations. Attrition in our ranks due to absorption by major oil companies has been substantial, and was documented in our submissions to the Cabinet Task Force on Oil Import Control.

Rather than take up the Committee's time with a detailed analysis of our competitive problems, I ask your permission to include in the record copies of our July 15 and August 15 submissions to the Task Force which describe these conditions in some detail.

The work of the Task Force has given us great encouragement. Both the majority and minority reports recognize our competitive problems and the need for increased imports.

The majority report[1] concluded that "National security does not require regulating import volume so precisely as to deprive buyers—including independent refiners and marketers—of significant access to alternate supplies" (p. 69). The Report describes our problem as "a competitive squeeze upon independent marketers vis-a-vis their supplier-competitors, the forward integrated refiners. (p. 77).

The Task Force rejected a prohibition on product imports altogether stating that this would "deprive independent marketers—of No. 2 home heating oil, gasoline and other products—of sources that might otherwise serve as a competitive restraint on refineries integrated forward into distribution." (p. 82)

The minority report took note of our specific problem and recommended "allocations of No. 2 heating oil imports for terminal operators in District I on a basis equal to that allowed to oil refiners." (p. 364).

In brief, there has been widespread recognition due in large measure to the efforts of this Committee, of the general problem of East Coast No. 2 fuel oil imports and the more specific problems of the competitive squeeze upon the independent deepwater terminal operators.

That competitive squeeze can be described in a few brief sentences.

1. Although we have the physical facilities to import oil, we are forbidden under the present control system from importing No. 2 fuel oil.

2. We are forced to depend, for our supplies of this product, on domestic refiners, largely major oil companies.

3. These same oil companies who supply us with products also compete directly with us at the wholesale and retail level, thus creating for us the classic problem of competing directly in the sale of a product with the same people who supply us with that product.

4. The major oil company refiners have been cutting back steadily over the past few years in supplies made available to independent terminal operators on long-term (1 year or more) contracts or at competitive (i.e. posted) prices. Each year supplies avail-

[1] Attachment B contains Comments on Appendix L of the Task Force.

able to us have been cut-back over the previous year. And indications are that the Winter of 1970–71 will be even worse, for even the few companies who in the past two years could be relied upon for substantial supplies are indicating that they will have less product. Their reason is clear: they are producing less No. 2 fuel oil from their domestic refineries, because of the obvious economic advantage in producing more profitable products, such as gasoline and jet fuel. And a dangerous supply gap in home heating oil is developing.

Thus, we will be forced to reduce our business volumes year after year, to the point where we will go out of business, because it will be economically unprofitable.

I might add that we do not blame the major oil companies nor do we contend they are engaging in anti-competitive behavior. They have simply taken advantage of a situation presented to them by a United States Government control program, which grants them, through an accident of time, a substantial competitive advantage. For the program gives them access to overseas supplies of No. 2 fuel oil and of crude oil while it denies access to us.

The Federal Government is to blame for the current situation, and the Government must provide relief if competition is to be restored in the East Coast No. 2 fuel oil market.

3. SUPPLY-DEMAND PROJECTIONS

Perhaps most disturbing from our point of view as marketers of No. 2 fuel oil, and from the point of view of consumers of No. 2 fuel oil, have been projections and statistics on No. 2 fuel oil supply and demand. As these have come to light only recently, I believe they will be of particular use to this Committee.

The November 10, 1969 issue of the authoritative *Oil and Gas Journal* projects a radical drop in the yields of middle distillates. Middle distillates includes No. 2 fuel oil and diesel fuel. According to the *Journal*, this drop will primarily be brought about by the installation of hydro-cracking equipment. Hydro-cracking equipment enables a refiner to increase his yields of gasoline and jet fuel from each barrel of crude oil.

The projections are as follows:

CRUDE YIELDS OF U.S. REFINERIES

[In percent]

	1968	1980
Gasoline	45	52
Jet	8	13
Middle distillates (No. 2 fuel oil and diesel oil)	22	15
Residual	7	3
Other	18	17

The critical figure is, of course, the drop of distillate yield from 22 to 15%. If these yield percentages are translated into volume figures based on the *Journal's* forecast of 17 million barrels per day of crude oil runs in 1980, the total domestic middle distillate output in 1980 is shown to be 2,550,000 barrels per day, compared to 2,297,000 barrels per day in 1968, an increase of only 11% in production over the 12 year period.

The critical question is how this production level compares with the projected demand for middle distillates to 1980. As I have indicated, the two components of the middle distillate market are No. 2 fuel oil and diesel oil, accounting currently for two-thirds and one-third respectively of the total sales. Diesel oil sales have been growing at an average annual rate of 5.7% since 1960. Authoritative projections show that it will grow at an annual rate of 4.5%—5% over the next 10 years.

Assuming that diesel demand will continue to be met from domestic sources, domestic No. 2 fuel oil supplies will consist of the difference between total middle distillate supplies and shipments to diesel oil markets. The following table indicates production at both a 4.5% and a 5.0% diesel oil growth rate.

ESTIMATED DOMESTIC MIDDLE DISTILLATE PRODUCTION

[Thousands of barrels per day]

	1968, amount	1980	
		Amount	Percent change
Diesels (4.5 percent annual growth)	756	1,282	69.6
No. 2 fuel oil	1,541	1,268	−17.7
Total	2,297	2,550	+11.0
Diesels (5 percent annual growth)	756	1,358	79.6
No. 2 fuel oil	1,541	1,192	−22.6
Total	2,297	2,550	+11.0

As can readily been seen, if projected diesel oil supplies are to be met, No. 2 fuel oil supplies must decline by 18%–23% from their 1968 level! This means a decline in production of No. 2 fuel oil between 300,000 and 350,000 barrels per day!

Whether one is optimistic or pessimistic about the outlook for No. 2 fuel oil, we believe it is totally unrealistic to assume a decline in demand of about one-fifth over the next decade when No. 2 fuel oil demand has grown at an average annual rate of more than 1.5% since 1960.

According to our own forecasts—and those, we understand of the major oil companies—heating oil demand will grow at the rate of 1.5% to 2% per year for the next 10 years, given moderate increases in promotional sales and technical efforts. If these efforts are stepped up, we project a greater increase in demand. Even a relatively pessimistic forecast contained in *Energy Outlook for 1980* by the Chase Manhattan Bank, predicts no perceptible decline from the present level of sales.

Moreover, neither the Chase forecast nor our own forecast have tried to quantify the impact of one new factor which could cause a much sharper increase in demand for No. 2 fuel oil. I refer to the growing public demand for more stringent air pollution controls. No. 2 fuel oil has an extremely low sulphur content, and may be increasingly used as a partial substitute for higher-sulphur heavy residual fuel. In fact, within the last month Con Edison of New York put out a bid for 1.5 million barrels of No. 2 fuel. In this particular instance, there was simply not enough supply available to meet Con Edison's request, but should such requests become general, the overall demand projected for No. 2 fuel will surely be sharply higher than outlined in the above tables.

Turning back now to the basic supply-demand projections outlined in the *Oil & Gas Journal* study, we can see that perhaps the most significant factor, certainly that of more immediate concern, is the fact that this forecast has become a reality in the No. 2 fuel oil markets of the Northeast. Domestic refineries are already demonstrating increasing difficulty in keeping up with distillate demand. For example, in the first 11 months of 1968 compared to the same period in 1969, distillate oil demand rose by 2.8%, while the domestic refinery yield of distillates dropped by ½ of 1% (23.8% to 23.3% of total refinery runs). This amounted to a drop in total output of 3,675,000 barrels from 1968 to 1969. Even more significant is that a similar drop in yield has occurred in each of the last 5 years.

One example of the continuing increase in demand for No. 2 fuel oil in the Northeast is the fact that in New England, an area of high demand, the number of newly constructed one-family homes burning oil went from 28% in 1967 to 33% in 1968.

As this Committee knows, the U.S. oil refining industry is on record as opposing the need for imports of No. 2 fuel oil on the grounds that the product is produced in sufficient quantities from domestic sources. The projections and the facts of the market today, do not support that contention.

As marketers of No. 2 fuel oil, and as businessmen whose survival depends on a steady substantial supply of that product, we are deeply concerned. This is not a matter of a problem 10 years from now; it is a matter that is affecting us today and we believe it's a matter with which this Commitee should also be concerned. For, if the change in refining yields projected by the *Oil & Gas Journal* are approximately correct, a major supply gap in home heating oil supplies will develop during the 1970's.

Mr. Chairman, I would like to make it clear that while this data has and is resulting in a squeeze today on deepwater terminal operators, the real squeeze—the squeeze that this Committee should be most concerned with—is the squeeze that is going to occur for consumers in the Northeast. As you know, the majority of homes in the Northeast use No. 2 fuel oil. If supplies of this fuel are not available, the home-owner will have to convert his heating system to other energy sources. That means, since natural gas is already in short supply, that conversion will have to be made to electric heat. The initial installation in each case will represent a major capital expenditure by consumers and the day-to-day operating cost of heating homes will be substantially higher than costs today for heating with No. 2 fuel oil.

Given these facts, we are faced with two choices:

A. Continuing upward movement of No. 2 fuel oil prices as supply fails to keep up with demand, with continued attrition in the ranks of independent marketers; or

B. Increased imports of No. 2 fuel oil from lower cost sources, with provision that ample supplies be made available to independent marketers.

4. PROPOSAL

The Independent Fuel Termination Operators Association favors the second alternative—a system which would provide regular substantial access, on a continuing basis, to independent deepwater terminal operators of supplies of No. 2 fuel oil from overseas.

We are prepared to accept the judgment of both the majority and minority of the Task Force that complete decontrol is desirable. And we have taken no position between the tariff proposal of the majority and the quota proposal of the minority. We leave that basic decision to others.

However, we believe that under either proposal a workable system can be evolved to provide a greater measure of competition and arrest, and even reverse, the price escalation of No. 2 fuel oil that has occurred over the past six years.

If the quota system is retained, we propose that allocations of No. 2 fuel oil be given to independent deepwater terminal operators on the basis of a percentage of their qualifying terminal inputs with no quantitative ceiling established. We suggest that 30% of our terminal input would be a workable level. Given the statistics I have cited above, 30% of our business would amount to imports of 75,000 to 100,000 barrels per day into District I.

This level would enable us to compete on a more equal basis with the major oil companies who already have access to overseas supply of oil and, most important, would result in the introduction of increased amounts of No. 2 fuel oil directly into the East Coast market to fill the supply gap I have outlined above.

If the independent terminal operator's position is strengthened, that is, at the whole-

sale level, the position of the independent retailer further forward in the market will also be strengthened. For the forward marketers who are also competing with the major oil companies can avail themselves of alternative sources of supply, and they will no longer be forced, as they have been increasingly in the past few years, to rely on the major oil companies alone for their products.

If a tariff system is adopted we strongly urge that the tariff on No. 2 fuel be established at a level which permits importation of product, to fill the projected supply gap. As the Committee may have noted, we believe that the level of $1.55 per barrel on finished product recommended by the Task Force will not only prohibit any imports, but will actually result in price increases in the domestic market.[2] We estimate that a tariff level of $.84 per barrel could result in a consumer price reduction of 1 cent per gallon and therefore we would support the adoption of a tariff on No. 2 fuel oil at this level.

Mr. Chairman, again we appreciate the opportunity to appear before you and are most grateful for the effort which you and the members of your Committee have made toward a solution of the East Coast heating oil problem. We hope that a solution will be forthcoming soon, for, along with the consumers of the Northeast, we, as independent businessmen have been going through a difficult period. Unless relief comes and comes soon, our segment of the industry will dwindle and be phased out of existence as a competitive force.

MEMBERS OF INDEPENDENT FUEL TERMINAL OPERATORS ASSOCIATION

Belcher Oil Company, Miami, Florida.

Burns Brothers Oil Company, Brooklyn, New York.

Cirillo Brothers Petroleum, Bronx, New York.

Colonial Oil Industries, Savannah, Georgia.

Deepwater Oil Terminal, Quincy, Massachusetts.

Eastern Seaboard Petroleum Co., Jacksonville, Florida.

Gibbs Oil Company, Revere, Massachusetts.

Meenan Oil Company, New York, New York.

Northeast Petroleum Corporation, Boston, Massachusetts.

Northville Dock Corporation, Northville, L.I., New York.

Patchogue Oil Terminal, Brooklyn, New York.

Ross Terminal Corporation, Bayonne, New Jersey.

Seaboard Enterprises, Boston, Massachusetts.

Tappan Tanker Terminal, Hastings-on-Hudson, New York.

Union Oil Company, Revere, Massachusetts.

Webber Tanks, Bucksport, Maine.

Wyatt Coal and Oil Company, New Haven, Connecticut.

COMMENTS ON APPENDIX L TO TASK FORCE REPORT

The discussion in Appendix L is quite general and unspecific, and does not arrive at any firm conclusions; almost no factual data is provided to support the general observations. In large part, the Appendix raises a number of questions.

It does, however, make a number of observations that support the position taken by East Coast independent deepwater terminal operators:

1. On the question of inadequate supplies to independent deepwater terminal operators, the Appendix states that this matter may reflect the fact that "the prices at which refiners are prepared to sell and those at which large terminal operators expect to buy, differ." (pp. 315–316).

2. Wholesale prices have been going up in New England in recent years (p. 316). More particularly, that "the disappearance of a seasonal pattern . . . would change the effective supply price enjoyed by many of the terminals . . .". "Similarly . . . distress product sales may have become less important" and "a permanent reduction in the frequency of distress sales would tend to raise average supply price to Northeastern independent marketers in particular." (p. 317).

3. The import quota system has had an adverse effect on the Northeast. "No. 2 fuel oil is probably in artificially short supply in the Northeast relative to the rest of the country because the quotas have had their greatest effect there." (p. 318). This has reflections in prices in the Northeast. "There seems to be general agreement that with free importation, No. 2 fuel oil would retail for about three cents per gallon (about 17 percent) less in New England than it now does . . ." In a basic long-run sense, fuel prices are now higher in the Northeast, relative to what they might be, than is the case in other fuel oil consumer areas." (p. 318).

4. There is evidence that the integrated oil companies may be in a position to force a price "squeeze" on independent terminal operators. "There can be no doubt that freer importation of fuel oil would make a squeeze less likely." (p. 319). This is, in part, possible because "The import quota system certainly does make independent distributors more dependent on refiner-competitors because it cuts off foreign alternative sources of supply . . ." (p. 319).

5. The discussion is inconclusive on the question of whether independents are disappearing, but it is not, to the extent that disappearances have taken place, due to failures, but to acquisitions. "The long-term rise in percentage margins does not suggest that disappearance would be due to failures."

COMMENTS ON POINT NO. 15 OF THE APPENDIX TO SECRETARY SHULTZ' STATEMENT TO THE SENATE SUBCOMMITTEE, MARCH 3, 1970

Point No. 15 deals with a relatively secondary issue in a memorandum circulated by the Independent Fuel Terminal Operators Association namely, that the tariff levels on No. 2 fuel oil recommended by the Task Force are so high as to, in effect, encourage an increase in the price of No. 2 fuel oil in New England.

It should be noted that the Appendix discussion does not effectively deal with the central issue: that the level of proposed tariff is so high as to prohibit the importation of No. 2 fuel oil into the United States under present (and foreseeable) circumstances. This is the central point that has to be made, for it is only through permitting such importation to some degree that adequate supplies can be made available in the northeastern United States and that supplies of No. 2 fuel oil can be made available to independent distributors who, alone, have the potential for maintaining competition vis-a-vis the integrated companies. This being the case, the Independent Fuel Terminal Operators Association in their memorandum, pointed to the danger that a shutting off of imports of No. 2 fuel oil would reduce the degree of effective competition as well as supplies available and that the combination of these two factors would tend to induce an increase in price.

The discussion of Point No. 15 of the Appendix thus, in a sense, sets up a straw man and fails to deal with the substantial issue which is the fact that the recommended tariff would effectively bar imports of No. 2 fuel oil. Nor does the discussion under Point No. 15 gainsay the contention in the Independent Fuel Terminal Operators Association memorandum that the net effect could very well be a rise in prices. The following specific comments on the Appendix discussion of this question should be noted:

1. The Appendix asserts that the domestic price of No. 2 fuel oil is determined by domestic cost factors alone, and that the ability to import lower priced No. 2 fuel oil "results not in a lowering of the domestic price, but in unearned 'rents' to the few historical importers now permitted to import No. 2 fuel oil." The Appendix concludes that, since the domestic price of No. 2 is independent of the price of No. 2 imports "under the present quota system," a higher tariff could not affect domestic price.

These comments on the Appendix, if anything, underscore the importance of modifying the oil import control system to bring about greater competition through increased imports of No. 2 fuel oil. We agree that the small volume of imports permitted entry now have little effect on domestic prices. But, if a low tariff were set on No. 2 imports, then independent deepwater terminal operators would be in a position to provide competition to the integrated oil companies. Clearly, the integrated companies are not responsive to supply and demand factors in their pricing policies on No. 2. The only way to resolve the problem is to provide them with competition.

The implications of the Appendix discussion seems to be that such competition can never be forthcoming, but this is clearly not so. What the discussion indicates is a need to revise the present quota system to provide an opportunity for independent distributors to acquire adequate supplies of imported No. 2 fuel oil at low prices. The fact remains that, under the tariff proposal of the Task Force, the supply of No. 2 imports would be reduced and, more important, the integrated companies would enjoy the certainty of protection of their price levels accorded to them by an established government decision to maintain higher tariffs on No. 2 imports.

Under the present quota system, there always exists the uncertainty that, if they raise prices, increased quotas would be given to independent distributors; whereas, under a high tariff system that uncertainty would be removed and the integrated companies would be freer to maximize their profits without the danger of sanctions. What this discussion points to clearly is (1) that there is a need to revise the program and (2) that the revision proposed by the Task Force report would not serve to accomplish the public policy objectives that are desired.

2. The Appendix discussion notes that the proposed tariff on crude oil imports would "tend to lower the domestic price of No. 2 fuel oil by reducing the cost to refiners of domestic crude oil."

Given the pricing behavior of the integrated companies, discussed above, there is no *a priori* reason to assume that the result envisaged by the Appendix would in fact take place. Nor does the historical record support such a conclusion: one need only examine the time series data on prices for No. 2 and crude oil to see that there is little correlation between the two.

3. The Appendix discussion notes that the proposed tariff on No. 2 was designed to achieve two objectives, first, the retention of refining capacity in the United States and, second, "keeping the cost of product imports low enough to exert some competitive pressures in the domestic market and aid in relieving temporary shortages." Setting aside the fact that the second objective noted seems to contradict the observation earlier in the discussion that imports do not seem to have any significant effect on the domestic price of No. 2 fuel oil, it should be noted that the Appendix discussion seems to have second thoughts, at this point, about its own proposed tariff level. It notes that achieving this second objective, "requires a much finer tariff adjustment" and that the

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[2] Attachment C contains Comments on Point 15 of the Appendix submitted by Secretary Shultz to the Senate Anti-trust Committee on March 3, 1970.

Task Force recommendation was only "tentative". Apparently, the recommended tariff level may, after all, be too high to permit imports to enter the country and to allow them to exercise a beneficient effect on prices and availabilities of supply. We are left then at the end of the discussion with the same problem with which we started: the Task Force recommendation of a tariff level on No. 2 fuel oil imports too high by the test of what is required in terms of the public policy objectives desired. In fact, we are told in the very last sentence that the gradual phase-out of the historical product import quotas "should be sufficient" to prevent any significant shortages or price rises (sic!) with respect to No. 2 oil due the institution of the tariff system recommended by the Task Force.

What emerges from this discussion are the following two conclusions: one, the existing quota system which is not allowed to affect the price of No. 2 fuel oil must be revised; and, two, the tariff proposal of the Task Force is not a solution to the price problem and in fact may aggravate it. We are faced then, as the Task Force was, with three alternatives: one, modification of the quota system; two, the substitution of the tariff system for the quota system; or three, substitution of an auction system for the quota system.

The substitution of an auction system can be rejected for the reasons spelled out in the Task Force Report, namely, that it would provide a means for the integrated oil companies, who have substantial financial resources and have a market strategy which they wish to pursue, to bid away supplies of imported oil from independent marketers. The fact that integrated oil companies have a market strategy with regard to No. 2 fuel oil has been amply discussed in the submissions to the Task Force of the Independent Fuel Terminal Operators Association. Their implementation of that strategy is also evident from their price behavior: evidence of this can be found in the fact that they appear never to be short of No. 2 fuel oil and are able to market it even when independent marketers cannot economically procure No. 2 fuel oil in the Gulf for delivery to New England destinations.

The independent terminal operators have no *a priori* preference between a tariff system and a revised quota system as long as each permits the entry of sufficient No. 2 fuel oil imports at a low enough price (including tariff) so that they can continue to perform their historic function as competitive marketers of this product to the consumer. A revised quota system however can be a more selective instrument in that it can permit making sufficient supplies of No. 2 fuel oil imports available to independent deepwater terminal operators without necessitating a wholesale change in the pattern of domestic production and importation of No. 2 fuel oil. In this respect, a revision in the quota system that provides allocations in sufficient quantities for independent deepwater terminal operators would minimize the disturbances that would result in terms of the objective, spelled out in the Appendix, of preventing "export" of significant refining capacity.

FISH FARMING

Mr. FULBRIGHT. Mr. President, Mr. Roy Prewitt, one of the pioneers of the fish-farming business in Arkansas, has written an article for the American Fish Farmer, which I believe will be of great interest to the Members of this body. Fish farming is developing satisfactorily and holds much promise, not only in supplying the needed protein for the diet of our people, but, also, in giving opportunities to farmers who produce them. Some 10 years ago, the Federal Government invested a relatively small amount in an experiment station in Arkansas, and I am quite sure that the investment will be extremely profitable to the community as a whole and the businesses directly involved.

I ask unanimous consent that the remarks be printed in the RECORD.

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

RAMBLING ALONG

(By Roy Prewitt)

An ancient recipe for preparing rabbit stew was prefaced with "First catch the rabbit." For more years than I like to remember I have been saying all over this land, in essence, the same thing about fish in ponds.

Man has always been intrigued with ways and means of catching fish, but curiously enough, he has made little progress in the art and science since the dawn of history. There is evidence that primitive man used nets and traps remarkably similar to those being used today.

In a speech I gave in St. Louis in the early 1960's, I stated that the only worthwhile improvement in the past 500 years was the development of nylon, but that this had been the result of a chemist's dream—who was not thinking of catching fish, but rather of women's legs. In the same speech. I used the sentence "We are still using the same methods of harvesting fish that Christ saw when He went down to the Sea of Gallilee."

I was widely quoted after the speech and shortly thereafter Donald McKernan, Chief of the U.S. Bureau of Commercial Fisheries used the quote and added ". . . and it was old then."

About the same time I found myself as the only fish farmer in attendance at a fish farming seminar on the campus at the University of Michigan at Ann Arbor and was questioned by others in attendance—who were mostly scientists interested in fish farming—as to why Arkansas farmers had, in the main, quit growing buffalo fish when the market demand was good and the price was higher than that of most ocean fish. I tried to explain but without much success.

MECHANIZATION IS KEY

During the course of the seminar, a film was shown on buffalofish being harvested from an Arkansas pond. The water had been pulled down in a catch basin and a seine powered by men pulled the fish to the bank where they were lifted in dipnets to a wash tub. Then, two farmers started up the levee bank with the tub. The bank was slippery—as all pond banks are after the water has been lowered—and for each two feet the men stepped they would slip back one. When they were about half way up the bank I had the film stopped and told the scientists that they had just witnessed why so many Arkansas farmers had quit growing buffalofish.

I pointed out that the fish were being grown on idle land on rice farms which were the most highly mechanized farms in the world—that farmers, accustomed to the use of machinery in all their work, would never grow fish until most of the operation could be mechanized.

From that day until now, precious little progress has been made in the harvesting of pond fish by public agencies while researchers have been almost wholly concerned with growing fish but not in catching them.

It is difficult for people who are not fish farmers to understand all the problems involved in harvesting fish from ponds. As an example, a world-renowned fish scientist was recently quoted as saying that farmers could produce fish at far less cost than they could be harvested from the sea. "All a fish farmer has to do," he explained, "is draw off the water and pick up the fish."

I have tried this and I can assure you that it is impractical as every fish farmer knows.

FRENCH FARMING CITED

While researching the literature available on fish farming more than 30 years ago, I found a book which described fish farming in France during the middle of the last century. The author found French farmers growing fish in large level ponds very much like the ponds in the delta region of the lower Mississippi River valley and the plains of Kansas. He noted that when a farmer drained a fish pond he had to know where he was going with the fish and do so in a hurry. This is about where U.S. fish farmers have been insofar as harvesting fish has been concerned until late last year. However, American fish farmers have had more problems than "going somewhere in a hurry" with their fish. They have learned that fish lose weight and deteriorate in quality when down in a sump or catch basin, and they have had no way of knowing with any amount of accuracy how many fish and what sizes they had until all the fish could be harvested. Some fish would weigh one pound while others weighed two pounds; some buyers wanted one size while others wanted another size which required grading, always a costly and tedious process.

The power-operated haul seine, developed by the Bureau of Commercial Fisheries, was an improvement to some extent but it could only be used efficiently in large, flat ponds free of deep holes, vegetation and obstructions.

Of necessity, such sites required a dependable and economical water supply that could be pumped into the ponds. Under ideal conditions the seine could be brought to the bank with 40 or more thousand pounds of fish in varying sizes but the farmer still had to "go somewhere in a hurry" with his fish.

THE SELF-FEEDER AND TRAP

Two things happened in 1969 that appear destined to change the entire concept of building fish ponds and harvesting the fish grown in them. The first was the development of the self-feeder—notably those developed by Bruce N. Fleming of Ottawa, Kan., and Gene Poirot of Golden City, Mo.—and the second was the use of a trap device that would seem to have evolved from a feeder that has long been used for feeding land animals.

All these devices reached the market late last year and farmers were quick to see their value and immediately began to duplicate them when they found idle time on "rainy days." In the process, they were able, in many instances, to improve and refine the original designs.

It was the self-feeder that sparked the idea of Jim and Joe Adcox of Tuckerman, Ark., last October when they approached Gib Stramel, at that time production manager of Inland Fish Farms near Jacksonville, Ark., who desperately needed to "catch the rabbit." Stramel had wrestled with everything including the BCF seine and was willing to let them try. Most of what happened is recorded on page 17 of the February issue of this magazine. What was not recorded was the fact that these two men, using wire traps which they improvised on the bank of Stramel's pond, actually caught over 120,000 pounds of catfish in a little over a month. The actual cost turned out to be less than 1 cent a pound.

There is nothing new in the trap they used, but their putting a "surplus commodity station" in business for 24 hours a day in a trap is new. When they began loading out big trucks with fish every day, the word spread. Other farmers came on the run to see for themselves and rushed home to begin fashioning even better devices for their own operations.

CRAPPIE EAT DRY FEED

One farmer who called me at the time said his experimental trap had filled up with crappie and that in dressing them he found their stomachs were filled with catfish feed. I asked a prominent fish biologist if he knew that crappie would eat dry feed and he told me that he had been suspecting this after having observed their growth in catfish ponds.

It would appear that all species of fish that will eat prepared feed can also be economically harvested with traps. This includes minnows and fingerling catfish. Already, traps are being designed with netting cages as the final trap that can be detached from the main trap and towed to an unloading wharf designed to accommodate large trucks.

Traps are also being designed with grader bars so that they can be adjusted to conrol the sizes of fish that enter them and the sizes that are retained. A pump that is now successfully being used to pump live fish from ponds on the west coast without injury to the fish will almost certainly before long be put to use in removing fish from cages.

Doors can be left open in these traps permitting the fish to return to the pond when they are not needed. When the fish are needed, the farmer will be able to get them out on demand and get them to market in an orderly manner. His fish can also be warehoused right in the pond where they are being grown.

While the experience with the trap device described in the February issue indicates that catfish feed at lower temperatures than biologists had generally believed, catching them in the middle of winter will be a problem except in the lower southern region of the country until someone comes up with an attractant that will stimulate feeding.

Before 1969 ended, it was found that crappie could be trapped in very cold water. Not being able to trap fish in winter should not pose too much of a problem except for the fresh fish markets since fish can be processed and frozen for the rapidly growing frozen fish business.

REVOLUTION UNDERWAY

The Revolution has already been set in motion. Farmers are renovating ponds and reservoirs that cannot be harvested by conventional methods and preparing to stock them with fish. This is now beginning to happen all over the nation and plans are being made to impound water in valleys everywhere.

I believe good fresh water fish will be grown in all the rural areas of this nation within the next five years. In the next issue I will discuss in this column how ponds should be constructed and the problems that can be expected to arise.

WISCONSIN PROCLAIMS APRIL 22, 1970, "QUEEN ISABELLA DAY"

Mr. PROXMIRE. Mr. President, yesterday, April 22, marked the 519th anniversary of the birth of Queen Isabella, the Spanish Queen who was singularly responsible for the historic journey of Christopher Columbus. Queen Isabella's tremendous insight, her willingness to listen to the preposterous claims of the Venetian explorer, and her courageous decision to finance his voyage have earned her a deserved place in our history. Certainly this country owes her a substantial debt of gratitude.

Mr. President, the State of Wisconsin has recognized the importance of April 22 as the birthday of this famous Spanish Queen, and has proclaimed April 22, 1970, to be "Queen Isabella Day." I ask unanimous consent that this proclamation issued by the Governor of Wisconsin be printed in the RECORD.

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

A PROCLAMATION

Whereas, April 22, 1970 marks the 519th anniversary of the birth of Queen Isabella, dynamic Castillian queen, who through her faith and confidence in Christopher Columbus, gave the civilized world a new dimension; and

Whereas, Queen Isabella, wife of Ferdinand of Aragon, by her support of Columbus in his plans for exploration, earned for herself a unique place in the history of Western civilization; and

Whereas, in her own time, Isabella was a queen noted for clear intellect, energy, virtue and patriotism; and

Whereas, the qualities of confidence in the future, spirit of adventure with a purpose and sacrifice in the cause of human progress exhibited by Queen Isabella are characteristics worthy of emulation in our twentieth century era of exploration;

Now, therefore, I, Warren P. Knowles, Governor of the State of Wisconsin, do hereby proclaim Wednesday, April 22, 1970, as "Queen Isabella Day" in Wisconsin, and urge all citizens, schools, historical and other interested organizations to suitably observe this significant event in the history of the world.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this fourteenth day of April in the year of our Lord one thousand nine hundred and seventy.

WARREN P. KNOWLES,
Governor.

SECRETARIES WEEK

Mr. GOODELL. Mr. President, Wednesday, April 22, was a day on which millions of Americans joined to voice their common concern with one of the Nation's most pressing problems, the pollution of our national environment. At rallies throughout the country, strong words bewailed the despoiling of our resources and denounced man as his own enemy.

There was, however, one occasion to give thanks and offer praises, for April 22 was also observed as Secretaries Day. Both in the United States and in Canada, Governors, mayors, and employers paid their tribute to a group of people who make an active and positive contribution to the education, professional, and civic growth of the community. Organizations ranging in nature from advertising association to service clubs have also participated in the observance of this event providing publicity and special programs to focus attention on the role of the secretary. Today, as Secretaries Week draws to a close, I call upon the Congress to join me in recognition of the vital part played by secretaries in government, business, education, and the professions.

The year 1970 marks the 19th annual observance of Secretaries Week, which was initiated in 1952 by the National Secretaries Association, in cooperation with the U.S. Department of Commerce. This year, extra emphasis was placed on the responsibilities of secretaries to their employers and their profession. To this end, many have taken part in secretarial seminars, providing a forum for consideration of these matters. I extend my warmest congratulations to the National Secretaries Association for the successful completion of this week of celebration and discussion, and to the secretaries themselves for their continued commitment to the betterment of our society.

SENATOR SPONG STRESSES NEED FOR ONGOING ENVIRONMENTAL CONCERN IN EARTH DAY SPEECHES

Mr. SPONG. Mr. President, it has been my privilege to speak at four Virginia institutions of higher learning this week in connection with programs marking the observance of Earth Day.

I have discussed the need to improve the quality of our environment in talks at the University of Virginia, at Charlottesville; Mary Baldwin College, at Staunton; Christopher Newport College, at Newport News, and Old Dominion University, at Norfolk.

The response of the audience was gratifying. The younger generation is aware of the extent of pollution problems. I hope, however, that the present zeal for improving the quality of our environment is not a passing fad. In my talks to Virginia college students, I stressed that pollution abatement and control must be an ongoing mission. It has taken generations to befoul our environment. It cannot be cleaned up with a wave of a wand.

Our knowledge about some aspects of pollution is still primitive. Additional research is necessary if we are to develop the factual information necessary to achieve progress.

Mr. President, I ask unanimous consent that my remarks at a public seminar at Old Dominion University be printed in the RECORD.

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

REMARKS BY U.S. SENATOR WILLIAM B. SPONG, JR.

Our contemporary culture, primed by population growth and driven by technology, has created problems of environmental degradation that directly affects all of our senses. One doesn't need to be a scientist to realize that. He need only to use his eyes, ears and nose.

Henry Thoreau foresaw the trend more than 125 years ago. In writing about machines, he said: "They insult nature. Every machine or particular application, seems a slight outrage against universal laws. How many fine inventions are there which do not clutter the ground."

Even before the days of Thoreau man was misusing the environment to assimilate his waste products. And until relatively a few years ago, there was no evidence of any adverse effects. In the process of transforming matter into energy through combustion, and of synthesizing new products through chemistry, man has used the air and water as dumping grounds for his wastes. In achieving technological progress and scientific breakthroughs, man has modified his environment. At first, the changes were insignificant because there were no major concentrations of population, and untamed frontiers were abundant. No one was particularly concerned over an occasional fish kill because another good stream was only a few miles away. If smoke from a factory

became bothersome, it wasn't too difficult to escape to a cleaner area nearby.

In short—man until very recently has accepted pollution as the price of technological progress. This laissez faire policy was questioned only when the scientific community began warning that man was pouring wastes into the environment at a rate faster than nature could reprocess them. The evidence that man was exceeding nature's assimilative capacity showed up in the form of polluted rivers, algae-covered lakes and smog-laden atmosphere.

In the United States we are pouring carbon monoxide, sulfur oxides and other potentially dangerous pollutants into the atmosphere at a rate of 142 million tons per year.

Our garbage growth exceeds our population growth. It has been estimated that an average of 5.3 pounds of solid waste is collected per person per day. That is more than 190 tons per year. By 1980, some 235 million people are expected to be generating eight pounds per person per day. That would be 340 million tons per year. These figures cover only those wastes that are handled by collection agencies. Overall, the nation is generating about 10 pounds per person per day of household, commercial and industrial wastes. In addition, about seven million motor vehicles are junked annually in the United States. More than three-fourths of them may be salvaged in varying degrees, but the excess contributes to an accumulation of abandoned vehicles that has been estimated at from nine million to 16½ million.

Even the oceans, our last frontier, have not been spared. Back in about 1675, the Governor of New York, Edmund Andros, issued a decree prohibiting the dumping of dirt or refuse "or anything to fill up ye harbor or among ye neighbors or neighboring shores under penalty of forty shillings." Nearly 300 years later we are still having problems with the disposal of the same type of wastes, and we have essentially the same type of control measures.

Unfortunately, the problems have been compounded by the extensive population growth extending from Boston to Norfolk. Because the land is covered with people, space has largely been exhausted for landfill operations. Incineration causes air pollution difficulties, so the wastes of this urban megalopolis is being dumped on the continental shelf.

The total amount of solid wastes being dumped into the ocean from the New York Metropolitan region alone, spread uniformly over Manhattan Island, would form a layer six inches thick each year. Viewed in another way, the discharge amounts to about one ton per person per year.

But New York isn't the only area that has restorted to sea disposal. The Corps of Engineers recently reported that 22 sites were used for waste disposal in the ocean between Boston and the mouth of Chesapeake Bay.

A research oceanographer who testified before the Subcommittee on Air and Water Pollution only last month said "knowledge of the effects of these waste disposal operations on the ocean is at best sketchy and completely absent for many areas and types of wastes."

It has been assumed that materials dredged from New York Harbor and hauled to the ocean for dumping consists primarily of clean sands, and that sewage sludges generated at waste treatment plants is just another form of manure. But the oceanographer said data he has collected indicate that this is far from the case for many wastes. For example, he said dredged materials in many parts of the harbor contains large amounts of sewage solids and are soaked with chemicals, including petroleum and petrochemicals. Sludges contain high concentrations of metals known to be toxic to marine organisms.

Wastes introduced into coastal waters may travel for long distances. The expanse of water between southern Massachusetts and Cape Hatteras is essentially a single unit, and currents generally move from the north to the south.

A little-known provision of the recently-enacted Water Quality Improvement Act will remedy the situation insofar as dumping is concerned for the first three miles offshore. The statute requires federal permittees and licensees to obtain from state water pollution control agencies a certificate of reasonable assurance that they will not violate applicable water quality standards. It would seem desirable to me to consider international agreements limiting the dumping of wastes, or an extension of our sovereignty further out to sea.

Oil spills present equally serious problems. In just 30 years, seaborne oil commerce has increased ten-fold. Moreover, the size of tankers is increasing at a dramatic rate. The Torrey Canyon was one of the ten largest tankers in the world three years ago when it went aground with 118,000 tons of crude oil. Its size soon will be run-of-the-mill. Nearly 200 tankers of more than 200,000 tons have been ordered by shipping companies in recent years, and ships of 500,000 tons capacity are being designed.

The pollution potential from collisions and accidental groundings are enormous. Moreover, the largest number of accidents occur close to shore or in ports—areas that frequently are of greatest economic, nutritional and aesthetic importance to mankind.

Pollution from shipping is only part of the problem. Offshore drilling rigs also pose a threat, as was dramatized by the Santa Barbara episode. The number of wells drilled annually off the continental United States has more than doubled in the past decade. Exploration is underway or planned in waters off 50 countries of the world.

It has been estimated that a minimum of a million tons of oil a year is spilled, flushed or leaked in oil operations. Half the seafood of the world comes from one-tenth of one per cent of the area of the sea, primarily the coastal areas which are most subject to pollution.

These are the results of a society that has become a virtual slave to technology. Fortunately, an increasingly large segment of the American public has come to realize that instead of devoting ourselves exclusively to the development of new things which are assumed to be better because they are bigger or operate faster, we must consider whether something new is worthwhile in terms of the total context of the environment.

This will necessitate a change in values by consumers as well as the obvious sources of pollution. After all, productivity is governed by demand. Many environmental activists want the "good life," but they also want bigger and better color TV sets, more powerful automobiles, and throw-away packaging that isn't readily degradable.

Industry, on the other hand, must act responsibly. It must find ways of producing without polluting. Industry must act regardless of whether it costs more and regardless of how the increased cost is absorbed. In the words of one corporate executive, "Industry will adapt voluntarily to the imperatives of environmental conservation, or ultimately it will be forced to do so."

The country's population growth and the pattern of its distribution will require changes in present-day attitudes. In George Washington's day the population of the country was less than four million. We passed the 100 milion mark in 1915, the 200 million mark in 1968, and by the year 2000 we will reach 300 million. But to see the situation in its true perspective one must examine where the growth has occurred. In the early days of the country there were only about 320,000 persons living in what we know as cities. Today, more than 140 million Americans—70 per cent of our total population—are crowded on two per cent of the land. If the present trend continues for another 25 years, 100 million additional people will be stacked on top of the 140 million already living in our cities and suburbs.

In considering the nation's population growth we must recognize that quality of life is related to quantity. Man obviously is highly adaptable. We have survived many environmental changes. But until we learn more about ourselves and can use our knowledge to ensure lives of happiness and fulfillment for all our citizens, control of population must be a high-priority national goal.

We also must exercise better management of our resources of land, air and water. This necessarily will involve more anti-pollution research, more controls and more money. Congress has been seeking solutions for several years to the problems involved in reclaiming the environment. Admittedly, most of our progress has been achieved in the past five or six years. The basic tools for control of air and water pollution are already on the statute books. They no doubt will be strengthened.

For example, there is need for better controls over the use of pesticides, particularly the persistent chlorinated hydrocarbons. The present federal administrative machinery to abate pollution is fragmented and should be modernized. Federal authority to control emissions from motor vehicles should be expanded to include other modes of transportation.

Each of the areas I have discussed today presents separate problems. They are not simple by any means. Several include highly complex economic issues which—if we are to act responsibly—must be taken into account.

SECRETARY OF DEFENSE LAIRD

Mr. DOLE. Mr. President, an editorial in the April 22 Washington Post, entitled "Secretary Laird on Strategic Arms," characterizes Secretary of Defense Laird's address on Monday, April 20, as "disjointed and indifferently argued." It then brings up specific points from this speech which appear out of tune with the writer's views—but ends up with the conclusion "Secretary Laird has somehow given a persuasive arms control speech." It is surprising how a "disjointed, indifferently argued" speech can be described as "persuasive" unless, perhaps, there was more to the speech than the Post editorial chooses to discuss.

From the phrases "perhaps with less design" and "he did not think it implied what we did," it is intimated that this speech was not meant to be pertinent to arms control, but just turned out that way. Rather, the Post seems to assume that the Secretary's speech was just a rationale for current U.S. weapons programs. For example, the Post says Laird's address—

> focused on the gains the Soviets have made in strategic nuclear weaponry in the past five years and *concluding from this* the necessity for our proceeding with . . . MIRV and SAFEGUARD.

Is that really the message which Secretary Laird was delivering? I submit that a much more pertinent conclusion could be taken from the following section of his speech:

> The Soviets have a momentum going both in strategic weapons deployments and in

strategic weapons developments. If their strategic posture could be expected to stay at the operationally deployed posture which exists today, I believe we would have a tolerable situation. What must concern us, however, is the momentum the Soviets have established both in deployments and developments and where that momentum may carry them.

While the editorial does use the middle sentence to point out that our posture today appears adequate, it completely ignores the other two, which are discussed at length in the Secretary's speech. From reading the full speech, it appears obvious that this issue of momentum—not past actions by the Soviets—was the major reason for the Secretary's conclusion that MIRV and Safeguard should proceed. This conclusion is supported by other sections of the Secretary's speech, such as "in the mid-to-late 1970's we would no longer be able to rely" and "pending a successful outcome in the Strategic Arms Limitation Talks, therefore, prudence dictates that we must continue our approved program to MIRV current forces" and "this is why we must also, at the very least, preserve an option to defend a portion of our land-based retaliatory forces."

Although we could accept a misinterpretation of the rationale put forward by Secretary Laird and perhaps ascribe it to a careless reading of his remarks, another section of the editorial is much more bothersome. One wonders what the Post suggests when it says:

And the more horrendous one makes the Soviet potential appear in both technologies, the more feeble one's own argument becomes for development of the U.S. counterweapon—especially when one is, like Secretary Laird, endeavoring to stress the magnitude of Soviet threat and the relative modesty of our own response.

This sentence conveys a clear message to me—which is that we should roll over and do nothing in the face of this Soviet momentum. I suggest that this is one of the reasons, perhaps the major reason, why Secretary Laird is voicing his concern—that is, for the past 5 years we have been, in his words, virtually in neutral gear. Apparently, we should do even less, now that the Soviets are in high gear. I for one cannot accept this reasoning as a proper or acceptable philosophy for the United States.

It appears to me that Secretary Laird has made a rather cogent case for the current U.S. position, and that rather than being disjointed, his address is a valid explanation of the situation we face. From my reading of the speech, this position appears as follows:

First. We are concerned about the momentum behind the Soviet strategic buildup, and where that momentum will place them vis-a-vis the United States in the future unless we take offsetting actions or get a meaningful early agreement in SALT.

Second. The current strategic situation is not intolerable but could become so unless the United States takes steps to offset this Soviet momentum. These steps are geared to what can happen, rather than what has happened.

Third. The steps we have planned are negotiable at SALT and that is the place to resolve these issues.

Fourth. Pending success at SALT, we should not abandon these plans because we have no indication that the Soviet Union intends to slow down this momentum.

Fifth. We are serious in our approach to, and hopeful for success in, SALT.

Thus, I agree that "Secretary Laird has somehow given a persuasive arms control speech," but not, as the Post would have us believe, by accident. I believe he pointed out with excellent reasoning our approach to SALT, our concern about Soviet programs, and our desire—which I share—to resolve these issues at the conference table with the Soviets, rather than ignoring the other side of the strategic equation.

I ask unanimous consent that the Post editorial and the text of Secretary Laird's speech be printed in the RECORD.

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

SECRETARY LAIRD ON STRATEGIC ARMS

In San Francisco, in 1967, Secretary McNamara announced the Johnson administration's decision to go ahead with the Sentinel anti-ballistic missile system at the end of a long speech which had consisted mainly of arguments for not doing so: the facts he adduced simply pointed in a different direction from the conclusion he was to reach. Something similar happened—perhaps with less design—at a luncheon of the Associated Press on Monday, when Secretary Laird delivered an 18-page address focused on the gains the Soviets have made in strategic nuclear weaponry over the past five years and concluding from this the necessity for our proceeding with both the scheduled deployment of MIRVs in June and the (limited) Phase II deployment of the Safeguard ABM. It was a disjointed, indifferently argued speech and presumably it was meant to put pressure on the Soviets in Vienna and the congressional critics at home. But a close reading yields up another, unexpected result. For even those of us who did not oppose the President's ABM program last year and who are willing to acknowledge that summary, across-the-board arms agreements have their dangers and impracticalities must concede that Secretary Laird's Monday rationale for going ahead with MIRV and the ABM constitutes—despite itself—one of the most cogent arguments we have yet heard for a nuclear weapons deployment freeze. His own solutions, on the other hand, have only the most tangential relationship to the problem he describes.

The point is not facetious and it does not rest on either a disbelief in the Soviet progress Secretary Laird has cited or a sentimental hope that our conflict with the Soviets can be called off by joint communique. Rather, what the secretary's speech revealed with a special clarity was the built-in illogic of the position which must argue simultaneously the case for MIRV (which is designed to penetrate an ABM) and for an ABM (which is designed to defend against a force which has been MIRVed). And the more horrendous one makes the Soviet potential appear in both technologies, the more feeble one's own argument becomes for development of the U.S. counter-weapon—especially when one is, like Secretary Laird, endeavoring to stress the magnitude of Soviet threat and the relative modesty of our own response. In this connection the point might also be made that it is not quite accurate to describe the Soviets' effort as having been in "high gear" as compared with our own having been in "neutral" since 1965 "in both deployment and development of strategic nuclear weapons." While it is true that we have diminished our megatonnage, reduced the size of our bomber force and held to fixed numbers of land-based ICBMs and sea-based ballistic missiles, the development of MIRV—as the secretary himself observes—points to a massive multiplication of the nuclear warheads we will have available.

But we are not of a mind to argue with the secretary so much as we are to ponder the implications of much of what he said—even though he did not think it implied what we did. Secretary Laird, in his posture statement a while back acknowledged that the Soviet ICBM buildup, if it continued at the present rate, could make the planned Safeguard ABM obsolete in short order. In this address, while he argues the urgency of our proceeding with sea-based MIRVs as a hedge against a pre-emptive strike that would do in our bomber and land-based missile force, he also warns against the danger of depending solely on submarine-based missilry. He does not make a persuasive case that either the progress of the Soviet ABM or the prograss of the Soviet MIRV requires the deployment of our own MIRVs in two months, any more than he indicates that the Safeguard system will be adequate to the threat that may materialize. And as to the figures he provides on the Soviet ICBM development in the past five years, what the secretary characterizes as a Soviet attempt to "change the balance of power" turns out by his own account to be more like a Soviet attempt to create one: "The United States then, unlike the situation today, clearly occupied a superior position." We still do, of course, despite the gigantic efforts of the Soviets over the past five years. But the figures laid out by Mr. Laird suggest that the point may have been reached now when the much talked of nuclear weapons deployment freeze would in fact be in our common interest. As he himself put it while warning of the dangers ahead, "If their strategic posture could be expected to stay at the operationally deployed posture which exists today, I believe we would have a tolerable situation."

Whether or not some kind of freeze is in order is up to Mr. Nixon's negotiators to explore. Meanwhile, Secretary Laird's speech, as part of a tactical approach to the Soviets may or may not be of practical value. Elsewhere in his text the secretary observes that arms, as such, are not the cause of an arms race: "The fundamental driving force in an arms race is what one country perceives as possible objectives of another country's actions." That, like much of the rest of what Mr. Laird told the A. P. luncheon, is classical arms control dogma—only his perspective on its was a bit one-sided. What makes addresses like Secretary Laird's a bit chancy just now and the deployments he has in mind questionable is precisely that—how our objectives will be perceived—apart from whatever they actually are. As we said, Secretary Laird has somehow given a persuasive arms control speech, better in fact that those we have listened to in recent days and weeks by acknowledged opponents of what he is supporting.

ADDRESS BY THE HONORABLE MELVIN R. LAIRD, SECRETARY OF DEFENSE

I was particularly pleased when your President, Paul Miller of Gannett Newspapers, called me on a Saturday morning several months ago to invite me to speak to the Annual Luncheon of the Associated Press on the subject of the strategic balance. I told him that I regarded this forum as particularly appropriate to express my views on the need to make available to the American people additional information regarding national security.

When I assumed office 15 months ago, I immediately established as a top priority goal the restoration of credibility in the Department of Defense. Since then we have attempted to follow President Nixon's stated desire to make more information available to the American people.

The editors of the Associated Press and all members of the communications media in this country have a deep interest in this subject. I pledge to you that we shall continue to devote maximum attention to reducing and hopefully eliminating overclassification in the Department of Defense. And, we will provide all the information we can within the limits of national security, consistent with the safety and legal rights of our citizens.

This open news policy has brought about significant progress in at least five major areas where information was previously withheld from the American people.

1. Previous policy was to restrict public discussion of Prisoner of War matters. Present policy is to foster public discussion and to focus worldwide attention on the plight of our prisoners of war in order to gain humane treatment for them and to obtain their release.

2. Previous policy was to withhold from the public information on chemical warfare and biological research matters. Present policy is to keep the public informed about our new policies in these two areas, the reasons for these new policies, and the steps being taken to implement them.

3. Previous practices on reporting the costs of major weapons systems led to a major credibility problem in the Department of Defense. Our new policy of full disclosure on major weapons costs will help to restore the Department's credibility and will assist us in gaining better control of costs and in developing better management practices.

4. For several years, the American people were denied knowledge about our activities in Laos. Today, the American people are being informed about what we are doing and what we are not doing in Laos.

5. In the past, overuse of classification denied to the American people pertinent information on the nature and scope of the strategic nuclear threat. In my view, there is still too much classification, but we have tried and will continue to make more and more information available on this subject which is so crucial for the future security of our country.

In my remarks today I will attempt to shed more light on the crucial subject of the strategic threat. In particular, I want to discuss with you editors the nature and scope of the growing Soviet threat, recognizing full well that, in Vietnam, our negotiators have just begun round two of the Strategic Arms Limitation Talks, commonly called SALT.

I hope for success at SALT. I want to emphasize that point. I also want to emphasize that our top military leadership hopes for success at SALT. Where the security of the United States is involved, it is this objective—insuring national security—which is most important. A lower-cost means to achieve that objective, lower compared to what otherwise may be required,—if it can be achieved within tolerable risks—is obviously most desirable to all Americans, civilian and military.

The budget we have recommended to Congress for the next fiscal year demonstrates how deeply the Nixon Administration is committed to progress at SALT. We have called this year's defense budget a traditional budget. It is transitional because in terms of military capability, it is basically a status quo, stand-pat budget. We have postponed basic national security decisions in the strategic field in order to give maximum opportunity for SALT to be successful, and to foster a meaningful beginning for the era of negotiation President Nixon and the American people seek.

The objective of the Nixon Administration is to restore and maintain peace. With regard to SALT, the President's actions and words document this Administration's accent on negotiation rather than confrontation.

In my Defense Report to Congress in February, I expressed concern that the United States, by the mid-1970's, could find itself in a second-rate strategic position with regard to the future security of the Free World.

Today, in keeping with our policy of maximum information, I intend to present additional reasons for this concern.

It is important to discuss the growing strategic threat because it is essential for the American people to understand the complex issues involved, if we are to insure our national security interests through the decade of the 1970's. The American people need to understand the reasons President Nixon is pursuing the course he has recommended in this year's transitional budget.

As Secretary of Defense, I must face the fact that we are taking a risk by postponing hard decisions which the increasing Soviet threat poses for us. I recognize that in the interests of lasting peace, some risks must be taken. But, it is my judgment that as the American people are provided additional information, such as we are discussing here today, they will agree that we are literally at the edge of prudent risk. And the inescapable conclusion will be that if the Soviet strategic offensive buildup continues, the risk to our nation will become too great to sustain without major offsetting actions.

Therefore, what I particularly want to focus on today is the basic asymmetry between what the United States has been doing and what the Soviet Union has been doing in the field of strategic nuclear weapons in recent years.

In a word, for the past five years, the United States has virtually been in neutral gear in the deployment of strategic offensive forces, while the Soviet Union has moved into high gear in both deployment and development of strategic nuclear weapons. In the 1965–67 time period, the United States decided on a level of strategic nuclear forces, including Multiple Independently Targeted Reentry Vehicles (MIRVs), which was deemed adequate to preserve our deterrent posture for the threat of the 1970's which was projected then. No basic change has been made in the force level decisions established in the mid-1960's.

The Soviet Union, by contrast, has engaged in a major effort since 1965 to change the balance of power. The United States then, unlike the situation today, clearly occupied a superior position.

Except for the minimum "hedge" that SAFEGUARD will provide, we have not responded to the Soviet strategic offensive buildup with new deployment programs. We did not respond in past years because the United States deliberately chose to assume that the Soviet buildup at most was aimed at achieving a deterrent posture comparable to that of the United States. We have not responded this year because, as I have said, we fervently hope that SALT can render such a response unnecessary.

As much as we might wish it otherwise, however, we must concentrate our attention on what the Soviet Union is actually doing. In the current situation of a diminishing U.S. deterrent and Soviet momentum, we simply cannot base our plans and programs on what we hope the Soviet Union may do either unilaterally or in SALT. The Soviets have a momentum going both in strategic weapons deployments and in strategic weapons developments. If their strategic posture could be expected to stay at the operationally deployed posture which exists today, I believe we would have a tolerable situation. What must concern us, however, is the momentum the Soviets have established both in deployments and developments and where that momentum may carry them.

Let me explain in more detail the basic problem.

The most crucial aspect of national security is the strategic balance between nations that have competing interests in the world. The strategic balance has a direct effect on relations between the superpowers. It has an indirect effect on other nations both in terms of their own relations with each other and in terms of their relations with the superpowers. As one example, a situation of clear superiority on the part of the Soviet Union would have profound implications for any future political or military confrontation between NATO and the Warsaw Pact. In fact, a clear strategic superiority on the part of the Soviet Union would affect our interests and our obligations throughout the world.

In our continuing debate on defense matters, it has been said many times that the driving force behind the so-called strategic arms race is the "action-reaction" phenomenon. The recent ABM–MIRV discussions in this country illustrate this. The argument is made, for instance, that the deployment of defensive missiles by one side tends to generate increased offensive deployments by the other side.

I certainly agree that one side's actions definitely can influence what the other side does. But just as weapons in themselves are not the cause of wars, neither are a country's actions in weapons deployment—in themselves—the driving force in a so-called arms race. The fundamental driving force in an arms race is what one country perceives as possible objectives of another country's actions.

Let me explain it this way. Our goal is a stable peace. Our strategic policy to achieve that goal is deterrence. As publicly stated, the basic rationale for United States weapons deployment in the strategic field has been and remains deterrence. Our actions of the past several years underscore the fact that deterrence is our fundamental policy and that we seek no more than a posture of effective deterrence.

Because we in the United States seek a posture of deterrence to protect our interests and those of our allies, we obviously could recognize as legitimate a Soviet desire for a comparable deterrent to protect its interests.

I know that the actions of the Soviet Union in recent years have raised questions in the minds of some of you editors and others about the true objectives they are pursuing.

As I have said many times, I do not believe that it is appropriate for me, as Secretary of Defense, to attempt to assess the strategic intentions of another country. However, under my responsibilities, I must be concerned about present and potential strategic capabilities.

You representatives of a free press understand fully the national security price an open society must pay when competing with adversaries who cloak their plans in secrecy and attempt to hide both their objectives and their hardware behind the mantle of a closed society. The whole world knows what we in the United States have and what we plan in the national security field. Meaningful essentials are laid bare in an open forum—in official statements, in Congressional hearings, in the give and take of Congressional hearings, in the give and take of Congressional and public debate and in the reports of a free and competitive press. I would not have it any other way.

Let me emphasize again my conviction that the American people have a right to know even more than has been available in the past about matters which affect their safety and security. There has been too much classification in this country. In particular, too much has been withheld in the past about what has been going on in the closed societies of the Soviet Union and Communist China.

As we all pray for success in Vienna, let me point out that, in my view, the American people will support an arms limitation

agreement only if they are confident they have the relevant facts about the strategic balance.

The facts I am about to present are not taken from external Soviet discussions of their strategic forces. They do not come from press conferences in Moscow, from testimony in the Kremlin, from news stories in Pravda, or from published annual Defense Reports by Marshal Grechko.

Rather, the information I am presenting to you is based on our own observations of what the Soviets are doing—and on our belief that this information and these facts should not be withheld from the American people and should be made available to others in the world.

Let us examine what has happened in the past five years to shift the relationship between U.S. and Soviet strategic forces and to provide an accelerated momentum to the Soviets in the strategic field:

In 1965, the Soviet Union had about 220 launchers for the relatively old-fashioned missiles—SS-6's, SS-7's and SS-8's—somewhat similar to our TITAN. We had 54 TITANs in the inventory at that time.

Today, these two forces remain essentially the same. So in this category of old-fashioned multimegaton weapons the Soviets had and still maintain a better than 4-1 advantage.

In 1965, the Soviet Union had *no* relatively small ICBM launchers comparable to our MINUTEMAN. By 1965, we had 880 MINUTEMAN missiles operational and had established that the total force level for MINUTEMAN would be 1,000 launchers. In the 1965-67 time period, the United States finalized plans to convert a portion of the established MINUTEMAN force to a MIRV MINUTEMAN III configuration.

Today, the Soviet Union has over 800 such launchers operational, and a projected force that could exceed 1,000 launchers within the next two years. These launchers include both the SS-11 and SS-13 missiles. Concurrently, flight testing of an improved SS-11 missile continues. Thus, at present construction rates, the Soviets will achieve parity in MINUTEMAN-type launchers within the next two years or so and could move into a substantial lead in this category by the mid-1970's if they continue to deploy these missiles. The previously scheduled U.S. program to MIRV a substantial part of MINUTEMAN continues in progress.

In 1965, there were no operational launchers for the large Soviet SS-9 missile which, in its single warhead version, can carry up to 25 megatons.

Today, I can report to you that there are some 220 SS-9's operational with at least 60 more under construction. Testing of an SS-9 multiple reentry vehicle—the triplet version—continues. The U.S. has no counterpart to this program involving large missiles. So, in this area, the Soviets have and will maintain a monopoly.

In 1965, neither a depressed trajectory ICBM nor a Fractional Orbital Bombardment System existed in either the Soviet or U.S. inventory.

Today, the Soviets have tested both configurations and could have an operational version already deployed. The United States has developed nothing comparable to these systems.

In 1965, the Soviet Union had about 25 launchers for Submarine Launched Ballistic Missiles (SLBMs) on nuclear submarines, and about 80 more on diesel submarines. Most were designed for surface launch only. The U.S. had 464 SLBM launchers operational on 29 submarines in 1965 and Congress had authorized the last of the 41 nuclear-powered submarines in our POLARIS Force in the previous fiscal year.

Today, the Soviets have over 200 operational launchers on nuclear submarines for submerged launch SLBMs and about 70 operational launchers on diesel submarines. In the next two years, the Soviets are expected to have some 400-500 operational launchers on POLARIS-type submarines, and at present construction rates—6-8 submarines a year—could match or exceed the number in the U.S. force by 1974-75. United States POLARIS submarines still number 41 and no increase is projected in current plans. Conversion of 31 of our POLARIS submarines to the MIRVed POSEIDON missile is planned, and eight conversions have already been authorized by Congress.

In 1965, there was no development underway of a so-called Undersea Long-Range Missile System (ULMS) in the United States and there appeared to be none in the Soviet Union.

Today, the United States is spending relatively small sums in the research and development area on preliminary investigations of such a system. I can also report to you today that the Soviet Union, on the other hand, already is testing a new, long-range missile for possible Naval use.

In 1965, the Soviet heavy bomber force consisted of slightly over 200 aircraft, about 50 of which were configured as tankers. The U.S. heavy bomber force strength was about 780 in 1965.

Today, the Soviet heavy bomber force is slightly under 200, with about 50 still configured as tankers. U.S. heavy bomber strength has declined to about 550 today.

In 1965, we estimated that the Soviet Union had a complex of ABM launchers being constructed around Moscow as well as a number of radars under construction which could provide early warning acquisition and tracking functions for ABM use.

Today, we believe that 64 Moscow ABM launchers are operational together with sophisticated early warning radars and tracking capabilities. ABM testing for new and/or improved systems continues. Today, the first two SAFEGUARD sites have been authorized, but will not be operational before 1974-75. This modified deployment schedule is considerably behind the schedule Congress had approved in 1967 for the planned SENTINEL area defense, which called for initial capability in 1972, and nation-wide coverage in 1975.

Thus, in the space of five years—from 1965 to 1970—the Soviet Union has more than tripled its inventory of strategic offensive nuclear weapon launchers from about 500 to about 1700—which includes some 200 heavy bombers in both totals—and continues the momentum of a vigorous construction program. In that same period, the Soviet Union has virtually quadrupled the total megatonnage in its strategic offensive force. The United States, on the other hand, in the same time period, made no increase in its established level of 1710 strategic nuclear missile launchers and reduced its heavy bomber strength of 780 by over 200. In that same period the United States also reduced its megatonnage by more than 40%.

To repeat: The United States has taken no action to increase the total of approved strategic offensive delivery vehicles in the past five years in response to the rapid growth in Soviet strategic delivery vehicles. We have, of course, maintained certain options and other steps have been taken to preserve our deterrent in the face of this increase.

Two programs that have been the subject of intense public discussion are, of course, our MIRV and SAFEGUARD systems.

Let me emphasize that MIRV is needed to preserve our deterrent. Many people do not fully understand why it is necessary for us to continue the previously planned, Congressionally-approved and funded deployment of MIRV systems. The point is made that the current number of strategic nuclear weapons on alert in our force is sufficient for immediate retaliatory use in a crisis. Because MIRVing would more than double the number of deliverable weapons, the conclusion is drawn that this is unnecessary.

This conclusion could be valid, if we assumed that the POLARIS, MINUTEMAN, and Bomber forces all would survive a surprise attack and that the Soviet Union would not deploy an extensive ABM system. However, as was pointed out in my Defense Report in February, the rapidly-growing Soviet strategic offensive forces could seriously threaten both the U.S. MINUTEMAN and strategic bomber forces by the mid-1970's.

Assuming we do not take additional actions to offset the expanding threat—and this apparently is what some people urge—I must, as Secretary of Defense, face the disquieting possibility that in the mid-to-late 1970's we would no longer be able to rely on either the Bomber or MINUTEMAN force to survive a surprise attack. In such a situation, we would be left with only the POLARIS/POSEIDON deterrent force in our strategic arsenal for high confidence retaliatory purposes. This would pose intolerable risks for American security.

Thus, the critical choice in the face of that situation is this:

1. Do we rely on the fraction of the 656 current weapons that will be at sea on our POLARIS force if we do not convert to POSEIDON and do not defend our land-based strategic forces?

2. Or, do we continue the previously established program to convert 31 POLARIS submarines to the long-approved POSEIDON MIRV program—which would provide approximately the same number of sea-based retaliatory weapons on alert that we currently have today in the sea-based and land-based retaliatory forces combined, but with much reduced megatonnage?

Pending a successful outcome in the Strategic Arms Limitation Talks, therefore, prudence dictates that we must continue our approved program to MIRV current forces.

Moreover, as the experience of the past five years demonstrates, it would be dangerous and imprudent to place unquestioned reliance on the invulnerability of any single strategic system for more than five to seven years into the future.

This is why we must also, at the very least, preserve an option to defend a portion of our land-based retaliatory forces. That is a major part of what the proposed minimal addition to the SAFEGUARD Defensive program is designed to do. I will come back to that.

Because we want to give the Strategic Arms Limitation Talks every chance of succeeding, we are deliberately accepting certain risks by postponing hard choices related to strategic offensive weapons. These risks are acceptable only in the context of proceeding with the MIRV deployments that have been programmed and approved for several years and the SAFEGUARD increment we are recommending this year.

A second and equally important reason for MIRV is that it helps preserve our deterrent by increasing confidence in our ability to penetrate Soviet strategic defensive forces which, by the mid-to-late 1970's also could be quite formidable. In addition to the extensive air defense capabilities they already possess, the Soviets are pursuing a vigorous anti-ballistic missile research and development program designed to improve the present operational system or to develop substantially better second-generation ABM components.

We now have evidence that the Soviet Union is testing an improved long-range ABM missile. They are also expanding their radar surveillance coverage. We cannot rule out the possibility that they have or will give the extensively deployed SA-5 surface-to-air missile system an ABM role. We believe such a role is technically feasible for this system.

With regard to SAFEGUARD, which I men-

tioned previously, let me say this. In addition to other objectives, the reoriented SAFEGUARD program, initiated last year, is designed to provide protection for our land-based deterrent forces, the MINUTEMAN and Bombers. As you know, the President directed that each phase of the SAFEGUARD deployment is to be reviewed each year to ensure that we are doing as much as necessary but not more than that required by the threat. The increments of SAFEGUARD proposed so far will provide protection for a portion of our land-based deterrent, and permit flexibility with regard to our future course of action.

Without approval by Congress of the Modified Phase II SAFEGUARD protection proposed by the President, we would be forced to recommend going forward this year with other strategic nuclear offensive force programs.

All of my comments so far have, of course, been focused on the more immediate and troublesome threat posed by the Soviet strategic force buildup. The nuclear weapons program of Communist China also concerns us and directly relates to the need for preserving timely SAFEGUARD options as we move toward the mid-1970's. Time does not permit a discussion of this issue and the interrelationship of maintaining adequate strategic offensive and defensive forces to meet both the Soviet and Communist Chinese threats.

Where does all this leave us, and what is President Nixon attempting to do with the decisions he has incorporated in his Fiscal Year 1971 transitional defense budget?

Clearly, this Administration has not accelerated the previously planned deployment of offensive systems during our 15 months in office. On the contrary, we have slowed it down. The only major change we have made has been modification of the previously approved SENTINEL ABM deployment; and that change was a slowdown, not a speedup. We slowed the original deployment plan Congress approved, keyed it to the emerging threat on an annual review basis, and reoriented it to provide more timely protection needed for our land-based deterrent forces.

If the programmed forces established by the last Administration some years ago and approved by Congress were deemed appropriate and necessary for the security of the United States in the 1970's against the then projected threat, I am at a loss to understand how critics can claim that the Nixon Administration has escalated the arms race. The record clearly shows that we have not done so. We have chosen instead to defer major new weapons decisions as long as possible pending developments in the Strategic Arms Limitations Talks. In continuing the MIRV and ABM programs, we are simply going ahead with programs on which our deterrent policy was formulated by previous Administrations, even before the current momentum of Soviet strategic programs became clear.

With regard to the important talks which have just resumed in Vienna, the President has stated that every U.S. system is negotiable. To those who argue that the U.S. should take specific, and perhaps unilateral, action at the start of these negotiations, I would reply that the place to resolve these issues is at the conference table with the Soviets. Let us try to find out at the conference table the meaning of the Soviet Union's increased weapons deployments and let us conduct these important negotiations with full recognition of these continuing Soviet deployments.

My appraisal today has covered some of the available evidence of the Soviet military buildup. I am not unmindful, however, of possible other directions of Soviet policy that could be relevant to our security. There have been reports that Soviet economic problems may place pressure upon their leadership to devote major attention to internal matters, thus reducing the recent emphasis on a continued military buildup.

As Secretary of Defense, I will continue to hope that the shift in national priorities we have instituted in America will be duplicated in the Soviet Union. But until evidence of that shift is discernible in weapons deployment activities, I have no alternative but to base my actions and recommendations on the evidence available, much of which I have shared with you editors today and, through you, with the American people.

BLAME FOR RISING FOOD PRICES

Mr. HARRIS. Mr. President, all too often the American farmer is blamed for the rising food prices. However, statistics which have recently been made available indicate that while food prices have been rising, the price the farmer has been receiving has been declining. For example, recently when the price of bread increased from 22 to 23 cents, the price the farmer received for wheat, milk, and shortening decreased from 3.6 to 3.3 cents.

We now know that the farmer, like the wage earner, small businessman, and the homebuyer and builder, has suffered greatly from the inflation we have been experiencing. With a return of only 3 percent on his investment as opposed to a 10-percent return by major industrial corporations and some of the large farms, the average farmer finds it increasingly difficult to continue operating when his prices are falling and the country is experiencing a 6-percent rate of inflation.

I think it is important that we recognize the fact that the average farmer has been greatly hurt by inflation and that he is not responsible for the increase in food prices.

EARTH DAY COMMENTARY

Mr. FULBRIGHT. Mr. President, pollution and environmental problems have become the subject of massive attention in recent months—magazine articles, television programs, statements by the President, and many public officials, and a number of bills introduced in Congress.

On April 22, Earth Day, we had a national environmental teach-in, with various special activities to focus on the environmental crisis being planned across the country. Although I understand that Senator NELSON played a leading part in formulating this idea, it was developed, organized, and energized by many young people.

I welcome and commend all this activity and I am hopeful that it will lead to some truly significant accomplishments in combatting the critical environmental problems. At the outset, however, I feel compelled to offer a word of caution. There is a tendency among Americans, and all humans I suppose, to feel that if we talk about a problem long enough, if we express enough indignation and concern, that it will somehow go away. Witness the example of the Vietnam war. Many Americans seem to have convinced themselves that after all the tumult in this country in the months prior to March 31, 1968, Vietnam ceased to be a problem.

Many people have tried, and some have apparently succeeded in phasing the war out of their minds, despite the fact that the death and destruction continues daily.

Just as we cannot afford to lessen our concern about Vietnam until we have brought the war to an end, we must not deceive ourselves into believing that by voluminous talking and writing we have resolved the environmental crisis.

The crisis is of such proportions that it is going to take a concerted and large-scale, long-term effort to effectively deal with it. One encouraging aspect of all the concern about the environment and ecology is that there are signs that this is an issue that could unite rather than divide Americans. All of us are affected by these problems and all of us need to work together in solving them.

Several significant measures have been passed by Congress as we have belatedly moved to confront these problems. Of course, as in the case of many other domestic needs, environmental quality activities are severely limited due to the lack of available funds. As I have often stressed, it is a matter of priorities, and as long as we have such a massive involvement in Vietnam and are spending billions for more and more armaments, these crucial domestic programs will be short changed.

This is even more tragic because reasonable expenditures now may save some enormous costs later. We need to act immediately to prevent the further despoiling of our air, water, and soil, rather than to wait until matters are completely out of control.

As an example of our current priorities, the $1.5 billion the administration plans to spend on the ABM this year is considerably more than allocated for control of air and water pollution. The fiscal 1971 budget provides $275 million for the Supersonic Transport—SST—aircraft as opposed to $106 million for air pollution control.

The total cost for the SST is estimated at $2.5 billion or more. We have been told that the SST can be used only for transoceanic flights because of the clamorous sonic booms. If they are flown over land they would add further to our considerable "noise pollution" problem. Anyone who lives or works near a major airport probably feels that this problem—plus the grimy exhaust-laden air—could not get much worse. All too typical of the times is the fact that the U.S. Army Band may have to move its traditional Washington outdoor summer concerts from Watergate. Because of the aircraft flying into or out of National Airport, trying to play or hear music is a losing proposition.

The folly of the SST should be evident. The jumbo jets already in service can carry more passengers over a longer range at lower fares than the SST. And if we are really worried about transportation, should not the problems of the millions living in our urban areas take precedence over the desires of a few who may be eager to get from the New York traffic jam to the London traffic jam a little faster?

The money could be well spent on developing and expanding urban rapid

transit rail systems, which would help alleviate the squeeze and pollution in our streets. Or the funds could be applied to developing and improving high-speed rail service between our major cities, thus reducing the mayhem on our highways.

Technology has brought some benefits to mankind, but no longer can we afford to ignore the human and environmental consequences of technological development.

We must also keep in mind the increasing population pressures in the world, which heighten environmental difficulties. Our deteriorating transportation situation, our problem with waste disposal, our noisy, dirty, crime-plagued cities make the problems of urbanization all too clear.

The need to raise more food for the ever-increasing world population can wreak additional damage by upsetting the balance of nature. We increase the threat to survival by heavy use of pesticides and certain chemicals which pollute streams, linger in living tissues, and threaten wildlife species. The pollutants we pour into the air not only harm man's health directly, but also may change atmospheric conditions dangerously.

I have in the past and will continue to support programs to provide assistance for population control programs in developing countries, as well as voluntary family planning in our own country, and I believe such programs are of great importance.

A very visible component of our environmental blight is the ugliness, clutter, and litter that we see not only in our urban areas, but in the countryside as well. This is why it is important to act to preserve some of our more beautiful natural scenery. An example of this is the bill to make the Buffalo River in Arkansas a national river, a part of our national park system. This bill would enable the preservation, in its free-flowing, natural state, of an important segment of this beautiful river in an area which contains unique scientific features. This bill was passed by the Senate in September, and we are hopeful of favorable action in the House.

In many sections of the country water supplies are contaminated, and marine life is imperiled. Between 15 and 20 million fish are being killed each year by water pollution. Some of our rivers have even become fire hazards. However, the budget request for water pollution control is less than the program authorized by Congress in 1966.

Solid waste disposal is a problem that grows by the hour and is plaguing more and more cities. We are burying ourselves under 7 million scrapped cars, 30 million tons of waste paper, 48 billion discarded cans, and 28 billion bottles and jars a year. Newspapers in two Arkansas cities, Fort Smith and Pine Bluff, have recently reported on the increasing problem there. On an average, every Arkansan living in an urban area throws away 4 pounds of solid waste every day of the week. A State official points out that most Arkansas cities are still operating open dumps where garbage is burned. This contributes considerably to air pollution and is against the law. A Fort Smith reporter, Taylor Joyce, recently wrote in the Southwest Times Record:

For as long as some local residents can remember there has been an open dump down along the Arkansas River on Fort Smith's northwest side. There has been almost perpetual burning there, creating noxious odors and blanketing the city with billows of smoke.

The dump has attracted insects and vermin and has been a breeding ground for flies, mosquitoes and rats.

The City Health Department wants to eliminate the dump because of the health hazards it creates.

But perhaps most important of all, the Arkansas Pollution Control Commission says the dump has to go because it poses an air and water pollution threat.

In Arkansas we have had the opportunity to avoid some of the problems and mistakes which have occurred in the older, industrialized States. The opportunity is rapidly slipping away from us. Not many months ago, speaking of the Arkansas River development project, I stated that by preserving the beauty of the river, the purity of the water and air, and retaining favorable living conditions for those who work in the area, it could truly be a model development. Now, it is most disconcerting to read of a statement by a State health department official who says that the Arkansas River could not be made pollution free because of increasing industrialization of the river valley and pollution caused by out-of-State sources. In an editorial on the subject, the Arkansas Gazette pointed out:

As it happens so frequently in the environmental field, the problem is interstate in nature and it presents a challenge for the federal anti-pollution effort that President Nixon promises his administration is ready to undertake. Already the federal government has spent over a billion dollars to create the inland waterway, and that ought to be enough to give it a vested interest in the quality of the water that flows down the costly river channel.

The problems are vast and numerous. We are, literally, surrounded by them. I hope that Earth Day will have marked the beginning not of conflict and confrontation, but of resolute and united action on many fronts to improve the quality of life and living conditions.

Mr. President, I ask unanimous consent that the editorial on the Arkansas River, from the Arkansas Gazette, and the articles on waste disposal, from the Southwest Times Record and Pine Bluff Commercial, be printed in the RECORD.

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

[From the Fort Smith Southwest Times Record, Apr. 11, 1970]

CITY'S OPEN DUMP CREATES PROBLEMS

(By Taylor Joyce)

For as long as some local residents can remember there has been an open dump down along the Arkansas River on Fort Smith's northwest side. There has been almost perpetual burning there, creating noxious odors and blanketing the city with billows of smoke.

The dump has attracted insects and vermin and has been a breeding ground for flies, mosquitoes and rats.

From an aesthetic point of view, the dump has been an eyesore.

But with all its offensive features the dump has served its primary purpose pretty well. It has provided a place for the city to dispose of its solid wastes.

This has caused some citizens to ask, "Why all the clamor to abandon the open dump and go to another system of refuse disposal, namely a sanitary landfill?"

The reasons for wanting the change are almost as diverse as the people offering them.

Some want the dump removed for aesthetic reasons. They object to the smoke and the smell.

The City Health Department wants to eliminate the dump because of the health hazards it creates.

But perhaps most important of all, the Arkansas Pollution Control Commission says the dump has to go because it poses an air and water pollution threat.

Dr. L. A. Whittaker, director of the City Health Department, said, "There isn't any question in anybody's mind but what air pollution is a big problem down there."

He expressed concern over the burning of automobile tires. "Tires contain a great deal of carbon which is one of the factors in lung cancer," Dr. Whittaker said.

He also talked about the burning of paints, old batteries and toys containing lead. "It doesn't take much lead in the air to pose a real health hazard."

"Fortunately for the city the prevailing wind is out of the east and that keeps the city clear of the fumes and smoke for the most part," Dr. Whittaker said. "But when the weather is just right, high humidity and air relatively still, the air pollutants are a real problem for persons suffering from asthma, emphysema, bronchitis and other respiratory diseases."

"To my knowledge no one has ever died around here from the smoke and fumes, but they do aggravate those types of illness," he said.

Dr. Whittaker also pointed out that the dump provides a breeding place for mosquitoes and rats although there is no evidence that they are infected with the dread disease sometimes associated with them—bubonic plague in rats and malaria in mosquitoes.

"There is a large rat colony in the area, and the biggest problem with them is their consumption of human food and contamination of stored foods," Dr. Whittaker said.

Elimination of the dump could be expected to greatly reduce the numbers of these pests.

However, the greatest pressure for removal of the dump has come from the Arkansas Pollution Control Commission.

City Administrator Cliff Keheley said, "They wrote us a letter in 1967 telling us that the dump had to be off the river by the time Lock and Dam 13 was closed. They set a deadline of Aug. 1, 1969."

Although the deadline has already passed, Keheley says the commission hasn't pushed for compliance with the mandate. "The dump is definitely in violation of the state's air pollution code," Keheley said, "but the commission realizes the problem associated with removing the dump and hasn't pushed us too hard yet." Why couldn't the present dump be converted into a sanitary landfill?

"It's too small for one thing," Keheley said. "And the burned matter that's out there couldn't be successfully used to compact the garbage as is necessary in a landfill operation. You would have to remove all the burned matter and get down to the original earth and that could run into considerable cost."

So the city is searching for a landfill site, and hoping that the pollution control commission's patience doesn't wear thin until the site can be found.

[From the Pine Bluff Commercial, Apr. 5, 1970]

GARBAGE: WILL BE SWAMPED IN A SEA OF THROWAWAY PRODUCTS?

(By George Wells)

Of The Commercial Staff

The problem was bad enough to begin with.

And it's getting worse.

New people coming in all the time. Every once and a while a new plant of some kind. New services are opened to serve the new people.

And all of this mounts up. Literally, in the case of garbage.

On an average, every Arkansan living in an urban area throws away four pounds of solid wastes every day of the week. That's about 240,000 pounds a day at Pine Bluff.

Of course, this includes prorata share of industrial and commercial wastes. But that does not alleviate the problem.

Chances are, on top of all this pile of garbage, that things are going to get worse before they get better. Along with the population explosion—which may not be as marked in Arkansas as some other places, but which is nevertheless serious here too—there is the explosion of disposal products.

Throwaway bottles. Throwaway cans. Throwaway paper goods.

In fact, at the rate we are developing convenience through throwaway goods, we may soon conveniently swamp ourselves in a sea of wastes.

Any way you stack it, solid waste is a serious and growing problem.

What can be done about it?

Bury it. Burn it. Use it again. Mine it.

Roughly speaking, these are the alternatives in order of feasibility.

The State Pollution Control Commission is currently nudging municipalities to use landfills—dumping solid wastes into trenches, holes, natural ravines, borrow pits or gravel pits and covering the wastes periodically with dirt.

Sid Fitzgerald, solid wastes specialist for the commission, said that at present this is the best method available that most cities in Arkansas can afford.

One of Arkansas's big problems right now, he said, is that most cities are still operating open dumps and burning garbage in the open. This contributes considerably to air pollution and is against the law.

"But what can you do?" Fitzgerald said. "If you go in and tell them to stop, it complicates the problem. We're trying to encourage cities to go to landfills."

Controlled burning as a method of disposing of waste is getting a lot of attention right now, Fitzgerald said, because "people think that when you burn it, you've gotten rid of it."

However, he pointed out, burning is essentially only a method of reducing volume and there is still the problem of disposing of the residue. "This sometimes presents more problems" than it solves, Fitzgerald said.

But the basic problem with controlled burning, or incineration, is its high cost. Fitzgerald said he and Arthur (Bucky) Hendrix of Pine Bluff, who works with him in the agency, visited an incineration plant in Ohio.

"It cost six and a half million dollars," Fitzgerald said, "and got rid of 500 tons a day. And they still needed a place to deposit the residue."

Recycling, or finding some way to use wastes again, is also getting a lot of attention nationwide. Scientists have insisted publicly that, in the long run, this is the only solution.

These scientists advocate recycling not only to solve the problem of disposing of wastes, but also because they feel there is a limited amount of resources on the planet, and they will eventually play out if they aren't conserved and reused.

To date, however, little progress has been made in finding practical means of doing this. This is one of the major areas of study.

Fitzgerald said that probably the only serious attempt at recycling any wastes in this state would be with waste paper. He said that he did not know of any municipality that was doing this.

Mining garbage is, at the present state of the art, out of the question because of the extremely high cost of extracting reusable metal compared to the return.

There is another method related to the last two: composting. In this method, salvageable products are removed from the total waste, and the organic matter is then ground up and allowed to decompose through the action of bacteria.

The resulting product, compost, is generally used for soil nutrient.

The only problem with this is that there is no sizable market for it. Six such operations have already folded, Fitzgerald said, and the only ones that he knows of still in operation are subsidized by the government for research purposes.

He related that in one case he was familiar with, a private firm received $4 a ton from the city to haul off the stuff and make compost out of it and the operation still lost money because there was no market. The compost produced is expensive in comparison with regular fertilizers, Fitzgerald said.

So all roads lead back to the landfill.

"We're pushing the regional concept," Fitzgerald said.

By this, he explains, is meant a central operation serving several communities or a whole county. In fact, he said, he favors the regional concept regardless of whether the method of disposal is landfill, burning or anything else.

Sometime in the near future, he said, he and Hendrix will visit a countywide operation in Alabama. In this system, Fitzgerald said, containers similar to the ones used for the automated pickup in Pine Bluff are placed around the county. Containers for several yards are placed in neighborhoods in towns.

Irregular open dumps have been eliminated through its system and "from all reports we have received," the system seems to work.

Fitzgerald said that, taking into account the economics of the problem, some variation of this system will probably be the solution for some time to come.

There are shortcomings to the landfill operation, of course. These include:

LAND AVAILABILITY

In the East, many cities have already run out of available land, and if every city in Arkansas goes to this method, obviously the amount of land available and suitable will someday run out.

SEEPAGE

This could cause problems by polluting the water supply by draining through wastes and percolating through the soil to the water table. This problem is minimized by reducing runoff and by controlled digging.

Obviously one of the things involved here is simply not to dig deep enough to go into the water table. The other thing is to arrange drainage so that excess water is diverted around the site, thus reducing the water problem to that which falls directly on the site.

WEATHER

On top of presenting a drainage problem when it rains, there is the problem of the condition of the soil. If it rains too much, equipment can't be worked on some sites. If it is too cold, the ground freezes and becomes unmanageable.

To a certain extent, there is no defense against the weather. But some weather problems can be minimized in the same manner as above: by controlling drainage, in the case of water runoff, and by providing all-weather roads to the site.

"Sanitary landfill is just a stopgap method right now," Fitzgerald said. "It is the best method right now and until an economical method of burning or recycling is found," he said.

It is feasible in Arkansas for the time being, he said, primarily because of the relatively small population of the state.

"Sanitary landfill is not going to solve all the problems," he said. "In Arkansas, the problem can be summed up as a lack of cash, a lack of concern and a lack of awareness."

In many towns, Fitzgerald said, there is no garbage service because "public officials are afraid to do anything" that will cost money. "A lot of cities are large enough and should have garbage collection, but don't," he said.

In some of these cases, he pointed out, the Pollution Control Commission was suggesting a modified form of sanitary landfill—"cover it up once or twice a week or maybe only once a month."

But the important thing is, he said, that some form of disposal system be used. "This is as important as sewage disposal and water supply, and it should be handled that way," he said.

After a site is used up, Fitzgerald said, a city could use it by building a park or a golf course there.

Some other things that have been suggested, he feels, are not practical. Especially, he feels, the idea of building houses on them should not be adopted because there is some seepage of methane gas.

The seepage itself is not serious, he said, but the gas—which is created by the decomposition of organic matter—can accumulate in a closed place and become a problem.

[From the Arkansas Gazette, Mar. 9, 1970]

UNSETTLING REPORT ON THE DIRTY ARKANSAS

Glen T. Kellogg, the chief environmental engineer for the state Health Department, made a statement to the North Little Rock Rotary Club last week that ought to be terribly unsettling to everyone who had hoped and expected that great recreational benefits would accrue from the $1.2 billion Arkansas River navigation project.

Mr. Kellogg said he doubted that the river could ever be made safe for recreational use in Arkansas. The stream, he said, could not be made completely pollution free because of increasing industrialization of the river valley and pollution caused by out-of-state sources.

If the navigation project results in the sort of situation that Mr. Kellogg fears it will, then the industrialization that is so badly needed in Arkansas in the long run is going to be of such dubious value that it may be a liability. The engineer urged residents of Arkansas not to allow further pollution of the river, and that is indeed sound and compelling advice. Industry that pollutes should not be made welcome, no matter how many dirty dollars it brings into the economy; if it locates here anyway, it should be required to fully clean up its waste before dumping it into the river, just as the cities along the river are now being required to treat their sewage sufficiently before disposing of it in the stream.

In any event, the fact that the Arkansas River flows across state lines cannot serve as an excuse for states up the river—Oklahoma, Kansas and Colorado—to permit pollution-emission standards so low that Arkansas downstream has to accept the filthy byproduct of industrial growth that it receives no economic benefit from. As it happens so frequently in the environmental field, the problem is interstate in nature and it pre-

sents a challenge for the federal anti-pollution effort that President Nixon promises his administration is ready to undertake. Already the federal government has spent over a billion dollars to create the inland waterway, and that ought to be enough to give it a vested interest in the quality of the water that flows down the costly river channel.

PROPER MEDICAL CARE MUST BE PROVIDED FOR VETERANS

Mr. PERCY. Mr. President, the Nation has a long and proud tradition of showing itself grateful to those citizens whom it has called to arms in time of war. Nowhere is this gratitude better or more fittingly expressed than in the comprehensive medical care provided for veterans, and, most particularly, for veterans with disabilities arising out of their military service. To furnish this care, the Department of Medicine and Surgery of the Veterans' Administration operates one of the largest medical systems in existence, including 166 hospitals with more than 100,000 beds, over 200 outpatient clinics, and a number of other facilities. On any given day, more than 80,000 veterans will be occupying Veterans' Administration hospital beds; every month there are more than half a million outpatient visits to VA medical facilities.

But size and quantity of medical care are not enough. The veterans of this Nation, especially those with service-connected disabilities, deserve the very best medical care that can be provided. I am, therefore, very distressed by the reports of recent months which indicate that some elements of the Veterans' Administration hospital system may be deficient. I am particularly concerned to learn that staff shortages in the neighborhood of 1,300 positions have been reported in the six VA hospitals in Illinois and that the directors of these hospitals feel that they have inadequate funds for a number of purposes such as the placement of veterans in community nursing homes where care of this type would be advisable.

I am, however, encouraged by the fact that the appropriate committees of Congress have taken note of these allegations of deterioration in the medical care provided our veterans and have launched intensive studies to determine just what the shortcomings are and what needs to be done to correct them. In particular, I commend the Subcommittee on Veterans' Affairs of the Senate Committee on Labor and Public Welfare and the Committee on Veterans' Affairs of the House of Representatives. These two committees have taken the lead in investigating the present state of veterans' medical care, and I have confidence that the necessary improvements will be made. We must be certain the Veterans' Administration hospital system will again qualify for the praise it received almost two decades ago, in August 1951, in the report of the Committee on Labor and Public Welfare:

> The quality of medical care available to the beneficiaries of the Veterans' Administration has been raised to a point where it unquestionably represents the best medical care available anywhere in the world at any time in the world's history.

WELFARE REFORM

Mr. McGOVERN. Mr. President, the Senate will soon be asked to vote on President Nixon's welfare reform package. I have recently seen two items in the press which I believe have important bearing on that vote.

The first article, by Eve Edstrom, reports that OEO's current income maintenance experiment is finding, as many of us have long argued, that the vast majority of the poor in this country are not welfare chiselers, but people who desperately seek to work their way out of poverty.

The second, by Jack Rosenthal, reports on a unique private offer of funds to help improve OEO's experiment by expanding the range of alternatives it is able to consider. Because of the importance of the OEO experiment to the case for welfare reform, I hope that Senators will examine these two articles closely and that OEO will decide to improve its experiment by accepting the reported offer of Mr. Leonard Greene. His concept of full work incentive is well worth close examination.

I ask unanimous consent that the two articles be printed in the RECORD.

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

[From the Washington Post, Mar. 3, 1970]

GUARANTEED-INCOME PLAN BREEDS PRIDE

(By Eve Edstrom)

PRINCETON, N.J.—Giving poor families extra cash to supplement their earnings apparently brings out the Puritan in them.

A sampling of attitudes among 10 per cent of families enrolled in an experimental guaranteed annual income project shows that most families in the program express contempt both for welfare payments and for people too lazy to work.

One father who receives a cash payment to add to his working wages said: "It's not a good idea if you like to drink or you're lazy."

A Spanish-speaking father in the same plan said, "It's an honor to work." A Negro machine operator added a qualification. "I love to work—'cause I have to," he said.

The family heads who made the above statements receive the income payments under a program similar to the landmark legislation proposed for all of the nation's poor families by President Nixon. The bill is scheduled for a vote on the House floor next month.

Until now, the preliminary results of that $4.5 million government-financed experiment have been put forth in general terms or in cold statistics.

But last week, Mathematica, a research group based here, released verbatim quotations from interviews with 10 per cent of the more than 7,000 families who receive the cash guarantees in New Jersey and Pennsylvania.

Although a few families expressed some reservations or misconceptions about the program, more typical responses included such statements as it is "four to five times better than welfare" or "it seems simple and uncomplicated compared to most government programs."

Unlike welfare, the families do not have to fill out complicated forms, do not have to account for how they spend their money, do not have to forfeit assets, and are not supervised by case workers and investigators.

In fact, the experiment's workers go out of their way not to advise families. If families need help, such as finding housing, they receive a list of agencies to contact so that they can learn to help themselves. The cash payments are strictly divorced from any services.

To be eligible for the payments, a family submits to a quarterly interview and reports its income and family composition each month. The income report form, as one family said, "couldn't be simpler. You'd have to be pretty stupid" not to understand it.

The one-page form, covering a four-week period, asks the family to list any changes in household members (because grants are based on family size) and to list earnings before taxes and other income such as Social Security benefits.

Families include their paycheck stubs with the report. If they don't have stubs, they can submit signed statements from employers. Their benefits are recalculated every four weeks, but are based on average earnings over the last three-month period.

Because the experiment is aimed simply at determining how income guarantees affect work patterns of those who receive them, the families are under no obligation to account for how they spend the extra cash.

But the families have shown a strong desire to prove they are worthy of the payments. Many have voluntarily attached paid bills to their income declaration forms to show how they have spent the money.

That the money is being used in a variety of meaningful ways was also shown by the interviews that Mathematica conducted last month in Trenton, N.J., where the first project families were selected in 1968, and in Paterson, Passaic and Jersey City, N.J., and Scranton, Pa.

Two Scranton families are using the money, spread over a three-year period, to renovate their homes.

"This way we are increasing the value of our home and will have something to show for the money," one family said.

That family has renovated one room and named it the "Council of Grants to Families" room. The Council is the subsidiary which issues the payments to the families.

Another family, noting that the payments were enabling it to move from a "dump" to a nicer apartment, said:

"We are trying to plan ahead. In three years, I might be making good money, and by then the kids will be older and my wife could possibly work. It sure has raised our standard of living."

A 60-year-old mother, living with her son's family, said the payments would make it possible for her to delay in applying for Social Security benefits until she was eligible for the maximum amount.

The income guarantee is helping one railroad worker to sit out a layoff, and has helped factory workers to get through "vacation without pay" periods.

A commonly expressed view was that the money gave families a small measure of security in case of illness or job difficulties. This was best expressed by the family that said:

"We aren't using the money to pay the electric bill or things like that. We put a little aside and just having it gives you peace of mind in case anything should happen."

Several families were negative in their responses, saying the money wasn't sufficient to help them provide adequately for their families.

A few families looked upon their bimonthly checks as windfalls to be used for spending sprees.

One young father has been quite successful in using his guarantee to extend his credit rating so that he could lavishly furnish his public housing apartment—complete with bar. He also tried to con the experiment's workers out of giving him his payments in one lump sum so that he could have a "stake."

Among those interviewed, there was almost universal contempt for the existing dependent children's welfare program, which began in the 1930's and would be replaced by the Nixon administration's Family Assistance Plan of income guarantees.

One family said that "on welfare you can't go any place or raise your cultural level." Another said welfare "kills people," and a third said welfare "makes liars and cheats" out of people.

Only a few of the income experiment's families did not endorse the concept of a national income guarantee plan.

"I don't think it will work," one father said. "It's like putting the whole country on welfare."

But the overwhelming view was expressed by families that said the program was a "good idea," that "all the people in the cellars and in the slums need it," that "you need a program for those not rich."

"Professionals can always find a job in their field," one Jersey City father said. "But there is no such thing as a guaranteed factory job."

Similarly, a Scranton father said:

"It's giving those who are already trying a chance to get ahead. Everyone can't count on steady work . . . Take Scranton. Six years ago if you wanted a job as a dishwasher you had to fight at least 10 other guys to get it. Think how much this program would have meant then."

Most of the families showed a clear understanding that the income guarantees, which average less than $100 a month, go down as earnings go up.

"You work more, you get less," said one father.

Another said he took a job knowing that the guarantee would go down, because he wanted to better himself. And one enrollee, who now only receives $20 a month, said that small incentive has made him "work harder in the last months putting in overtime whenever I can."

Under eight different combinations of tax rates and guaranteed income levels, the guarantees are entirely eliminated when earnings go above a certain level. To date, 10 per cent of the families in Trenton, Paterson and Passaic have increased their earnings so that they no longer are eligible for the guarantees.

One father correctly figured the point where he no longer would be eligible for benefits and said, "I'd be happy to go above it"—indicating, as many of the answers did, that the cash payments do not slow down work effort.

Typical comments were "I'd rather work than sit," and "it's all I ever knew all my life." Another family head said work was necessary so a guaranteed income plan would be "more an insurance policy than a handout."

The experiment is being financed by the Office of Economic Opportunity under contracts with the Institute for Research on Poverty at the University of Wisconsin, and Mathematica.

Although developed under the Johnson administration, the experiment is proving to be a unique testing ground for President Nixon's revolutionary welfare reforms, which appear assured of Congressional passage this year.

The reforms are mammoth in that they establish the first uniform federal income guarantee ($1,600 for a family of four) and include working poor families, as well as the non working poor, for the first time.

Critics have said the program might lead to widespread loafing. But the Mathematica interviews suggest the program, in the words of one father, will give the "guy who tries the feeling that it is worth it."

[From the New York Times, Feb. 28, 1970]

INVENTORY OFFERS TO SUPPORT TEST OF WELFARE GRANTS AND WAGES

(By Jack Rosenthal)

WASHINGTON, February 27.—A computer scientist from White Plains, N.Y., thinks that the Government is approaching welfare reform in the wrong way and is willing to put up $500,000 of his own money to prove it.

"The present system is terrible, and even the President's welfare reform plan would, in effect, put poor people in the same 50 to 67 per cent tax brackets as industrialists," says Leonard M. Greene, a 51-year-old inventor and producer of on-board computers for commercial aircraft.

He regards even a current Federal income-grant experiment as unsatisfactory and this week wired an offer to the Office of Economic Opportunity.

He would, his telegram said, personally support a broadening of the experiment to cover 100 poor families if they could receive income grants and also be allowed to keep all outside earnings.

The present experiment, conducted in New Jersey, seeks to determine what 1,359 low-income families do with income grants if they are permitted to keep some but not all outside income.

PRELIMINARY FINDINGS

The O.E.O. issued a preliminary report last week indicating that families with grants are more likely to work than non-recipients. The experiment has two years to run.

An O.E.O. spokesman said today that the agency was not prohibited from accepting private grants. Mr. Greene's proposal, he said, "is an interesting offer" but the agency will have to learn more about it before acting.

Mr. Greene hopes to broaden the experiment to find out what happens to work incentives when poor people can keep all they earn plus the grants.

Mr. Greene, a one-time test pilot and air taxi operator, says the offer could cost him $500,000 over two years. He admits with a shrug that he is not sure the contribution would be tax-deductible.

In a slightly "mod" suit and wide tie, he does not look at all like a zealot, but like the wealthy businessman he has become as the result of his computer inventions.

"I don't consider myself a nut," he says, "or even as all that altruistic. I'm successful, but so what? Unless our society can solve this (poverty) problem, I'm a success on a sinking ship."

Mr. Greene came to Washington this week seeking support in Congress for his own welfare reform proposal, keyed to the same idea as his offer to O.E.O.—that the poor should get income grants and be able to keep all outside income besides.

Under his "fair share" plan, all citizens, poor or not, would receive income allowances. Those received by the poor would be untaxed or taxed at low rates. The amount of tax on the allowance would increase gradually, like the income tax, so that non-needy families would keep nothing of the allowance.

Mr. Greene believes that the Nixon Administration's proposed family assistance program, to reform the present welfare system, suffers from the same fault as the O.E.O. experiments.

Under the proposed program, pending in Congress, a poor family would be guaranteed $1,600 in annual Federal grants. It could earn an additional $720 without penalty. But it could keep only half of any earnings above that.

REBUFFED BY TRAINEE

"And that's tantamount to a 50 per cent tax," Mr. Greene says, "67 per cent if you add what the states might add."

Mr. Greene first came to devise a welfare reform system three years ago when his Safe Flight Instrument Company offered a good salary to a black youth to become a computer technician-trainee.

"And yet the boy had to turn us down," recalls Mr. Greene, eight of whose own 12 children are now in college. "The additional income would have disqualified his family from its place on the waiting list for public housing. What kind of society is it that compels a young man to barter his whole future for a place on an apartment waiting list?"

He believes that present law encourages people "to become 'vegetablized' and live on the dole. The only work they can seek is in hidden, cash jobs like driving cabs, caddying—and crime. These cash jobs are precisely those with no future."

"We should be encouraging people to work and to get ahead," he says, "not penalizing them for it."

ENDING THE WAR

Mr. SCHWEIKER. Mr. President, I commend President Nixon for the work he is doing to end the tragic Vietnam war and for his excellent speech to the Nation on this work on Monday night.

In my view, the President accomplished two significant things by this speech:

First. Despite reported pressures from various military sources to curtail American troop withdrawals, he announced a continuation of the present rate of troop withdrawal without any break in the monthly average.

Second. We preserved a flexibility in the daily handling of our disengagement from Vietnam which he should maintain as Commander in Chief of our Armed Forces.

All Americans should be heartened by his pledge of withdrawal of an additional 150,000 troops in the next year. The President, by this dramatic step, has shown his good-faith intention to end the war, but without moving so precipitously as to endanger the lives of American troops not included in present withdrawal plans.

I have often told the people of Pennsylvania in the last year and a half that President Nixon has taken steps which no previous President has done by actually removing troops, by actually scaling down the intensity of the combat, and by actually reducing the level of American fatalities.

I share his regret that negotiations in Paris have not borne fruit up to this point, but I urge continued efforts in Paris in the hope that there still may be encouragement from this quarter.

President Nixon showed Monday night that he is on the right track, and he has my full support.

THE WARSAW GHETTO UPRISING: A COMPELLING REASON FOR SENATE RATIFICATION OF THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, this week marks the 27th anniversary of the Warsaw ghetto uprising. It is particularly fitting and proper that we should pay tribute to the inhabitants of the Warsaw ghetto who gave their lives in an attempt to preserve the rights of their comrades.

In September 1939, the Nazis invaded Poland, and by October had completely taken over the country with its Jewish population of over 3 million. The occupation was immediately followed by a series of restrictive laws, designed to subject the Jews to starvation and disease. In Warsaw, this was accompanied by the institution of the "ghetto," an area of 100 city blocks, into which 450,000 Jews were confined.

In the face of many hardships imposed on them by the Germans, an organiza-

tion called the Jewish Fighter Organization—ZOB—was formed. The militancy of this group grew when it was learned that the thousands of Jews who were deported daily faced certain death in the gas chambers. However, due to the scarcity of firearms and the limited cooperation of the non-Jewish resistance, it was not until April 19, 1943, that the ZOB presented an organized attempt to drive the Germans from the ghetto.

Initially, they were successful, inflicting heavy German casualties, and routing their tormentors. Nevertheless, the Nazis responded with soldiers, tanks, and bombs. By May 16, they had leveled the ghetto and but for a few exceptions, had liquidated its entire Jewish population.

In 1948, the United States, along with 47 other countries, signed the Universal Declaration of Human Rights. The designers of this declaration among other things sought to define and to prevent the crime of genocide as it was practiced by the Germans against the Jews in World War II.

This week hearings open on the Genocide Convention. The United States was instrumental in drafting this convention, as it has been in the drafting of many other human rights conventions. However, we have not yet ratified this or any treaty which would demonstrate our strong opposition to the crime of genocide. It would indeed be a tribute to the brave people of Warsaw if the United States took speedy action in the ratification of the Genocide Convention.

EASTERN AIRLINES NEWARK TO WASHINGTON SHUTTLE

Mr. CASE. Mr. President, as one who joined with our entire congressional delegation in the effort to keep the Newark to Washington shuttle in operation, I am, naturally, pleased that Eastern Airlines now has decided to continue the service.

I believe that the expansion and improvement of this service, as opposed to its mere continuance, would be in the interest of Eastern as well as in the public interest.

CHINA AND U.S. POLICY A TIME OF TRANSITION

Mr. FULBRIGHT. Mr. President, Mr. A. Doak Barnett, senior fellow, the Brookings Institution, delivered a most interesting speech before the Women's National Democratic Club on March 2 which was entitled "China and U.S. Policy: A Time of Transition." Mr. Barnett summarizes briefly the present situation in China and the major factors that have impelled Peking to reexamine its policy. He also examines the transition in the American attitude toward China and suggests some actions that the United States might take to improve our relations with the most populous nation in the world.

I ask unanimous consent that the text of Mr. Barnett's speech be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, I call attention to a few sentences toward the end of Mr. Barnett's speech. Mr. Barnett observes that "the key immediate issue is whether we should build an anti-Chinese ABM." Mr. Barnett comments that "on this the Nixon administration, in my judgment—despite the rightness of the direction of its general China policy—is quite wrong. The arguments against an anti-Chinese ABM, on political and other grounds, wholly apart from technical grounds, are overwhelming in my view."

Mr. Barnett testified before the Subcommittee on Arms Control, International Law, and Organization on April 9 on the specific question of the ABM and its effect on U.S. relations with China. At that time, he made an extensive statement on the undesirability of going ahead with an anti-Chinese ABM system. I ask unanimous consent that Mr. Barnett's statement to the subcommittee on April 9 also be printed in the RECORD.

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

TESTIMONY BY DOAK BARNETT BEFORE THE SUB-COMMITTEE ON ARMS CONTROL, INTERNATIONAL LAW AND ORGANIZATION, SENATE FOREIGN RELATIONS COMMITTEE, APRIL 9, 1970

Mr. Chairman and members of the Subcommittee, let me begin by saying that I am very grateful for this opportunity to meet and discuss with you a number of questions relating to arms control—questions focusing on the ABM and the SALT talks and their relevance to the broad problem of U.S.-China relations.

I would like to make two preliminary comments about my statement. First, the views I will express today are purely my own, and do not in any way represent views of The Brookings Institution, which does not itself take any stands on policy issues. Secondly, since I have very recently written an article (appearing in the current issue of *Foreign Affairs*) which summarizes many of my views on questions we are considering today, I am taking the liberty of drawing material from that article for the purposes of the statement I am now presenting to you.

We are now, in my view, at a rather critical juncture in the evolution both of our policy toward China and our policy regarding arms control.

For the first time in several years, there now appears to be at least a limited basis for hope that movement can take place in our relations with mainland China, movement which may reduce tensions and increase contacts between us. The current Warsaw talks will help to determine whether some progress is possible, or whether the freeze of the last two decades will continue.

At the same time, I believe that the arms control negotiations which we and the Russians have initiated are clearly the most important ones in the postwar period. We are about to meet again in Vienna at a time when both sides are poised to deploy new weapons systems—in our case, ABMs and MIRVs—if no agreements to forego such systems can be reached. Decisions made in the period immediately ahead by Washington and Moscow individually, and by both at the SALT talks, will determine, therefore, whether the U.S.-Soviet arms race will accelerate or slow down in the years immediately ahead. These decisions will also—and this is one of the major points I wish to make today—have a very significant impact on the prospects for improved U.S.-China relations. The evolving triangular relationship among the U.S., Soviet Union, and China is now such that any action by one or two of the three inevitably affects the others.

Since my assignment today is to focus attention on matters relevant to U.S.-China relations, and specifically to consider how we should view the ABM issue and SALT talks in relation to the "China problem," I will not comment on other fundamental questions, such as whether effective ABM systems are technically feasible or how they might affect the stability of the U.S.-Soviet balance. I assume that others will discuss these questions with you.

Let me proceed with my assignment and start by saying that I believe the Nixon Administration is to be commended for the new general approach it has adopted in our overall China policy. In his February 18 report to Congress on foreign policy, the President stated that we do not now wish to "isolate" mainland China but rather hope that in time it "will be ready to re-enter the international community," that we look forward to a "more normal and constructive relationship" with the Peking regime, that "the principles underlying our relations with China are similar to those governing our policies towards the U.S.S.R.," and that we will "take what steps we can toward improved practical relations with Peking." This is a very sound and very encouraging approach, in my opinion. Moreover, the limited steps we have taken recently to implement this approach—namely the liberalizing of passport and travel regulations and the reduction of trade restrictions, are highly desirable and deserve strong support. The Administration should now be urged to continue making further and more substantial steps along these same lines—for example, by removing all restrictions on nonstrategic trade with mainland China.

However, having said this, I must immediately go on to say that in my view, the deployment of an anti-Chinese ABM area defense would be extremely undesirable and would, in fact, run directly counter to, and tend to undercut, the basic objectives that underlie our new overall China policy.

Deployment of an anti-Chinese ABM would be both unwise and unsound, I believe, for a number of reasons. Let me summarize these briefly now, and then proceed to elaborate on some of them at greater length.

(1) The ABM is not necessary for the defense of the U.S. against any foreseeable "Chinese threat." For the indefinite future, the U.S. will continue to have overwhelming nuclear superiority in relation to China, and there is every reason to believe that our superiority will operate effectively to deter the Chinese from any offensive nuclear actions or threats. It is not necessary, therefore, to try to achieve a total damage denial capability by building ABMs.

(2) If the U.S. insists on building an anti-Chinese ABM system, Peking will probably interpret this to mean (whatever Washington says to try to convince it otherwise) that we are determined to maintain an unrestricted capability of making "first strike" threats against China, and that we insist on denying China the ability to acquire even a limited, defensive, "second strike" capability. There is every reason to believe that this would tend to reinforce Peking's worst instincts in interpreting our motives and would work against the possibility of improving our relations.

(3) China's present opposition to all international arms control agreements is rooted, in part at *least*, in its basic sense of vulnerability and nuclear weakness. Peking obviously has been, and still is, fearful of threats by the superpowers and of U.S.-Soviet "collusion" directed against China. Until China achieves a minimal defensive deterrent itself, this situation is likely to continue. However, once the Chinese do acquire a limited "second strike" capability, it is at least conceivable that leaders in Peking may at that point be more inclined than at present to consider the advantages of arms control agreements in terms of their own interests. If so, the chances of inducing China to participate in arms control may increase at

that point. An anti-Chinese ABM will probably work to postpone that day.

(4) For these and other reasons, the U.S. should itself forego building an anti-Chinese ABM area defense system, and in addition should attempt, at the SALT talks, to reach agreement with the Soviet Union that neither we nor they will build such systems. If, in the absence of such agreement, either or both proceed to deploy anti-Chinese systems, this will tend to reinforce Peking's fear of anti-Chinese collusion between Washington and Moscow, which at least would complicate, and could well seriously set back, the prospects for improving U.S. relations with China.

Let me now elaborate on some of these points, starting with a few comments on Chinese motivations, nuclear capabilities, and foreign policy behavior, and how one should view the "Chinese threat."

There is no doubt, I believe, that ever since 1949 the Chinese Communist regime, in its relations with the superpowers, has felt very vulnerable to external pressures and possible attack by one or both of the major nuclear powers. Particularly since the late 1950's—following the Sino-Soviet split and the start of U.S.-Soviet collaboration in the arms control field—Peking has felt itself to be, in a sense, "encircled" by the two superpowers. It is still, in a fundamental sense, weak and knows it; its basic posture in big power relations is, therefore, of necessity defensive.

One of China's basic aims has been, and still is, to acquire at least a minimal nuclear deterrent to improve its ability to deal with the U.S. and Soviet Union. Its hope is to achieve a position less unequal than in the past, and to strengthen its bargaining position and leverage in relations with the big powers. Above all, its aim is to deter attack against China and reduce China's vulnerability to external pressures. This is the basic military-strategic motivation behind its nuclear program.

Without attempting to summarize in detail the progress of China's nuclear program, let me say that while its technological progress has been impressive in many respects, its actual nuclear capabilities are very limited and will remain so for a long time to come—because of the relative weakness of China's resource base.

By the middle or latter 1970's China will, at best, have accumulated perhaps 15 to 40 operational ICBMs plus 100 to 200 MRBMs and a limited number of other bombs deliverable by aircraft. (The most recent Defense Department estimates suggest that by 1975 China may have 10 to 25 ICBMs and 80 to 100 MRBMs.)

To provide a crude basis of comparison, today, the U.S. and the Soviet Union each has over 1,000 ICBMs, plus many thousands of other nuclear weapons deliverable by a variety of sophisticated systems including missiles, airplanes, and submarines.

Projections of China's nuclear capabilities through the 1970's make several things clear. There is no possibility that in the foreseeable future Peking can aspire to parity with the U.S. and the Soviet Union in the nuclear field. The Chinese cannot come close to achieving a "first strike" capability against either of the superpowers. Under any conceivable circumstances, in the event of a Chinese attack, Washington or Moscow could retaliate massively. The question is whether—and if so, when, and with what consequences—China may be able to acquire a limited, defensive, "second strike" capability which will serve as a minimal deterrent for China—that is, a capacity, if subjected to U.S. or Soviet nuclear attack, to retaliate and hit at least some targets in the attacking country or, in the U.S. case, possibly American forces in the Pacific or bases in allied countries. To date, it has yet to achieve this.

If the U.S., and Soviet Union, forego building anti-Chinese ABM systems, they will, in effect, be accepting the fact that by the latter 1970's, China will have acquired a small defensive, "second strike" capability.

What risks or costs would this involve? It would require acceptance of the fact that the U.S., and the Soviet Union, cannot with impunity consider or threaten nuclear "first strikes" against China. One can question, however, whether this would involve high costs. The arguments and inhibitions against considering nuclear "first strikes" in most conceivable situations are already very great. (Conceivably, this may be less true for the Soviet Union, than for the U.S., as the vague hints about a possible preemptive strike in 1969 suggest, but even Moscow must feel strong inhibitions about initiating a nuclear "first strike.") Moreover, in most limited conflicts in Asia, nuclear weapons are likely to be almost irrelevant.

The possibility that key non-nuclear powers such as Japan, India, and Australia might feel more vulnerable and threatened cannot be ignored. If this impelled them to embark on independent nuclear programs, the cost in relation to U.S. aims (including the desire to prevent proliferation) would be substantial. Yet, as long as such countries have confidence in the U.S. commitment to defend them against nuclear threats, and as long as it is clear that American nuclear superiority in relation to China is such that any offensive nuclear threats by Peking would not really be credible, there is no reason why China's acquisition of a minimal deterrent should basically alter the position or the views of such countries.

It is sometimes argued that if the U.S. maintains a "first strike" capability against China and builds invulnerable defenses, presumably by development ABMs, the Japanese are likely to have greater confidence in our defense pledges. I believe that it is much more likely, however, that if the U.S. focuses on such a defense strategy, rather than relying on the continued applicability of mutual deterrence, the Japanese may conclude that the U.S. in a crisis condition might concern itself only with its own defense and abandon interest in allies not protected by such defenses.

The fact is that not only have the Chinese to date resisted whatever temptation they may have felt to engage in "bomb rattling," it is difficult to see how, from their position of nuclear inferiority, they will have any significant capacity for credible "nuclear blackmail" in the foreseeable future. Peking's cautious emphasis, to date, on defense as its sole aim in developing nuclear weapons suggests that Chinese leaders may already realize this.

Some might fear that once the Chinese believe they have acquired a credible deterrent, they might tend to become more aggressive in areas such as Southeast Asia, feeling that they could take more risks in nonnuclear or subnuclear situations, involving conventional weapons, because they would be less vulnerable to nuclear counter-threats. Whether one considers this to be a significant risk depends very much on one's general assessment of China's foreign policy goals, strategy, and behavior.

If one views China as a power committed to broad territorial aggression and expansionism by military means, willing to take large risks, and prone to irrational action (i.e., inclined to commit aggression without regard for possible consequences), there would be cause for major concern. However, among specialists on Chinese affairs, both in and out of the U.S. government, there appears to be a fairly broad consensus that analysis of China's behavior and doctrine over the past two decades does not support this view. In general, this consensus, which I believe is sound, maintains that:

Although China encourages revolutionaries abroad, it is not committed to broad territorial expansionism. Among its national goals is the recovery of certain areas that it considers to be lost territories, but even in regard to these territories its inclination is to pursue long-term, low-risk policies, not broad military expansionism.

It appears to be pre-disposed to keep Chinese military forces within China's boundaries, and it seems likely to continue doing so, except in cases where it feels Chinese security—or that of a Communist buffer state on its periphery—is seriously threatened (as it did in Korea).

Its primary stress, both in the structure of its conventional military forces and the doctrine governing their use, is on defense rather than offense.

It cannot and does not ignore the possible risks and costs of large-scale conventional war, even when nuclear weapons are not involved, and it places a high priority on the desirability of avoiding large-scale war of any sort with the major powers.

It is strongly pre-disposed, in general, to low-cost, low-risk policies. While it clearly encourages and supports revolutionary struggles in other countries, such support does not include Chinese manpower on any significant scale. Even Maoist doctrine insists that all revolutionaries must be "self-reliant," and should depend primarily on indigenous resources; it opposes the use of Chinese forces to fight other revolutionaries' battles for them.

China has used pressures and probes against its neighbors for a variety of purposes, but in doing so its use of force has generally been carefully calculated, limited, and controlled.

In crisis situations, it has tended to act with considerable prudence and caution, and repeatedly it has moved to check escalation when there has appeared to be a serious risk of major conflict.

There is, of course, no absolute guarantee that these patterns of behavior, which seem to have characterized Chinese actions over the past two decades, will persist in the future. Nevertheless, there is a remarkably broad consensus among China specialists that they are likely to continue. In fact, there is a fairly widely-held view—a view that I share—that post-Mao leaders are likely to be more pragmatic and realistic than Mao, and subject to even greater internal as well as external constraints.

As a result of the internal disruptions caused by the Cultural Revolution in China during the past four years, the Peking regime has clearly been weakened in some respects. Consequently, there are now new constraints, in fact if not in theory, on Chinese policy, which will certainly affect its strategies abroad.

Moreover, as a result of the steady deterioration of Sino-Soviet relations in the 1960's, the "Russian threat" appears to have replaced the "U.S. threat" as Peking's major foreign policy preoccupation, and this seems to have impelled the Chinese leadership to consider new options and strategies, to reduce China's present isolation and vulnerability and explore new opportunities for maneuver and flexibility.

It is at least plausible to believe, therefore, that future Chinese leaders may downgrade the importance of revolutionary aims (not ending, but possibly deemphasizing, Chinese activity in this field) and upgrade the importance of state-to-state relationships and more conventional political and economic instruments of policy. There is remarkably little support among China specialists for the idea that China is now, or is likely to be in the future, prone to act in an irrational or highly reckless manner, which it would certainly be doing if it were to ignore the continuing fact of its nuclear inferiority, and its vulnerability to both conventional and nuclear retaliation, even if, and when, it acquires a minimal deterrent.

If these judgments are correct, there are strong reasons to assume that once China achieves a nuclear deterrent it can be expected, in a basic sense, to act much as the other nuclear powers have, and to be constrained, as they are, by the realities of nu-

clear deterrence. There is little basis for arguing that the U.S., or Soviet Union, can feel secure vis-à-vis China only if they have a total damage denial capability and an unquestionable ability to threaten China with a "first strike". To argue this is to argue, in effect, that the U.S. and the Soviet Union can only feel secure under conditions that guarantee that the Chinese will continue to feel highly insecure.

As I stated earlier, if the U.S. operates on other assumptions and proceeds to build an anti-Chinese ABM, this will not only tend to strengthen Chinese suspicions that we are determined to maintain a potentially threatening "first strike" capability against China and to deny China even a minimal defensive "second strike" capability, it will also tend to postpone the day when China may be willing to consider participating in international arms control agreements.

Fundamental change in China's posture on strategic and nuclear arms control issues will not be easy for Peking to make, under any circumstances, because of China's basic weakness relative to the two superpowers. However, if one asks when and under what conditions a more flexible and pragmatic leadership in China might be inclined to change its posture on arms control, and even begin to see arms control measures as in the interest of China as well as of the other powers, the answer would seem to be the following: When China is convinced that its own nuclear development has reached a stage where it has at least a minimal credible nuclear deterrent—that is, some kind of defensive "second strike" retaliatory capacity—so that it will be able to deal with the U.S. and Soviet Union on terms less unequal than at present.

It is not easy to define when this point will be reached. But it will doubtless be reached eventually, whether or not we build an anti-Chinese ABM. It is almost certain that in time the Chinese will have acquired a sufficient nuclear capability so that no one could be sure whether, if China were subjected to a "first strike", it could not mount a significant retaliatory strike, at least against allies or forces in the Pacific if not against the U.S. itself.

Whenever the Chinese, and we, are convinced that China has acquired some sort of limited "second strike" capability, the possibility that Peking may reconsider its present blanket opposition to arms control may increase, for a variety of reasons. The realization that pursuit of parity is a will-o-the-wisp is likely to begin to sink in, in China. Moreover, once China has acquired any sort of credible deterrent, some Chinese leaders may conclude that it is more feasible to try to reduce the gap between China and the superpowers through agreements limiting (or reducing) U.S. and Soviet capabilities than by trying to catch up in a hopeless race. And, as the cost of deterrence goes up (it inevitably must, as China gets involved in more sophisticated hardware), and as the competition for resources in China increases (between those stressing economic development and those emphasizing defense), there may be greater pressures within China, on economic grounds, to limit investment in strategic arms development.

The construction of anti-Chinese ABM systems would be likely, therefore, to postpone the day when there may be some realistic hope of including China in international arms control. It would tend to raise the level of nuclear development which Peking's leaders will consider essential as a minimum goal. And in general it will tend to make more remote the possibility of establishing a "more normal and constructive relationship" with China and the possibility of inducing Peking to "re-enter the international community"—which are now our stated, and in my opinion eminently sensible, goals.

What does all of this suggest regarding the decisions we should make and the policies we should pursue regarding an anti-Chinese ABM system—both in our own consideration of the problem and in discussions with the Russians at Vienna?

I strongly believe we should clearly decide that, in terms of our broad national interests and aims, we should not build an anti-Chinese ABM system, because it conflicts with the main thrust of ouor new China policy and is unnecessary for our defense—wholly apart from other possible reasons. The cost of such a system would certainly be in its disfavor, too, but clearly the costs would be tolerable if it were essential in terms of our defense and foreign policy goals. The point is that it is not only unessential, but would tend to be damaging in terms of our overall objectives.

We should not only make this decision ourselves; we should also in the SALT talks attempt to reach agreement with the Soviets on this issue, so that both we and they will forego traveling this road. This would be desirable in relation both to our aims regarding China and our desire to check the U.S.-Soviet arms race.

Both the U.S. and the Soviet Union must concern themselves, more than they have in the past, not only with the problem of strategic stability in their bilateral relations but also with the task of inducing China, over time, to improve relations in general and, eventually, to participate in arms control efforts and accommodate more fully than it has to date to the requirements of the nuclear age. Neither need fear that the Chinese will be able to achieve a "first strike" capability, or approach nuclear parity, in the foreseeable future. Nor should they consider China's eventual acquisition of a minimal deterrent to be a special danger. While it is true that China's acquisition of a credible deterrent will improve Peking's defensive capabilities, it will not significantly alter the overall nuclear balance. Moreover, China can be expected to act much as other nuclear powers have, and to be constrained, as others are, by the realities of mutual deterrence. Equally important, when China achieves a credible deterrent, Peking's leaders may be more inclined than at present to reassess their strategic polices and consider the value of arms control.

The hope should be that Moscow as well as Washington will see the importance of this. But even if Moscow does not, the U.S. in shaping its own strategic and arms control policies, should take the "China problem," as well as the problem of U.S.-Soviet bilateral relations, fully into account.

China and U.S. Policy: A Time of Transition

(A. Doak Barnett's speech at the Women's National Democratic Club on Mar. 2, 1970)

I'm delighted to be with you and to talk with you briefly today about trends in China, as I see them, and in U.S.-Chinese relations. For the first time in quite a long time, there is something to talk about. For a good many years, this has been a rather gloomy subject to discuss—and I have discussed it for a good many years—not because relations between the two countries have been so bad, but also because there has been so little seeming prospect of any change or improvement.

During the past few months, this has begun to change, and although there is certainly no basis yet for great optimism or enthusiasm about the prospects, there are at least some rays of hope and small signs of a possible thaw, and this makes the subject of U.S.-China relations much more interesting, and more timely and encouraging, than it has been for some years.

I think it is clear, in fact, that we are now in a transition period; and although no one, certainly not I, can really predict or foresee the future, the future definitely seems more open-ended than it has been for a very long time.

China itself is in the midst of an extremely important transition period. Its situation both at home and abroad is basically different in many respects than what it has been in the past. But the U.S., too, is in the midst of a transition in its policy towards Asia as a whole and in its policy and attitude toward China specifically, so that China's changing situation and our changing attitude and policy have introduced, it seems to me, new elements of flexibility and change into a situation that has been frozen for so many years.

Now let me begin with a few comments on changes that have been taking place or are now underway in China itself, because they are an extremely important ingredient in the situation. I obviously cannot, in a very few minutes, do justice to the extremely complicated and even traumatic events that have taken place in China in the five years since the so-called Cultural Revolution began in '65.

The Cultural Revolution has been a remarkable, and in some respects a unique, historical phenomenon. In essence, it has been a struggle in which an aging and extraordinary utopian revolutionary leader lost faith in, and actually lost control over, for a while, the revolutionary regime which he had created; and then set about organizing what in effect has been a second revolution.

Mao in the early '60s no longer had day-to-day control over the Communist Party which ran China, so he turned to the Army, or at least part of the Army under Lin Piao who was Defense Minister, and to the youth of the country, particularly youth in the schools and colleges and mobilized both to attack the majority of his old revolutionary colleagues and the entire Party and Government bureaucracy which had dominated the country for fifteen years.

In a basic sense Mao had real cause to be disturbed by trends in China in the early 1960s. There was in China, in the aftermath the great leap forward and the economic depression which followed it a definite decline in ideological fervor and morale; a real growth of deadening, ossifying bureaucratic behavior; an emergence of vested interests and parochial interests; a growing and very serious generation gap; and increasing frustration and disillusionment among the youth.

In response to these trends and to the real economic crisis which China experienced in that period, the leaders in charge of day-to-day affairs in China did appear to become less and less revolutionary; more and more pragmatic, if you will—in Mao's terms revisionist—more and more like leaders in the Soviet Union.

And it was in this context, I think, that Mao decided that he was going to make one final, apocalyptic attempt to try to halt the decline and deterioration of the revolution, as he saw it, in China and try somehow to revitalize the revolutionary process, to try, in short, to ensure that the particular brand of values that he believes in would persist after he died.

In some respects this was a rather grand idea, a heroic revolutionary effort. The fact is, however, in my view at least, that Mao was a romantic, a Utopian, in thinking that he could do this, that he could impose his views on the country, and completely unrealistic in believing that he could achieve his aim, that he could perpetuate his values, by tearing down the bureaucratic structure of the regime that had been built up in the previous fifteen years; by setting loose chaotic forces for change and conflict.

He *did* set loose these forces. He *was* able to tear down, in a large degree, the bureaucratic structure that had grown up in the previous fifteen years. He was able to purge most of those who disagreed with him at the top in China. But he was not able—he has not been able to date, and will not be able—suddenly to replace all this and create a new order based on his particular values.

Consequently, after this long and very

chaotic period in China, China is now in the process, slowly and painfully, of trying to rebuild its political system, trying to define a whole new set of policies. In this situation, the Chinese leadership is very different from what it was in the decade before 1965, certainly very different from what it was in the 50s. Even though Mao's brooding presence is still there and he is able to inject himself into the situation when he wants to, he does not have real control over the situation in China; and the leadership, I would say, is basically a coalitional type of leadership in which people representing interests of very conflicting sorts are somehow trying to get along, somehow trying to run the country, somehow trying to evolve new policies.

As a consequence, the regime has had a very difficult time defining clear policies. As a matter of fact, it seems to me, if one looks back to the Party Congress last spring, the most notable thing about it was the failure to announce any real strategies and policies, and in my opinion this lack of policy has continued throughout the past year (it is now almost a year since the Party Congress).

In a sense, the atmosphere in China is almost like that of an interregnum already, even though Mao is still there. Clearly the Maoist era is approaching its end, but the post-Mao era has not yet started. And in a basic sense, one gets the sense of a country waiting for its old revolutionary leader to pass from the scene. Mao and his closest followers still do press for revolutionary policies of a variety of sorts, but they are not really able to carry them out throughout the country effectively. Others resist, drag their feet, sometimes push in other directions. And yet, until Mao does pass from the scene, those who might favor quite different policies, less Utopian policies, are inhibited from really pressing for what they believe in, because Mao's prestige is such that they cannot.

As a result of what has happened, the power structure in the country has changed to a very great extent. For one thing, power in a de facto sense has been decentralized very substantially. Peking just does not have the capability now to try to manage and direct everything from the center as it did ten years ago. Instead it is local leaders, military and other leaders in the provinces and at lower levels, who are running China in many, many respects.

Furthermore, it is not the party—and this is unparalleled in any Communist country—it is not the party which is running the country really now; it is the Army. Into the vacuum that was created by the Cultural Revolution, the Army had to step in. It was the only really centralized instrument of power left in the country, and it has stepped in; from the center right down to the local level the Army and military people are performing functions the party used to perform.

The party and government are now in the process of being reconstructed after the events of '67 and '68, but it is very slow, very painful, and there are many kinds of local conflicts, as the people involved try to decide what kind of a party it will be and who will be members of it.

When Mao dies, there will clearly be another period of uncertainty, some confusion and perhaps a power struggle. My own guess, though, is that somehow a coalitional type of leadership will be put together, a collective type of leadership. It will hold the country together. It is likely, in my view, to move in some new directions. As a matter of fact, I think it is highly probable that post-Mao leadership will move almost precisely in the directions that Mao has feared: it will move away from the idea of great, Utopian, apocalyptic, grand strategies; away from the radical revolutionary policies that Mao has tried to promote the last few years. Of necessity, I think it will move toward a somewhat more realistic, pragmatic policy designed simply to cope with the immediate and very pressing problems that the country faces and will face. There will be concern about the need to restore a larger degree of order, a larger degree of unity, a larger degree of purpose, to get the country back on the course of rational development. I believe China will move in these directions over time.

China's international position has also undergone some very great changes in the same period. The Chinese encountered a series of rather dramatic set-backs in their foreign policy in 1965, just on the eve of the Cultural Revolution: the coup in Indonesia—the Chinese had put a great deal of stock in their relations with Indonesia and the possibility of a revolution there—the failure of the attempt to hold a second Bandung Conference at Algiers that year—in which the Chinese invested a great deal of political prestige—and others. Then came the Cultural Revolution.

Although the Chinese adopted, and continued to exhibit a very militant, verbal posture, favoring revolutions all over the world, in practice they became so preoccupied with their internal problems that they virtually abandoned normal foreign policy activities abroad. For a couple of years, I think it is fair to say, China had no real foreign policy—it turned inward, and cut many of its external ties.

One indicator of this is the fact that at the height of the Cultural Revolution, in forty-odd embassies abroad China only had one ambassador. The rest had all been called home in connection with the Cultural Revolution. This situation started to change as the Cultural Revolution itself began to grind towards a halt in late "68 and early '69. Peking then begun to look cautiously outward again; it began to renew its foreign policy activities abroad.

Last spring it sent back the first group of seventeen or so ambassadors. Possibly two or three may have gone subsequently. All of these, incidentally, have been professional diplomats, not Maoist idealogues. Subsequently, it has promoted trade in a very systematic and non-idealogical way, and it has entered into negotiations with a number of countries about the possibility of establishing relations—Canadians and Italians. It has also entered into negotiations with the Russians over border problems, and most recently has agreed to renew negotiations with us.

Looking at what has happened to China's foreign relations through this period, I think the most important and most dramatic change has been in China's relationship with the Soviet Union, as a result of the Sino-Soviet conflict. This conflict, as I am sure you know, has been developing for years, from the late '50s on and has escalated step by step over the years.

The Soviet military build-up around China has been steadily increasing since about 1965, certainly since 1967. And finally, last year as you know, there were some very important and dangerous border clashes between the Russians and the Chinese in Manchuria and in Sinkiang, on the Chinese-Russian border there. I think it is clear that by last year the Chinese genuinely feared the possiliblity of a major war with the Soviet Union, genuinely feared Soviet attack, and were forced to the conference table by some subtle and not-so-subtle Soviet threats. They have been talking in Peking since last fall, but there is little sign—in fact, no sign—that the negotiations have accomplished anything to date and I suspect that progress will, at best, be very slow.

The sequence of events, I think, clearly has led the Chinese to regard the Soviet Union as a more immediate and more real threat to Chinese security today than the U.S., and this is a very fundamental change. The danger of a Sino-Soviet war is now Peking's single most important preoccupation in foreign policy, in my view, and within China there is a wide range of programs going on right now that are said to be, and to an extent doubtless are, preparations for the possibility of war. This threat hanging over China has been a subtle factor influencing its foreign relations with almost everyone else, including ourselves.

So there are number of major factors that have been impelling Peking to reexamine its policy: the situation at home, one of uncertainty and considerable fluidity; the need to rebuild a foreign policy, after a period in which they had almost no foreign policy and were very isolated, during the Cultural Revolution; the pressure of professionals concerned with foreign affairs, and certain other leaders in Peking, to have a degree of flexibility in rebuilding China's foreign policy; a new sense of threat from the Soviet Union, which I would say is probably the most important factor; and a feeling, which I think is valid and is shared by most of the powers concerned with Asia, that the situation in Asia is changing, that it is developing toward a much more multi-polar situation than in the past, a situation in which there will be more opportunities for maneuver and flexibility, and more necessary for it.

So this is the context in which China has begun to show some signs of increased flexibility. It is still groping. It certainly has not yet defined any clear new foreign policy or foreign policy strategy, but it is groping for new policies, as we on our side are doing.

These are, in very crude and simple terms, some of the facts that have been influencing the other side. The U.S. has also, I think, been undergoing an extremely significant transition in our attitude towards China. This has happened fairly gradually and in some respects undramatically—so much so that many Americans don't realize how much change has taken place.

Throughout the 1950s, U.S. attitudes and policies towards China were extremely hostile and fearful. We were committed not only to contain China, but also to isolate it, to keep it out of the international community, and to exert as much pressure on China as possible, in the hope that somehow the regime would change. I believe change in our attitudes began in the U.S. government as early as the Kennedy administration, but Kennedy was not able, or did not in any case take steps to change our policies.

During the Johnson administration there were some important steps, more important than many people realize, to redefine our broad posture toward China. At one point, in one very important speech, for example, Johnson actually called for "reconciliation" between the U.S. and China, a very different stance from that we had been committed to in the '50s. But during the Johnson administration there were few concrete steps taken to translate this change of posture into change of actual policy toward China.

The process of making real policy changes began last summer under the Nixon Republican administration.

Several factors help to explain this process of change, I think. One is just a gradual cooling, that time has brought about, in the emotions of the 1950s—which reached a peak in the mid '50s as a result of the Cold War, in general, and the Korean War, in particular.

A second factor has been a revised view of China and its potential threat. This is in part because of the Sino-Soviet split. It is obviously not true that China and the Soviet Union are today a cohesive, monolithic unit working against us. They are competing against each other as well as competing against us.

There are other factors too. Observation of Chinese foreign policy behavior over twenty years has indicated to people in and out of the U. S. government, who have studied Chinese affairs, that the Chinese have not been adventurous and irrational. They have, in fact, been prudent and very cautious in situations where there has been crisis and danger.

As a consequence, I think, in 1970 the "China threat" seems quite different from what it was in the '50s; and validly so, I

would say. Today there is simply not the sense of China posing a great, overriding threat to us, or to the rest of Asia, that many Americans tended to feel in an earlier period.

For these and other reasons, Nixon decided fairly early in his administration that he was going to take—or approve—some small concrete policy changes, and he started last summer. You are all aware of them, I think, but to remind you, in the middle of last summer we liberalized travel restrictions as far as China was concerned, and opened the first crack in the twenty-year total embargo that we had imposed on China trade—first by allowing tourists to buy Chinese goods in Hong Kong; then last December we took what was still a small, largely symbolic step but it is nevertheless significant—we decided to allow American subsidiaries abroad to trade with Communist China. Significantly, there has been almost no criticism in Congress; or by the public of these steps; that is a sign, I think, of the basic change that has occurred in public attitudes.

I have no doubt, myself, that these are just the first steps in a new direction, and are not the end of it. I would expect, in the relatively near future, some further steps, probably in the trade field—perhaps steps to open up some direct trade between the U. S. and China.

Then early this year, we and the Chinese finally agreed to sit down at Warsaw and reopen the talks that had lapsed for almost two years, and we have now had two sessions in rapid succession. I do not know what took place at either of these meetings. I am quite impressed, in fact, by how well the people in the State Department as well as the Chinese are observing their agreement not to leak what is going on. I find this encouraging; it suggests both sides are looking at these talks as serious negotiations and are not just viewing them as propaganda gambits.

But there are hints, I think, that the U. S. Government is encouraged by the meetings, and personally I think it is very possible that they will produce some results.

Having said that, let me say that in my opinion one should not have unrealistic hopes about large changes in our China relations rapidly developing out of these talks or other trends. The legacy of twenty years of almost no contact, and of intense hostility, certainly is not going to disappear over night. At best, steps towards normalization of relations are going to be slow, and take time.

But I nevertheless think that it is extremely encouraging that the U. S. has adopted the stand that it has, and that the Chinese are showing at least a hint of flexibility. The present administration has said that we will work towards a normalization of relations with China; that we will deal with China on the basis of the same principles that underlie our dealings with the Soviet Union—this is a big change from our approach in the past—and that we will focus first of all on small steps that will improve practical relations. I think this is an entirely sound, desirable posture and a desirable general direction for us to move.

There are, of course, some very large obstacles down the road, if we find it possible to move down this road, before we get to the point of any real normalization of relations. Probably the crucial one, and the most difficult one, is Taiwan. We are committed to the defense of Taiwan against any military attack. It is clear that we will, and should, maintain this commitment. The Chinese Communists are committed to the ultimate liberation, recovery, and incorporation of Taiwan into China. It is clear that they will maintain this as an objective. So it is a major problem. Conceivably, though both sides might show some tactical flexibility about it. It is clear that neither can change its basic position in the years immediately ahead. The question that we will face as we go down the road of some mutual compromise is whether the Taiwan issue can, for a while, be finessed, can in effect be put aside while we and the Chinese Communists deal with other problems and hope that we can make some progress on them.

In the 1950s, Peking was willing to do this, and looking back it is clear that it was rigidity and inflexibility on our side that prevented some mutual accommodation in the latter 1950s. For the past decade, however, Peking has had a very rigid and inflexible view. The question is whether the Chinese will now be slightly flexible; I think we are now encouragingly flexible. I am hopeful that perhaps both sides will be. On the U.S. side, though, I think it is terribly important that we not stop with the two or three important, but essentially symbolic and no very large, steps we have taken in adjusting our policy, but continue taking a number of other steps.

On some matters, we may well find it possible to reach agreement with the Chinese at Warsaw; on others, though, I think we ought to be prepared to continue taking unilateral steps on our side, on the assumption, and in the hope, that over time this will influence Peking, and will stimulate Peking to take responsive action, even perhaps parallel action.

There are many things that I think we still need to do. We should not stop, and be pleased with ourselves, because of the small progress we have made. We should continue exploring every possible avenue for increased contacts. On this, incidently, the most practical approach would be: instead of putting primary stress on trying to get Americans into China, we should take every opportunity to invite Chinese to come to meetings and conferences in this country. This is going on; the U.S. government is for it. We ought to keep doing it until the Chinese begin to send a few people; then I think they will reciprocate and let some Americans visit China.

In trade, I think it is clear—I am convinced most people in the U.S. Government believe this now—we should move to remove all restrictions on nonstrategic trade with China and put China trade on precisely the same basis as trade with the Soviet Union and Eastern European countries. There is every reason to do this; and no real reason not to do it.

Before very long we must also readjust our policy on the China seat in the U.N. This is a terribly complicated subject, and I cannot deal with it adequately now. My own preference, considering the various alternatives, is for us actively to explore some formula for "dual representation"; even though Peking and Taipei both disapprove of this. I am not convinced that it is not possible to work out some formula which ultimately they might be willing to accept.

We must also show greater sensitivity than we have in the past to China's military and strategic fears, and avoid all unnecessary military pressures and provocations. To cite one example, we obviously do not send airplanes on reconnaissance missions over the Soviet Union any more; we rely on satellites. But, out of Taiwan, there are still such flights over mainland China all the time. It seems to me that we should rely on satellites for intelligence about China, as we do about the Soviet Union and avoid this kind of very provocative action.

Even in regard to Taiwan, while maintaining our defense commitment regarding Taiwan—which we can and must—I think we can and should make some adjustments in our policy. We have already made one, incidentally, which has practically escaped notice. We have virtually abandoned active patrolling in the Taiwan Strait. We do not need the patrol in the Taiwan Strait. What we need is the Seventh Fleet and our Polaris Fleet in Asia; we do not need to have ships touring up and down the China coast. We have virtually stopped doing this, and I think this is both significant and desirable.

However, we should also commit ourselves to remove the limited American military presence on Taiwan, after Vietnam if not before—but preferably before, if we can. We do not have a large presence there. It is mainly connected with one air base which serves as a refueling station for U.S. planes going to Vietnam. But this is something that certainly is of concern to the Chinese Communists, and something we could do without reducing our capacity to fulfill our commitment to Taiwan—and something I think would be desirable.

More broadly—and this is very important—we should take the problem of China policy fully into account in our general strategic and arms control policy; this, I would say, we have not done. The key immediate issue is whether we should build an anti-Chinese ABM—a nationwide light area defense. On this the Nixon administration, in my judgment—despite the rightness of the direction of its general China policy—is quite wrong. The arguments against an anti-Chinese ABM, on political and other grounds, wholly apart from technical grounds, are overwhelming in my view.

For the indefinite future we will have absolute, unquestioned, overwhelming nuclear superiority over China—on the basis of any projection of what the Chinese may be able to do. There is no reason not to proceed on the assumption that our present deterrent against China will be wholly effective in preventing China from even considering any offensive use of nuclear weapons against either us or our allies.

Actually, there is every reason to believe that China's main strategic motive in developing nuclear weapons is to try to acquire a limited defensive second-strike capability. That is all they can hope for. They hope to deter us from considering nuclear first-strikes against China. If we insist on building an anti-Chinese ABM, in effect what we will be saying to the Chinese is that we insist on having a total, continuing, one-sided superiority; that we insist on having a total damage-denial capability against China; that we insist on having a credible first-strike capability against China; and that we insist on having the option of threatening China, without any fear of any kind of a retaliation, for the indefinite future.

This is hardly likely, I think, to be reassuring to the Chinese about our intentions. I would argue that it runs directly counter to the main thrust of our new China policy, and that is, morever, not necessary from any security point of view. We need, therefore, to make our strategic policy and our China policy more consistent than they now are.

I would argue, therefore, that on this issue, at Vienna, when we meet with the Russians in the SALT talks, our aim should not be to get Soviet and U.S. agreement to build ABMs. We should get U.S. and Soviet agreement that neither of us will build anti-China ABMs.

Let me make just one final comment about the overall Asian context of our China policy in the '70s. On many respects there is going to be a new ball-game in the '70s; we are beginning to realize this but have not fully adjusted to it. Instead of bi-polar confrontation between two ideologically motivated sides—a theoretically monolithic Sino-Soviet block versus a U.S. with a subordinate, compliant Japan—instead of this, there is going to be an increasingly complicated four-power relationship and four-power balance.

All four of the major powers involved in the region—the U.S., Soviet Union, China and Japan—are going to play significant roles, influential roles. All of them, including Japan, I would say, are going to play fairly independent and autonomous roles.

Of the six bi-lateral relationships involved in this four-power balance, it is clear that the one today that is least developed, and yet may have the greatest potentialities for at least some change in the years immediately ahead, is the U.S.-China relationship. If we are wise, we will take the opportunity that we have now to press ahead as much as we can to see what extent we are able, as the Nixon administration has proposed to move toward a normalization of relations with China—without any unrealistic wishful thinking or overoptimistic expectations, but with some basis for the first time in twenty years for believing that some change may be possible.

LOWERING OF VOTING AGE

Mr. SMITH of Illinois. Mr. President, the Senate has taken what is, to my mind, unduly hasty action in moving to lower the voting age to 18 in all elections by mere congressional fiat.

I hasten to assure Senators that I am not opposed to extending the franchise to American citizens below the age of 21. I am, however, seriously concerned about how we reform our political institutions. The Constitution implies and it has been traditionally accepted, that elector qualifications are within the provinces of the several States. Four States have already set the voting age below 21.

I am a cosponsor of Senate Joint Resolution 147, which would lower the voting age by constitutional amendment. This approach provides for review, in the ratification process, by the States without affecting, one way or the other, a State's right to lower the voting age if that is the desire of its citizens. The Senate's action ignores and preempts the rights of the States to determine the age at which its citizens shall vote.

Another aspect of a lower voting age which has been ignored by the Senate's action is the whole question of the rights and responsibilities of full citizenship. Citizenship for an adult American affects more areas than the responsibility of casting a ballot.

In most States a minor cannot sign a binding contract, but must have an adult cosigner to an apartment lease or to finance an automobile.

The age at which a man or woman may marry without parental consent differs from State to State and is frequently different for men and women within the same State.

A guardian or trustee must be named in many States for any person under 21 who inherits property.

The lists of prospective jurors are drawn from the voter rolls. By extending the franchise, we may be automatically extending the privilege and responsibility of jury duty from age 21 to age 18.

I do not intend to suggest that any of these additional rights and responsibilities of full, adult citizenship should not be extended below the age of 21. I do, however, suggest that these equally important rights and responsibilities should be considered by the States when they act to lower the voting age or when they consider ratification of a constitutional amendment to lower the voting age.

These corollary rights and responsibilities of adult citizenship should not be ignored when considering the voting age, any more than the rights and responsibilities of the States to establish the voting age should be ignored as the Senate has done by its action on the Voting Rights Act.

The Chicago Tribune and the Illinois State Journal have published excellent editorials on the question of lowering the voting age by the means the Senate has elected to use. I ask unanimous consent they be printed in the RECORD.

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

[From the Springfield (Ill.) State Journal, Mar. 18, 1970]

SOUR LEGISLATION: LOWERING OF VOTING AGE

At the moment the United States Senate appears to be content with its 64-to-17 vote passage of the Voting Rights Bill, amended to permit 18-year-old Americans to participate in elections.

The passage of time might give those who voted for the measure some sobering second thoughts. Senators, even more than the lay public, should be well aware that the voting rights extension it approved simply is sour legislation.

There are two troublesome aspects.

As the United States of America pursues its fight to guarantee all citizens equality of opportunity, it should not itself project the image of discriminating against its citizens or states.

Yet the Voting Rights Act does discriminate by singling out a handful of states for the focus of federal efforts when the problem is acknowledged to exist in all of them. It supports its actions on data that in some instances are six years old. The danger is that the measure can divide instead of unite Americans.

Secondly, and perhaps of more immediate concern, was the Senate's willingness to tamper with the heart of the mechanisms that make our republic what it is—constitutional authority that relates to the separation of powers.

A constitutional method was available to the Senate to lower the franchise age through the regular procedures for amending our basic law.

Instead of using it, the Senate chose, against the advice of the attorney general and its own constitutional students—to attempt to interpret the Constitution on its own.

There is a disturbing thought that the leadership of the Senate and a majority of its members bow to highly emotional pressures of the moment.

That would, of course be too strong a conclusion to draw from an isolated example. As important as it is. Unfortunately, there is considerable other evidence.

The leading example is the effort of the Senate Foreign Relations Committee in recent years to establish our foreign policy. Another is the Senate's willingness to advise at great length in respect to the political philosophy that the administration's nominee for the Supreme Court should have, but decline consent on the basis of judicial qualifications.

Or consider for a moment the proposal by Sen. J. William Fulbright that the Senate should declare any United States military activity in Laos "unconstitutional." The constitution does not contemplate that Congress also should double as the judicial branch of government.

One of the great values of our constitutional process is that it deliberately discourages haste and whimsy, opting instead for the slower approach that benefits from national debate and due process of law.

[From the Chicago (Ill.) Tribune, Mar. 16, 1970]

THE VOTING AGE IS A STATE MATTER

The United States Senate, by a vote of 64 to 17, has approved an amendment to the voting rights bill which would lower the voting age to 18 in all elections, federal, state, and local.

Even the author of this proposal, Sen. Mike Mansfield (D., Mont.), the majority leader, implicitly acknowledged that its constitutionality is doubtful. He said he favored continued work by a Senate subcommittee on a proposed constitutional amendment to lower the voting age. This alternative will be available if the House refuses to accept the Senate amendment or if it is enacted and later held unconstitutional by the courts.

A number of senators challenged the Mansfield amendment on constitutional grounds, but the majority apparently was more concerned about the possibility of offending 13 million potential new voters than about the violence it might do the Constitution or what is left of the federal principle in our system of government.

We favor reduction of the minimum voting age to 18, but we believe this is a matter for state action. Kentucky and Georgia already have lowered the minimum to 18; Alaska has lowered it to 19, and Hawaii has lowered it to 20. No federal action is required, but if it is desired a constitutional amendment is the procedure prescribed by the Constitution itself.

The 15th amendment was adopted to give Negroes the vote, the 19th to give women the vote, and the 24th to abolish poll taxes. Altho constitutional amendments were deemed necessary in all these cases, the United States Senate now proposes to ignore the Constitution in respect to federal legislation to lower the voting age.

The Constitution is explicit. It provides that electors of senators and members of the House of Representatives from each state "shall have the qualifications requisite for electors of the most numerous branch of the state legislature." For the election of the President and Vice President, the Constitution provides that "each state shall appoint, in such manner as the legislature thereof may direct," as many electors as it has senators and representatives in Congress.

Clearly then the states, and not Congress, are empowered by the Constitution to prescribe qualifications for voting. Supporters of the Mansfield amendment relied upon the specious argument that the 14th amendment guarantees, among other things, "the equal protection of the laws" for all citizens, and authorizes Congress to enforce its provisions by "appropriate legislation." Under this authority, Congress, in the voting rights act of 1965, denied states the right to require literacy tests in English for persons who have completed the sixth grade in another language. The Supreme court, in Katzenbach versus Morgan, upheld this section of the act as applied to a New York statute which excluded Puerto Ricans, illiterate in English, from the franchise.

This law, however, was a determination by Congress that English literacy tests deny "the equal protection of the laws" to citizens who are literate in another language. It does not follow from the Supreme court's decision that a state law classifying citizens by age for voting purposes is discriminatory. If that were the case any qualification whatsoever would be discriminatory, for some could vote and others could not.

A dissenting opinion by Justice John M. Harlan, who was joined by Justice Potter Stewart, upheld New York's literacy test law. It said the act of Congress could not be sustained "except at the sacrifice of fundamentals in the American constitutional system—the separation between the legislative and judicial function and the boundaries be-

tween federal and state political authority." An attempt by Congress to usurp the right of the states to determine the minimum age for voting would do far greater violence to the constitutional system.

OVERPOPULATION AND POLLUTION

Mr. HARRIS. Mr. President, as we move into the last third of the 20th century, it has become dramatically clear that the danger we face from the destruction of the habitat and life support systems of man by overpopulation and pollution of all kinds is as great as that from nuclear holocaust.

The danger involved in the technology of progress and abundance was evident in the development of DDT and other long-lasting pesticides which proved extremely effective for fighting crop pests and diseases, but also proved to have other unwanted and deadly impact on other parts of the environment by spreading through the soil and waters and into the air to the farthest reaches of the world.

Polluted air and waters damage the quality of the present and destroy the promise of the future. We face the possibility of being inundated with the bottles, cans, jars, and other packaging castoffs of a consumer society.

But recognition of the problem has begun to grow. Yesterday, April 22, was Earth Day, and its celebrations and observances did much to build greater awareness of the need to carve out new priorities dedicated to humanity, livability and quality, rather than just more progress, bigness and abundance.

Kenneth E. Boulding, professor of economics and director of social and economic research for the Institute of Behavioral Science at the University of Colorado, in the April 1970 issue of the Progressive magazine which is devoted entirely to environmental articles, calls for a nonpolitical systems approach to the problems of the environment. He says:

> We need a new image of the total dynamics of the social system more realistic than those provided by ideologies either of the right or of the left.

Mr. President, I ask unanimous consent that this fine article, entitled "No Second Chance for Man," which outlines the framework within which efforts to improve the environment must take place, be printed in the RECORD.

NO SECOND CHANCE FOR MAN

(By Kenneth E. Boulding)

One of the agreeable things about the young of any generation is that they tend to think that they invented the world, and it is this indeed that keeps the world fresh. It is likewise a strong sign of being over sixty that one points out, much to the distress of the young, that a great deal of what is happening has happened before. The current excitement about the environment in particular is at least the third peak of interest in this particular issue in this century.

Excitement about the environment seems to have a generation cycle of some thirty years. The first major peak in this country was at the turn of the century, associated particularly with Governor Gifford Pinchot, America's first professional forester, Theodore Roosevelt, and the first conservation movement, which gave us the Bureau of Reclamation and expanded the National Park and Forest System. The second peak was in the 1930s, with the dust bowl and the great dust storm of 1934, in which noticeable portions of the Great Plains landed on the steps of the Capitol in Washington, and this produced the Soil Conservation Act, contour plowing, and all that.

It is not wholly surprising, therefore, that another generation has discovered that the world is not wholly indestructible. Now it is perhaps air rather than soil, and cities rather than forests, which have created the anxiety, but the anxiety is of course quite legitimate. There is nothing in the proposition that something has happened before to argue against its happening now. It is possible, however, to get a certain perspective on what is happening now, and perhaps also to avoid certain mistakes, if we see it as part of the much larger process.

We probably know more about the economics of the environment, surprisingly enough, than about its biology and physics. One of the real problems of the present crisis is that we know so little about the earth as a total physical system, particularly in regard to the atmosphere and the hydrosphere, and even less perhaps about the totality of the biosphere. Consequently, it is easy to develop scares about the oceans which are extremely hard to evaluate in the absence of an adequate earth science.

The science of the total earth is still undeveloped, and the earth sciences for the most part have been "micro" rather than "macro" in their interests. It is not surprising that we know much more about Walden Pond than we do about the oceans, or about the inside of a chimney than we do about the atmosphere, simply because at the macro level there is a great deal more to know. As far as I can judge from the gossip I hear, meteorologists are still quite uncertain as to whether the earth is cooling down or warming up as a result of man's activities, and one feels that even economists have a better idea than that as to whether we are in some sense going up or down.

The economics of the environment has two aspects—a short-run and a long-run. Within the short-run, with a horizon, shall we say, of another generation, there are two further aspects, one involving the relative price structure and the other involving distribution of income and wealth. A great many short-run environmental problems arise because of a defect in the relative price system in that not enough negative commodities have negative prices. A negative commodity is a 'bad," as opposed to a "good." It is something which diminishes utility rather than increases it.

Virtually all processes of production produce a whole set of joint products, some of which are "goods" and some of which are "bads." The bads may be physical products, like water and air pollution; they may be more subtle things like noise pollution; or they may be still more subtle, like information pollution—the spreading of misinformation—which is perhaps the most important pollution problem of all. The pollution of the information system by lies, propaganda, and other communications which increase ignorance and malevolence is probably much more threatening to the future of mankind at the moment than is the pollution of water and air, although it is much harder to deal with.

Market institutions tend to be ineffective in the pricing of bads, mainly because the system of property does not encompass them sufficiently. The legal system tries to do this in the law of torts, under which a private person can sue for damages. These damages (bads) then become, as it were, a form of property for which one can be legally compensated. A great many bads, however, are nobody's property, and the legal system, as at present constituted, is therefore inadequate to deal with them.

Just as "public goods" constitute a special category which requires a political rather than a market form of organization, similarly "public bads" require political organization and action if they are to be dealt with. The simplest and most obvious way to deal with them is through a tax system, and a system of graduated effluent taxes is certainly the place to begin in the control of pollution, even though it is not a panacea or a universally practicable device. It is applicable mainly to industrial pollution, but it is hard to apply to what might be called household or individual pollution, the sort of thing that is represented by the personal automobile, simply because the individual pollutant is in such small quantities that it is hard to identify.

We have a rather similar problem in information pollution. We have a law of slander for what we might call private information pollution, but this is not adequate to deal with the problem of public information pollution, which requires, indeed, a development of constitutionality beyond what we now have.

The real question here is whether the sense of public concern is strong enough to persuade people to sacrifice certain private goods for the suppression of public bads. This is an example of the famous "freeloading" problem. The individual interest is to go on polluting as long as the rest of society picks up the tab. It requires, therefore, a sense of political awareness and a political community before this problem can be solved. One can predict with a good deal of confidence that the present excitement will not have much result unless it can be translated into political action. Unfortunately, there is a strong tendency for political action to provide mainly ritualistic and rhetorically satisfying solutions to problems, particularly when there is a real conflict of interests between the public and the private. The principle of "the public be damned" is the secret vice of practically everybody.

The problem is complicated by the fact that almost anything we do about the environment is likely to have considerable effect on the distribution of income and wealth. A good many of the problems that we visualize today arise because many things which used to be the privilege of only the rich have now moved a long way down the income scale to become the privilege of a large majority of the people.

Most of the pressures on the environment, whether in terms of air pollution, urban sprawl, super highways, artificial fertilizers and insecticides, and so on, arise because the mass of the people in the developed countries are no longer as poor as they used to be. Per capita real income in the United States has about doubled in the last thirty or forty years. There has not, however, been much in the way of the *relative* redistribution of income—that is, the proportion of the total income going to different income groups is remarkably constant. We have made the poor richer not by making the rich poor, which is hardly ever a good recipe for this, but by increasing output. Increasing output, however, inevitably increases the strain on the environment. The most obvious, though not the most desirable, way to reduce pressure on the environment, therefore, is to stop the poor getting richer—that is, to redistribute income back towards the rich again.

There is some distressing evidence that this was one of the principal results of the first two great environmental agitations. In spite of the fact, for instance, that the Bureau of Reclamation probably represents the high water mark of socialist ideology in the United States, having been set up deliberately to undermine the monopoly of private capital, to lower interest rates, and to subsidize small farmers, its ultimate effect may well have been to subsidize rich farmers much more than poor ones.

This is even more true of the agricultural legislation which emerged out of the 1930s, which has been so successful in subsidizing

the rich farmers that it created a fantastic technological upsurge in agriculture, and in so doing was the major factor in creating the current urban problem. I would not blame the Soil Conservation Service for all of this, but certainly it was part of a policy which has driven the poor farmer off the land into the cities, largely into the ghettos, and has created in the United States a hereditary aristocracy of superpeasants.

Even if we look at the public lands policy, we can see clearly, in the West especially, that National Parks and National Forests have mainly had the effect of keeping poor people out of the mountains. If it had not been for the scarcity of private lands and the fact that the public lands benefited mainly the private owners who were adjacent, considerable numbers of the displaced poor might have moved into the Western mountains and turned them into another Appalachia. This certainly would not have been desirable in the long run, but it does mean that the public land policy imposed a hidden cost on the poor, for which they were not compensated.

These earlier conservationist policies can be defended, of course, both in terms of the preservation of the enjoyment of nature, in terms of the conservation of natural resources, and in terms of economic development itself. The brute fact, however, is that it is not the poor who enjoy the beauties of nature, or who are likely to benefit much from the conservation of natural resources; it is mainly the rich, who both create and gain the most from economic development. One can see the present environmental excitement tending along the same lines. We will solve the problem of the automobile by taxing it heavily so as to support electrically powered public transportation which would push us back to about 1900, when automobiles were the privilege of the rich and public transportation was the much less convenient privilege of the poor.

Behind the noble banner of pollution control and environmental preservation, which is supposed to bring us all together and unite us in a great war on generally agreed upon vice, there is an uncomfortable shadow, the claims of the poor. We see this even more dramatically on a world scale where it is the increasing population of the poor, and their increasing demands for development—the only thing which can give them increased per capita income—which is really threatening to create a major world environmental crisis. The environmental disasters that threaten the rich countries in the next thirty years are almost trivial compared with the environmental disasters that threaten the poor countries of the tropics. A part of this is the result of the undeveloped nature of science itself and of the technology which is based on it. Science on the whole is a temperate zone culture and science-based engineering even more so.

It is easy, therefore, to make disastrous mistakes when we go about developing the tropics, simply because of our ignorance of tropical ecosystems, and also because tropical systems, at least in many parts of the world, seem to be much more precarious than those in the temperate zone. Dam building in the tropics can be particularly disastrous. Diseases, such as schistosomiasis, evaporation, silt, erosion, and displaced peoples present problems on a scale unknown in the temperate zone. The ecological disaster with which Egypt is threatened by the Aswan Dam, and also by its uncontrollably expanding population, is on a much larger scale than anything that threatens in the entire temperate zone.

These environmental crises in the tropics, however, are arising precisely because the people in this part of the world are no longer content to live the way they have always done. Furthermore, the partial impact of science-based technology, particularly the introduction of public health measures, destroyed the old equilibrium forever. There seems to be no way back, fortunately, to a world in which the poor are quietly content to starve and allow the rich to govern them.

What all this means is that while short-run solutions to current environmental problems can probably be found fairly easily, the long-run problem is tough indeed, and will tax the intellectual and moral resources of mankind to the utmost. I have been describing this long-run problem as the problem of "re-entry into spaceship earth." Economic development has been compared not inaptly to a "takeoff." We are all aware that we are going through a period of enormous change and that the transition in the state of man which these few centuries represent is perhaps the greatest transition he has ever made or ever will have to make. We are now in the middle range of the voyage towards spaceship earth, perhaps not yet at the middle, but it is not too soon to start thinking and preparing for the eventual slowdown of the increase in scientific knowledge, a slowdown in economic development, and a re-entry into a type of society which will probably be so different from anything in the past that we can hardly imagine it.

It is impossible to predict in any detail either the future of knowledge or of technology. One thing, however, is clear—that whatever the future society is like, it will have to inhabit a "spaceship earth," as Barbara Ward has called it, of highly limited resources, and it will have to develop a circular or "looped" material economy.

Up to the present period, man has lived psychologically, and to a large extent physically, on a "great plain," which has always had a horizon, always had a frontier, and he has always had somewhere else to go. His material economy, furthermore, has always been, with some possible exceptions, "linear," in the sense that it has gone from exhaustible resources of some kind, such as mines, wells, or even the stock of huntable animals, into dumps. Man's economic life even in the paleolithic period seems to have consisted of exhausting his environment and fouling his nest. As long as there was a new environment and a new nest to move into, this perhaps did not matter so much, and man, by reason of his remarkable learning capacity, was able to expand into the whole earth and become its dominant species.

The great phenomenon of the Twentieth Century, however, is closure. Even when I was a boy there were still unexplored places on the globe; today there are none. The space enterprise emphasizes as never before the smallness and the loneliness of planet earth. It is the only decent piece of real estate in an enormous volume of space. We are conscious also that the time we are living in is unique, that it will never be repeated again. There is no second chance for man. If he cannot succeed in organizing his little spaceship on a permanent, self-sustaining basis before he has exhausted the stock of geological capital on which his development now rests, he will never have another chance. He will be inhabiting a plundered planet with all its geological capital squandered.

It is clear, therefore, that spaceship earth will require a technology quite different from what we have now, one in which the atmosphere, the oceans, and the soil are virtually the only sources of man's material artifacts and in which as these artifacts are used up their material components are in effect returned to the sources from which they came. There seems nothing inherently impossible about a technology of this kind. Indeed, some of the Twentieth Century developments point towards it, such as the fixation of nitrogen from the air and the extraction of magnesium from the sea.

The great unknown is the energy requirement. We may be able to devise an economy without an increase of material entropy, that is, in which we do not on balance diffuse concentrated materials, but, thanks to the second law of thermodynamics (that closed systems run down), it is impossible to have any economy without an input of energy. Virtually the only outside input of energy into the earth comes from the sun and this will go on for a long time. We can supplement this by burning up the earth itself, either the fossil sunshine in the fossil fuels or the nuclear energy. If we solve the fission problem this, too, would go on for a long time, although we might be faced eventually with the inability to export enough energy into space. If we burn up too much of the earth, it may get too hot for us. We may eventually, therefore, be forced back on the input of solar energy and utilize this for the necessary material transformations.

What we do not know now within orders of magnitude is the total human population that a spaceship earth would support at a reasonable level. Perhaps this is something we do not need to know for a long time, but at some point it is going to be a crucial factor in human history. We might visualize an earth of self-contained households, each raising all its food in sewage-fed artificial-algae tanks on one half of the rooftop and capturing all its energy on the other half of the rooftop with a solar trap, using virtually indestructible equipment, clothing, and furniture, with transportation mainly in the form of information carried by radiant energy. In this case I suppose we could have a world city with 100 billion people and a kind of universal Los Angelization. On the other hand, this may not be feasible and a much more elaborate structure may be necessary to support a considerably smaller population.

It seems absolutely impossible to predict what kind of social organization spaceship earth would require. One can visualize everything from a super-hierarchical brave New World, with a small elite and a large number of happy robots, or one could visualize a highly decentralized society relying on automatic cybernetic controls in a virtually anarchic utopia.

What is clear in the midst of all this uncertainty is that in the light of the enormous intellectual and moral task which lies ahead of mankind, the political revolutions of the last 200 years fade into relative insignificance. Neither the American, the French, nor the Russian revolutions created fundamental changes in the state of man and the ideologies which supported them are quite inadequate to bear the weight of this enormous transition which man faces.

This is not to deny the importance of the political task. Indeed, the organization of the political life of the planet may well be the factor that will make the difference between successful re-entry and possibly quite irretrievable disaster, for a landing is more dangerous than a takeoff. The political task, however, and the intellectual labor which must precede it still largely lie ahead of us. This is an age of disillusionment with all previous political solutions and political organizations. Neither capitalism nor Communism can solve the imminent danger involved in the international threat system. Nobody has solved the problem of how to develop the tropics without either demographic or ecological disaster. Nobody has solved the problem of how to prevent the insidious corruption both of the culture of the powerful and the culture of the impotent. We need a new image of the total dynamics of the social system more realistic than those provided by ideologies either of the right or of the left.

If the present excitement about the environment is to produce more than emotion, platitudes, and attempts to take us back to the good old days when the poor knew their place, it will have to stimulate us to an analysis of social dynamics both more realistic and more appealing than any we now possess.

MAYBE THERE IS A CHANCE AFTER ALL

Mr. HRUSKA. Mr. President, there appeared in the New York Times on April 16 an item that leads me to a new feeling of hope: maybe there is a chance for the Republic after all.

The Gallup poll issued a new survey on the attitudes of the American people. And they found that by a ratio of 3 to 2 Americans now consider themselves conservatives rather than liberals. Over half, 52 percent, say they are conservatives. Only 34 percent cling to their liberalism, while 14 percent of the public is willing to be convinced.

Now, I want it clearly recorded that in my view there is nothing wrong with being a liberal person. Our country must have its liberal-minded educators, industrialists, politicians, and plain citizens. Neither is there anything wrong, if I may say so, with being a conservative, for our country also needs people with respect for old values and concern for their careful modification to meet changing circumstances. But the liberals and conservatives of whom I speak will both, with equal indignation, have nothing to do with those who, in the name of "liberalism," really mean anarchy and mindless violence. We have had too much of this lately, and it is time our Nation woke up to what these pseudoliberals are doing to it. Historically, violent disruption of society, no matter what its putative purpose, brings only equally violent repression in its wake. That is the course we may find ourselves on, unless the traditional good sense of the American people reasserts itself.

Happily, this poll gives indication that this may in fact be happening. I ask unanimous consent that the Gallup poll be printed in the RECORD.

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

CONSERVATIVES OUTNUMBER THE LIBERALS, 3 TO 2, IN GALLUP POLL ON ATTITUDES

PRINCETON, N.J., April 15.—The American people by the ratio of 3-to-2 prefer to be labeled as "conservatives" rather than as "liberals," according to the Gallup Poll.

However, sharp differences emerge on the basis of the age of the respondent, region and educational background.

To test the grassroots appeal of the terms "conservative" and "liberal," Gallup Poll interviewers talked to a sample of 1,528 adults living in more than 300 localities in a survey conducted March 20–22. All persons in the survey were first asked:

"What is the first thing that comes to your mind when you think of someone who is a liberal (a conservative)?"

Descriptions of a "liberal" varied from "someone who looks at all sides of a problem" and "a person who believes in mankind" to "someone who is generous with other people's money" and "a drug addict."

The public's image of a "conservative" ranged from "a person who looks before he leaps" and "a decent sort of guy" to "a penny pincher" and "a self-centered square."

The following question was asked of all persons who expressed an opinion on the two questions dealing with the image of a conservative and liberal:

"Suppose you had to classify your self as either a liberal or a conservative, which would you say you are?"

Here are the views of this group, who accounted for 73 per cent of the total sample:

	Percent
Conservative	52
Liberal	34
No opinion	14

Persons over 30 years old among those who answered the image questions leaned heavily in favor of the "conservative" label, but adults in their 20's preferred to be classified as liberals by 47 per cent. Eight per cent did not express a choice.

The following tables show in detail the public image of a "conservative" and of a "liberal," with the percentages based on all persons in the sample:

Image of a conservative

FAVORABLE	Percent
Saves, doesn't throw things away	16
Cautious (careful)	10
General remarks (favorable)	5
Total	31
NEUTRAL	
Mentions Nixon, current administration	6
Mentions specific person other than Nixon	5
Mentions political position or party	3
Total	14
UNFAVORABLE	
Does not want to change, does not take a chance	12
Close-minded, intolerant, self-centered	9
Total	21
Miscellaneous	3
No opinion	35
Total*	104

Image of a "liberal"

FAVORABLE	Percent
Open-minded, fair	12
Generous, good-hearted	6
Wants change, active in bringing about needed reforms	5
General remarks (favorable)	2
	25
NEUTRAL	
Mentions specific person	7
Mentions political position or party	7
Mentions a specific problem (civil rights, etc.)	3
	17
UNFAVORABLE	
Gives things away, spends too freely	8
Negative descriptions (Communists, hippies, drug addicts, etc.)	5
Gets carried away, wild, too far out	4
Permissive, indifferent	4
General remarks (unfavorable)	4
	25
Miscellaneous	2
No opinion	37
Total*	106

**Total adds to more than 100 per cent because some persons gave more than one response.*

THE ABM: IS IT A DOOMSDAY MACHINE?

Mr. HARTKE. Mr. President, the time is fast approaching when we shall once again be asked to vote authorization of an expanded anti-ballistic-missile system—ABM. Its proponents have long since begun to beat the drums in an effort to alarm the American people into accepting this shockingly expensive, appallingly dangerous weapon.

What, they ask, if we do not have the ABM and an enemy attack appears to be underway? The more terrifying and appropriate question is, however: What if we do have such a system and use it? The answer, it now appears, is the extinction of mankind through strontium 90 poisoning.

The question was posed and answered last fall by Dr. Ernest J. Sternglass, professor of radiation physics at the University of Pittsburgh. His chillingly entitled essay, "The Death of All Children," received far less attention than it deserved. In order that it be available for consideration by the Senate during this year's debate, I ask unanimous consent that it be printed in the RECORD.

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

THE DEATH OF ALL CHILDREN—A FOOTNOTE TO THE A.B.M. CONTROVERSY

(By Ernest J. Sternglass)

Hopefully it is not too late to ask the members of Congress in their deliberations over the Administration's proposed Anti-Ballistic Missile system to pause and reflect on the nature and urgency of the matter they have been debating

In view of new evidence on the totally unexpected action of strontium 90 on human reproductive cells, it is apparent that Congress has not yet considered what may well be the most important factor affecting its decision to proceed or not to proceed with the first steps toward the A.B.M. shield. The fact is this: a full-scale A.B.M. system, protecting the United States against a Soviet first strike, could, if successful, cause the extinction of the human race. (Indeed, the scientific evidence indicates that *already* at least one of three children, who died before their first birthdays in America in the 1960's, may have died as a result of peacetime nuclear testing.) Such is the conclusion indicated by new information on the unanticipated genetic effect of strontium 90, presented at a recent meeting of the Health Physics Society.

Proponents of the A.B.M. system argue that it is necessary to prevent the destruction of our deterrent forces by a massive first strike of Russian SS–9 missiles carrying thousands of multiple warheads. But the threat of such an attack loses all credibility against our present knowledge that the vast amounts of long-lived strontium 90 necessarily released into the world's rapidly circulating atmosphere could lead to the death of all Russian infants born in the next generation, thus ending the existence of the Russian people, together with that of all mankind.

The unanticipated genetic effect of strontium 90 has become evident from an increase in the incidence of infant mortality along the path of the fallout cloud from the first atomic test in New Mexico in 1945, and from a *detailed* correlation of state-by-state infant mortality excesses with yearly changes of strontium 90 levels in milk.

The computer-calculated change in infant mortality was found to have reached close to one excess death in the U.S. per one hundred live births due to the release of only 200 megatons of fission energy by 1963. This indicates that a release of some 20,000 megatons anywhere in the world, needed in offensive warheads for an effective first strike or in the thousands of defensive A.B.M. warheads required to insure interception, could lead to

essentially no infants surviving to produce another generation.

The specter of fallout has of course loomed before in the national anxiety over nuclear explosions. But the result of these studies comprises the first documented, long-range analysis showing direct quantitative correlations between strontium 90 and infant mortality. (They will be published later this year as recorded in the Proceedings of the 9th annual Hanford Biology Symposium.)

The physicists who exploded the first atomic bomb at Alamogordo had expected radioactive materials of some kind and assumed that they would fall to earth downwind as far as fifty miles away. Accordingly, the test site had been located in an isolated area of southern New Mexico. When a subsequent series of tests was held in 1951, six years later, the scientists moved to the isolation of desert country in southern Nevada. By now, however, and without the knowledge of the scientific community, the death rate of children *in states* downwind from Alamogordo had begun to rise.

The infant mortality rates in the United States have been carefully collected for many years. From 1935 to 1950, the rate shows a steady decline, and mathematical models allow the rate to be extended to show, on the basis of previous experience, what the infant mortality rate for any time, consistent with the immediate past, ought to be. But while elsewhere (with one exception) in the U.S. the rate continued downward as expected; in the states downwind of Alamogordo it did not. There was no change in the infant death rate in 1946—the year after the Trinity test—but by 1950 the rate in Texas, Arkansas, Louisiana, Mississippi, Alabama, Georgia, and both Carolinas deviated upward from the normal expectancy. Increases in excess infant mortality of some twenty to thirty percent occurred some thousand to fifteen hundred miles away in Arkansas, Louisiana, and Alabama, where mortality rates were between 3 and 4.5 per hundred live births. Thus, as observed by our research group at the University of Pittsburgh, the Alamogordo blast appears to have been followed by the death, before reaching age one, of roughly one of one hundred children in the area downwind. No detectable increase in mortality rates relative to the computer-determined 1940–45 base line was observed in Florida, south of the path of the fallout cloud, or in the states to the north; and the mortality excesses became progressively less severe with increasing distance eastward, in a manner now understood to be characteristic of the activity along the path of a fallout cloud. Though the increase in infant mortality in these states was taking place during the years 1946–1950, it does not appear to have been associated with the Alamogordo fallout before our studies beginning in October, 1968.

Meanwhile, the study of radiation effects proceeded elsewhere in the scientific community. It became known in the early 1950's that radioactive strontium was concentrated in cow's milk and transmitted, along with the calcium to which it bears a close chemical resemblance, to the rapidly growing bones of the fetus and the subsequent infant. Still, the radiation from strontium 90, though long-lasting, was relatively small in degree; and it was a matter of record, from studies of young women employed in painting luminous watch dials, that very large amounts of radiation over long periods of time are required to produce bone cancer or leukemia in adults. Besides, the survivors of Hiroshima and Nagasaki and their offspring were carefully observed without discovering any very serious long-term effects of radiation. A small number of leukemia cases turned up, and a very few detectable abnormalities among their children, but compared with the rest of Japan the difference was slight. The measurable effects of fallout, at the time, did not seem so ominous after all. So atmospheric nuclear weapons testing proceeded in Nevada until 1958, and continued in the Pacific until 1963 under the pressure of the Cold War. No obvious or clear-cut incidents of serious harm to anyone were reported outside the immediate area of testing.

Still, there was concern among radiobiologists and geneticists over the possibility of radiation effects on the highly sensitive human reproductive cells, rapidly dividing and developing to form the human embryo during the first few weeks and months of gestation. Evidence from animal experiments, as well as from the observation of pregnant women who had been exposed to X-rays, suggested that ova and embryo might be from twenty to fifty times more sensitive to the development of leukemia than the mature adult. If so, the potential danger of even relatively small amounts of radiation would be greatly magnified.

The evidence implicating X-rays in childhood leukemia had been discovered—quite unexpectedly—by Dr. Alice Stewart of Oxford University, in the course of a survey designed to uncover the causes of a disturbing rise in childhood leukemia among the children of England and Wales during the 1950's. Her study, published in 1958, showed that mothers who had received a series of three to five abdominal X-rays in the course of a pelvic examination gave birth to children who were almost twice as likely to die of leukemia or other cancers than the children of mothers who had not been X-rayed during pregnancy. Subsequent studies showed that only about six percent of all childhood leukemia is related to X-rays, but Dr. Stewart's research remains significant, since before then no serious effects of ordinary diagnostic X-rays had ever been demonstrated, especially since a single abdominal X-ray gives the fetus a radiation dose not much larger than what each of us receives in the course of some three to five years from cosmic rays and the natural radiation in the rocks around us.

It is true that leukemia and childhood cancer are relatively rare. Only about one child in one thousand is affected. Nevertheless, since leukemia and other cancers are the second greatest cause of death among children between five and fourteen (ranking only after accidents), Dr. Stewart's findings were regarded by physicians as startling, and efforts were made to check them. Perhaps the most definitive such examination was done by Dr. Brian MacMahon at the Harvard School of Public Health. Using a study population of close to 800,000 children born in large New England hospitals, where careful records of X-rays given to mothers were available, Dr. MacMahon confirmed Dr. Stewart's findings. He observed only about a forty percent increase in the cancer rate among exposed children, probably because of improvements in X-ray technology that allowed lower exposures.

Meanwhile, in April, 1953, a sizable amount of nuclear debris from a test explosion in Nevada was wafted downwind some two thousand miles to the east and, thirty-six hours later, deposited by a rainstorm over the Albany-Troy region of New York State. Dr. Ralph Lapp, one of the first scientists to be concerned with the hazards of peacetime nuclear testing, drew attention to this heavy local fallout. Subsequent examination of the childhood leukemia pattern in this area showed that leukemia doubled over a period of some eight years after the fallout—and then decreased. Here, for the first time, was a documented case in which fallout appeared to produce serious effects at a rate consistent with what was expected from the study of children exposed to prenatal X-rays.

Further examination of the leukemia rate for the entire State of New York revealed a pattern of increase and decrease following the sequence of individual test series in Nevada between 1951 and 1958, with a characteristic time delay of about five years after each detonation. The rise and fall were particularly marked in the age group from five to fourteen years, the group most indicative of radiation-produced cases.

More disturbing yet, the evidence showed that the arrival of the fallout was followed by a halt in the normal decline of the rate of stillbirths. For the previous fifteen years, from 1935 to 1950, the stillbirth rate had shown a regular and progressive decline. Within a year after testing began in Nevada in 1951, the rate began to deviate upward. Between 1957 and 1963 the fetal death rate, instead of steadily declining as it had from 1935 to 1950, leveled off completely at around twenty-three per thousand live births. In 1964, the fetal death rate rose to 27.3 per thousand, the first such leap since records had been kept in New York State. In 1965 and 1966, it declined slightly, as a gradual reduction of fallout in milk and food took place throughout the U.S. In contrast to New York, the fetal death rate for California—upwind of the Nevada test site, and therefore not affected by it—continued its steady decline, in line with the 1935–1950 figures from which New York so sharply deviated. Still, the rate of decrease began to slow down in California also—two to three years after the onset of hydrogen bomb tests in the Pacific in 1954.

The implications of the fetal death rate could be considered much more serious for society than the incidence of childhood leukemia, since there are more than ten times as many fetal deaths reported than cases of childhood leukemia. Moreover, for every fetal death reported, an estimated five or six are not reported, yielding perhaps fifty or sixty fetal deaths for each case of leukemia. Consequently, the search for further evidence continued. More fallout seemed to be followed by more fetal deaths, but no precise statistical correlation had been drawn. Since the amount of strontium 90 deposited in the soil is easily measurable, the cumulative deposit of strontium 90 was plotted against the *excess* of fetal mortality over what the mortality *should* have been if the 1935–1950 decline had persisted. The finding: except for the first few years of testing in Nevada, when short-lived isotopes rather than the long-lived strontium 90 were dominant, the fetal death rate in New York followed the same general pattern as the accumulated strontium 90 on the ground. Both curves showed the same decrease in rate of climb coincident with the temporary halt of nuclear testing from 1958 to 1961; both show a sharp rise beginning with the large Soviet test series in 1961. Two years after the test ban in 1963, both the fetal death rate and the radioactivity in the environment once again began to decline.

A similar pattern in the fetal death rate exists in the data for the United States as a whole for all periods of gestation up to nine months. Again, there is a steady rate of decline until the Fifties, a leveling off in 1951–52, and an actual rise in 1954, corresponding to the onset of the Pacific H-bomb tests; and a second rise in 1961, corresponding to the Soviet test series.

But perhaps the most disturbing evidence of all indicates that the rates of the infant mortality in the United States and all over the world seem to have been affected by nuclear testing. The infant mortality rate is far more accurately known than the fetal death rate, since the death of a baby, unlike a miscarriage or an abortion, rarely escapes notice in the advanced countries. Like fetal deaths, infant mortality had shown a steady decline in the period 1935–1950; but beginning with the Nevada tests in 1951 and continuing until just after the test ban in 1963, the rate suddenly leveled off in the U.S. This leveling off did not occur in such other advanced

countries as Sweden, Holland and Norway, or in Southern Hemisphere countries like Chile and New Zealand, until late in the 1950's when hydrogen-bomb tests in the South Pacific and Siberia began to produce worldwide fallout on a much increased scale. Only after the major portion of the most violently radioactive material from the 1961–62 tests had disappeared did U.S. infant mortality begin to decline again in 1965, at a rate close to the previous 1935–1950 decline.

The most serious effects appeared in the age group from one month to one year. Here, the rate of deaths per one thousand live births should have been, according to the 1935–1950 figures, about 2.7. Instead, the observed number was 5.4 per thousand, twice what it should have been and twice what it actually was in Sweden, where the rate had steadily declined to 2.6 per thousand.

Not only was there a drastic change in overall infant mortality for the U.S. as compared to the rest of the advanced countries, but there were also disturbing patterns of change within the U.S. For example, the infant mortality rate started to level off sharply in the Eastern, Midwestern and Southern states within two years after the onset of atomic testing in Nevada in 1951, while it continued steadily downward in the dry Western states. But this is exactly the known pattern of accumulated radioactive strontium on the ground and in the diet, since strontium is most heavily deposited in states of high annual rainfall, especially in those to the east of Nevada.

Serious difficulties remained, however, in establishing a casual connection between nuclear testing and these drastic changes in fetal and infant mortality. First, why should fallout, and in particular strontium 90, cause fetal and infant deaths, since it goes to the bones and should therefore cause, if anything, bone cancer and leukemia many years later? Second, there was no observed direct quantitative relation between different levels of strontium 90 in the body and mortality rates at any given age. Therefore it was difficult to see how the very small amounts of radiation resulting from peacetime testing could possibly have been the cause of the deviations in fetal death and infant mortality, especially since no significant genetic effects had been observed among the children of the Hiroshima and Nagasaki survivors.

The causation puzzle now appears to be solved. In 1963, K. G. Luning and his coworkers in Sweden published their discovery that small amounts of strontium 90, injected into male mice three or four weeks prior to mating, produced an increase in fetal deaths among their offspring. No such increase appeared when corresponding amounts of chemically different radioactive cesium 137 were injected. More recently, evidence presented at an International Symposium on the Radiation Biology of the Fetal and Juvenile Mammal in May, 1969, has demonstrated severe chromosome damage, fetal deaths and congenital malformations in the offspring of female mice injected with strontium 90 before and during pregnancy. Similar effects have now been observed for very small quantities of tritium, produced by both A-bombs and relatively "clean" hydrogen weapons.

In the light of these studies, the absence of genetic effects in Hiroshima is understandable. In Hiroshima and Nagasaki, the bombs were detonated, not on the ground as in New Mexico, but at such an altitude that there was essentially no fallout in these two cities proper. The radiation exposure there resulted almost exclusively from the brief flash of X-rays, neutrons and gamma rays at the instant of explosion. Consequently no special effects related to strontium 90 appeared in the children of the survivors; but the rate of cancer deaths among children up to fourteen years in Japan as a whole jumped by more than two hundred percent between 1949 and 1951, four to six years after the bombs, when the fallout had had a chance to produce its effects througnout the southern parts of Japan—exactly the same delay observed after the fallout from Nevada arrived in Albany-Troy.

But the problem remains of demonstrating a direct connection between the levels of strontium 90 in human fetuses and infants, on the one hand, and observed changes in fetal and infant mortality, on the other. Such a direct connection seems to emerge from the so-called "baby-tooth survey" carried out by the Dental School of Washington University in St. Louis, supported by the U.S. Public Health Service and directed by Dr. H. L. Rosenthal. Using the data from tooth-buds and mandibular bones of aborted fetuses and from baby teeth collected in the greater St. Louis area, Dr. Rosenthal's study showed that the concentration of strontium 90 in the teeth followed closely the measured concentrations in bone and milk. Measurement of the strontium 90 content of milk anywhere in the world permits a calculation of the concentration in the bones of infants and fetuses developing in the same areas. We have found a direct correlation between the yearly changes of strontium 90 contained in the teeth (and therefore the bones and bodies) of the developing human fetus and infant, and the changing excess mortality rates, going up and down together as atmospheric tests began in 1951 and stopped in 1963.

From our examinations of the infant mortality changes from a computer-fitted base line for 1935–1950, for various states in which the Public Health Service reported monthly values of the strontium 90 concentrations in the milk since 1957, there emerges a close correspondence between average strontium 90 levels and infant mortality changes. Wherever the strontium 90 rose to high values over a four-year period, as in Georgia, a large, parallel, year-by-year rise in infant mortality also took place; while in areas where there was little stontium 90 in the milk, as in Texas, the infant mortality remained at a correspondingly lower value. Other states such as Illinois, Missouri, New York and Utah also show a rise, peaking in the same 1962–1965 period at levels between these extreme cases, each according to their local annual rainfall and strontium 90 concentrations in their milk.

For the United States as a whole, we found a detailed correspondence between and among: 1) the excess infant mortality relative to the 1935–1950 base line; 2) the total strontium 90 produced by nuclear weapons; 3) the strontium 90 thus produced actually reaching the ground; and 4) the four-year average concentration in U.S. milk from 1955, the year after the first large H-bomb test; and 1965, the year when strontium 90 concentrations began to level off and started to decline once again.

At the peak of this excess infant mortality, it was the District of Columbia that showed the largest excess in 1966—157 percent, compared with an average excess of 72 percent for the U.S. as a whole. The low value was found in dry New Mexico, minus-eleven percent—actually below the 1935–50 base line.

To appreciate the magnitude of these effects, it must be recognized that in the 1950's about 2.5 to 3.2 infants out of every hundred born in the U.S. died before reaching the age of one year. The average excess infant mortality, therefore, represents close to one child out of one hundred born, or one of every 2.5 to 3.0 that died during the first year of life.

Since about four million children were born annually during this period, close to 40,000 infants one year old or less died in excess of normal expectations each year, totaling some 375,000 by the mid-Sixties and continuing at about 34,000 per year since the end of atmospheric testing by the U.S. and the U.S.S.R.

It is no wonder, then, that infant mortality has been a major concern of our Public Health Service since this trend was first pointed out in 1960 by Dr. M. Moriyama of the National Center for Health Statistics.

However, as Dr. Moriyama and his associates observed during an international conference devoted entirely to infant mortality in 1965, none of the factors so far considered—medical care, population movement, new drugs, pesticides, smoking or epidemics of infectious disease—suffices to explain the observed facts.

That the recent excesses in infant mortality cannot readily be explained by medical and socioeconomic factors normally influencing mortality trends may be seen from an examination of the death rate in the various states following the Alamogordo blast. At the University of Pittsburgh, we have plotted the percentile infant mortality excesses or decrements relative to the computer-determined 1940–1945 base line for the first and fifth years after Alamogordo. In 1946, one year after the detonation, there was no sign of any excess infant mortality in the states downwind from New Mexico; but by 1950 a clear change toward excess infant mortality appeared in the states over which the fallout cloud had drifted, and only in those states. Furthermore, the excess mortalities are seen to be distributed in such a pattern as might be expected from nuclear fallout originating in New Mexico, since the effects are lowest in the dry area of western Texas, and largest in the areas of heavy rainfall first encountered by the cloud, namely Arkansas, Louisiana, Mississippi and Alabama, declining steadily thereafter toward the Atlantic.

The only other area that showed a clear excess infant mortality greater than ten percent as compared to the 1940–1945 period was found to be North Dakota. There, subsequent measurements of strontium 90 in the milk, carried out by the Health and Safety Laboratories of the Atomic Energy Commission, revealed the highest concentrations anywhere in the U.S. for which data is available prior to 1960. The causes of this "hot spot" are not yet fully understood, but they are quite possibly connected with known accidental discharges of radioactivity from the Hanford plant of the Manhattan Project, directly to the west, in the early years of its operation, where the fissionable plutonium for most of the nuclear weapons was produced beginning in 1944.

Since no excess infant mortality was registered along the path of the New Mexico fallout cloud in the first year after the detonation, the deaths occurring downwind in later years could not have resulted from the direct effects of external radiation from fallout on the developing embryo. It becomes clear then that we are dealing with an effect on the reproductive cells of the parents, or a so-called genetic effect.

The evidence available so far therefore suggests that radioactive strontium appears to be a far more serious hazard to man through its long-lasting action on the genetic material of the mammalian cell than had been expected on the basis of its well-known tendency to be incorporated into bone. The resultant effect appears to express itself most noticeably in excess fetal and infant mortality rates among the children born two or more years after a nuclear explosion. Presumably such factors as lowered birth weight and reduced ability to resist ordinary infectious diseases are involved, accounting for the greatest increase in infant mortality in the U.S. as compared to the advanced countries of Western Europe since the early 1950's. Children who receive adequate medical care are more likely to survive these factors than those who do not.

What does all this imply for the debate over the deployment of new nuclear weapons systems, such as the A.B.M. or the M.I.R.V. (Multiple Independent Reentry Vehicle),

carrying many nuclear warheads in a single missile? To appreciate the probable genetic effects of a large nuclear war, we can consider first the effect of small tactical-size nuclear weapons comparable to the 20 kiloton bombs detonated over Hiroshima, Nagasaki, and in the desert of Alamogordo. Since increases of some 20 to 30 percent excess infant mortality were observed from a thousand to fifteen hundred miles downwind in Arkansas, Alabama and Louisiana, where mortality rates were between 3 and 4.5 per-hundred live births, the detonation of a single, small tactical-size nuclear weapon on the ground in the western United States appears to have led to one out of one hundred children born subsequently dying before reaching the age of one year. Therefore, the detonation of a hundred or so weapons of this size, amounting to the equivalent of only two megatons in the form of small warheads, would be expected to lead to essentially *no* children surviving to maturity in the states directly downwind.

But according to a former Defense Secretary Clark Clifford, speaking at a N.A.T.O. conference in the Fall of 1968, we have close to eight thousand tactical nuclear weapons in the kiloton range ready to be released in order to protect our European allies from a ground attack by Russia. Thus, we would probably achieve the protection of Western Europe at the cost of the biological end of these nations through the death of the children of the survivors, together with the likely death of most children subsequently born to the people of Eastern Europe, Russia and China as the radioactive clouds drift eastward around the world until they reach the United States. Thus, the use of the biologically most destructive small nuclear weapons in tactical warfare now appears to be at least as self-defeating as the release of large quantities of nerve gas, killing indiscriminately soldiers and civilians, friends and enemies alike.

But, what about the use of large megaton warheads in a massive first strike or in A.B.M. missiles detonated high up in the stratosphere or outer space, as proposed for the Spartan missile that is to provide us with an impenetrable shield against a first strike attack by large Chinese or Russian missiles in the 1970's?

According to the figures on infant mortality in the United States, based on the testing of large hydrogen weapons in the Pacific and Siberia, both in the atmosphere and outer space, close to one out of every one hundred children born are likely to have died as the result of only about 200 megatons worth of fission products into the world's atmosphere, under conditions which were especially designed to minimize the possible effects on health.

According to the testimony of Defense Secretary Melvin Laird in the Spring of 1969, the U.S.S.R. will have the capability of launching some 500 SS-9 missiles, each capable of carrying 25 megatons worth of bombs in the form of many multiple warheads, or a total of some 1500 to 2500 warheads. Together with comparable numbers launched by smaller missiles, the total megatonnage would therefore be of the order of 10 to 20,000 megatons needed in a first strike that attempts to destroy most of our thousands of missiles and bombers at the same time.

Thus, the threat of a first strike by Russia loses all credibility since, in order to have any chance at all of preventing devastating retaliation, it would necessarily have to release so much radioactivity into the circulating atmosphere that it would lead to the death of most Russian infants born in the next generation, ending the existence of the Russian people together with that of all mankind.

Since it takes at least three to five Anti-Ballistic Missiles launched to insure a high probability of interception, the U.S. must be prepared to launch some 5000 to 15000 A.B.M.'s in order to provide a meaningful "shield" against such a massive attack.

We know that each Spartan missile must contain a warhead of at least 2 megatons to produce a sufficiently intense X-ray pulse to achieve interception, so that the use of this system to protect our own missiles and cities would require the detonation of some 10,000 to 30,000 megatons into the stratosphere, not counting any radioactivity from the Russian warheads, from our own counterstrike, or from the Russian A.B.M. missiles.

Thus, even if anti-missile systems were to work with ideal perfection on both sides, preserving every home, every school, and every factory from destruction, the release of long-lived radioactive materials would produce more than a hundred times as much radioactive poison as during all the years of peacetime testing. Based on the excess mortality observed during the period of testing, this would most likely be sufficient to insure that few if any children anywhere in the world would grow to maturity to give rise to another generation.

Nor will it make much difference how high above the atmosphere the bombs are detonated, because the strontium 90 takes twenty-eight years to decay to half of its initial activity, long enough for most of it to return to earth well before another generation of children is born. And even if a perfectly "clean" weapon containing no fissionable material at all could ever be developed, the carbon 14 it produces would get into the genetic material controlling the life processes of all living cells, and it takes 5770 years before half of its radioactivity is exhausted.

The implications of the warning mankind has received from the death of its infants during nuclear testing are therefore clear:

Nuclear war, with or without anti-missiles or elaborate shelters, is no longer "thinkable" due to a fatal flaw in the assumptions of all our military war-gamers, namely the unexpectedly severe biological sensitivity of the mammalian reproductive system to genetically important by-products of nuclear weapons, which must now be regarded not merely as vastly destructive explosive and incendiary devices, but as the most powerful biological poison weapons that man has yet invented.

THE U.S. NATIONAL ARBORETUM

Mr. PERCY. Mr. President, on April 22, many of the people of the Nation took time out to stop and think about our earth and its struggle for survival. One aspect of this day was that we seemed to see more clearly both the beauty of nature and the destructiveness of man. There were many speeches made about what ought to be done, and I hope that it was not just rhetoric.

If we want to look for something to do that will stop a part of man's destruction of nature, we have to look no further than the Nation's Capital. The U.S. National Arboretum is one of the most beautiful spots in the Washington, D.C., area. It is a magnificent spot in which we can withdraw from the noise and smells of our highly industrialized society where we can get away from the fumes and sight and sound of cars and trucks and buses and enjoy the serenity of nature.

Now, however, an East Leg Parkway has been proposed that would run along the arboretum side of the Anacostia River, using precious aboretum land.

Mr. President, I ask unanimous consent that an article written by Mr. Tom Stevenson and published in the Washington Post of April 19 be printed in the RECORD. The article eloquently describes both the arboretum and the threat to it.

If we are serious about saving our environment, it is with small but important issues like this that we must deal and deal decisively.

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

NATURALISTS FEAR RUIN OF ARBORETUM

(By Tom Stevenson)

The U.S. National Arboretum is considered one of the great arboretums of the world and one of the big attractions of the District of Columbia. Yet, an effort is being made to take a lot of Arboretum acreage and use it for a roadway. The decision rests with Congress.

Robert F. Lederer, executive vice president, American Association of Nurserymen, and Mrs. Glenn B. Eastburn, executive director, American Horticultural Society, have warned their members that a proposed East Leg Parkway along the Arboretum side of the Anacostia River would require the use of land now occupied by the Arboretum. Richard P. White, chairman of the National Arboretum Advisory Council, says that the proposal, if adopted, would cripple the Arboretum.

"In jeopardy," said Dr. White, "is a collection of plants worth millions of dollars, really priceless, since they could not be moved to a new location without heavy losses, and some of which, due to their worldwide nature, could never be replaced; and a corps of trained scientists in horticultural research, highly efficient, that might move elsewhere and that would be hard to replace, once lost."

One of the outstanding attractions at the Arboretum is the Gotelli collection of dwarf conifers. Over a period of 15 years, William T. Gotelli, of South Orange, N.J., assembled more than 1,500 plants from all parts of the world. In 1963 he gave the collection to the Arboretum. He said it was too fine for one person to possess, and he wanted it at the Arboretum where all could enjoy it. Here the conifers of normal growth contrast pleasingly with their dwarf counterparts, in an arrangement of rocks and stone-mulched beds set among velvet green grass walkways.

In late April and early May, 70,000 azaleas on the slopes of Mount Hamilton, in the Arboretum, are in bloom beneath a canopy of tulip, oak and dogwood trees.

Along the Anacostia River are hundreds of magnificent camellias, both sasanquas and japonicas. Last fall the Camellia Society of the Potomac Valley in a test program, produced thousands of blooms on the japonicas by regulating their growth through a process called gibbing. More than 100 varieties of sasanqua are planted along trails and among stately Japanese temple trees.

Nearby, a central alley bordered by specimen plants of flowering dogwood is set among hemlocks and informal plantings of other dogwoods. In the collection are about 65 kinds of dogwood, including the weeping form, the bunchberry and the Chinese dogwood.

The collection of more than 600 crabapples represents one of the largest test plantings in this country. Though the trees are still young, crabapple blossoms are beginning to add considerably to the flower display of mid-April, the effect being heightened by underplantings of daffodils. Ornamental crabapples are considered the most dependable of all small flowering trees for cold climates. At the Arboretum there are varieties suitable for every region that experiences temperatures below zero in the United States. The Arboretum's collection is also be-

ginning to provide information on the best varieties for the middle and upper South.

There is a fine collection of hollies, American, English, Chinese, Japanese and miscellaneous evergreen types. The plants are labeled to help visitors identify them. The holly plantings also suggest possible landscape use of these plants. In addition to the hollies on display, the Arboretum has research collections which are being used in breeding programs to develop superior forms, particularly for sections of the country where hollies are not now climatically adapted.

The holly trail leads to a unique six-sided teakwood bench from which one can view plantings of 25-foot tall hybrid magnolias, deciduous hollies and crabapples.

Fern valley is a naturalistic planting of ferns and other plants native to Eastern North America. Of special interest is a wall for lime-loving ferns, made from limestone rocks said to have been originally used in a rocky parapet constructed by Braddock's army.

A start toward a complete collection of flowering cherries at the Arboretum was made through a gift by National Capital Optimists. The collection is being added to each year, and will serve for research and possibly hybridizing.

Many of the plantings at the Arboretum in addition to the flowering cherries, have been contributed to the general public, individuals, nurserymen, and garden clubs.

In addition to being a beauty spot, the Arboretum is an educational institution—an outdoor museum in which one can study many kinds of trees, shrubs and other plants. It is a research institution, using its plants for cultural observation and in breeding and testing programs. In cooperation with the New Crops Research Branch of USDA, it distributes new plants and seed to other botanic gardens of this country.

LIMITING FARM PAYMENTS TO $10,000 PER CROP OF COTTON, WHEAT, AND FEED GRAINS

Mr. GOODELL. Mr. President, considering the inflationary pressures in our economy and the budget constraints which are applied to so many vitally needed programs, it seems unbelievable to me that we should still continue wasteful programs of large farm subsidy payments to a small handful of wealthy producers.

When the Agriculture Appropriations Act was considered in the Senate last year, I offered an amendment to the bill which would have limited the payments to individual producers of cotton, wheat, and feed grains to $10,000 per crop. Because I had to offer my amendment to the appropriation bill, this limitation would have applied only to the 1970 crops.

Basic farm legislation expires this year. We now have an unparalleled opportunity to enact long-range changes in the farm program which would have the effect of placing permanent limitations on these programs. I intend to offer my amendment again this year and I will be working with Senator BIRCH BAYH in a bipartisan effort to bring this about. We are planning to introduce our amendment next week. If our proposal is enacted, a potential saving of $250 million annually could result.

Last year I placed in the RECORD a list, by State, of producers receiving $10,000 or more from these three programs in 1968. Figures are now available for 1969, and they show an alarming increase in just 1 year. The number of payees receiving $10,000 or more increased by 1,877 in the cotton program, by 2,836 in the feed grains program, and by 1,806 in the wheat program.

Mr. President, for the benefit of Senators who will be considering a limitation on farm subsidies this year, I ask unanimous consent to have printed in the RECORD a table provided by the Department of Agriculture which lists by State those producers who received $10,000 or more from cotton, wheat, and feed grains programs in 1969.

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

U.S. DEPARTMENT OF AGRICULTURE, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE—NUMBER OF PAYEES RECEIVING $10,000 OR MORE DURING 1969 CALENDAR YEAR IN THE FOLLOWING ASCS PROGRAMS

State	Cotton (number)	Feed grain (number)	Wheat (number)
Alabama	773	31	
Alaska			
Arizona	850	79	14
Arkansas	1,679		5
California	1,652	240	135
Colorado		193	437
Connecticut			
Delaware		5	
Florida	13	33	
Georgia	710	194	5
Hawaii			
Idaho		5	433
Illinois	1	808	9
Indiana		478	5
Iowa		997	2
Kansas		339	739
Kentucky	9	69	2
Louisiana	790	4	1
Maine			
Maryland		24	
Massachusetts			
Michigan		52	1
Minnesota		486	49
Mississippi	2,461	11	3
Missouri	299	453	12
Montana		6	1,113
Nebraska		799	93
Nevada	13		5
New Hampshire			
New Jersey		6	1
New Mexico	316	272	193
New York		11	8
North Carolina	149	87	1
North Dakota		46	483
Ohio		164	7
Oklahoma	167	47	362
Oregon		6	323
Pennsylvania		15	2
Rhode Island			
South Carolina	619	36	
South Dakota		77	206
Tennessee	405	24	
Texas	6,068	2,029	808
Utah		1	51
Vermont			
Virginia		32	
Washington		11	1,131
West Virginia			
Wisconsin		93	
Wyoming		1	28
Total	16,974	8,264	6,667

DEATH OF JACOB H. MOGELEVER

Mr. PELL. Mr. President, Jacob H. Mogelever, a distinguished Rhode Islander, a newspaperman, author, and for the past 28 years the Treasury's chief promoter of savings bonds, died recently at his home in Bethesda.

Although he had not lived in Rhode Island for many years, he maintained a continued special interest in the affairs of his home State and, in his position in the Treasury Department, he worked closely and effectively with the Rhode Island State director of savings bonds, Miss Katherine M. Cullinan.

I know this energetic and imaginative man will be greatly missed. He was a tireless worker in behalf of the country and savings bond purchasers, whose importance in providing funds for the operation of the Government cannot be overemphasized. I wish also to extend my deepest sympathy to Mr. Mogelever's family.

Mr. President, I ask unanimous consent that two articles about Mr. Mogelever be printed in the RECORD.

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

[From the Providence Journal, Apr. 6, 1970]

J. MOGELEVER, BONDS PROMOTER, NEWSMAN, DIES

Jacob Mogelever, 69, a former reporter and copy editor for the Journal-Bulletin and chief promoter of Treasury Department savings bonds for the last 28 years, died Saturday night at his home in Bethesda, Md.

"Jake," as he was known locally, was born in Providence in 1900 and grew up in Central Falls and Pawtucket. His parents, Bernard and Sarah Mogelever, were Polish immigrants.

In 1942, he became chief of press and special promotions for the savings bond division of the Treasury Department.

Over the years, he used numerous gimmicks to plug the bonds, including covered wagons, talking dogs, an elephant riding into the Treasury building, duplicate Liberty Bells, symphony orchestras and all the communications media.

Mr. Mogelever went through the elementary grades in Central Falls and graduated from Pawtucket High School in 1918. He was a graduate of Brown University, Class of 1922.

While at Brown, he worked with the Journal-Bulletin in its Pawtucket office. He was a reporter at night and a street-corner paperboy during the day. He was a reporter until 1924, when he joined the copy desk in Providence.

In 1926, he returned to Pawtucket and was managing editor of the Pawtucket Times for seven years. He then became city editor of the Newark Star Ledger, a position he held until 1942.

Mr. Mogelever is survived by his wife, Mrs. Hodes Mogelever; two daughters, Mrs. Bonnie Pollack, of Silver Spring, Md., and Naomi, a student at Yale University; two brothers, Morris, acting state athletic commissioner in New Jersey, and Louis, a police reporter for the Newark Star Ledger.

The funeral service will be in Takoma Park, Md., with the burial in Falls Cemetery in Virginia.

[From the Washington Post, April 6, 1970]

J. H. MOGELEVER DIES, TREASURY OFFICIAL, 69

Jacob H. Mogelever, newspaperman, author and for years the government's number one savings bond salesman, died Saturday at his home in Bethesda after a heart attack. He was 69.

A native of Providence, R.I., Mr. Mogelever got his first newspaper job on the copy desk of the Providence Journal. He went on to become managing editor of the Pawtucket Times and later city editor of the Newark Star Eagle.

In 1940, Mr. Mogelever moved to Washington, where he was made head of promotion for the U.S. savings bond division of the Treasury Department.

He helped produce several movie shorts featuring Hollywood and Broadway stars promoting bond sales.

In 1960, Mr. Mogelever accomplished what he said was a longtime dream—he published a book. It was called "Death to Traitors" and told the story of Gen. Lafayette Baker, who came to Washington in the 1860s to head Lincoln's Secret Service.

"I'm no Civil War buff," he explained. "I'm

just a litle guy that wandered in and found a good story to tell and wanted to tell it. It's escapist adventure."

In 1968, Mr. Mogelever received the Treasury Meritorious Service Award.

He is survived by his wife, Hodes, of the home, 5201 Camberley Ave.; two daughters, Naomi, of New Haven, and Bonnie Pollack, of Silver Spring; two brothers, Louis, of Elizabeth, N.J., and Morris, of Allenhurst, N.J.; three sisters, Anne Cohen, of Pasadena, Calif., Rose Reichart, of Cleveland, and Mrs. Nathan Salant, of Washington, and two grandchildren.

AMATEUR RADIO RIGHTS FOR RESIDENT ALIENS

Mr. GOLDWATER. Mr. President, last year I introduced S. 1466, a bill to grant the right to operate amateur radio equipment to resident aliens. Oddly enough, under existing law, this important group of Americans is not allowed to obtain ham radio operators' licenses.

Mr. President, this situation is most unfair. It is utterly without any reason and constitutes a discriminatory legal technicality which denies several thousands of our future citizens the privilege of enjoying this interesting activity.

I remind Senators that this group of resident Americans includes persons who are so strongly attracted to our country that they not only have chosen to settle here, but have declared their intent to become U.S. citizens as soon as our law will allow.

These permanent residents have fallen into a legislative gap which on one side benefits temporary visitors from abroad and, on the other side, U.S. citizens. If an amateur enthusiast is merely visiting the United States on a student, business, or tourist visa, he can obtain an authorization to operate amateur radio equipment while he is here if his home country offers reciprocal rights to our citizens. However, if the very same person decides to settle in this country, he will be completely cut off from all right to enjoy his ham radio activities.

In order to correct this unfair and discriminatory oversight in the present law, my bill will authorize the FCC to issue amateur radio licenses to permanent residents whenever they have filed a declaration of intent to become U.S. citizens. I am happy to report that since last March, when the bill was introduced, there has been a growing movement of support for the cause of the immigrant radio amateurs.

First, the bill has received the endorsement of the American Radio Relay League which represents most of the 270,000 Americans who are members of the ham fraternity. Second, it also has received the backing of the International Amateur Radio Union which consists of 80 national societies representing radio amateurs from most other countries of the world.

In addition, CQ, QST, 73 Magazine, and DIALOG have all given their strong editorial support to the bill. They are the leading radio amateur periodicals in this country.

But, Mr. President, most encouraging of all, to me, is the fact that 25 Senators have agreed to join as cosponsors of this measure. I believe it is of particular importance to note that these Senators represent 18 different States stretching from Hawaii to both coasts of the mainland. To my mind, this indicates a widespread national interest in assisting this important group of future citizens.

Mr. President, the anomaly of the present status of permanent residents is pointed up by one typical illustration. American residents in this category are fully subjective to American taxes, they are fully subject to compulsory service in the U.S. military services, and, indeed, many of them who now serve in the Armed Forces are regularly using military radio transmitters.

So, we have the odd situation where American immigrants are considered 100 percent capable of serving faithfully in the U.S. Armed Forces, but at the same time the very same people are not considered capable or responsible enough to operate amateur radio stations.

This is downright nonsense, of course; and the plain truth is that it stands as an unfortunate oversight in the present communications law that few people have noticed before. It is high time Congress took action to correct the matter, and I hope that the Senate will begin action promptly on the solution I have proposed, and in which I am joined by one-fourth of the Senate's membership.

Mr. President, at this point, I ask unanimous consent that there be printed in the RECORD the names and States of all 25 Senators who have agreed to join as sponsors of the proposed legislation.

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

LIST OF COSPONSORS

Mr. Fannin of Arizona.
Mr. Cranston and Mr. Murphy of California.
Mr. Dominick of Colorado.
Mr. Fong and Mr. Inouye of Hawaii.
Mr. Bayh of Indiana.
Mr. Dole of Kansas.
Mr. Metcalf of Montana.
Mr. Curtis and Mr. Hruska of Nebraska.
Mr. Bible and Mr. Cannon of Nevada.
Mr. McIntyre of New Hampshire.
Mr. Goodell and Mr. Javits of New York.
Mr. Packwood of Oregon.
Mr. Pell of Rhode Island.
Mr. Hollings and Mr. Thurmond of South Carolina.
Mr. Baker of Tennessee.
Mr. Tower of Texas.
Mr. Bennett and Mr. Moss of Utah.
Mr. Randolph of West Virginia.

Mr. GOLDWATER. Finally, Mr. President, I ask unanimous consent that there be printed in the RECORD three recent magazine articles which endorse and discuss the proposal I have introduced.

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

[From CQ, August, 1969]

ALIEN OPERATORS

Editor, CQ:

My name is Marcel Saidman and I immigrated from Romania to this country in 1965. I am specialized in foundations and underground structures and since my arrival I am with Stone and Webster Engr. Corp. in Boston.

I am complaining against the section of the Communication Act of 1934 which requires an applicant for a radio-amateur license to be a citizen of this country or to be an alien having an amateur license and whose government has a bilateral reciprocal agreement with the United States.

I would like to comment on that section as follows:

1. An alien who is already a "permanent resident" of the United States and has filled out and signed the "declaration of intention to become a United States citizen" has already been verified and approved by the American authorities and will in time become a citizen.

2. People in this category have most of the duties of the American citizens: they are paying taxes, serving in the American Armed Forces and those with the Signal Corps of the Army are regularly using military transmitters.

3. Based on reciprocal Operating Agreements, radio-amateurs from 23 foreign countries can operate their own radio amateur station in this country. Are these radio-amateurs more American or more reliable to this country than we, the permanent residents?

My complaint could be considered as unreasonable if only American citizens could enjoy the right to get a license for operating a radio amateur station.

But as long as non-American people like tourists or short-time visitors are granted this right, why should it not be granted to us who are permanent American residents and have already declared our intention to become citizens? Why not to us who are taxpayers and thus are contributing to the welfare of the American community? Why not to us who are serving in the Armed Forces and thus are considered faithful to these United States?

Last year Congressman T. R. Kupferman introduced a Bill under the Nr. HR 16764. Being too late the Bill died in the House Committee on Commerce.

Another similar Bill was introduced this year to the Senate by Sen. B. Goldwater under S. J. Res. 27.

We hope you will help us in passing this resolution in spite of the fact that we new immigrants have nothing to offer in exchange as other countries do, other than our blood, our affection for this country, or our strong desire to work hard for the welfare of this nation which welcomed us and where we found the freedom of which we were deprived in our native country.

MARCEL SAIDMAN, ex-YO3FZ.
BRIGHTON, MASS.

[From DIALOG, November-December 1969]

AMATEUR RADIO LICENSES FOR IMMIGRANTS

(By George Pataki, ex-YO2BO)

I would like to inform the readers of DIALOG about the problem of licensing immigrant radio amateurs, those who are permanent residents of the United States, and intend to become future citizens of this country.

As you may know, the Communications Act of 1969, as amended, allows only American citizens or nationals to apply for an amateur radio license. For an immigrant it takes five years of residency to become eligible for citizenship; consequently it takes more than five years to be able to apply for a W/K call.

I have talked to many amateurs, both American and foreign, and have heard many reasons favoring amendment of the present regulations. For example, an immigrant living in California said that while in the Army he was entrusted with official radio communications, but that as a civilian he was not trustworthy enough to get an amateur radio license. Canadian operators have told me that in VE-land any immigant can get a temporary license, good for six years; but, after five years they can become citizens, in which case the license becomes permanent.

Amateurs from various countries having

reciprocal operating agreements with the United States, and having a student, business, or tourist visa, can operate their own stations here; but if the same person decides to settle in this country, he will find that, as an immigrant and as a permanent resident, he has all the duties of American citizenship, but fewer rights. He will lose his license from his native country, but he can not get an American license for five years.

The present regulations permit anyone, including aliens, to operate an amateur radio station in the United States—under the supervision of the licensee, who must tune the transmitter and turn the on-off switch. Imagine a crystal-controlled and vox-operated transmitter—what then is the duty of the licensee?

Perhaps we aliens are not trusted enough. Then why are we admitted to the country? Or perhaps the FCC does not trust our skill to operate, unassisted, an amateur radio station. Let us take the test, then, the same test given to American applicants.

I am a graduate engineer in electronics and communications, and I work for CBS-TV in New York City. I handle all kinds of equipment for one of the world's largest television networks feeding more than 200 stations. But I cannot operate, alone, an amateur radio station.

I like amateur radio very much. I like to communicate with other operators from other countries; I am interested in their ways of living, their opinions, and their technical experiments. Why should I be stopped for five years from enjoying my lifelong hobby?

Because of this situation I went to see my former Congressman, Theodore Kupferman. He didn't know too much about the amateur radio service, but he did understand the problem. In an attempt to correct this unfair situation, he last year introduced in the House of Representatives a bill (H.R. 16764) intended to "amend the Communications Act of 1964 to make certain aliens, admitted to the United States for permanent residence, eligible to radio station operators." Unfortunately, this bill died in Committee.

In January of this year Senator Barry Goldwater, known in our circles as K7UGA, introduced a similar bill—Senate Joint Resolution 27. Later, on March 11th, feeling the need for a more comprehensive bill, Senator Goldwater introduced a new bill, S. 1466—a companion measure to Joint Resolution 27. This bill has received the endorsement of both the American Radio Relay League and the International Amateur Radio Union.

Letters and editorials have recently appeared in QST and CQ in support of these bills. Hundreds, perhaps thousands, of amateurs have written to their senators in support of this legislation. On September 29th, 1969, twenty-one senators, representing eighteen different states, joined Senator Goldwater as co-sponsors of S. 1466. I list these senators here, so amateurs living in the various States may know which senators are responsive to this amateur radio problem:

Senators Fannin (Arizona), Cranston and Murphy (California), Dominick (Colorado), Inouye and Fong (Hawaii), Bayh (Indiana), Dole (Kansas), Metcalf (Montana), Curtis and Hruska (Nebraska), Bible (Nevada), McIntyre (New Hampshire), Javits (New York), Packwood (Oregon), Pell (Rhode Island), Thurmond (South Carolina), Baker (Tennessee), Tower (Texas), Bennett (Utah) and Randolph (West Virginia).

I urge American amateurs to write to their legislators in support of this legislation. I am hopeful that the American amateurs, who have always shown so much friendship to us DX operators, will support us in making it easier for us to get a W/K call.

[From the XTRA, January 1970]

IARJS MEMBER LEADS FIGHT FOR LICENSING OF IMMIGRANTS IN THE USA

When this is published either George Pataki, ex-YO2BO, and ex-operator of Romanian club station YO2KAC, will be the victor in his fight for passage of Senate Bill S-1466, or he will be in there fighting that the Bill is passed in 1970.

George Pataki, now living in Jackson Heights, N.Y., was a very active amateur before immigrating to the United States from Romania. On arrival in the States, he found that although inroads were being made in respect to reciprocal licensing, this solved the licensing problem for the visitor only, and it ignored the DX'er who was immigrating to the states . . . enforcing a 5 year wait period for those who had come, planned to stay and become citizens.

George went to work for the CBS television network in New York City, and then took up the helm of a campaign to encourage amending the Communications Act of 1934, to allow immigrant DX'ers, of permanent status, to be licensed and be allowed to operate. He wrote letters to officials and to various publications; he gave talks at AR club meetings.

Full details of all these efforts are not given in this column, as a first-hand article by ex-YO2BO will be found elsewhere in this issue of the EXTRA.

George's efforts created sufficient interest so as to result in the introduction of S-1466, sponsored by CHC'er Sen. Barry Goldwater, K7UGA, plus 21 additional Senators. A last minute article, appealing for support, appeared in Dialog, Journal of the International Amateur Radio Journalistic Society.

George Pataki arrived in the United States in 1965, and will become a citizen on 24 Oct 1970. He is 39 and is married. He is a graduate electronics and telecommunications engineer. He, as so many of our other amateur immigrants, would be a credit to the American Amateur Radio Fraternity.

Editor, K6BX comments: It is possible Senate Bill S-1466 will not clear both Senate and House this year and might be voted on in 1970, so, we here reprint by courtesy CQ magazine Zero Bias the following:

ALIEN OPERATORS—MORE PROGRESS

With *Senator Barry Goldwater* at the helm, the progress of *S-1466*—sometimes known as the Alien Operators Bill—has been sure and methodical. The bill was originally sparked by George Pataki, ex-YO2BO and his determination to see an error which was unwittingly written into the Reciprocal Privilege Bill some years ago and corrected to allow aliens to operate amateur equipment in the U.S. under present law, a vacationer from one of the 41 foreign countries which the U.S. has negotiated reciprocal agreements can operate unhindered in the U.S. amateur bands. An alien, or political refugee to the U.S., even if he has begun the naturalization process is now denied the same privilege.

The latest corrective legislation to be introduced is S-1466, and is sponsored not only by Sen. Goldwater, but the following 21 Senators: Sen. Fannin (Ariz.), Sen. Murphy (Cal.), Sen. Cranston (Cal.), Sen. Dominick (Col.), Sen. Inouye (Hawaii), Sen. Fong (Hawaii), Sen. Bayh (Ind.), Sen. Dole (Kans.), Sen Metcalf (Mont.), Sen. Curtis (Neb.), Sen. Hruska (Neb.), Sen. Bible (Nev.), Sen. McIntyre (N.H.), Sen. Javits (N.Y.), Sen. Packwood (Ore.), Sen. Pell (R.I.), Sen. Thurmond (S. Car.), Sen. Baker (Tenn.), Sen. Tower (Tex.), Sen. Bennett (Utah), Sen. Randolph (W. Va.).

Of the eight Federal agencies which have been called on to report and advise *on S-1466*, seven have replied favorably, and one is still due to report. When the final agency report is in, committee hearings will be held, probably before the end of the year, and barring any major upset, the odds appear to favor passage of *S-1466* sometime this session.

Your letters to your U.S. Senators, urging support of S-1466 can only help assure passage when the vote comes.

BUSINESS AND THE PUBLIC INTEREST

Mr. HARTKE. Mr. President, if one thing is clear about the myriad problems that confront the Nation, it is that government alone cannot solve them—not, at least, within the framework of our present constitutional system.

Government is one great power system in American society. Private enterprise is the other. If we are successfully to confront and master the giant difficulties that threaten us—crime, racism, pollution, health care, inflation, and so many others—business is going to have to assume a large measure of responsibility.

In very briefest compass, that is the central theme of an important speech given last week by Mr. J. Irwin Miller, chairman of the Board of the Cummins Engine Co., Inc., of Columbus, Ind. Mr. Miller is familiar to most Members of the Senate as a business statesman of world rank. We have learned to give very serious attention to his remarks on public affairs. But I venture to say that he has never made a more significant statement than his speech, which I now ask unanimous consent be printed in the RECORD.

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

THE PUBLIC RESPONSIBILITIES OF BUSINESS IN THE 1970'S

(By J. Irwin Miller)

"Responsibility" is a word which parents like very much to use when talking to their children, and businessmen when discussing workers, competitors, and government. In normal use, it means what some other fellow ought to do.

Its root meaning, however, is a little less comfortable, the word refers to one half of a contract. In its original form a responsibility is the promise of something in return for the receipt of something.

You and I are well aware that we have received something from our shareholders. What, however, have we received from society, and what, if anything, do we owe in return?

Business has a very large stake in the quality of the society within which it operates.

We and our businesses exist in a society which has been largely shaped by others, and we flourish only as we are rooted in a society which is healthy, orderly, just, and which grants freedom and scope to individuals and their lawful enterprises. To the extent that our own society exhibits many of these characteristics, we must gratefully confess that they are not of our making and that we have received them for free. It is not then wholly unthinkable to imagine that we have a responsibility to help keep society healthy and good. Perhaps it is even our responsibility never to pursue our limited aims in any manner which is harmful to that society—or even further—our responsibility to help solve its problems and avert its dangers in so far as we are able. Let us take a look at the society of today and consider what might or might not need doing in the 70s. Finally let

us ask ourselves what, if any, responsibility business might have for doing what needs to be done.

We are of several minds about the state of the nation. But first, some facts: We are enjoying material well-being such as no nation in history has known, well-being for more people and for a greater portion of the population: In the 60s we made very great gains: Real per capita income up 30%; Real GNP up 50%; 13,000,000 more jobs. Unemployment down from 5½% to 3½%. Families with incomes below the poverty level cut almost in half—from 18% of the whole to 10%. The material prosperity of the vast bulk of Americans is almost unbelievable. Television sets, dishwashers, automobiles, boats, pensions, access to college, paid vacations, retirement in Florida—these are realities for four out of five Americans. The American dream has come true, and neither historians of past times, nor Communist leaders of today would have believed it possible in so short a time and for so many. Surely, therefore, we are *the tranquilly confident inhabitants of a golden age.*

Fact Number Two: What a laugh! Most writers, whether of the right or of the left, use the word "crisis" today in every article they publish. Twenty years ago the same word appeared, but it was invariably connected with the external hostile threats of Russia and Red China, and before that of Japan and Nazi Germany. Today the volume is turned up full on: Urban crisis, race crisis, pollution crisis, inflation crisis, health crisis, housing crisis, crime crisis, and youth crisis.

And that is only a partial list. Most of us in this room will confess not so much to a sense of solid and satisfactory achievement, and confidence in future progress, as we will to *fear*—and vast uneasiness. There is a hint of doom in the air, and we are a worried people. At a time when so many of the aims of the American Revolution are now a clear reality, we hear the word "Revolt" on every side—youth revolt, black revolt, poor peoples' revolt, and women's revolt.

And most lately, Taxpayers' Revolt. One would have thought that, if any such concerns were justified, the good old American word "Reform" would be on our lips instead. Why "Revolution"—just when we have almost got it made? It may be, of course, simply that we have been scared by the noise. Perhaps it is only a few kooky students; a few angry girls; a handful of disturbed blacks; some lazy poor people who are getting uppity, and think welfare is a right. Perhaps we need only to get tough, enforce respect, return from permissiveness to discipline, and these noises will diminish to their proper volume.

There is one small thing wrong with this analysis, attractive as I find it personally. *You and I* are also talking the language of revolution. Is the taxpayers' revolt real, or is it not? Since World War II the normal pattern in state and municipal elections has been to approve 75% of proposed bond issues and reject 25%. In 1968 elections these percentages were very nearly reversed. At a time when all citizens were loudly complaining about crowded schools, crowded hospitals, crowded streets, polluted air, inadequate prisons and enforcement, the majority of bond issues aimed at remedying these *very* conditions were rejected.

It is not only the youth and the blacks who demonstrate, well-to-do citizens defy court injunctions, threaten school boards, shout at tax hearings, picket mayors, overturn school buses. If this country were a business, and the workers were becoming increasingly violent and destructive, if foremen and middle management were beginning to shout and retaliate, an intelligent Board of Directors would demand to know what was back of it all.

I come from a small town. In our business we recruit many young college and business school graduates each year. When they are brought out for an interview, we take them on a tour of the town. But it is a very special tour. They are driven through the best residential sections. They are shown our newest schools. They have lunch at the new clubhouse of our new golf course. They see our most modern churches and the new wing of the hospital. There is also another tour on which we *could* take them, and other people in our town to whom we *could* introduce them, but we do not take our prospective employees on this tour, nor do we introduce them to the other citizens—to the mother of eight whose gas has been shut off because the trustee to whom she must go for welfare has decided he will pay for coal, but not for gas (she doesn't have a coal stove); or to the local license bureau which refused to renew the license of a cleaning lady (white) until she paid the delinquent taxes of the husband from whom she was divorced 9 years ago. Of course, when a wealthy citizen goes with her to the bureau, there is no problem or taxes to be paid.

We do not take them to a section of rental houses which still have dirt floors, newspapers on the walls, outside plumbing with wells near privies (and high rents). Neither tour is the whole story in our town, but no one should think he knows our town unless he takes both tours.

We have a tour of American society which will offer clear proof of one of the greatest achievements any society has been able to show. I am proud of the evidence and the achievements, and my country means a great deal to me. I am one of those fellows whose eyes become a little misty when he sees the flag and tries to sing the anthem. But I am well aware that we also have tour No. 2 in this country. We all ought to take it because it relates to our subject this morning. We cannot claim to understand our nation and our people unless we take both tours. Where shall we start?

Well, let's begin with the familiar part—the morning drive to work. In most cities I visit it takes noticeably longer to travel the same distance each time I return. Poisonous fumes are somewhat greater, accidents somewhat more numerous. It is steadily more dangerous to take an evening stroll. Streets are dirtier and uglier. More garbage is on the curb waiting collection, more abandoned cars by the roadside. We are visibly losing ground. Yet in only 30 years (the time between World War II and today) there will be another hundred million people in this country, and most of these will live in cities.

How much money will it take to permit the extra hundred million to move and live even as well as you and I are moving and living today? And is 30 years enough time to make the plans and raise the money and get the job done? This extra hundred million will expect to go to school. Do any of you live in communities where schools have extra capacity now? Have any of you personally visited inner city schools in this or any other great city—and personally inspected the crowding, the decay, the hopelessness which teachers feel about their jobs? With construction costs advancing at 1% each month, can we imagine the additional funds which will be required, if the extra hundred million are to receive no worse education than exists today.

Or have you been taken suddenly ill lately and tried to obtain a house call from a doctor in a strange city, or get admitted to a strange hospital? More and more city hospitals have beds in corridors. Hospital expense is rising at about 20% per year. In many important criteria, infant mortality, for example, we do not even rank among the ten best nations in today's world. What sums do you imagine will be required even to hold our own in health care for the extra hundred million in the next 30 years?

Or housing—how will the extra hundred million be housed as they appear month by month during the next 30 years? As of this moment there is no demonstrated answer to true low cost housing. When we consider that housing starts are now well below the level of need; that housing costs (like schools) are increasing at 1% a month, we can see the possibility that the single family dwelling may soon be within reach only of the most wealthy, and we have legitimate reason to wonder how and what kind of shelter will be available to the next hundred million when they arrive. I will not continue this catalogue. It is sufficient simply to note that, if we are to stop losing ground, and if we are to be ready to serve the next hundred million within 30 years, very large sums of money must be spent, beginning now, on transportation, on educational facilities (even if we operate the system 12 months a year), on health care facilities, on air and water pollution, on housing. These are all matters which require big expensive solutions, mostly public solutions. The solutions will *not* happen naturally. Naturally we have fallen behind. And time is so short that we must be under way *now*, if our material condition is not to deteriorate further, and irretrievably.

So, as a national enterprise we face an extraordinarily large capital program, which must be accomplished in a short space of time, or the whole national plant could become so run down that, for all our wealth, we may very well be unable to rebuild it adequately to the needs of those it is required to serve.

We have also another set of problems which concern the national enterprise. The first group—some of which we have just described—are caused mainly by rapidly growing numbers, and by a national physical plant which is increasingly unable to meet our needs. The second group is of another order: It concerns how all of us feel about ourselves, our friends, our manner of living, our opportunities, our society. It makes a difference in your factory how workers feel about their bosses and each other, and it makes a difference in the country, too. There *is* such a thing as *the American way of life*. For me, Thomas Wolfe has described it as well as anyone. Here are his words:

"To every man his chance . . . To every man, regardless of his birth, his shining, golden opportunity. To every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him . . . This is the promise of America."

When a baby is born in this country there are conditions that surround him that are not within the society's control. He may have loving parents or hateful parents. He may have a congenitally weak heart, or he may have the heart of a 4-minute miler, and so on. These we cannot do much about. But there are things America can do for that new born baby. We can see to it that within the society itself each baby born in this land has an equal chance at the starting line. That is what America is all about. That is why most of our ancestors came over here. That is why we said no kings, no nobility. That is why we established the first national public school system. We have always felt that equal opportunity for good education, paid for by the state, was not some form of socialism, but instead the very foundation of the American dream.

All members of the society will of course not make the most of their equal chance. We know that. Some will turn out to be lazy. Some will be smarter than others. Some will be quarrelsome. Some will be criminals. Some will be geniuses. Most will be solid citizens. But it is clear to us that, if our country is unique in history, if it has anything worth saying to the rest of the world, it is that each new baby is of

equal importance, and deserves an equal chance.

But now, you are saying, that is all too general and too fuzzy. Specifically what do we mean by "his chance"—and would any two of us agree on a definition? I think this is not too difficult a question. And I think I do not even have to answer it. You can answer it for me. What do you want for your baby at his birth? I doubt if you really want a guaranteed million dollar income, or preferment for public or private office regardless of ability. If you do, you are at least ashamed to confess to it. Instead you probably want some things like these: You want him to be strong and healthy, to have access to all the education his mind can put to good use; You want him to have as good a chance at a job or profession as any other child of equal capacity; You want him to receive just and equal treatment in the society in which he lives. You might mention other things, too; but even those would sound much like the above. In summary you would say you want no special favors for him, but that you will be furious, if he is denied opportunities that would otherwise be his, simply because it is discovered that he has red hair, or a big nose, or that he is *your* son, and for no other reason. I can only assume that, if this is how you feel and how I feel, then it is probably how other parents feel too, and furthermore, it is not only how we feel about our children, but it is how you and I feel about ourselves, and our own chances in this world.

If this be true, I'm not so sure we like what it all means. It means the new arrival should have access to as good an education as he is able to absorb—whether or not his parents happen to be wealthy. It means he should have access to the food and diet necessary for a healthy body, whether or not his parents happen to have the money. (Poor diet and hunger in infancy can rob the new baby permanently of his chance.) It means that, if he is to be denied access to a particular job, or to advancement or to opportunity, it must truly be because he is individually less able than another—and never never because a person is white or black, rich or poor, Catholic or Jew, or a woman. You and I know very clearly what fair treatment, an equal chance at the starting line, means to us—for ourselves and for our children. If health, education, equal justice were denied to *our* children, but promised at some distant time to some distant generation, you and I, and most especially our wives and mothers, might show very little patience indeed. "Progress" would mean nothing to us, if it were not available to our children when they most required it. The American dream and the survival of this free society hang quite simply upon the ability of each of us to be as indignant, as determined to act in correction, if another is deprived of his fair chance, as if we, or our children, were deprived.

Now where are we? We have identified two species of problems, and they are quite simply grave enough to destroy us within the next 30 years, if we do not solve them. If 90 of the next hundred million crowd themselves into cities—as they are certain to do—and if we move no faster on transportation, schooling, air & water pollution, garbage collection, housing, slums, rat control than we are moving today, do you really think these cities can even function? Or consider the Blacks, the Puerto Ricans, the Indians, the Women—are each of them not rapidly becoming more vocal, more frustrated, more violent? If they do not gain an equal chance at the starting line with the bulk of white male Americans, in education, housing, justice, job opportunity, do you really think these Americans will put up with it for 30 more years? You and I know what Americans historically do when they are convinced that they are stuck with the short end of the stick. They revolt—king or no king, government or no government. So I think it is not amiss to guess that these two species of problems are grave indeed, and of a kind which can destroy us as a nation, if they are not solved in a very short space of time.

What are the kinds of solutions we must expect? The first of our two kinds of problems is physical. It affects the health, mobility, and convenience of all the people, and it arises from our rapid population growth on a limited land area. We undoubtedly possess the technology which the answers demand—and the required sums of money too. But it is this latter which stops us. We do not wish to make the choice which faces us. On the one hand we could attack our problems now. During World War II we were willing to devote 60% of the GNP for 4 years to a task that faced us. If we elect such a course, then truly enormous annual expenditures are required now, in order to accomplish simultaneously a comprehensive and adequate transportation system, the construction and funding of equally adequate school systems, the cleaning up of our air and water, the maintenance for a growing population of an adequate supply of reasonable cost housing and the rest. These sums can come from only two sources—from public expenditure of tax funds and from private domestic investment. The latter is potentially 5 to 6 times larger than the former, but all of that is not available. A very large part must always be maintained in existing channels, simply to keep our industrial capacity growing as rapidly as the consumption needs of the society grow. The balance, which is not inconsiderable, may be directed by the government, through tax and administrative procedures, in the direction of the solutions we seek. What this all says, however, is that if we decide to solve our problems *now*, while they are still manageable, the sums of money are so great that we must *raise taxes significantly*. This increase will be big enough to lower visibly the standard of living which you and I now are accustomed to enjoy. This is a hard choice. When we raised our military commitments in Vietnam to war proportions, we did not act as we have in other wars, even the Korean War. We did not impose wage-price controls, rationing, excess profits taxes, and the rest. Instead we acted in the wishful way we often observe in our children. We pretended we could have both guns and butter. We pushed ahead of us our cancerous costly problems. Now we find that we are all living very much beyond our income. Because of inflation, solutions are becoming daily more costly. Because of simultaneous deterioration and population growth, problems are becoming daily more threatening.

We have been unwilling to bring our living standards into line with our long-term needs, and to set about repairing and rebuilding the national property. Instead we have actually cut taxes (More money will be pumped into consumers' hands this year as the surcharge is dropped) and we have stopped or slowed down the inadequate programs which did exist, aimed at the problems we have mentioned. Meanwhile, rigid wage increases already written into labor contracts, plus your and my conviction that we had better build that plant now because it will cost 10% more next year, will help guarantee a continued price inflation of considerable degree, even while we are laying off workers during the downturn.

I say all this, not as a political criticism, but in an effort to describe the full dimensions of the first of the two kinds of problems we have discussed.

In summary, expenditures of money, of wartime proportions, will be required to be spent in the next several years, if the decay in our physical plant is to be arrested, and if we are to be in any sense ready for the additional hundred million persons who will inhabit the land—and mainly its cities—within thirty years from this moment.

We are today living at a standard which we can neither maintain nor long afford. This is a serious matter, and up to now neither we as a people nor our leaders have been willing to face up to it. It is, however, not the most serious condition with which we are confronted. The next alarming fact is that, even if we were willing to tax ourselves as heavily as seems indicated, the money, applied in the same old way, would simply choke the system and probably accomplish little. Every city is composed of hundreds of small governmental units, with overlapping and competing authorities. Monies poured into them disappear with little trace of effective results. Attempts to administer the needs of a city as a whole, to relate and decide on priorities, to plan—most such efforts die in competing agencies before even much discussion takes place. And so, before the big sums may be safely spent in our cities, the system must be changed—to permit big solutions to big problems, simply administered: To permit local solutions to local problems, locally administered. We must become the kind of people who are flexible enough, foresighted enough, to alter, adapt, and reform our systems of government continuously; To make them responsive to changed conditions in a world where accelerating change is the order of the day.

Another example: Health care—costs of health care in recent years have been increasing at a rate of nearly 20% per year, the single most inflationary component in the GNP. Consider two of our best and most famous hospitals. The same service delivered at the same quality, after wage differentials have been eliminated, costs twice as much in one as in the other. Since private health plans, as well as Medicare and Medicaid, tend to pay demonstrated cost, it is our system to pay the inefficient hospital twice as much for the same service as the efficient hospital. Many of you have been on one end or the other of cost-plus contracts. Do you really imagine the exponential increases in the cost of health care will diminish so long as we continue to maintain a system of cost-plus compensation?

Another example: Long ago, when two men had a dispute, they fought it out—and the stronger man won. The winner depended on the relative strength of the adversaries, not on who was right and who was wrong. Men changed the system. They invented the concept of justice, and they established courts and rules of law to guide the settlement of disputes. Today you and I think twice about taking our case to court, unless we are pretty sure law and right are on our side. But management and labor still settle their disputes by means of the old system—by combat—by trial of strength. All parties suffer great losses—and perhaps the public most of all. Right or justice takes a priority second to strength. May we not have reached the time when we desperately need a better system?

Another example: How do we go about controlling inflation and preserving the value of the dollar? It is by slowing down business, which means simply throwing out of work those who are financially least able to survive. Do you seriously imagine we will be permitted to operate in this manner very much longer? Is not a better system long overdue?

Another example: Public Education. When your son goes to college, he conducts an agonizing analysis of his possible choices. He finds that college curricula, living rules, and conditions not only differ but are continuously changing. It is hard for him to make a choice—but it is important to note that he *can* choose. Colleges realize they are in competition, and higher education is rea-

sonably responsive to change. How does he choose which public elementary school or high school to attend? He has no choice. It is a monopoly—and the public secondary system of education in this country shows all the monolithic character and massive resistance to change which is part and parcel of any monopoly. Consider the kind of society our children will face, the skills, the knowledge they will require, the growing body of knowledge we are accumulating about the learning process, and the root American concern for each child to have his equal chance at the starting line. Do you imagine that quantities of money alone forced through a system, which was designed for another time, and which, if it changes at all, changes with glacial speed; Do you imagine such money through such a system will realize the American dream in education?

The American systems, private and public, were designed for a world which no longer exists—for a small, mainly agricultural people, remote from world pressures, with limitless room for expansion. Is it any wonder that the systems do not work well in a crowded urban technical society with finite borders? Our systems of government groan and frustrate us, from local to national. Our system of health care could collapse; our system of agriculture fights itself; our systems of transportation are daily on the edge of disaster; our system of conservation is losing the battle—nor are these the only examples. We can run similarly through the whole catalogue.

And so we come to a simple set of facts: Countries can collapse—and have. The survival of this nation is now at stake. Our survival, because of population growth such as the world has not seen, and because of an exponential rate of change in man's condition, demands immediate and continuing expenditures of monies unprecedented in amount save in wartime. Such expenditures will mean visible reduction in the standard of living of the affluent 80% of present society. These expenditures however will not accomplish their purpose, if forced through present systems unchanged. Nearly every existing system must be changed to serve well present needs, and must be continuously changed as rapidly as needs and conditions change. Yet it is our normal preference to rehabilitate the damaged products of our systems, rather than to reform the systems themselves. We have never in our history demonstrated the willingness and flexibility in respect to change such as now seems demanded.

Finally, all the above, even if accomplished, may come to naught unless the nation, and especially its most privileged majority, is not passionately concerned to see that each individual American born into this nation has an equal chance at the starting line *beginning now*. . . . No nation has come up against such a challenge. We have every means, every skill needed for the accomplishment. The world watches to see if we have the will.

The business community has very nearly as much influence as the young people think it has. If business voluntarily in the conduct of its own affairs accords the long-term public interest a priority equal to that assigned shareholders, and demanded by organized workers, the influence of such an example will be compelling.

If businessmen go to their city councils, to their state houses, to Washington, and lobby as hard and effectively for equal and adequate education, improvement of the environment, solutions to transportation, health care, and support the monies and changes required to make these possible—the country will turn around. Our example could be determining.

In six years we will celebrate our 200th birthday. What present ought we give ourselves at such a party? Celebrations and speeches about presents given *us* by those long dead? Or should we fashion, in our turn, a present for our children such as our fathers gave to us: A new land, and a people equally and sacrificially concerned for its smallest member! Should we accept a burden now, in order to present our children with a land whose water, air, resources, beauties, are treasured and enhanced rather than wasted, whose people, each of them, have access to learning, health, justice, and the chance to do what each has in him to do? Such a present we could very nearly give ourselves and our children by the time of our birthday party—if we have the vision, if we have the will to achieve the vision, and if we choose leaders dedicated to harness that will.

Business has a voice to raise in support of such a national act in such a short time, and business has freedom to provide free examples of such a will in action. "To every man his chance." Our fathers believed it. In our turn, we too are asked if we believe it.

PRESTILE STREAM, MAINE

Mr. MUSKIE. Mr. President, in recent weeks there has been discussion in the press and ir Congress about the sugar beet refinery in Easton, Maine, and its implications about the quality of water in the Prestile Stream.

The stories have contained misstatements, inaccuracies, and omissions of relevant facts.

For those who are interested in the whole story, I have prepared a statement which tells the story. I ask unanimous consent that it be printed in the RECORD.

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

HISTORICAL REVIEW

The Aroostook County economy has been plagued for generations by an unstable potato market. For many years the County and State have sought to broaden the economy to create more economic stability and opportunity. The potential for growing sugar beets as a second and compatible crop had been recognized for many years.

In 1962 the Congress amended the sugar act, and Maine sought to gain one of the six new sugar beet acreage allotments authorized by the amendment.

From the start, the Maine program to win one of the allotments was bi-partisan. Supporters included the farmers and business leaders of Aroostook County as well as industrialists and businessmen across the State. The Republican Governor and Executive Council, the majority and minority leaders of the Maine Legislature, agriculturalists from the University of Maine, the Maine Congressional Delegation, and the Maine Industrial Building Authority worked with the Department of Agriculture and the Area Redevelopment Administration in developing the State's proposal. For instance, the Legislature voted unanimously to raise the MIBA loan insurance limit from $2 million to $8 million specifically to accommodate the sugar beat project.

As the proposal developed, Great Western Sugar Company of Denver agreed to build the refinery and process the beets if the Department of Agriculture awarded an allotment to Maine.

In April, 1964, the Department approved a 33,000-acre sugar beet allotment for Maine. The refinery had to be built by the end of 1966 to comply with the 1962 sugar act amendments.

Late in 1964 Great Western withdrew from the project, thus jeopardizing the allotment and the sugar beet industry. The company said the results of its test plantings in 1964 did not reach expectations. Although agricultural specialists from Maine disputed Great Western's conclusions, the company would not reverse its decision.

Supporters of the project were forced to seek a substitute for Great Western. One possibility was the Pepsi-Cola Company which was building a sugar refinery in New York State. The Company, however, declined to undertake a second refinery.

Early in 1965, Fred Vahlsing, Jr., the owner of a potato processing plant on the Prestile, agreed to substitute for Great Western in the project. His idea was to build a refinery next to his potato processing plant. The sponsors welcomed him, and he was able to utilize the financing package arranged for Great Western. His decision to locate the refinery on the Prestile, however, was recognized as a water pollution hazard.

There was concern that the refinery would further degrade the quality of the stream and that the operation of the refinery would violate State water quality standards, thus jeopardizing the first mortgage loan guaranteed by the MIBA and the second mortgage loan made by the Area Redevelopment Administration.

As chairman of the Senate Subcommittee on Air and Water Pollution I was especially concerned about the environmental dangers of a sugar beet refinery. I also knew that the necessary technology existed to control and prevent pollution from the refinery.

As a condition of my support for the Vahlsing refinery proposal I insisted that the necessary technology be made part of the plant at the time of construction.

With a commitment from Mr. Vahlsing to build as clean a plant as possible, the immediate task was to find a way to permit construction to proceed as fast as possible in order to meet the 1966 plant construction deadline.

In an unprecedented appearance before a joint session of the 102nd Legislature, Republican Governor John Reed, acting on the advice of the lending agencies—the Area Redevelopment Administration and the Maine Industrial Building Authority, a State agency—urged temporary reclassification of the stream from B to D. It allowed the project to go forward immediately by giving the refinery a chance to work out any flaws in the treatment system without the risk of legal difficulties during the initial operations of the refinery. The measure passed by an overwhelming vote as an emergency measure on May 5, 1965. The reclassification, however, did not take effect until the refinery was completed at the end of 1966. The treatment system worked effectively from the start of operations and the stream classification was raised to C by the Legislature in October, 1967, the same classification given to the Aroostook River, on which other potato processing plants are located.

CORRECTING SOME MISAPPREHENSIONS

The foregoing states the essential facts on the sugar beet refinery project and the Prestile. In addition, I think it is important to correct some misapprehensions about the Prestile.

First, contrary to some reports, the Prestile Stream did not change from a pure trout sream to a polluted watercourse in 1960, when the Vahlsing, Inc. potato processing plant was built, or in 1965 when construction began on the Maine Sugar Industries sugar beet refinery. Fish kills and blocked fish migrations were documented by State agencies as early as 1953. Long before either plant was built, the Prestile had been polluted by sewage discharges from the towns of Easton and Mars Hill, starch factory discharges and the dumping of potatoes along the stream. The B classification represented a goal, not a physical fact.

Second, the Vahlsing, Inc. potato processing plant has been a source of pollution, but, contrary to some reports, the reclassification

change did not take Vahlsing, Inc. off the hook with respect to its potato processing plant discharges. The temporary change in classification to D was in effect only from January, 1967, when the refinery began operation, until October, 1967, when the stream was reclassified to C. The change in classification from B to D was made at the insistence of the lenders. They would not let the project go forward without a temporary reclassification. The haste in the change was dictated by the necessity of having the refinery in operation in time to process the fall 1966 crop of beets. This was essential in order to retain the Maine sugar beet allotment. Otherwise, the loans for construction would not have been made, and the refinery could not have been built in time.

Third, I reluctantly supported the temporary change in classification on three grounds: (a) that the refinery would be designed and built with the most effective water utilization and waste treatment facilities; (b) that the reclassification would cover only the period of start-up for the plant; and, (c) that the refinery could not be financed without it. During the discussion about the reclassification, my staff and I pointed out on a number of occasions that the real problem on the Prestile was not the potential pollution from the sugar refinery but the existing pollution from the potato processing plant and the municipalities. At my insistence, the sugar refinery did include a recirculation system, plus a plan to apply water used to wash the beets in field irrigation. Then and since, I have pressed for more effective action to deal with the potato waste problem.

Fourth, a major problem in dealing with the Prestile and similar difficulties on other Maine streams has been the antiquated Maine classification law which requires legislative, rather than executive, action for improvements in water quality standards and which does not provide adequate enforcement authority for the Environmental Improvement Commission. Until 1957, the Maine water pollution program simply classified Maine waters as they existed. In 1957, as Governor, I initiated the first changes to upgrade the classification of Maine waters. On numerous occasions since that time I have uregd changes in the Maine law to give the State authority to upgrade water quality standards through administrative action and to enforce such standards.

The Federal Water Pollution Control Act contains a provision developed and enacted at my recommendation which gives the United States government and the government of Canada a vehicle for enforcing water quality standards on the Prestile and other similar international waters.

My position on the Vahlsing potato processing plant and the sugar beet refinery remains what it has always been: the problem of wastes from the potato processing plant and municipalities should be dealt with promptly and efficiently as part of a regional water quality improvement plan, and the sugar beet refinery should be operated as it was designed in order to prevent any waste discharges into the Prestile.

INSTITUTIONAL MEMBERSHIPS IN NEW YORK STOCK EXCHANGE

Mr. GOODELL. Mr. President, the subject of institutional memberships in the New York Stock Exchange has lately become a point of sharp debate in the financial and investing world. Such institutions as mutual funds, pension funds, and insurance companies, with enormous securities portfolios of their own, could do their own trading without using independent brokerage concerns if they could gain such memberships, or gain control of members. Such memberships, in consequence, would give institutional members a lower commission rate within the existing fixed-commission structure—a structure which is presently the subject of SEC hearings. Indeed, the Justice Department has recently filed a statement with the SEC suggesting that institutional memberships, and/or a change in the current commission rate structure, ought to be considered. Also, in connection with the SEC's approval of exchange proposals to allow public ownership of members, the SEC has asked the exchange to report to it by July 1970 on the question of institutional membership.

On April 9, John L. Loeb, senior partner in Loeb, Rhoades & Co., one of the largest investment banking and brokerage houses and members of the New York Stock Exchange, issued a statement, in the form of a memorandum to members of the exchange, enclosing an open letter to the chairman of the exchange and a summary memorandum concerning the subject, in which he opposed any change in the stock exchange constitution or rules which would permit direct institutional exchange membership, or indirect control of a member by such an institution.

He argues that institutional membership: First, is inconsistent with the function and obligation of the exchange as a public auction market; second, would drive a number of broker-dealers out of business, eliminate direct access to the market by many smaller investers, and make it difficult for the specialist system to function; third, would decrease liquidity; fourth, would reduce the availability of financing to some American businesses; fifth, would give rise to grave conflicts of interest; and sixth, would compel noninstitutional members, as competitors of institutional members, to seek offsetting concessions from the exchange.

Mr. President, as the focus of this problem—indeed the focus of all securities problems—is in my State, I call attention to this important issue and ask unanimous consent that there be printed in the RECORD the three documents setting forth Mr. Loeb's position.

I also ask unanimous consent that there be printed in the RECORD a report of the controversy which was published in the New York Times of April 10, 1970.

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

LOEB BACKS LIMITING BIG BOARD MEMBERS—INSTITUTIONAL ADMISSIONS HELD FRAUGHT WITH PERILS

(By Terry Robards)

Loeb, Rhoades & Co., one of Wall Street's largest and best known investment banking and brokerage bonuses, took a vigorous stand yesterday against institutional membership on the New York Stock Exchange.

"It is our judgment that institutional ownership and control of members of the exchange would strike a damaging blow at the operations of the exchange and the securities industry and would be detrimental to the national interest," said John L. Loeb, senior partner.

Mr. Loeb's statement came in a letter to Bernard M. Lasker, chairman of the exchange's board of governors and chairman of a committee studying the institutional question.

It was issued a day after Howard M. Stein, president of the Dreyfus Fund, took a similar position.

Many Wall Street leaders are fearful that such institutions as mutual funds, pension funds and insurance companies may try to gain exchange memberships to do the trading for their own enormous investment portfolios, thereby draining commission revenues away from the brokerage concerns that presently execute transactions for them.

Mr. Loeb, considered an influential Wall Street figure, indicated that his fears about institutional membership run much deeper than any considerations about the loss of commission revenues for his firm. Loeb, Rhoades, with a net worth of about $78-million, is one of the four wealthiest houses in the securities business.

Changing the exchange constitution to permit institutional membership. Mr. Loeb asserted, would "seriously impair the exchange as a public auction market for securities in which prices are determined by the interplay of the independent judgment of a multitude of public investors."

He added: "It would drive out of business many independent broker-dealers, who are the main source of the business brought to the floor of the exchange and whose existence is essential to the free function of the securities market and availability of broad, public financing to the nation's business."

At a news conference, Mr. Loeb added: "In my opinion you'd wipe out all the little people in the business and you'd get a concentration of power. If you don't keep a network of small brokers, then you reduce the access for the individual investors who really makes up the liquidity of this market."

Clifford W. Michel, managing partner of Loeb, Rhoades and an official of the Association of Stock Exchange Firms, noted that unanimity of opinion rarely existed within the association's membership, but added that there was "no question that the majority of our membership is violently opposed to institutional membership."

The association consists of members of the Big Board.

Mr. Loeb's letter to Mr. Lasker was accompanied by a formal memorandum on the subject and by an open letter to all members of the stock exchange.

Some Wall Street sources interpreted the firm's publicly stated position as an effort to arouse general membership opposition to institutional membership.

Mr. Loeb said his firm was disturbed that little attention apparently had been given to some of the possible consequences that could arise from letting institutions join.

"Much more is at stake in the question of institutional membership than the sharing of commission dollars or the privileges of membership," he asserted.

PRESENT ROLE UPHELD

"The stakes are the very continuation of the exchange as basically an agency market for the public, operated by professionals whose interests lie primarily in the transacting of securities trading for the general public."

Mr. Loeb urged Mr. Lasker's committee to let stand the present provision in the exchange constitution stipulating that the "primary purpose" of an exchange member must be the brokerage business.

LOEB, RHOADES & CO.,
New York, N.Y., April 9, 1970.

TO: MEMBERS OF THE NEW YORK STOCK EXCHANGE:

We are enclosing a copy of a letter that we have today sent to Mr. Bernard Lasker relating to the subject of institutional membership. It is our position that opening the New York Stock Exchange to institutional membership will seriously injure the Exchange as a public auction market, drive many broker-dealers out of business, threat-

en the liquidity of the market, undermine the operations of specialists and other floor members, and result in serious conflicts of interest which will weaken public confidence.

In view of the great importance of this issue, we invite your consideration of these and other points that are set out in the enclosures.

Very truly yours,

JOHN L. LOEB.

LOEB, RHOADES & CO.,
New York, N.Y., April 9, 1970.

Mr. BERNARD J. LASKER,
Chairman, New York Stock Exchange,
New York, N.Y.

DEAR MR. LASKER: The Securities and Exchange Commission has advised the New York Stock Exchange that it intends at a later date to review the appropriateness of the "primary purpose" requirements in the Exchange's Constitution and rules which the Exchange has now made effective. The Commission has stated that it intends to conduct this review after consideration of the Exchange's study of institutional membership which is scheduled for completion by July 1 of this year.

The Commission's deferral of its comments means that the possibility remains open that institutional membership or ownership of member firms may be authorized. If this should occur, the consequences would be most damaging to the Exchange and the securities industry; and because of the New York Stock Exchange's crucial importance to the Nation's economy, as its central and largest securities market, the result would be highly prejudicial to the national interest.

As you know, a number of acquisitions of member firms by institutions have already taken place. Others are pending and many more will undoubtedly occur if institution-ownership and control of members does not continue to be a bar to membership in the Exchange.

The "primary purpose" provisions as to which the Commission has deferred comment, are the only provisions now in the Constitution and rules which would restrict institutional ownership and control of members. The Constitutional provisions require that the "primary purpose" of members and their parents must be the transaction of business as brokers and dealers in securities.

The implementing rules define these terms. Any company owning more than 25% of the total outstanding voting securities of a member is presumed to be its parent; and the "primary purpose" of a member or its parent is presumed to be the transaction of business as a broker-dealer if the gross income of each from broker-dealer activities, including interest charges on debit balances in customers' accounts, is at least 50% of its total gross income.

It is these provisions, and only these provisions, that provide a basis for preserving the Exchange as a public auction market primarily operated by members who serve the general public. These are the only remaining provisions that assure the preservation of a broad securities market which is composed of an adequate number of broker-dealers, which serves the general public, and which reflects the various trading judgments of the general investing public.

If these provisions do not remain in the Constitution and rules, or if they are substantially watered-down, the result will be domination of the securities market by institutions such as mutual funds and insurance companies, through acquisition and ownership of members, and domination of the floor by their representatives.

We do not disagree with the Exchange's view that access to permanent capital through public ownership of an appropriate type may be needed by some member organizations. But we believe that the Exchange must not permit public ownership to become a vehicle for private domination of the Exchange by organizations whose primary interests are inconsistent with the obligations and functions of the Exchange and its members.

As you know, the Exchange itself has taken the position that effective self-regulation of members is impractical unless the "primary purpose" of members and their parents is transacting business as brokers and dealers.

But fundamentally, it is our judgment that institutional ownership and control of members of the Exchange would strike a damaging blow at the operations of the Exchange and the securities industry and would be detrimental to the national interest.

It would seriously impair the Exchange as a public auction market for securities in which prices are determined by the interplay of the independent judgment of a multitude of public investors.

It would drive out of business many independent broker-dealers, who are the main source of the business brought to the floor of the Exchange, and whose existence is essential to the free function of the securities market and the availability of broad, public financing to the Nation's business.

It would undermine the activities and operations of specialists and other floor members.

It would subject the governing structure of the Exchange to dominance by a few vast institutions, and their representatives on the floor, and the institutions would have the power to shape Exchange rules and regulations to their own private needs.

It would threaten the liquidity of the market by concentrating trading in relatively few hands.

It would substantially impede access to new financing by American business enterprises by narrowing the market and reducing the number of firms through whom these securities may be marketed.

It would give rise to grave and recurrent questions of conflict of interest which would weaken public confidence in the securities markets and might lead eventually to more restrictive governmental control of the Exchange and the industry.

We are enclosing a memorandum detailing these points at greater length.

We are disturbed that, to date, so far as has appeared in the published accounts, little attention has been given to these considerations, although they go to the heart of the issue. They involve basic questions relating to the survival and continuation of the Exchange as a public auction market; its operation by professionals primarily acting as agents for the public as well as specialists and floor representatives; the survival of a strong, vigorous broker-dealer network in the Nation; public participation in the ownership of American business; the liquidity of the securities market; and its availablity as an essential mechanism of the American economy.

Much more is at stake in the question of institutional membership than the sharing of commission dollars or the privileges of membership. The stakes are the very continuation of the Exchange as basically an agency market for the public, operated by professionals whose interests lie primarily in the transacting of securities trading for the general public.

We hope and believe that the Exchange's Committee on Institutional Membership will carefully consider these fundamental issues, and that it will concur with our view that the "primary purpose" provision as included in the new Constitutional amendments and as defined in the pending rules must be retained as a minimal safeguard.

We are aware, of course, that various regional exchanges have permitted institutional ownership of members. We believe that this is unfortunate and undesirable because the points which we have made against such membership are also applicable, in varying degrees, to the regional exchanges, despite their relatively small size and restricted operations. We believe that the undesirability of institutional control of members on the regional exchanges will soon become apparent, and that such membership will be terminated either by the regional exchanges, the institutions themselves, the SEC or, if necessary, by legislation. This is most likely to come about, we believe, if the New York Stock Exchange remains firm in its opposition to institutional membership and states the reasons for its opposition in a comprehensive and unequivocal report.

In any event, the position of the New York Stock Exchange as the broad, central market for securities trading, which most of the investing public utilizes and upon which the welfare of the securities industry and the Nation's economy so largely depends, is such that it cannot follow the lead of the regional exchanges without sacrificing its primary purpose and without severe loss and injury to the investing public, to itself, its members and the Nation. If any diversion of institutional volume to the regional exchanges takes place, we believe that it will be minor and temporary and that the undesirable consequences of institutional control of members will soon lead to corrective action.

We shall welcome an opportunity for full discussion of this entire matter with you and the Committee, and we believe that similar opportunities should be afforded to other members and interested persons.

We are sending copies of this letter and the enclosed memorandum to the members of the Committee on Institutional Membership, the President of the Exchange, the members of the Exchange and the members of the Securities and Exchange Commission.

Very truly yours,

JOHN L. LOEB.

LOEB, RHOADES & CO.,
New York, N.Y., April 9, 1970.

SUMMARY MEMORANDUM CONCERNING INSTITUTIONAL MEMBERSHIP ON THE NEW YORK STOCK EXCHANGE SUBMITTED TO THE COMMITTEE ON INSTITUTIONAL MEMBERSHIP

I. *Institutional membership in the Exchange, either directly or through controlled firms, is inconsistent with the function and obligation of the Exchange as a public auction market.*

(1) The Exchange is and must continue to be primarily an agency market for the investing public.

(2) Institutions as members or through subsidiaries which are members would necessarily engage in large-volume trading for their own account. This trading would affect, and might be engaged in with a view to affecting, their transactions off the floor of the Exchange. Institutions of all kinds accounted in the first half of 1969 for 54% of the total public share volume and 60% of the total public dollar volume on the Exchange. These percentages have been increasing.

(3) In 1969 transactions for members' own accounts originating off the floor (excluding activity of specialists, floor traders and odd-lot dealers) amounted to only 7% of all trading activity. This percentage indicates the predominance of the public agency function of the present membership. It cannot be substantially inreased without endangering the Exchange's basic and vital role as an agency market for the public.

(4) Institutions trading for their own account would dominate the market and its pricing mechanism. This would be contrary to the essential purpose of the Exchange which is to reflect in the pricing of securities, the judgment of multitudes of public investors and the actions of numbers of independent broker-dealers.

(5) Institutional membership, directly or through subsidiaries, might result in domi-

nation of the governing structure of the Exchange by a few vast organizations which would have the power to shape its rules and regulations, including its rate structure.

II. *Institutional membership in the Exchange, either directly or through controlled firms, would drive a number of broker-dealers out of business, eliminate direct access of many smaller investors to the market, and make it difficult for the specialist system to function.*

(1) At the present time, institutional trading is effected by and through the existing non-institutional members of the Exchange. Its volume is so large that the concentration of a substantial part of it in the hands of institutional members and their floor representatives would result in reducing the business available to independent broker-dealers and their representatives on the floor, and would eliminate numbers of them from the industry.

(2) The result would be to diminish or deny direct access to the marketplace to thousands of smaller investors who now trade through the broker-dealer network.

(3) The decrease in the number of the broker-dealers would remove from the marketplace the plurality and diversity of investment and trading judgment upon which the Exchange depends to fulfill its function as a public market.

(4) Concentration of the bulk of trading activity in the hands of members trading for their own account would make it difficult for the present specialist system to function. This system requires, as its basis, a multitude of small orders over a range of prices on both sides of the market, and could not deal effectively with a market dominated by large block sales.

III. *Institutional membership, directly or through controlled firms, would reduce liquidity.*

(1) Institutional membership, directly or through subsidiaries, would be a direct threat to liquidity. Liquidity depends upon the presence in Exchange trading of a multitude of investors whose individual decisions are arrived at by themselves and on advice of a large number and variety of independent broker-dealers. These individual trading judgments provide the volume and diversity of buy-sell orders which are the basis of liquidity. Domination of the business by a relatively few institutions and their controlled subsidiaries, and the reduction of the number of independent broker-dealers, will reduce the plurality of decision-making and the liquidity of the market.

IV. *Institutional membership, because it would eliminate a number of broker-dealers, would reduce the availability of financing to some American businesses.*

(1) The contraction of the broker-dealer network, with its direct access to the investing public, would substantially reduce the opportunity of many American business enterprises to obtain financing. It would tend to concentrate the sources of capital funds in fewer hands. It would tend to destroy the opportunity of businesses, particularly small businesses, to seek funds through a multitude of channels including independent broker-dealers.

V. *Institutional membership would inevitably give rise to grave conflicts of interest.*

(1) Institutions and their subsidiary broker-dealer members would be engaged in trading for the institutions' vast portfolios while having direct access to the machinery and information of the Exchange as members. At the same time, they would be acting as agents for public investors and would be advising them. If their actions as agents or advisers for the public are inconsistent with their own decisions, problems of conflict will obviously exist. If their advice to the public and their trading decisions for their own portfolios are uniform, the market power of the institution may be greatly augmented, their power to dominate trading and pricing greatly increased, and the liquidity of the market further seriously diminished.

(2) In voting as members with respect to such matters as commission rate schedules, institutions would be faced with a direct, unavoidable conflict between their interests as traders in large blocks and the public investors to whom they, as members of the Exchange, would have fiduciary responsibilities.

(3) These conflicts could threaten the continuation of the Exchange as a self-governing market subject only to a measure of governmental supervision. They would weaken investor confidence in the Exchange as an objective, public auction market. The conflicts could shake public confidence in the Exchange and the securities industry, and might lead to direct government direction.

VI. *Competitors of member institutions would be compelled to seek concessions from the Exchange and its members to offset the advantages that their competitor-members would obtain.*

(1) Institutions that cannot achieve membership but which compete with those that do would be compelled to demand special accommodations in terms of Exchange rates, rules and practices to offset the financial and other advantages obtained by their competitor-members. The result would be further disruption and distortion of the Exchange and the industry.

CONCLUSION

1. Institutional membership on the Exchange raises fundamental questions of public policy and of the survival of the Exchange and the securities industry as instrumentalities for the service of the Nation's economy and the investing public. Questions of the sharing of commission dollars cannot be considered as determinative of the issue.

2. The Exchange should continue to oppose institutional membership or ownership or control of members and should reaffirm the "primary purpose" provisions in its Constitution and the implementing rules without modification or dilution.

By: JOHN L. LOEB.

OUTER CONTINENTAL SHELF BOUNDARY

Mr. PELL. Mr. President, in connection with the remarks contained in last week's RECORD concerning the Outer Contintental Shelf boundary, I should like to draw the attention of Senators to a recent letter to the editor of the New York Times from Wolfgang Friedman, professor of International Law at Columbia University.

Referring to the administration's upcoming decision on this international boundary issue, Professor Friedman states:

There are few issues of greater importance and world-wide implications.

Having placed the boundary question in its proper foreign policy context and having attached to it the international significance which I think it deserves, Professor Friedman, sounding much the same warning that is contained in my remarks of Friday last, notes:

The U.S. will be in the forefront of a free-for-all grab in ocean-bed resources if the President follows the April 13 statement of Senator Lee Metcalf, representing his views as chairman of the special subcommittee on the outer continental shelf.

Professor Friedman then goes on to point out that neither the United States nor any other country has exclusive jurisdiction over seabed resources beyond the edge of the Continental Shelf, and he makes the point that the definition of the "Continental Shelf" contained in the Geneva Convention "is now being widened further by the combined pressures of industrial interests and narrow-minded nationalism." These forces, says Professor Friedman, "seek to open a major part of the ocean floor to national appropriation, as it becomes exploitable."

I ask unanimous consent that Professor Friedman's letter be printed in the RECORD.

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

[From the New York Times, Apr. 19, 1970]

CLAIMS FOR OCEAN BED RESOURCES DISCUSSED

To the Editor: The Administration is about to formulate U.S. policy with regard to its continental shelf. There are few issues of greater importance and worldwide implications. The U.S. will be in the forefront of a free-for-all grab in ocean-bed resources if the President follows the April 13 statement of Senator Lee Metcalf, representing his views as chairman of the special subcommittee on the outer continental shelf. These include the claim that "the U.S. should not forfeit any of the legal rights, present or potential, to the natural resources of the continental margin it enjoys by virtue of the 1958 Geneva Convention on the continental shelf."

The subcommittee urges that the decision "should not be couched in terms prejudicial to development by U.S. nationals of the mineral resources of the deep-sea bed *beyond the continental margin.*" Nor should it be influenced "by excessive and unrealistic demands voiced in some segments of the international community."

The doctrine of the continental shelf—originally a limited extension of national sovereignty over sea-bed resources of to a maximum of 200 meters—was extended by the 1958 convention "beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas." This is now being widened further and further by the combined pressures of industrial interests and narrow-minded nationalism. They aim at the elimination of any vertical or horizontal limit, by using the concepts of the continental slope and the continental rise, which were never contemplated in the discussions and conventions on the continental shelf. They thus seek to open a major part of the ocean floor to national appropriation, as it becomes exploitable.

Nations without shelves respond with claims to 200-mile territorial water limits, and the landlocked nations—more disadvantaged than ever—may seek to appropriate sea shallows. Before very long the oceans will be studded with artificial structures and rival installations on the ocean bed thousands of meters under the surface. More likely than not, these will be accompanied by military bases and greatly increased dangers of pollution. United States' claims will, of course, be countered by other maritime nations. All this is no doubt called "realism," and the pleas for some international limitation and control are dismissed as starry eyed or unpatriotic.

The lesson belatedly learned from the uncontrolled use and pollution of national resources is not applied on the international level. In the name of "national interest," rival national claims are pushed to the point where the sea will become less and less open, and environment polluted on a worldwide scale. National interests will clash at the bottom of the oceans as on land. Here, as so

often, "realism" may turn out to be the way to disaster.

WOLFGANG FRIEDMAN,
Professor of International Law, Columbia University.
NEW YORK, *April 17, 1970.*

ERA OF NEGOTIATIONS—PART V

Mr. MUSKIE. Mr. President, in a series of brief statements during the last month I have raised questions about the administration's Vietnam policies—its overreliance on Vietnamization and neglect of diplomacy. I had hoped that these questions would be answered in the President's address to the Nation on April 20. Unfortunately, I do not find this to be the case. I find that many of the same inconsistencies remain between the administration's word and deed.

I listened to President Nixon, hoping that he might reveal the plan for peace that we have been promised since his campaign in 1968. I hoped that he might indicate a program that would bring our involvement to a speedy close. Instead, I heard a determination that the war must continue and that, at best, a year from today almost 300,000 Americans will still be fighting and dying in Vietnam.

The fact that our American forces in Vietnam have been reduced and that further reductions are contemplated is desirable, but it cannot be allowed to obscure the fact that, under present planning, more than half of the peak number of American troops will remain in Vietnam after 2½ years of the Nixon administration. Moreover, although President Nixon contrasts American casualties for the first quarter of 1970 favorably with first quarters of prior years, the fact is that the level of American casualties has remained high even as our troop strength has declined. Indeed, in recent weeks, the rate of casualties has increased. Continuation of the present rate would mean that by a year from now—when the current installment of withdrawals is scheduled to be completed—an additional 6 to 7 thousand American boys will have been killed.

President Nixon's hopes for peace appear to be based on the illusion that Vietnamization can in time bring about a military victory. Although the President speaks of a political settlement as being "the heart of the matter" he makes no move to bring about effective and productive negotiations in Paris. We continue to be represented there by a career foreign service officer whom the North Vietnamese and the Vietcong consider as a subordinate with whom they cannot and will not negotiate. In addition, the promise that almost 300,000 American troops will continue a year from now to shore up the Thieu Regime certainly removes any incentive for Saigon to negotiate a realistic political settlement. The President concedes that there has been no progress in Paris. But there can be no progress in Paris while we continue to downgrade diplomacy.

President Nixon offers only the prospect of further and futile military efforts to resolve an essentially political conflict. He tells us only that, over some indefinite period, all American combat forces are to be withdrawn. Are we to understand that noncombat forces will remain?

We are not told whether or how many combat forces are to be withdrawn during the next month or 6 months or during the balance of 1970. Are we to understand that the President has given in to military insistence on a delay in any further troop withdrawals?

We are told that what was previously described as a firm withdrawal plan was in fact a strategy of "cut-and-try." Is the new program, with the timing and pace of withdrawals to be determined by developments elsewhere, any different?

What we do know is that we are asked to support, and to support indefinitely, a war in which somewhat fewer American troops continue to fight on an ever-widening battlefield. We know too that the criteria for terminating American participation have now also been widened to include developments not only in South Vietnam but throughout Indochina.

Much has been made of the increased emphasis in the speech on the desirability of a political settlement of the war, but paying lipservice to diplomacy is not enough. This administration must take a variety of steps to reinvigorate the process of negotiation and to bring an end to the killing in Vietnam.

In this respect the speech was a disappointment.

The President failed to name a high-level replacement for Ambassador Lodge. It has now been 153 days since we had a high-level negotiator in Paris and North Vietnam's political representative at the talks has returned home. To let this post remain vacant for 5 out of the 15 months that the President has been in office is a poor way to give substance to the "era of negotiation" proclaimed by the President at the time of his inauguration.

The only new diplomatic initiative referred to in the speech was the French proposal to reconvene the Geneva Conference, and the NLF statement in Paris the day after the President's speech apparently killed that proposal. It has now been many, many months since this administration or the Government in Saigon restated our negotiating position or attempted a major new diplomatic initiative.

The President's speech stated that we favored a "fair political solution" that "reflected the existing relationship of political forces within South Vietnam." But our negotiating position and that of the Thieu/Ky regime do not contain specific proposals to achieve this end. As I shall spell out in a future statement, it is not hard to see why this proposal has not been the basis for a political settlement between the Vietnamese factions which have been at war with each other for so many years.

Finally, Mr. President, I would take issue with the extraordinary rhetoric which President Nixon put forward as the basis for his troop withdrawal announcement.

How is it possible under any stretch of the imagination to say, as the President told the Nation, that "the decision I have announced tonight means that we finally have in sight the just peace we are seeking." Negotiations are at a complete impasse. Today's meeting—the 64th—was a propaganda exchange. The war has widened in both Laos and Cambodia. Even if the President's highly optimistic statement that "pacification is succeeding" is accepted at face value, and few would do so, the best that can be said is that we are slowly disengaging from the war. But Vietnamization means only the continuation of Asians killing Asians, and it is hollow rhetoric to talk about a "just peace" now being in sight.

The time has come, and indeed is long since past, when we should move to create the conditions that will permit the political settlement which is the only hope for peace in Southeast Asia. It will require that we send to Paris a high-ranking negotiator with direct and acknowledged access to the President. It will require that we make clear to the Saigon government that they can no longer rely on American military power to postpone forever their need to recognize the realities of political power in South Vietnam.

There is today less stability in Indochina than there was 15 months ago, when this administration took office. In those 15 months, 11,000 Americans have been killed—more than one-quarter of all American deaths in Vietnam. Our national interest demands a plan for peace.

I ask unanimous consent that an editorial and an article on this subject be printed in the RECORD.

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

[From the Washington Post, Apr. 23, 1970]

THE LESSON OF LAOS

At one point last fall in the Symington subcommittee's hearings on Laos, Senator Fulbright said, almost plaintively, "I have never seen a country (the United States) engage in so many devious undertakings as this." The administration-censored transcript of the hearings published the other day fully bears out his lament. Until President Nixon, under the Symington spur, last month revealed selected aspects of the American presence in Laos, the American people knew only journalistic bits and propaganda pieces of a role that has cost them a couple of hundred lives and some billions of dollars over the last six years. Despite the (deletions), which at times make the transcript read like a drunk with hiccups, the Symington hearings fill in important parts of the record. They contribute substantially to the public's knowledge both of the military in Laos and the bureaucracy in Washington.

The rationale of successive administrations for deceiving Americans about their government's violations of the 1962 Geneva Agreements, which neutralized Laos, was put by William H. Sullivan. A Deputy Assistant Secretary of State, Mr. Sullivan helped write the 1962 agreements and then served as Ambassador to Laos. He said that North Vietnam violated the 1962 accord from the start. In "proportionate response" the United States followed suit. To have admitted its violations while the Communists denied theirs would have put the Russians, who for their own reasons favored the continued neutrality of Laos, on the spot. A "senior Soviet official" had said that Moscow could wink at unofficial reports of American violations but would have to take cognizance of official admissions. In that event, the Geneva

Agreements would have been demolished. Laos would have been "polarized." The Laotian government might then have invoked American aid under SEATO (sic) and thereby generated "a greater obligation and a greater immersion of American presence and pressure to go into Laos."

We note with some incredulity that the Senators interrogating Mr. Sullivan did not see fit to challenge the *substance* of the policy he was elaborating, as complicated and contorted as it is. They did, however, challenge the secrecy in which that policy was fashioned and implemented. Senator Symington tellingly noted the irony of an open society running a closed policy. Subcommittee counsel Roland Paul went a step further and asked if "the benefit to be gained by not acknowledging our presence in this area is, perhaps, outweighed by the credibility gap that is generated from the fact that our operations are so large and they are so widely reported by unofficial sources, which the administration either denies or evades?"

Precisely here, in our view, lies the heart of the Laotian matter: policy was woven out of strictly diplomatic considerations. Since the Congress and the people were not informed, they could not raise the questions and doubts that might well have exercised a restraining influence on single-minded policymakers. At the least, the exposure of American policy might have gained for it a more substantial measure of public support. It is a pity that Mr. Symington did not start probing the Laotian scene years earlier, when it could have made a difference.

THE PRESIDENT AND THE GENERALS

(By James Reston)

In announcing the withdrawal of another 150,000 American troops from Vietnam within the next twelve months, President Nixon said "this far-reaching decision was made after *consultation* with our commanders in the field and it has the *approval* of the Government of South Vietnam."

The distinction is clear. He "consulted" his commanders in the field but didn't get their "approval." In fact, there was bitter opposition to this move both by General Abrams and by the Joint Chiefs of Staff, and the President is now caught between the antiwar elements who want him to get out faster and his military chiefs who want him to slow the retreat.

THE CONFLICT

This is one of those situations where it would probably be wise to follow the Administration's slogan: Watch what we do rather than what we say. The main thing is that, despite the expansion of the war into Cambodia and Laos, despite the diplomatic, stalemate in Paris peace talks, and despite the warnings of his military advisers, the President is sticking to the schedule of withdrawals and committing himself to a flexible but faster pull-back in the next year.

There are risks in this for the President, not only in Vietnam but within the Pentagon and the command in Saigon. For General Abrams is known to feel that the President has now reached the point of changing fundamentally the combat forces in the field without changing Abram's mission.

What General Abrams is saying is that his troops are being taken from him faster than he thinks prudent in the present state of readiness of the South Vietnamese and the widening war by the North Vietnamese. What the President is saying, in effect, is what Senator George Aiken urged him to say long ago: "We've won, so bring the boys back home."

It would probably be a mistake for the antiwar elements at home and the North Vietnamese officials in Hanoi to ignore this increasingly difficult relationship between the President and his principal military chiefs.

He has not said when in the next twelve months he will cut the 150,000 but he has imposed his authority as Commander in Chief on his subordinates. He has given a somewhat rosier picture of the situation in Indo China than his commanders would make themselves, and therefore he is vulnerable to the charge—which President Johnson would never face—that he has given them an assignment but not the men to carry it out.

THE PRESIDENT'S WARNING

This was clearly in the President's mind in his latest report on Vietnam. "While we are taking these risks for peace," he said, "they [the enemy] will be taking grave risks should they attempt to use the occasion to jeopardize the security of our remaining forces. . . . My responsibiliy as Commander in Chief of our armed forces is for the safety of our men, and I shall meet that responsibility."

Here what the President *says* should be be taken with the utmost seriousness. For if he personally takes the responsibility for withdrawing troops against the advice of General Abrams, and the enemy then launches an attack that threatens a major military defeat or even the destruction of Abrams' command, it is not too much to say that he will use any weapons at his command—*any* weapons—to avoid destruction of his remaining troops.

Anybody who has watched Mr. Nixon over the years is bound to understand how reluctantly he would reject the advice of his military commanders, how careful he would be to avoid an open confrontation with them on a military judgment, and how violently he would react if he thought his decision was in danger of producing a massacre or even a humiliating defeat.

This is the new thing in the situation. He has left himself some leeway to keep most of the 150,000 in Vietnam until late in the twelve-month period. He has obliquely suggested a political compromise that would leave the Communists in charge of the areas they now hold, and he has surrounded it all with victorious rhetoric, which his commanders don't quite believe and even resent.

In short, Mr. Nixon is now approaching that delicate point of withdrawal which President de Gaulle faced in his retreat from Algeria. De Gaulle managed it only with the greatest difficulty, against the advice and, some thought, the honor of his responsible officers, and it was not accomplished without revolt among the officers.

President Nixon is not faced with anything so serious as this, but he is now coming into the most difficult part of his policy, and even those who might wish him to move faster, have to give him credit for sticking to the direction and pace of his retreat, even if he calls it by the name of victory.

[From the New York Times, Apr. 22, 1970]

POLITICAL NEED FOR PULLOUT IS BALANCED AGAINST GENERALS' WISH FOR FLEXIBILITY

(By Max Frankel)

WASHINGTON, April 21.—The first reactions here to President Nixon's latest report on Vietnam focused on his obvious effort to balance the political pressure for more troop withdrawals against the military's request for a show of strength on the battlefield in the next few months. The President found his compromise in the kind of annual timetable that he had refused to proclaim last autumn. He committed himself to the minimum withdrawal rate of 12,000 men a month over the coming year. But he left his generals free to argue for slowdowns and speed-ups as the course of battle changes, provided only that they scale down to 284,000 men by next spring.

Mr. Nixon's speech last night was also notable for its strong new appeal for negotiation of a political settlement.

Despite his optimistic reading of the military situation and his contention that a "just peace" was now in sight, Mr. Nixon went out of his way to encourage the Soviet Union and North Vietnam to join him on what he called "a better, shorter path to peace."

In this, he reflected the views of some his advisers who see no possibility of real disengagement from Southeast Asia without negotiation and of some who remain convinced that Hanoi is at this moment trying to choose between a painful war of attrition and a more forthcoming attitude at the conference table.

MOVEMENT IN "RIGHT DIRECTION"

Presumably, Mr. Nixon's choice of tactics at this stage will be sufficient to meet his immediate political problems. His minimum withdrawal schedule would still meet his basic desire to get American troops out of ground combat in Vietnam before the start of the 1972 election campaign. In the meantime, most Americans will probably endorse the view of the Senate majority leader, Mike Mansfield, that the movement at least "is continuing in the right direction—out."

Only a few of Mr. Nixon's potential Democatic rivals in 1972, led by Senator Edmund S. Muskie of Maine, publicly criticized the speech as too ambiguous and the troop withdrawal formula as too elastic. They were particularly disturbed by the President's resolve to base future judgments on the military action in Laos and Cambodia as well as in South Vietnam.

But it is precisely this concern here with the new situation in Cambodia and with the festering problem of Laos that has complicated the Administration's view of the war and kept alive the hopes of some leading officials for a settlement by negotiation.

Mr. Nixon has long heard suggestions from the Pentagon, for instance, that he forget about negotiations. Secretary of Defense Melvin R. Laird never has placed much faith in the Paris peace talks and has urged that everything be risked on a relatively rapid troop withdrawal and transfer of combat duty to the South Vietnamese Army.

COMBAT VICTORY FORESEEN

The Joint Chiefs of Staff and other military commanders have tended to view political compromise as unnecessary. They have felt that the allied forces were making considerable progress on the ground and have predicted frustration if not outright defeat for the North Vietnamese, if only American troops are not withdrawn too hastily.

The President has thus far managed with a combination of these approaches: "Vietnamization" of the war effort and American troop withdrawals to persuade Americans that the end was near, combined with "pacification" and other military activity to sap the strength of the enemy forces.

At the advice of his diplomatic advisers, however, Mr. Nixon has also kept open an invitation to serious negotiations. And though the words in which he discusses negotiation undergo only subtle changes, he appeared particularly eager to stress this approach in last night's statement.

The fear that Hanoi will extend the war deeper into Laos and Cambodia is one reason for this emphasis. Though judged here to be exhausted by war and overextended throughout Indochina, the North Vietnamese are respected in Washington for their tenacity.

PERIL OF WIDER WAR SEEN

If they widen the war, American disengagement will become even more difficult, no matter how successful the operations inside South Vietnam. Even if they were only to occupy Eastern Laos and Cambodia and threaten South Vietnam with massive in-

vasion, the costly American effort to disengage slowly could turn out to have been a waste.

Mr. Nixon is hesitating on Cambodia's request for military aid because he does not wish to provoke Hanoi into a wider conflict. He is being told that the North Vietnamese are probably facing difficult decisions at this stage and that he must combine a show of confidence with signs of interest in a political settlement to help persuade them to negotiate.

The conviction that Hanoi has not yet totally rejected the idea of negotiation accounts for the White House's eager interest last week in reports of a possible Soviet interest in a new Geneva conference. The President believes that Moscow will make no move on Vietnam unless authorized to do so by Hanoi. And though the latest report of Soviet interest in negotiation has since been officially contradicted, Mr. Nixon went out of his way last night to try to keep it alive.

Thus Mr. Nixon's speech was essentially a three-pronged effort. The first part dealt with his immediate problem of having to announce more troop withdrawals. His peroration exuded confidence that the end was in sight and that the enemy had miscalculated at every turn.

But the heart of the statement was a diplomatic appeal calling "upon our adversaries to join us in working at the conference table."

MENTAL RETARDATION AND OTHER DEVELOPMENTAL DISABILITIES

Mr. KENNEDY. Mr. President, last week, by the unanimous vote of 69–0, the Senate passed S. 2846, the Developmental Disabilities Services and Facilities Construction Act of 1970. Because of the broad interest generated by the Senate's passage of this important legislation, I ask unanimous consent that excerpts from the committee report on the bill be printed in the RECORD.

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

[Committee report: Senate Rept. No. 91–757, 91st Congress, 2d Session]

DEVELOPMENTAL DISABILITIES SERVICES AND FACILITIES CONSTRUCTION ACT OF 1970

(April 6, 1970—Ordered to be printed. Mr. KENNEDY, from the Committee on Labor and Public Welfare, submitted the following report to accompany S. 2846)

The Committee on Labor and Public Welfare, to which was referred the bill, S. 2846, to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes, reports favorably on S. 2846 with amendments and recommends that the bill as amended do pass.

SUMMARY OF S. 2846

As recommended by the committee, S. 2846 would provide, for the first time in the field of mental retardation and other developmental disabilities, the basis for a State-Federal partnership comparable to those already developed in such fields as health, mental health, and vocational rehabilitation. Inasmuch as disabled persons may also benefit from certain other federally assisted programs in health, education, and welfare, S. 2846 would direct the benefits of the proposed legislation to areas of need not now covered by existing programs.

The committee bill would extend and modify parts B and C of the Mental Retardation Facilities Construction Act of 1963, as amended. The present act expires on June 30, 1970.

Part B of the 1963 act, which now authorizes project grants for the construction of university-affiliated facilities for the mentally retarded, would be extended for 3 years, and a provision would be added authorizing the expenditure of funds for operational support for programs in facilities of this type. The authorization for construction would be continued at its present level—$20 million—for each of the fiscal years 1971, 1972, and 1973. The levels of authorization for operational support would be $7 million for fiscal year 1971, $11 million for fiscal year 1972, and $15 million for fiscal year 1973.

Part C of the 1963 act, which now authorizes formula grants to States for the construction of community facilities for the mentally retarded, would also be extended for 3 years. The present part C would be replaced by a combined formula grant and project grant program covering both construction and services. In addition, the scope of part C would be broadened to include not only the mentally retarded, but also persons suffering from certain other closely related developmental disabilities, such as cerebral palsy, epilepsy, and related neurological handcaps. Of the funds appropriated for part C, not more than 20 percent could be reserved for project grants to be administered by the Secretary of Health, Education, and Welfare, and the remainder would be allotted by formula among the States for planning, administration, services, and construction, in accordance with an approved State plan. The levels of authorization for the new part C would be $100 million for fiscal year 1971, $135 million for fiscal year 1972, and $170 million for fiscal year 1973.

The existing authority under part D of the 1963 act, which now provides support for professional and technical personnel in facilities for the retarded, would not be extended. Part D would not be repealed, however, since it authorizes the continuation beyond June 30, 1970, of grants initiated prior to that date. In the future, the purposes of part D would be carried out under the broadened authority of the new part C.

THE NEED FOR NEW LEGISLATION

Despite bipartisan support in both Houses of Congress, Federal assistance to States and communities in developing and maintaining appropriate services and facilities for the mentally retarded and their families has been uneven, inadequate, and inequitable. Citation of composite figures indicating an increasing overall investment by the Department of Health, Education, and Welfare in research, prevention, training of personnel, construction, services, and income maintenance programs conceals the fact that the increases are highly selective. They fall primarily in the areas of (1) income maintenance under social security and public assistance—a measure of the severe financial dependence caused by mental retardation—and (2) vocational training for young people—a laudable objective but by no means the only area in which Federal aid should be emphasized.

Today, there are many areas of need for the retarded and disabled in which too little Federal leverage has been applied. These areas include the improvement and diversification of out-of-home residential services; comprehensive diagnosis and evaluation of handicapped adults; day care tailored to the needs of the developmentally disabled, both children and adults; extended sheltered employment; itinerant services in sparsely populated areas; counseling of parents; information, referral, and follow-on services; and protective services. Resources are lacking to the disabled in every stratum of society, especially in areas of urban and rural poverty.

The developmentally disabled are the children and adults in our society whose handicaps originate in childhood and continue in some measure throughout life. They number in the millions. Although the mentally retarded form the largest group of the developmentally disabled, similar disabilities are also attributable to other neurological impairments, of which cerebral palsy and epilepsy are prime examples. Often, severe disability results from such conditions, even when the victim enjoys normal intelligence. As is the case in mental retardation, these chronic handicaps have been neglected for too long. Heretofore, the emphasis of society has been on short-term success—the cure, the closure—to the detriment of those whose disabilities are long term but whose well being and social contribution can be enhanced by appropriate early and continuing services. The goal of the committee bill is to foster such services.

HEARINGS

The committee held 2 days of hearings on S. 2846, during which it heard testimony from administration witnesses and from numerous interested groups representing consumers, providers of services, both public and private, and universities which have undertaken to establish interdisciplinary training programs in this field.

BACKGROUND

1. Early Federal aid

The first substantial program of Federal financial assistance to States and communities in developing services for the handicapped was inaugurated shortly after World War I, with the enactment of the Vocational Rehabilitation Act of 1920. The purpose of the program, which is now celebrating its 50th anniversary, was to enable civilians to take advantage of the use of prosthetic techniques that had proved successful in rehabilitating many of those who had been wounded in the war.

At the outset, and for some two decades thereafter, the focus of the vocational rehabilitation program was on persons physically disabled as adults. In 1943, the act was modified to broaden its range of physical medicine and extend its counseling and selective job placement coverage to the mentally disabled. It is only in the past decade, however, that persons whose mental and physical disabilities originate in childhood have begun to represent a significant part of the vocational rehabilitation caseload. Even those who now receive assistance do so for only a relatively brief period. Moreover, the most seriously handicapped—those incapable of vocational success—are by definition excluded from the program.

The first substantial Federal program to provide assistance in developing services for handicapped children came with the Social Security Act of 1935. A series of provisions in the act created the so-called crippled children's program within the Children's Bureau, which is now located in the Maternal and Child Health Service of HEW. Although this program has existed for 35 years, it is only in very recent times that all the States have removed the limitations which barred mentally handicapped crippled children from participating in the benefits of the program. Moreover, the program is limited in application, because its services terminate when the child reaches 21, even though his physical handicap continues.

More recent is the program of Federal aid for educational services for handicapped children, which had its origin in the Elementary and Secondary Education Act of 1965. Although the States have been active in this field for many years, it is estimated that even now, less than half of the eligible

children of school age are receiving special education services.

2. President Kennedy's program

In 1961, in his first year in office, President Kennedy recognized the long neglect of both the mentally retarded and the mentally ill, and he directed that new approaches should be developed in both of these areas. In early 1963, he again emphasized the urgent need and recommended major new programs to Congress in these fields, in spite of the serious fiscal crisis—then, as today—facing the Nation. As he stated:

In an effort to hold domestic expenditures down in a period of tax reduction, I have postponed new programs and reduced added expenditures in all areas when that could be done. But we cannot afford to postpone any longer a reversal in our approach to mental affliction. * * * We can procrastinate no more. The national mental health program and the national program to combat mental retardation herein proposed warrant prompt congressional attention. (Message to Congress, Feb. 5, 1963.)

President Kennedy's program to combat mental retardation was based in large part on the report of the President's Panel on Mental Retardation, which he appointed in 1961. As a result of the recommendations in that report, two significant pieces of Federal legislation for the retarded were enacted by Congress in 1963:

a. Public Law 88–156 launched a special Federal program of comprehensive maternity and infant care projects aimed at high-risk mothers. In subsequent years, this program has demonstrated spectacular success in reducing infant mortality, and has achieved a presumptive reduction in the incidence of mental retardation and cerebral palsy. At the same time, in another important series of provisions, Public Law 88–156 also authorized grants to the States for comprehensive planning in the field of mental retardation.

b. Public Law 88–164—the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963—launched the first major Federal program for the construction of facilities for the mentally retarded and the mentally ill. Title II of the 1963 act, the Community Mental Health Centers Act, dealt with mental health, and established the basic ongoing Federal program in this area. Title I of the 1963 act, the Mental Retardation Facilities Construction Act, dealt with mental retardation.

On March 16, 1970, President Nixon signed legislation (Public Law 91–211) extending the mental health program. The committee bill (S. 2846) would carry forward the parallel effort for the mentally retarded.

Title I of the 1963 act originally contained three major parts, and it generated a three-pronged attack on mental retardation in the areas of research, training, and facilities for service:

Part A authorized a program of grants for the construction of centers for research on mental retardation and related aspects of human development. The authorization for this program was allowed to lapse in 1967. In all, 12 research centers were constructed with Federal aid under part A, and a number of these centers are now fully operational. However, their full impact will not be felt for several years.

Part B authorized a program of project grants for the construction of so-called "university-affiliated facilities" for the mentally retarded—clinical facilities affiliated with universities in a position to develop programs for training professional personnel in the field of mental retardation.

Part C authorized a program of formula grants to the States for the construction of facilities for the mentally retarded.

In 1967, title I was amended to add a new part D, which authorized a program of project grants to pay part of the cost of compensation of professional and technical personnel in community facilities for the mentally retarded for periods up to 51 months.

The heart of the 1963 act was part C, and the essence of part C was its call to conform contruction of facilities for the retarded with State-determined priorities. President Kennedy's Panel on Mental Retardation had reported special needs for construction in the areas of day care and residential care, for which the Panel also strongly advocated innovation, modernization, and decentralization.

As the studies carried out under President Kennedy in the early 1960's substantiated, the development of facilities for the retarded could not be successfully promoted under existing Federal health programs such as the Hill-Burton Act.

Subsequently, the President's Committee on Mental Retardation which was created by President Johnson in 1966 and has been continued by President Nixon, confirmed the need for massive Federal assistance for both the construction and the operation of such facilities, with special emphasis on adapting them to modern program concepts.

Although the 1963 act fell short of these goals—only $72 million has been appropriated for the entire six years of the part C the act has provided a beginning. The annual levels of funding are indicated in the accompanying table. Today, some 300 facilities have been or are being constructed with Federal assistance provided under part C. They are to be found in every State.

The hearings held by the committee brought out a number of the constraints under which the act has been operating since 1963. In addition to the serious underfunding, it was noted that certain arbitrary restrictions on matching, on transfer of funds in accordance with priorities, and on eligibility for staffing grants have deterred rather than stimulated the most effective use of the limited Federal funds. The committee bill addresses itself to these problems.

MENTAL RETARDATION FACILITIES CONSTRUCTION ACT—PUBLIC LAW 88-164, TITLE I

HISTORY OF FUNDING, FISCAL YEARS 1964-70

[In millions of dollars]

	1964	1965	1966	1967	1968	1969	1970	Total 1964-70
Part A—Research centers:								
Authorization	6.0	8.0	6.0	6.0				26.0
Appropriation	6.0	8.0	6.0	6.0				26.0
Part B—University-affiliated facilities:								
Authorization	5.0	7.5	10.0	10.0	10.0	20.0	20.0	82.5
Appropriation	5.0	7.5	10.0	10.0	0	9.1	0	41.6
Part C—Community facilities:								
Authorization		10.0	12.5	15.0	30.0	30.0	50.0	147.5
Appropriation as enacted		10.0	12.5	15.0	18.0	6.0	12.0	73.5
Appropriation as administered		10.0	12.5	15.0	12.0	12.0	10.2	71.7
Part D—Staffing:								
Initial grants:								
Authorization					7.0	10.0	14.0	31.0
Appropriation					0	8.4	7.4	15.8
Continuing grants:								
Authorization					(1)	(1)	(1)	(1)
Appropriation						0	3.6	3.6
Total appropriation	11.0	25.5	28.5	31.0	12.0	29.5	21.2	158.7

[1] Such sums as may be necessary.

3. State planning for the retarded under Public Law 88–156

Although the amount of money made available for State planning under Public Law 88–156 was small—$7.7 million over 5 years—every State participated in a cross-disciplinary, interagency effort that focused broad attention on the full range of social and legal needs of the mentally retarded, including the areas of health, education, welfare, rehabilitation, employment, and recreation. Seldom has the Federal Government engendered so much productive activity for so small an investment. As a result, the States have reached a condition of readiness to act on a much broader front, and with much more precision and expectation of effectiveness that could have been foreseen a decade ago.

One of the most significant characteristics of State plans for the retarded is their individuality. The 50 States have their own priorities, based on historical, geographical, or other differences. Each State plan has its strengths and its weaknesses, but all the States are ready to move forward. To nurture this potential and realize its fulfillment, the Nation needs evidence of a continuing Federal commitment to the idea of State-Federal partnership in this area. That commitment must be at least as strong as has been manifested in other major areas of Federal involvement, such as health, education, and rehabilitation.

4. Other related programs

Each of the currently authorized programs in parts B, C, and D of the Mental Retardation Facilities Construction Act of 1963, as amended, is administered by the Division of Mental Retardation in HEW. Since 1967, the Division has been located in the Rehabilitation Services Administration, which in turn is part of the Social and Rehabilitation Service in HEW.

The Division of Mental Retardation also administers several other small but successful programs that are related to its role of fostering the delivery of improved services for the retarded. The principal programs are:

The hospital improvement program (HIP), a program of special project grants to State residential facilities for the retarded to demonstrate improvements in patient care;

The hospital inservice training program (HIST), a program of special project grants to provide inservice training; and

Rehabilitation service project grants under section 4(a)(1) of the Vocational Rehabilitation Act (the "section 4" authority), under which demonstrations can be funded for the delivery of services to retarded children and adults who are not eligible for vocational rehabilitation. This authority also covers project grants for training personnel.

The HIP and HIST programs together are funded at the level of $8,390,000 for fiscal year 1970, before the recent budget reduction. The administration's budget request for these programs for fiscal year 1971 is $9,300,000. The rehabilitation service project grants program is being funded at the level of $4,100,000 for 1970, and the budget request for 1971 is $4,500,000.

Testimony in the hearings before the committee suggested that the usefulness of the funds currently appropriated for the HIP and HIST programs could be enhanced by incorporating them in the general formula grants to States under part C of the 1963 act.

The "section 4" authority, which will ex-

pire in 1971, represents the type of flexible project grant program that can effectively supplement a formula grant authority, as has already been demonstrated in the fields of vocational rehabilitation, health services, education, child welfare services, crippled children's services, and maternal and child health services. The committee notes that the scope of the "section 4" program already covers most of the areas incorporated in the new project grant authority requested by the administration and included as part of the committee bill.

AUTHORIZATION OF APPROPRIATIONS FOR PART C

The authorizations for all aspects of part C of the committee bill—for formula grants and project grants, for planning, administration, services, and construction—begin at $100,000,000 for fiscal year 1971, and rise to $135,000,000 for fiscal year 1972, and $170,000,000 for fiscal year 1973.

These authorizations are modest, considering the need and intended scope of the act. As long ago as 1962, the President's Panel on Mental Retardation estimated that a minimum amount of $50 million a year should be made available in Federal aid for at least 10 years to stimulate the construction of modern facilities for the residential care and day care of mentally retarded persons who are so handicapped as to need specialized facilities. The original 1963 act authorized less than this amount for a broader range of facilities, including diagnostic and evaluation units and sheltered workshops. In the 6-year period 1965–70, a total of $71.7 million was appropriated, or only slightly more than the President's Panel had recommended should be spent each year.

At least $100 million in Federal aid will be needed within the next 2 years alone for urgent construction projects which have been conceptualized in the States but not yet submitted because of the growing disillusionment as to the Federal commitment to this program. When the committee adds (1) the need for new services apart from construction, as revealed by State planning, and (2) the real need to revolutionize residential care in accordance with "MR 68" (the 1968 Report of the President's Committee on Mental Retardation), $100 million for fiscal year 1971 seems modest indeed as an authorization for the program. Substantially increased funds will be needed in subsequent years for the retarded alone. It will eventually be necessary to augment the funds even more in order to bring adequate help to other developmentally disabled persons.

The committee recognizes that the administration is pledged to increasing the Federal commitment to solving domestic problems. The problem of serious mental retardation, cerebral palsy, and similar developmental disabilities should share in this commitment. The committee is convinced that the administration can, if it will, find enough funds to support a Federal grant program for the developmentally disabled at a level that will have a significant impact and that will apply significant leverage in all States, large as well as small.

FORMULA GRANTS TO STATES AND SPECIAL PROJECT GRANTS

It was emphasized during the hearings that the program under the 1963 act was still only in its infancy, and had by no means been fully primed at the time the current fiscal restrictions began to be imposed on the Federal budget. Had the program matured as expected, obligations for construction under part C and for staffing under part D might reasonably have totaled some $75 million for fiscal year 1970. As things stand, only $21 million has been appropriated for 1970, and the administration has requested only $19 million for 1971.

Notwithstanding the fact that the program has never reached equilibrium with the need, the Assistant Secretary for Legislation of HEW advised the committee that the administration intended to level off the Federal contribution for construction and staffing of facilities for the retarded at the 1970 level of about $20 million a year. Therefore, in the hearings, the administration proposed the substitution of a simple project grant authority in place of the State formula grant authority, either as now contained in part C or as expanded in S. 2846.

By contrast, the public witnesses in the hearing gave strong support to the State formula grant approach of S. 2846 as originally introduced, which would have provided a single allotment for State planning, administration, services, and construction. Their testimony called attention to the very significant response by every State in the past 6 years to the formula grants of part C of the 1963 act, with its emphasis on Federal initiatives and incentives to strengthen State planning and responsibility for the retarded. The committee believes that regression in the Federal commitment and repudiation of confidence in the States and support for the States as they move aggressively toward reform in this long-neglected area would have a severely demoralizing effect, not only on State leadership in the field, but also on voluntary efforts now underway in all the States. In fact, the demoralizing effect of using only the project grant approach at this time would be greater than if there had been no evidence whatever of Federal leadership in recent years.

The committee recognizes the merit of project grants, but believes they should continue to be subsidiary to formula grants, which have worked well in stimulating new State effort. The committee bill therefore recommends a combined formula grant and project grant approach, with authorizations commensurate with the need.

The committee believes that the States are ready to assume greater responsibility for carrying forward a planned program to expand and improve services to the retarded and others with developmental disabilities by a combination of direct action and cooperative assistance to other agencies, public and private. Accordingly, the bill provides that part C of the present act, which authorizes formula grants for construction only, would be replaced by an expanded program of comprehensive formula grants to the States. The bill would enable the States to develop and maintain new or improved resources and services. It would give the States authority to use Federal funds to construct facilities and to plan, administer, develop, deliver, purchase or otherwise foster the services that are needed.

In addition, the committee bill incorporates the project grant authority recommended by the administration. The bill would authorize the Secretary of HEW to reserve up to 20 percent of the total appropriation under part C for grants for projects of special or national significance. The committee expects that this project grant authority will eventually replace the essentially similar authority now exercised by HEW under section 4(a)(1) of the Vocational Rehabilitation Act. The committee urges, however, that during the transition, the "section 4" authority, and especially the successful student work experience and training program, should be maintained in a continuing active status.

The committee intends that special attention will be given under the bill to the improvement of residential services through the development of new patterns of care and a major redistribution of facilities. In addition, the committee urges improvements in existing facilities by eliminating the overcrowding, oversize, and inadequate or inappropriate staffing and environment that now exist. For example, the committee believes there is a need to develop appropriately staffed, community-based, nonmedical day care and residential care facilities under both public and private auspices. These facilities will complement the long-term medical care facilities that can and should be made available to certain of the developmentally disabled under other Federal programs, such as the health facilities provisions of the Hill-Burton Act.

SPECIAL NEED IN AREAS OF URBAN AND RURAL POVERTY

A principal defect of the present act is that it does not give the States more than a passive role in implementing the priorities in the State plan for construction. As a result, many high priority areas are still without facilities for the retarded.

The major portion of funds under Public Law 88–164 has tended to flow to communities with the greatest resources in terms of matching funds, community initiative and know-how, or professional and technical competence. Too often, the unfavorable matching ratio for construction funds available under part C of the 1963 act has meant that urgently needed facilities could not be built in poverty areas. Too often, the States, with fiscal problems of their own, have had to depend on local private initiative, with the result that facilities for the retarded have tended to be concentrated in the more privileged geographic areas, to the neglect of poverty areas.

To offset this tendency for the poor to get poorer, the bill would require the States to give special consideration to the needs of urban and rural poverty areas, as well as require technical and financial assistance to such areas. The committee believes this approach will be more effective than requiring a specified portion of the funds for services and construction to be earmarked for "model cities." The latter type of requirement was superimposed by administrative order in fiscal 1969. The provisions in the committee bill are designed to meet the recognized need in a more efficient and effective way.

The problem of maldistribution of new facilities also exists in the mental health field. The newly enacted Community Mental Health Centers Amendments of 1970 (Public Law 91–211) seek to meet this problem, in part, in an additional way by giving the States greater latitude in determining the Federal share in accordance with local needs. The Federal share provisions of Public Law 88–164 apply equally to mental health and mental retardation. As a result of the recent enactment of Public Law 91–211, therefore, a federal share of up to 90 percent is now permitted for construction of facilities for the retarded under part C in areas of urban and rural poverty. In other geographic areas, a maximum Federal share of 66⅔ percent or the so-called Federal percentage, whichever is lower, would be permitted for the construction of facilities.

It should be noted that these ratios for the Federal share do not affect the total amount of Federal funds that will be available to a State. What they do accomplish, however, is to encourage the States to use discretion in assigning favorable matching ratios to areas most in need.

SUPPORT FOR PLANNING, ADMINISTRATION, AND SERVICES

As noted, the 1963 act was amended in 1967 to add limited-term project grant support to staff facilities for the retarded. Unfortunately, these staffing grants under part D—which were first awarded to mental health centers in 1966 under earlier companion legislation—did not, in fact, become available to community mental retardation facilities until the fiscal year 1969. Indeed, the first mental retardation staffing grants were not actually awarded until last July, less than 9 months ago. Thus the amounts which have been obligated reflect no more than the first step toward meeting the need

for such assistance. Although the authority for staffing grants under part D expires in June 1970, the authority for continuing the grants approved prior to that time (expected to number nearly 500) remains, and is unaffected by the committee bill.

Under part D, support for services is limited to expenditures for professional and technical personnel in facilities specially designed for the retarded. In many instances, more efficient use of Federal funds will result if a broader range of services, including planning and administration, can be supported, and if personnel can be assigned to work in settings other than specialized facilities. The committee bill explicitly provides broad latitude in these areas, under both the formula grant and project grant provisions.

In the case of State expenditures for purposes other than construction, the overall Federal share is set at 80 percent in the formula grant program. This is the same Federal share available in the parallel vocational rehabilitation program in section 2 of the Vocational Rehabilitation Act, and is close to the 75 percent Federal share available for comparable social services in the welfare program, which is also administered by the Social and Rehabilitation Service in HEW. The 80 percent Federal share is also comparable to the range of 50 percent to 83 percent authorized in the medicaid program, and the 75 percent to 90 percent authorized for the development of children's mental health services in the recently enacted community mental health amendments, Public Law 91-211.

In evaluating the Federal share, it should be borne in mind that the States are already investing large amounts of their own revenues in services for the retarded—at least a billion dollars a year. The committee bill requires the States to maintain these expenditures at their current level in order to participate in the Federal program. At best, the Federal contribution to services for the retarded will remain small, compared to present State and community effort. However, the purpose of the committee bill is to give that small Federal contribution the maximum leverage and visibility.

CONSTRUCTION OF UNIVERSITY-AFFILIATED FACILITIES

Part B of the 1963 act spoke to the need to provide an environment for the interdisciplinary training of personnel to expand the resources for service to the retarded and persons with related neurological disorders. It also spoke to the need to bring students, trainees, and fellows into direct contact with the disabled in the sort of exemplary setting that can be established in a university atmosphere. Such centers can have an important impact on programs for the retarded in the surrounding communities.

Part B's authorization of project grants for the construction of service facilities affiliated with teaching institutions was extended in 1967, but the extension came so late in the fiscal year that it brought about an unfortunate lapse in funding. At the present time, some 18 projects have been funded under part B, and many more are awaiting funds:

One additional project has been approved but remains unfunded. The committee is informed that if funds are not soon forthcoming, the medical school involved will have to redesign its proposed new children's hospital and substantially curtail the space that was to have housed the program for the retarded and handicapped.

Eight projects are in the final stages of application under part B, and most of these would have been in line for funding 2 years ago if the appropriations had not been interrupted. Several of the universities involved are already enrolling students, and are at a disadvantage in not obtaining their facilities.

Another 28 projects are in an intermediate stage of development.

Twenty other universities have expressed an interest in the program when funds become available.

Of the 18 university-affiliated centers that have already been funded, only six have had sufficient time to complete construction, and all of the projects are still being phased in. Under the circumstances, it is not yet possible to evaluate their full effectiveness. Moreover, several of the centers have been severely crippled by the cutbacks in anticipated training funds available to the universities from maternal and child health services, the Office of Education, and other Federal sources. The demand for the training these centers can provide is great, and the waiting lists for services are already far too long.

Three years of Federal budget stringency have come at a particularly critical time for these university centers. Nevertheless, the committee was impressed with the imagination, enthusiasm, and perseverance demonstrated by the directors of these pioneering projects, five of whom appeared before the committee. It was also clear that professional students and technical trainees are responding enthusiastically to the challenges posed in these centers.

During the hearings on S. 2846, several multiply handicapped children who had greatly benefited from the university-affiliated facility at Johns Hopkins University in Baltimore appeared before the committee with their parents. The committee was able to compare their prior condition, as recorded on film, with their present functioning. None of these children is expected to recover completely from his disability, but each is now living a happier, more nearly independent life than could possibly have been foreseen a few years ago. The appreciation of their parents for the help they received in the face of great and continuing tragedy brought vividly before the committee the direct human values at stake in this legislation.

The committee believes it is urgent that the existing university-affiliated facilities be brought to their point of maximum productivity, especially in terms of manpower delivered to the field. It is also urgent for areas of the country not now within reach of such centers to be given priority, once the existing applications in an advanced state of preparation have been funded. Today, there are only three university-affiliated centers in the entire area between the Mississippi River and the west coast. Accordingly, the committee bill would extend the authorization for construction of university-affiliated facilities under part B at the rate of $20 million a year through 1973.

The great hardship suffered by those half-dozen or so universities, which in good faith programed construction starts for 1969-71, deserves prompt assistance to bring their plans to fruition. In order to restore the confidence of prospective sponsors in a good program that has been unusually plagued by uncertainty, the committee recommends that $20 million for such construction should be included in the 1971 HEW appropriations bill, even though the actual funds might not in fact be obligated until early in fiscal year 1972.

DEMONSTRATION AND TRAINING GRANTS FOR UNIVERSITY-AFFILIATED FACILITIES

The committee also finds that there is a need to assure Federal participation in the basic operational costs of the university-affiliated facilities. Such support should be administered by the same agency making the construction grants for the facilities and should permit more effective use of funds from other appropriate sources, both Federal and non-Federal. Consonant with general current policy, the Federal agencies having service responsibilities in the various areas represented in the center should continue to take some part in funding the training activities there, as they do in other segments of the universities.

However, the costs of direct services to clients should, where practical, be derived from the same sources (including Federal) that pay for these services in other settings—for example, from State and local boards of education, from health insurance or medicaid, or from State agencies responsible for residential care, vocational rehabilitation, crippled children's services, or social services.

Basic Federal operational grants should be used primarily for administrative and overhead costs not attributable solely to delivery of service, for dissemination of information, for technical assistance to service agencies, for evalulation, and for startup costs on new ventures in keeping with the centers' mission to lead the field. Basic operating grants should be budgeted firmly, and should not be subject to subsequent adjustment on account of income from patient fees.

The committee also expects that the basic Federal support funds will be used to cover training of professional and other categories of workers for whom Federal support is not otherwise readily available. The committee was pleased to learn in the hearings that some centers are already involving attorneys, architects, sociologists, anthropologists, city planners, public administrators and others in their composite activity. Part of the basic Federal support under the committee bill should also be available for bringing students in these subjects into the orbit of the centers.

The provisions for extending the construction authority and adding the basic operating assistance for university-affiliated facilities are contained in title II of the committee bill, along with certain clarifying amendments designed to emphasize the interdisciplinary character of the training effort.

The committee intends that universities receiving support under the bill should contribute to the effective implementation of their respective State plans, and should be responsive to State and regional needs for personnel.

Because of the potential for positive interaction between the university-affiliated training program under part B and the State planning and programs under part C, the committee believes that efforts should be made to permit eventual establishment of at least one university-affiliated facility in every State with a receptive major university.

The committee bill is broad enough on its face to authorize support for the construction and operation of university-affiliated facilities under part C as well as part B. However, because of the present maldistribution of university-affiliated facilities and the relatively large costs involved in funding them, the committee believes that such facilities should not be placed in the position of competing for limited funds with service and training projects under part C. Therefore, the committee urges adequate funding for university-affiliated facilities under part B.

SECTION-BY-SECTION ANALYSIS

Section 1.—States the short title of the bill—"The Developmental Disabilities Services and Facilities Construction Act of 1970."

Title I.—Grants for planning, provision of services, and construction and operation of facilities for persons with developmental disabilities

Section 101.—This section writes a completely new part C into the Mental Retardation Facilities Construction Act of 1963. Under the old part C, grants were available only for the construction of facilities for the mentally retarded. Under the new part C, grants will be available not only for construction, but also for comprehensive plan-

ning and for services. Those eligible for services include not only the mentally retarded but also children and adults with other developmental disabilities, such as cerebral palsy, epilepsy, and other closely related neurological handicaps.

The new part C consists of 11 sections, numbered 130–140. Each of these sections is described in the following paragraphs.

Section 130—Declaration of Purpose.—This section states that the purpose of the new part C is to authorize grants to assist the States in *both* developing *and* implementing a comprehensive and continuing plan for providing services to persons with developmental disabilities; to assist public or nonprofit private agencies in the construction of facilities and the provision of services; and to provide for demonstrations, technical assistance, local planning, specialized professional training, and related purposes. The purposes are intended to be comprehensive They are the same for both the formula grant authority and the project grant authority established by section 132(a) to carry out the purposes under part C.

Section 131—Authorization of appropriations.—This section authorizes a total of $405 million to be appropriated for a 3-year program under part C. The authorizations for the respective fiscal years are:

1971—$100 million.
1972—$135 million.
1973—$170 million.

Section 132—State allotments.—Paragraph (1) of subsection (a) allocates funds among the States according to (A) population, (B) the need for facilities and services for the developmentally disabled, and (C) the financial need, of the respective States.

At the present time, the State allotments under part C are computed by the Department of HEW as follows: Two-thirds of the total appropriation is alloted on the basis of State population, weighted by State financial need as measured by State per capita income; and one-third is allotted on the basis of need for facilities for the mentally retarded, as measured by State population under age 21.

Paragraph (1) also continues the provision in current law that no allotment to a State may be less than $100,000 in any fiscal year. However, the committee bill requires the minimum State allotment to be increased if the level of appropriations in future years rises above the level of authorization for fiscal year 1971. The percentage increase in the minimum allotment would be the same as the percent by which the appropriations in that year exceeded the fiscal year 1971 authorization. For example if the fiscal year 1971 authorization is $100 million and the fiscal year 1972 appropriation is $117 million, the minimum State allotment would be raised from $100,000 to $117,000 for fiscal year 1972. The provision would have no effect on the minimum State allotment for fiscal year 1971.

Paragraph (2) of subsection (a) authorizes the Secretary to adjust the "need" factor in section 132(a)(1)(B) in the future to reflect the extent to which a State provides facilities and services for categories of developmental disabilities other than mental retardation.

The formula for State allotments in the committee bill is essentially the same as in part C under the present law, except that paragraph (2) is added to permit a State which provides facilities and services for disabilities other than mental retardation to enjoy a proportionate increase in its allotment. This provision is included to avoid penalizing the retarded in States willing to broaden the coverage of their programs.

Paragraph (3) provides that construction funds allocated to a State during a fiscal year are to remain available to the State in the following fiscal year. If a State's plan calls for the construction of a facility whose Federal share will exceed the State's maximum allotment for the fiscal year, the funds may remain available for two additional years.

The provision making construction funds available to a State for 1 year following the year for which they are appropriated is similar to provisions in the Hill-Burton Act and in the present part C of Public Law 88–164.

It is necessitated by the time needed to process construction applications, especially in view of current delays in the enactment of appropriations bills. The provision permitting additional carryover of such allotments in exceptional circumstances is included in response to the experience with States and territories having low annual allotments. For example, a State could pool its allotments for 3 years in order to obtain funds to construct a single facility.

Under subsection (b), a State may apportion its allotments for services (but not for construction) among more than one State agency, in accord with the responsibilities assigned to each agency in carrying out the State plan. The purpose of this provision is also reflected in section 134(a)(1)(B).

The authority for a State to apportion its allotment among several State agencies reflects the fact that the provision of comprehensive services for mental retardation and other developmental disabilities calls for a combined effort by several State agencies, representing areas such as health, welfare, education, and rehabilitation. The States vary widely in the way they assign responsibility for the disabled among State agencies, and they should be permitted to adjust the use of Federal funds to carry out the purpose of the bill in the most efficient manner. For example:

In one State, the department of health provides a range of community services for the retarded, while the department of mental hygiene handles the bulk of residential care. In addition some community services are also assigned to the department of social welfare in the State. Under the committee bill, the State plan could specify a reasonable division of funds between these three State agencies. In turn, each of these agencies could make funds available to local public and private agencies.

In many States, the department of welfare provides social services to disabled persons receiving public assistance. Similar services are needed by—but are often not available to—many mentally retarded persons and other disabled persons who are not on welfare. The most efficient method of supplying such services could be for the State to assign some of its allotted funds under the committee bill to the State welfare department, on condition that the department extend its social services to additional persons with developmental disabilities.

However, no State would be compelled to follow a pattern of multiple agency allotment if its plan calls for a single agency structure to accomplish the purpose of the bill.

In order to make further functional consolidation possible, subsection (b) also specifically authorizes funds to be combined with other State or Federal funds, so long as the benefits to the disabled are proportional and explicitly protected.

Subsection (c) authorizes States to pool their allotments to carry out cooperative interstate efforts. At the present time, for example, a pilot tristate consortium is already underway in Kentucky, Ohio, and Indiana as a result of a planning grant approved by the Division of Mental Retardation in 1966.

Subsection (d) provides a formula by which funds not used by one State may be allotted to other States. The present reallotment formula under Public Law 88–164 has proved to be cumbersome and artificial. The provision in the committee bill is patterned after section 314(a)(3)(B) of the Partnership for Health Act.

Subsection (e) establishes a project grant program to be administered by the Secretary. Under this program, the Secretary is authorized to reserve up to 20 percent of the total annual appropriation for part C to make grants for projects of special national significance, including those directed to the needs of the disadvantaged with developmental disabilities. The Federal share of such projects, including construction projects, may be up to 90 percent of their cost. Although no specific requirement is written into the bill, the committee intends that project grants under this subsection shall be consistent with the State plan required by the act.

Section 133. National Advisory Council on Services and Facilities for the Developmentally Disabled.—This section establishes a National Advisory Council on Services and Facilities for the Developmentally Disabled. The Council will consist of 20 members, to be appointed by the Secretary. The members may not be otherwise in the regular full-time employ of the Federal Government.

Members of the Council are to be chosen from leaders in the fields of service to the mentally retarded and other developmentally disabled persons, including leaders (1) in State or local governments, (2) in institutions of higher education, and (3) in organizations representing consumers of these services. At least six members of the Council must represent State or local public or nonprofit private agencies, and at least six must represent consumers.

The Council will advise the Secretary on regulations and study and evaluate the effectiveness of programs under title I of the 1963 act. The Council may receive technical assistance, and the Secretary is required to make available such assistance and data as may be required for the Council to carry out its functions.

The committee intends the Council to assess the effectiveness of the act in accomplishing its objectives. The Council will replace the various ad hoc advisory groups now used to advise the Division of Mental Retardation in HEW. It should also take over the advisory functions with respect to the construction of facilities for the retarded. These functions are currently assigned to the Federal Hospital Council, a body primarily concerned with administering the Hill-Burton Act and only secondarily related to the purposes of Public Law 88–164.

The provisions establishing the National Advisory Council are comparable to those for similar bodies created for other HEW programs. The bill requires representation of the groups most directly affected by the act and by the actions of the Secretary, especially State and local agencies and consumers. These groups are not appropriately represented at present.

The number of 20 members for the Council was chosen to permit an appropriate diversity of membership among lay and professional personnel, public and private agencies, State and local agencies, and representatives of the various categories of developmental disabilities.

The Council is not intended to duplicate the functions of the President's Committee on Mental Retardation, which has both a nationwide and a governmentwide mission. Nor will it duplicate the functions of the Secretary's Committee on Mental Retardation, whose duties involve intradepartmental interagency coordination and the dissemination of information. Neither of these committees is associated with an operating program.

Section 134. State plans.—This section provides that, in order to receive its allocation under part C, a State must submit to the

Secretary a State plan that meets a number of requirements.

Under paragraph (1) of subsection (b) the State plan must designate (A) a State planning and advisory council; (B) a State agency or agencies to administer the plan; and (C) a single State agency to administer grants for construction. The plan may designate either an existing council or agency, or a council or agency newly established for the purpose. Paragraph (10) requires the designated agencies to keep appropriate records and make periodic reports to the Secretary. Subparagraph (B) permits separate agencies to administer separate portions of the State plan.

Under paragraph (2), the State plan must describe the scope of activities under other State-Federal programs requiring State plans, such as vocational rehabilitation, maternal and child health, education of the handicapped, medicaid, title XVI (welfare) of the Social Security Act and the partnership for health. The plan must also show how the present act will supplement these other Federal programs and fill in the gaps which exist between them, so far as they affect the developmentally disabled.

Paragraphs (3) and (4) require the State plan to set forth effective procedures for the expenditure of funds under the plan, to contain assurances that the funds will be used to strengthen services for persons with developmental disabilities on a statewide basis. It must also assure that part of the funds will be made available to other public or nonprofit private agencies, and that Federal funds will be used to supplement, rather than supplant, non-Federal funds that would otherwise be available. Paragraph (4) specifically requires that the State itself must bear a reasonable share of the non-Federal cost of implementing the plan.

Paragraph (5) requires that a State plan *must* provide services and facilities for the mentally retarted, and *may* provide services and facilities to persons with other types of developmental disabilities.

The committee intends that, at least at the beginning, the State plan will be an updated version of the comprehensive mental retardation plan developed by the State with Federal aid during the period 1965–67. To the extent a State chooses to cover other developmental disabilities in its plan, it will modify its plan accordingly. Because of the short time schedule, the committee anticipates that plans submitted as the basis for grants for fiscal year 1971 will be substantially those now operative for mental retardation alone, rather than for other forms of developmental disabilities.

Paragraphs (6) and (7) provide for the maintenance of standards with respect to the scope, quality and administration of facilities and services under the State plan.

Paragraphs (8) and (9) require the State plan to assure that the State planning and advisory council is adequately staffed. The council must include among its members representatives of each of the principal State agencies, as well as representatives of local agencies and other groups concerned with services for the disabled. At least one-third of the membership of the State council must consist of representatives of consumers of such services. The council must review the State plan annually.

It is expected that in defining adequate staffing in regulations the Secretary will take account of the differing needs of the States, depending on their population and size. The requirement should not impose a disproportionate burden on any State, but it should assure that the citizen body—the State planning and advisory council—is truly effective in influencing State policy. The committee feels that it is necessary to assure that the State planning and advisory councils are provided adequate clerical and technical staff assistance. However, the committee recognizes that, particularly in smaller States, such assistance may be provided by part-time or contracted personnel.

Under paragraph (11), the State plan must provide that special financial nad technical assistance will be made available to provide services and facilities for persons with developmental disabilities in poverty areas. The correlation between mental retardation and poverty is highest in cases involving persons who are mildly retarded or moderately retarded. These persons need the help of special programs in their schools and community health centers.

There is also a correlation between poverty and certain forms of severe retardation. These persons need a wide range of services, including the sort of services best provided in specialized facilities. In addition, there is a strong responsibility to insure equal access for persons in poverty areas to high quality care and training.

The committee therefore believes that a special Federal and State effort is needed to bring adequate facilities and services for the retarded into areas of urban or rural poverty. The requirement of paragraph (11), together with the recently enacted higher Federal share—up to 90 percent—of the cost of constructing such facilities in urban or rural poverty areas, offers a major new incentive to alleviate the existing inequity.

Paragraph (12) requires the State plan to describe the methods that will be used to assess the effectiveness of State programs for the developmentally disabled.

Paragraphs (13), (14), (15), and (16) establish special planning requirements for construction projects. They continue the requirement that the State must survey its existing facilities and prepare a comprehensive program for the construction of facilities, including a determination of the priority for proposed projects.

Latitude is given to each State to apportion its allotment under part C between construction and services according to its own priorities. Thus, it might be reasonable for a smaller State to devote the major share of its allotment to the construction of a single facility. However, the Secretary is authorized to limit the proportion of any State's allotment that may be used for construction.

Paragraph (17) requires the State plan to contain appropriate accounting procedures to assure the proper disbursement of funds under the act. Paragraph (18) authorizes the proper disbursement of funds under the act. Paragraph (18) authorizes the Secretary to establish such additional planning requirements as he finds necessary. These paragraphs continue provisions of existing law.

In sum, the numerous State plan requirements are designed to assure that funds under the act are directed toward accomplishment of its purpose, which is to extend and improve programs for the developmentally disabled. The requirements give the States considerable discretion in pursuing this goal, within general guidelines for accountability. The requirement of a single comprehensive State plan for services and construction will avoid the anomaly in the present act, which encourages dual plans that are not necessarily fully coordinated. The committee emphasizes that the act is not intended to duplicate or supplant any existing continuing Federal program which significantly benefits the target group.

Section 135. Approval of projects for construction.—The section specifies that for each construction project to be carried out under the State plan, an application must be submitted to the Secretary. The application must include a description of the site and the plans and specifications for the project, and a reasonable assurance that adequate financial support will be available, not only for the construction of the facility, but also for its maintenance and operation. The application must also meet labor standards in conformance with the Davis-Bacon Act. These are requirements of existing law that remain essentially unchanged in the committee bill.

The Federal share of the cost of construction projects will be the same as for mental health centers. The provisions establishing the Federal share for such projects are contained in title IV of Public Law 88–164, as amended recently by Public Law 91–211, the "Community Mental Health Centers Amendments of 1970." In general, these provisions will apply equally to the construction of facilities for the mentally ill and facilities for the developmentally disabled, and are not affected by the committee bill. Thus, the Federal share for the cost of constructing such facilities will be up to 66⅔ percent or the so-called Federal percentage, whichever is lower, except that the Federal share for construction projects in poverty areas may be up to 90 percent.

Section 136. Withholding of payments for construction.—This section permits the Secretary to withhold payments to a State agency for construction projects if there is inadequate compliance with regulations, or if any assurances required to be given under section 134 or 135 are not being carried out. Payments for construction projects may be withheld, in whole or in part, until the failure to comply is removed.

The provisions of sections 135 and 136 for administering funds for construction projects are essentially the same as for construction projects under part C of the present law, and for the construction of facilities in other areas, such as health, mental health, and vocational rehabilitation.

Section 137. Payments to the States for planning, administration, and services.—This section sets forth the procedures and basis for payment to the States of the State allotment for expenditures other than construction. This section also provides an 80 percent federal share for such expenditures incurred by the State during each year under its State plan. As determined by regulations, and subject to section 134(a)(4)(B), which requires reasonable financial participation at the State level, the non-Federal share may consist of State funds, local funds, or expenditures by nonprofit private groups. As already noted, the provision for a Federal share of 80 percent for services is comparable to the Federal share in the most nearly equivalent State-Federal programs.

Today, the States are already spending between $800 million and $1 billion annually on residential care services and specialized day care services for the retarded and multiply handicapped, exclusive of public school and welfare services. There is very modest Federal support for these services through project grants for day care and residential care, but there is no Federal participation on a formula grant basis for developing such services.

Continuation of the present basic expenditures by the State at this current level is required by the maintenance of effort provision in Section 134(b)(4)(C) of the committee bill. Therefore, even the proposed 80 percent Federal share for services will represent out a very small proportion of the overall State effort with respect to the large range of services not now significantly benefiting from Federal aid.

Section 138. Withholding of payments for planning, administration, and services.—This section incorporates provisions for withholding of payments for planning, administration, and services if there is substantial failure to comply with the act or with regulations under it. In general, the section parallels section 136, which provides for the withholding of payments for construction, and contains standard sanctions for noncompliance.

Section 139. Regulations.—This section requires the Secretary, after consultation with the National Advisory Council (established by section 133) to issue general regulations applicable to all the States no later than July 1, 1970. The regulations shall cover the kinds of services and categories of persons which may be included; standards as to the scope and quality of services; the general manner in which a State shall determine priorities for services and facilities, with special consideration for poverty areas; general standards of construction and equipment for facilities; and other necessary matters.

The committee does not intend that regulations promulgated under subsection (a) will be used to limit the definitions of "developmental disability" or "services," except to the extent required to avoid duplicating authorizations under other State or Federal programs, or to interpret definitions and plan requirements, such as the phrase "substantial handicap" in the definition of "developmental disability."

Section 140. Nonduplication.—This section, the final section of the new part C proposed by the committee bill, prohibits counting as State or local matching funds any portion of the costs of services or construction financed by Federal funds under any other law, or the amount of non-Federal funds required for matching such other Federal funds. This is a standard provision in Federal grant legislation.

Section 102. Definitions.—This section of the committee bill deals with definitions. Its principal provisions amend section 401 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 by:

Defining "facility for persons with developmental disabilities" as a facility designed primarily for the delivery of one or more services to persons affected by one or more developmental disabilities.

Defining "developmental disability" as mental retardation, cerebral palsy, epilepsy, or other neurological handicapping condition of an individual which originates before the age of 18, which continues indefinitely into adult life, and which constitutes a substantial handicap; and

Defining "services for persons with developmental disabilities" to include diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual and his family, protective and other social and socio-legal services, information and referral services, follow-on services, and transportation of clients.

The new section 401(m) modifies the definition of "services" to include a number of services which are not now specifically covered under Public Law 88-164, such as specialized living arrangements, recreation, counseling of the individual and his family, protective and other social and socio-legal services, information and referral services, follow-on services, and transportation. Recent experience has shown that a number of such services are underrepresented in State planning for facilities for the retarded, due in part to the lack of a specific statutory authorization. All such services are types of services which might well be offered by general or multipurpose facilities, or which might even be offered outside any facility. By contrast, the present "staffing" grants under part D of the act are available only for services in specialized facilities primarily designed for the retarded.

The revised definition of "facility" in section 401(b) does not require preference to be given to facilities which offer comprehensive services under one management. Such preference might well run counter to optimum community planning. For example, diagnostic services for the target group might be provided under the auspices of a community hospital, while specialized living arrangements would be better placed in a residential section of town under the direction of a social agency.

Section 103. Effective date.—This section sets appropriations for fiscal years beginning after June 30, 1970, as those to which the bill applies. As a result, funds appropriated prior to that date under part C of the existing act will remain available for obligation during fiscal year 1971, in accordance with present law. The effective date protects the carryover of funds for construction. Also, funds for the continuation of staffing grants awarded under part D before June 30, 1970, will not be affected by the committee bill.

Title II—Construction, demonstration, and training grants for university-affiliated facilities for the mentally retarded

Section 201. Caption.—This section amends the caption of part B of the Mental Retardation Facilities Construction Act of 1963 to read: "Construction, Demonstration, and Training Grants for University-Affiliated Facilities for the Mentally Retarded." The present law applies only to construction of clinical facilities.

Section 202. Construction grants.—This section amends section 121(a) of part B of the Mental Retardation Facilities Construction Act by striking out the term "clinical training" and inserting "interdisciplinary training." The section also extends the authorization for appropriations for construction of university-affiliated facilities at its present level of $20 million per year through 1973. The term "mentally retarded" is defined, as in present law, to include mental retardation and other neurological handicapping conditions related to mental retardation.

Section 203. Demonstration and training grants.—This section adds a new section 122 to the present part B. The new section authorizes grants to cover costs of administering and operating demonstration facilities and interdisciplinary training programs for personnel needed to render specialized services to the mentally retarded. Such training programs are to include both established disciplines and new kinds of training to meet critical shortages in the care of the mentally retarded. The section authorizes appropriations of:

$7 million for the fiscal year ending June 30, 1971;

$11 million for the fiscal year ending June 30, 1972; and

$15 million for the fiscal year ending June 30, 1973.

The committee estimates that at full operational capacity, these grants should average from $300,000 to $500,000 annually per center. The committee does not intend grants under part B to preclude other Federal grants to the facilities for other purposes.

Section 204. Applications for demonstration or training grants.—This section specifies that demonstration and training grants under section 122 may be given only to colleges or universities operating a facility of the type described in section 121, or to a public or nonprofit private agency or organization operating such a facility.

The committee intends operating funds to be made available to universities which have organized and are operating eligible facilities, even though they did not receive construction grants for the facilities. Several such centers are already in existence and the amounts authorized in section 203 of the committee bill are conservative to carry out the important purposes of this provision.

Sections 205 and 206.—Conforming changes.

Section 207. Maintenance of effort.—This section adds a new "maintenance of effort" provision stipulating that grants to university-affiliated facilities may be approved only if there are reasonable assurances that the grants will not result in any decrease in the level of State, local, and other non-Federal funds for mental retardation services and training which would otherwise be available to the applicant. Grants under this part are to be used to supplement and increase the level of such funds.

DRUGS AND THE DRUG CULTURE

Mr. BROOKE. Mr. President, most of us who are deeply concerned about the spreading use of drugs in our society are aware that education is of vital importance in overcoming this drastic problem.

One organization which is making a useful and conscientious attempt to inform adults and youngsters alike of the dangers of drug abuse is the Massachusetts Council of Churches. The council is at present giving wide circulation to a report prepared by the Committee on Drugs and Organized Crime of the Protestant Episcopal Diocese of Massachusetts.

In the belief that many other religious and civil organizations might benefit from a knowledge of their approach and their findings, I ask unanimous consent that the text of the report be printed in the RECORD.

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

DRUGS AND THE DRUG CULTURE—A REPORT BY THE COMMITTEE ON DRUGS AND ORGANIZED CRIME OF THE PROTESTANT EPISCOPAL DIOCESE OF MASSACHUSETTS

(The Rev. G. Harris Collingwood, chairman; David L. Brynum, Elizabeth H. White, The Rev. W. Gilbert Dent, The Rev. Canon Herbert S. Stevens, consultant, Boston, Mass., January 1970)

INTRODUCTION: FOCUSING THE CAMERA

Scene I: My daughter. Let me tell you about my daughter. She sees flying saucers and monsters and all sorts of these things. And now she's floating around in that San Francisco somewhere . . . and all because of these pills. "Hair."

Scene II: Stamford, Connecticut: Today the publisher of Reader's Digest was stabbed by his sixteen-year-old son. He had just returned from a businessman's luncheon in which he delivered what was termed an "anti-hippie" speech. Abbie Hoffman, Woodstock Nation.

The picture one gets of the drug scene depends largely upon the lens through which one looks. Each viewer, of course, claims to have his own solid base of "objectivity"—the objectivity of the Beacon Hill brahmin, the policeman on the beat, the "hippie" on the Boston Common, the "junkie" in the ghetto. The list could go on; there are as many "objective" views as there are people to hold them. And it has become painfully obvious that the efforts of authors and committees to demonstrate their "objectivity" rarely produces more than a list of their biases. But such a list is useful, for it at least makes it possible to identify the platform from which they made their observations and to list those factors which may have distorted their view. This introduction makes no pretensions to anything more.

At the outset, it should be noted that everyone on the committee is a member of what in the jargon of the day would be called "straight" society; before commencing this study they had little more than a newspaper knowledge of illicit drugs. This is not to say that the members of the committee were necessarily hostile to all aspects of the drug culture, but it is to say that the report

is written from the standpoint of observers and not participants in that culture. It is rather an attempt to make clear to those outside it what that enigmatic phenomenon is all about. As members of the hip community would put it, then this report is by "straights" and for "straights."

Most so-called "reliable" reports on drugs strain to provide a thoroughly "balanced" view throughout—a sort of muddled application of a misconceived "via media". Each sentence relentlessly hammers away with the theme that while one can sympathize with some of the reasons for taking drugs, they are nonetheless dangerous, and besides, it is going too far to "drop out" of one's social responsibilities. As a value judgment this may be defensible, but one wonders whether a reader who has been repeatedly hit over the head with it is not so much enlightened as stunned. The questions in his mind are reduced to the single one of wondering why everyone does not see with the same sweet reasonableness as the report he has just read.

To come to any understanding of why people take drugs or adopt certain life styles, it is occasionally necessary to suspend judgment and to attempt to look at the issue from the standpoint of the partisan on the other side. Granted, one can never do this completely, but if one cannot do it at all, then any semblance of genuine understanding is impossible. For this reason, several sections of this report, notably the one dealing with motivations for taking the psychedelic drugs and the one analyzing the deep alienation of young people, have been heavily slanted toward an "anti-establishment" point of view. The purpose was not to justify taking LSD or "dropping out", but rather, to make comprehensible to the reader the intensity of feeling which lies behind those acts and the complexity of the issues which they raise. Once that is grasped, it is then possible to see that to focus on the question of whether such action is "justified" is to be concerned more about one's own guilt than with the problem of how society can deal with the alienation of its young people.

And finally, it should be kept in mind that there is an important limitation which is inherent in any report on illicit drugs, namely, that it is very difficult for someone who has not used a drug to gain a clear understanding of what the experience is really like merely from a verbal description of it. Regardless of how many people one talks to who have taken LSD, for example, trying to conceive of what an "acid trip" is really like, if one has never taken the drug, is a bit like the problem of a man who has been blind since birth trying to understand what is meant by the color "blue". This does not mean that no understanding is possible, nor that everyone should try to take the full range of illicit drugs in order to find out. But it does mean that one should guard against feeling omniscient about the subject just because he has digested numerous accounts of what others have experienced.

II. PRELIMINARY INFORMATION: A BRIEF DESCRIPTION OF THE MAJOR DRUGS

It is common for drug reports to begin with short descriptions of the major drugs, and some knowledge of this sort is clearly necessary if one is to have any understanding of what the drug culture is all about. Still, a certain risk is involved, for when drugs are lifted out of the social setting in which they are used and looked at in clinical isolation, some degree of distortion is inevitable. The following clinical report of what, for the moment, will be referred to only as "Drug X", is offered as an example. The report is adapted from material prepared by Dr. Helen Nowlis.[1]

"Drug X has effects on almost every major system in the organism. It acts on the central nervous system to influence the balance between the production and loss of body heat, and has a selective depressant effect by mechanisms not yet understood.

"In statistics reporting hospital admissions classified as resulting from drug-induced disturbances, Drug X is often the most frequent cause. In all of the poison cases reported in one Florida county in 1966, for example, nearly one-quarter were from Drug X.

"At excessively high dosage levels or as a result of individual idiosyncrasy, acute poisoning may occur. Headache, dizziness, ringing in the ears, difficulty in hearing, dimness of vision, mental confusion, lassitude, drowsiness, sweating, thirst, nausea, vomiting, and occasionally diarrhea may occur. As poisoning progresses, central stimulation is replaced by depression, stupor, and coma, followed by respiratory collapse and convulsions. Drug X poisoning is considered an acute medical emergency and death may result even when all recommended procedures are followed."

That, dear Reader, is a clinical description of the common aspirin. It is with that cautionary note in mind that the following descriptions are offered.[2]

Opiates (Opium, Morphine, Heroin, and Codeine)

All of the opiates are derived from the unripe pods of the opium poppy. The pods are slit, and the milky substance which comes out is allowed to dry and is then scraped off and processed into a powder. The opiates are true narcotics under the medical definition of the term, being depressants which both produce sleep and relieve pain. Opium, morphine, and heroin are all highly addictive, although it is the strongest of these, heroin, that is the most widely distributed through illicit channels. Overdoses of heroin can cause death immediately, and injections with a dirty needle frequently cause hepatitis. Users develop a tolerance for the drug which makes them require increasingly high doses for the same effect. For an addict, this means an ever-mounting cost of maintaining his habit. Abrupt withdrawal results in severe physical reactions and may even cause death.

Barbiturates

Amobarbital (Amytal)
Pentobarbital (Nembutal)
Secobarbital (Seconal)
Phenobarbital (Luminal)

Barbiturates are all derived from barbiturate acid and are prescribed by doctors as sleeping pills or sedatives. Like the opiates, barbiturates are physically addictive and produce a tolerance in the user. When mixed with alcohol, even fairly small doses can produce violent illness or even death.

Tranquilizers

Meprobamate (Miltown and Equanil)
Chlordiazepoxide (Librium)
Methyprylon (Noludar)
Glutethimide (Doriden)

Tranquilizers are prescribed by doctors for their calming effects, and when taken as directed are safe. Overdoses can cause drowsiness and depression, while prolonged usage may result in dependency. When combined with alcohol, they can be quite dangerous. Tranquilizers are also used to counter the effects of LSD.

Amphetamines (benzedrine, dexedrine, methedrine)

Amphetamines are stimulants used as diet pills and for treatment of depressions. Known as "speed" in the drug culture, it is taken illegally to produce feelings of alertness, energy, and power. The strongest by far is methedrine (methamphetamine), which has a power physical effect on the body and may even cause death in cases of an overdose. Chronic users frequently become irritable and paranoid and sometimes suffer psychotic reactions. Though not physically addictive, psychological dependency is common.

Psychedelic drugs (hallucinogens)

There are a number of psychedelic drugs, but the most popular are psilocybin, mescaline, and LSD (lysergic acid diethylamide). Psilocybin and mescaline are the synthesized active ingredients of the Mexican mushroom and the peyote cactus, respectively. In many, though not all, users they produce distortions of time and space, hallucinations, and images of extremely vivid colors. In a certain percentage of users they produce psychotic reactions. Not enough is known about the drugs to determine whether they have any medical usefulness, but some tests have suggested that they may be of aid in treating alcoholics and narcotic addicts, as well as relieving pain and anxiety for terminal patients. These drugs are treated extensively in a separate section of this report.

Cocaine

Cocaine is an alkaloid extracted from the leaves of the coca plant which grows in abundance in the Andea Mountains of South America. The drug is a stimulant with an effect similar to that of amphetamines and precisely the opposite of that of the opiates. Occasionally, however, it is mixed with heroin, but because each drug affects the body in an entirely different way, the effect is more harmful than if either drug were taken separately. Cocaine is also similar to the amphetamines in that it is not physically addictive, but frequently results in dependency. Cocaine is a white powder which may either be inhaled or mixed with water and injected. Overdoses may cause death.

Cannabis drugs (Marijuana and hashish)

Both marijuana and hashish come from the Indian hemp plant known as cannabis sativa. Marijuana consists of the dried top leaves and flowers of the female plant, which, when ripe, are covered with a sticky resin. Hashish is made only from the resin itself and is five to eight times stronger than marijuana. In this country, both marijuana and hashish are usually smoked, although they may be mixed with food and eaten, and in India what is roughly the equivalent of marijuana, known there as bhang, is available in liquid form and is consumed as a beverage. The physical effects of smoking marijuana are slight, and it apparently only results in a reddening of the eyes and an increase in the pulse rate. Inexperienced users find their coordination affected, but tests have shown that motor skills for experienced users are unimpaired. Neither marijuana nor hashish are physically addictive, although some degree of psychological dependency may result.

III. MOTIVES FOR USING DRUGS

The four sections which follow attempt to set out and examine the major reasons for the use of illegal drugs. But it would be a mistake to assume that every drug user would fit neatly one of these headings. Reasons are frequently mixed and confused and change from time to time in any given user. To focus only on the confusion, however, is to remain confused oneself. To achieve even a minimal degree of understanding, some classification and analysis is necessary and even useful—provided one does not attempt to apply the categories to human beings as if they were so many giant cookie cutters.

A. As an escape from problems

The most frequent charge made against the use of drugs is that they are merely a chemical "cop-out", an easy means of escaping from problems. The heavily-loaded and pejorative term "cop-out", however, is one more useful for polemics than clarity. The difficulty is that people use the term indiscriminately to cover two very different phe-

Footnotes at end of article.

nomenon: (a) the use of some drugs as a means of escaping from and failing to work through serious personal problems; and (b) the use of other drugs as a temporary means of alleviating tension. It is doubtful whether the second of these can really be called drug abuse at all, since society clearly has a need for a certain number of "cop-outs" in that sense of the term. A highly technological society requires its members to operate at a fast pace and under considerable tension. Not only an individual's work, but his personal relationships as well, are affected. Under such conditions, it is absolutely that people be able to gain some periodic and temporary release from the pressure which society's web of entanglements exerts upon them. Social drinking, a trip to the movies, a vacation, or even a dinner party are means of "copping-out" for a brief period of time. Merely to say that something fulfills that function, therefore, is not necessarily to condemn it as undesirable.

It is admittedly bad, however, to use drugs as a means of escaping from the necessity of meeting and dealing with serious personal problems. But even here it is doubtful that the harm resulting from use of drugs for this purpose can be rectified by legislative prohibitions. While some people may take drugs to escape, others do such things as practice law or work in an office fourteen hours a day in order to avoid going home to face a bad marriage. And even so far as drugs are concerned, there is little doubt that those which can be obtained legally far outstrip the illicit drugs as a means of satisfying this desire. Alcohol, which has produced six million alcoholics in this country, leads all the rest by a good margin. In addition, students, executives, and distraught housewives consume a truly amazing number of prescribed tranquilizers, while American drug companies also produce enough sleeping pills each year to provide approximately twenty-four doses for every human being of every age in the United States.[3] In short, if people do not want to work out problems, it is unlikely that merely making a few specified drugs illegal will force them to do so.

Any valid argument for making certain drugs illegal cannot be based on the fact that the motive for taking them may be to escape from facing problems, but must rest instead on the physical or psychological reaction they produce in the user. Heroin should remain illegal, not because it is taken to blot out a painful reality, but because of its debilitating effects. Conversely, however, a drug which does not produce such physical or psychological harm should not be made illegal simply because it may be used as an escape. Since that objective may be obtained by so many other means, to do so is to divert a portion of society's resources into the enforcement of a law which cannot be shown to produce any demonstrable social gain.

But if the motive of the user is not a valid rationale for the legal prohibition of a drug, it is of crucial significance in another way. Even for drugs which do cause serious physical or psychological harm, law enforcement alone cannot solve the whole problem of drug abuse. Because such drugs are so available to virtually any person who wishes to use them, drug counseling and education must carry a large part of the burden—indeed, a much larger portion than they have carried to date. To make these effective, it is necessary to be sensitive to the reasons which motivate people to take the prohibited drugs. Convincing them that the drugs are harmful in some way may not necessarily induce them to stop using them, for the simple reason that they may fear greater psychological or even physical harm from the painful reality they would then be forced to face.

Perhaps the most dangerous illicit drug used in this country as an escape is heroin. Until about ten years ago, heroin was almost exclusively a ghetto drug which gave the user a pleasant, euphoric feeling and blotted out the unbearable reality of rat-infested tenements and grinding poverty. It was generally estimated that there were about 60,000 heroin addicts in the country, 90% of whom lived in New York City. During the past decade, the situation has changed drastically. Today there are approximately 120,000 heroin users, and the greatest number of new ones are now white. In fact, the past year has seen a dramatic increase in the amount of heroin used by white, emotionally disturbed adolescents from middle and upper-middle income families in Boston and the surrounding suburbs. The interesting observation made by a number of people who have worked in a counseling relationship with these adolescents is that in spite of their much more affluent background, they have an attitude toward themselves and toward life which very much parallels the attitude of heroin users in the ghetto. In almost all instances, these white teenagers have deep feelings of depression and an inability to change the quality of their lives. As one counselor put it, "They feel almost totally worthless."

No reliable statistics exist on the extent of this increase in heroin use by white adolescents, largely because the use is much more hidden than it is among people in the ghetto. Some indication of the rate at which use is increasing is indicated, however, by the fact that Project Place (a drug counseling and drop-in center in Boston) estimates that it makes contact with approximately ten to fifteen young people each day who have had experience with heroin. Virtually all of these young people are white, and about half are still using heroin at the time contact is made. Before this past summer, in contrast, Project Place averaged only about one young person per day who had had experience with heroin. Similar increases in heroin use are reported by drug counselors in other sections of the Boston metropolitan area, especially Cambridge. A good portion of the use in Cambridge, however, is not by local residents or students, but rather, by the flood of teenagers who are attracted into Harvard Square as if by some colossal magnet.

It should also be noted, as directors of Project Place point out, that there are important differences between the use of heroin in the ghettos and by suburban young people. Teenagers from the suburbs do not come from an environment in which heroin use is a part of the landscape, as it is in the ghetto. As a result, they tend to seek help at a much earlier stage in addiction, thus making it easier for them to "kick" the habit. There is very little heroin use in the colleges or in the older hip community, where its dangers are clearly appreciated. The committee did discover, however, one case of a college student in the Boston area who hung himself because he was unable to "get a fix."

How the increasing use of heroin and other drugs should be dealt with is covered in another section of this report, but suffice it to say that one should not immediately fall into the hysteria which tries to solve all problems by calling for an increase in "vigorous" law enforcement. The problem is so serious and so widespread that society can no longer afford to just keep "passing the buck" to the man in the blue uniform.

B. As Chemical Assistance in Meeting and Dealing With Daily Problems

The use of chemicals as assistance in meeting and dealing with daily problems is a basic feature of American life. Chemical fertilizers are used to produce bigger and better crops; chemicals are dropped in clouds to control storms; chemical and biological agents have been developed for warfare; and chemicals such as tear gas and mace are frequently used to control crowds of people. Indeed, America seems firmly committed to the doctrine of "better living through chemistry." It should come as no surprise, then, that many people also look to chemistry as a means of dealing with personal problems.

The motive behind the use of drugs in this instance is precisely the opposite of "copping out"; rather, it is to gain additional strength to meet and deal with problems and anxieties which the individual faces. Unquestionably the most widespread and dangerous drugs used for this purpose are the amphetamines, commonly known as "speed" in the drug culture. The two most popular are dexedrine and methedrine, with the latter being many times the stronger. Most often it is taken in the form of pills or capsules, although by far the most powerful form is crystal methedrine, which is melted in a spoon and injected with a hypodermic needle (a procedure known as "mainlining crystal meth"). Crystal methedrine is the drug of choice of those who are really heavy amphetamine users—in common parlance, the "speed freaks".

"Speed" gives the person who takes it a tremendous feeling of power; he is suddenly alert, capable, and in control of the situation. For this reason, it is an alternative to heroin in dealing with depression. One does not need to "blot out" a painful situation when "speed" offers a means of acquiring sufficient resources to overcome it. Some sense of the effect of this drug can be gained by keeping in mind that "No-Doz" tablets, or even a cup of coffee, are mild forms of the same thing. Many adults who are horrified at the idea of teenagers taking dexedrine think nothing at all of drinking a cup of strong black coffee to make them more awake and alert for some task. Yet the motive of the teenager is no more than an extension of the motive of the adult.

It should also be kept in mind that numerically the largest number of users, and even abusers, of this drug are not members of the drug culture at all. Truck drivers trying to stay awake on long trips and students studying for examinations frequently take amphetamines, and virtually all studies of the problem indicate that the greatest amount of amphetamines are used by suburban housewives, who know them better as "diet pills." Such pills have the purpose of reducing the appetite, while at the same time preventing the person from feeling tired and lethargic because of the reduction of food. As a result, even after their diet is over, many housewives continue to take a maintenance dosage of such pills because they feel that they keep their appetite down to a desirable level as well as make them feel better, although they may attribute the "good" feeling entirely to the loss of weight instead of to the pill. Many such matrons of respectable society would be thunderstruck to know that they were just as much "on speed" as their hippy sons and daughters.

To say, however, that the use of amphetamines is wide-spread and is reinforced by certain general attitudes of society is not to say that such use should be taken lightly. As is true for all drugs, the amount of harm involved in using them must be looked upon as a sliding scale, depending upon the dosage, strength, and frequency of use. While small doses of the milder amphetamines can be taken at infrequent intervals without serious risk, frequent doses of the stronger amphetamines cause severe physical and mental effects. To understand the effect of "mainlining crystal meth", for example, one merely needs to imagine the effects of diet pills magnified many times over. What in a diet pill—properly used—produces alertness during the regular daylight hours and a reduction of appetite, produces in the crystal methedrine user a complete loss of sleep and appetite for as long as he stays "high" on it. One person interviewed by the committee who had used "speed" regularly for about a year and a half described in detail one instance in which he had stayed "high" for twenty-eight days, during which he injected

four spoonfuls of crystal methedrine each day.

While amphetamines are not addictive, psychological dependency of a very serious nature can result. When a user comes down from a "high" (called "crashing"), he is usually extremely depressed and thus tempted to take another dose immediately. Because the dangers of amphetamines are widely known and because heavy users become quite irritable and paranoid, the use of "speed" is generally condemned in the hip community. "Speed kills," the hippies repeat—almost as frequently as a television commercial. And the really heavy users, the "speed freaks," are usually ostracized by the rest of the drug culture. Nonetheless, most drug counselors in the Boston area agree that the use of amphetamines is increasing, primarily among adolescents who are not members of the hip community and who are not well acquainted with the risks involved. The only encouraging factor is that there seems to be some decrease in the use of crystal methedrine, the strongest of the amphetamines.

C. The Adolescent Syndrome: Just for "Kicks," Group Pressure, and Rebellion Against Parents

The adolescent years are always ones of great emotional turmoil and change for the young person involved. One disturbing feature of life at this age is that adolescents will do the most incredibly dangerous things "just for kicks". Even before the current increase in the use of illicit drugs, parents, police, and the public at large were quite familiar with the phenomenon of the teenage driver careening through the streets at a high rate of speed. Nor is the use of drugs in this connection something entirely new; for decades teenagers have used alcohol and tobacco illegally because it seemed a daring thing to do.

During the past few years this same motivating factor has led adolescents to take a great variety of things, some very harmful and some with no effect at all. These can be broken down into two general groups: (a) those substances which one ordinarily thinks of as "drugs", e.g., amphetamines, LSD, heroin, etc.; and (b) things which are not usually thought of as "drugs" but which are converted into such by enterprising, though improper, use of them.

The most common example of the latter is probably glue sniffing, which has resulted in death in a number of well documented instances. The current fad seems to be the use of various containers with a spraying device, particularly whipped cream cans and hair spray, which by being held in a certain manner, can be made to produce carbon dioxide, which is then sniffed to get high. Like glue, all this really does is to produce an oxygen shortage. One can get the same effect by putting a pillow over one's head or breathing deeply and exhaling for a prolonged period of time.

This past summer the great rage, strangely enough, was peanut butter. Supposedly one could get high by mixing peanut butter with water, melting it in a spoon, and then injecting it into the arm with a hypodemic needle. While almost every teenager encountered inquired about this with great excitement and interest, the members of the committee never met anyone who had actually tried it. If tried, it is highly doubtful that it would have any effect at all, except possibly to clog the veins.

Some of the strange things which are taken clearly do have no effect other than a psychological one on individuals firmly convinced beforehand that it will have a certain effect. The best known example of this in the past few years was the belief that one could get an hallucinogenic trip from smoking banana peels. Chiquita Banana stickers and posters suddenly popped up everywhere. People eventually learned, however, that banana peels have no hallucinogenic agents at all.

This is not to say that adolescents are entirely unaware of the role of psychology in getting high. Indeed, placebos are frequently sold as real drugs by teenagers in order to laugh at people who claim to get high from taking them. One group of boys interviewed by the committee related with obvious delight how on one occasion they had sold Lipton's tea taken from tea bags as marijuana to a number of gullible buyers on the Boston Common. About half of the kids who purchased and smoked the tea claimed to get "a really good high."

Unlike the older hip community or more experienced drug users who take specific drugs because of the particular effect they produce, many adolescents do not clearly distinguish between different drugs. As one drug counselor put it, they simply associate drugs in general with the youth culture, and the youth culture in turn they see as defining what it means to be young. In order not to be left out, they take whatever drugs are available to get high and feel a part of the "scene." Group pressure is an extremely powerful force in such a setting. It is, moreover, this indiscriminating acceptance of all drugs that explains why there is a considerably greater use of amphetamines and heroin among this group than among the older hip community.

The most striking example found by the committee of the mixing of different kinds of drugs was the case of one young man who decided that by combining a number of drugs and then taking an overdose of the whole thing he would be so "freaked out" that he would be rejected when he appeared to take a physical examination for induction into the Army. The concoction he decided upon was a mixture of, among other things, LSD, amphetamines, and bella donna (a drug used in the treatment of ulcers; an overdose produces hallucinations in the true sense of the word). In an effort to assure himself that it would succeed at the appointed time, he made a trial run one weekend and described the results in some detail. Particularly because of the bella donna, there were frequent and vivid hallucinations: chairs sprouted eyes and mouths and began to talk, and several long and intense conversations were held with people who weren't really there. Whether the young man actually repeated the whole thing at the time of his Army physical is unknown.

Rebellion against parents is also a strong motive, though not always a conscious or at least admitted one, for drug use by adolescents. It should be kept in mind, however, that such rebellion is not entirely a bad thing. To some extent it is a normal and desirable part of the development of any teenager, which is necessary in order for him to establish his own identity as something separate from his parents. If a person knows that his parents would be horrified at the idea of his using drugs, he quickly comes to see—quite correctly—that flouting their use can be an extremely effective way of striking back at his parents. He knows and wants them to be shocked.

Here again, the seriousness of the problem should be seen as a kind of sliding scale. Use of comparatively mild drugs such as marijuana seem comparable to the attempt of prior generations to shock their parents by use of alcohol or cigarettes. At the other end of the scale, however, the use of heroin may involve strong self-destructive impulses. It is not always true that adolescents use heroin because they do not appreciate its dangers. They may use it precisely because they are aware of the danger. Heroin, they know, will shock their parents more than the use of any other drug; and if they should become addicted or die of an overdose, the impact will be even greater. Their parents are bound to feel enormously guilty. Though tragic, this phenomenon is not by any means new. It is simply the current manner in which many adolescents act out their suicidal impulses. But because the manner is different, new techniques are needed to deal with it. This problem will be dealt with in the section on recommendations.

D. Self-discovery and mystical experience

To raise the question of the use of drugs for self-discovery and to attain a mystical experience is to focus on motivations which are on an entirely different level from those discussed above. It is also to move into an area where credibility for the non-drug user is a considerable problem. One tends to doubt that it is possible to gain a "true" insight into one's personality or to have a "true" mystical experience merely by taking a capsule or pill of some sort. But in considering this issue, it is necessary at the outset to be clear about what precisely is being claimed. The proponents of the use of drugs for this purpose do not allege, for example, that such benefits are gained from the use of any drugs, but only from the psychedelic drugs such as LSD, mescaline, and psilocybin. Nor is it claimed that one gets a "quickie" result merely by "popping a pill". A great deal has been written emphasizing the necessity of a proper "set" and "setting", the former being the expectations and attitudes of the user, and the latter being the environment in which the drug is taken. In short, what serious drug users are claiming is that if taken under the right circumstances by someone who has been properly prepared, certain drugs will enable that person to arrive at valuable insights about himself and the world around him. The lasting effects of these insights will depend on the use made of them afterward by the person involved, much as they do when one has been exposed to great literature or music. Even if one is skeptical about such claims, it is necessary in order to do effective counseling to come to some understanding of what motivates people so strongly to use these drugs.

In conducting field research on the psychedelic drugs, moreover, one is struck by several facts which it is extremely difficult for the complete skeptic to explain. First, a significant number of heavy users report that they have never gotten any hallucinations at all from these so-called "hallucinogenic" drugs, while still others report that they ceased having hallucinations after the first few times. Second, even people who have quite unpleasant experiences while under the drugs—usually called a "bad trip"—insist that the result was worthwhile. "You can learn a lot from a bad trip," is the almost universal response. But third, in spite of the fact that hallucinations might not occur and that "bad trips" are not uncommon, it is clearly the psychedelic drugs which hold the pre-eminent place in the stable hip community. It is these, and these alone, which are really taken seriously as something integrally related to their life style and worldview. Marijuana is used in much the same way beer is used in the "straight" society: as something mild and relaxing which serves a recreational purpose. Heroin and amphetamines are strongly discouraged, and their use is tolerated only on an experimental basis. Chronic users are almost always ostracized. But a number of people were interviewed who have taken LSD over 150 times, and who take it once a week on a regular basis in much the same manner and for much the same reasons that a suburbanite goes to an analyst. Clearly, there must be something which is peculiar to the psychedelic drugs and which is qualitatively different from the effect of other drugs.

The explanation of this "something" lies in the phenomenon usually referred to as "consciousness expansion", which is the means by which such insights are said to occur. The term has reference to seeing oneself, other people, and the world in general in ways which are very different from

the way in which they are usually seen. In an often quoted section of *The Varieties of Religious Experience*, William James writes of his own experience of this sort in connection with nitrous-oxide (laughing gas) intoxication:

"One conclusion was forced upon my mind at that time, and my impression of its truth has ever since remained unshaken. It is that our normal waking consciousness, rational consciousness, whilst all about it, parted from it by the filmiest of screens, there lie potential forms of consciousness entirely different. We may go through life without suspecting their existence; but apply the requisite stimulus, and at a touch they are there in all their completeness . . ."

The important point to notice about the quotation from James is that the different forms of consciousness are a natural part of the human mind as it exists in every human being. They are not "created" by the drug, nor would it even be precisely accurate to say that the drug "expands" the consciousness of the mind as a whole. Consciousness "expansion" only occurs in the sense that limitations to the full functioning of the mind are removed.

Some afficionados of psychedelic drug use explain what happens by means of a computer metaphor. The human mind, it is said, is an organism with approximately ten to thirteen billion cells. Only a few of these are utilized, however, because of the barriers built in by the society in which each man exists. As Aldous Huxley put it.[5]

"Trobriand Islander or Bostonian, Sicilian Catholic or Japanese Buddhist, each of us is born into some culture and passes his life within its confines. Between every human consciousness and the rest of the world stands an invisible fence, a network of traditional thinking-and-feeling patterns, of secondhand notions that have turned into axioms, of ancient slogans revered as divine revelations. What we see through the meshes of this net is never, of course, the unknowable 'thing in itself'."

Because of this filtering out process, which involves only limited structural patterns of thought and which allows into one's consciousness only a portion of the sensory data, the human mind becomes somewhat like an enormously underutilized computer. Consciousness "expansion", then, is nothing more than the removal of these artificial barriers, so that the mind can operate at a more optimal level.

The most lucid description of what is involved in the experience of consciousness expansion is undoubtedly Huxley's *The Doors of Perception*, an account of his first trip under mescaline. It is worth quoting in some detail.[6]

"To see ourselves as others see us is a most salutary gift. Hardly less important is the capacity to see others as they see themselves. But what if these others belong to a different species and inhabit a radically alien universe? For example, how can the sane get to know what it actually feels like to be mad? Or, short of being born again as a visionary, a medium, or a musical genius, how can we ever visit the worlds which, to Blake, to Swedenborg, to Johann Sebastian Bach, were home?

"From what I had read of the mescaline experience I was convinced in advance that the drug would admit me, at least for a few hours, into the kind of inner world described by Blake and AE.

"Half an hour after swallowing the drug I became aware of a slow dance of golden lights. A little later there were sumptuous red surfaces swelling and expanding from bright nodes of energy that vibrated with a continuously changing, pattern and life.

"I took my pill at eleven. An hour and a half later, I was sitting in my study, looking intently at a small glass vase. The vase contained only three flowers—a bunch of flowers shining with their own inner light and all but quivering under the pressure of the significance with which they were charged; . . . what rose and iris and carnation so intensely signified was nothing more, and nothing less, than what they were—a transience that was yet eternal life, a perpetual perishing that was at the same time pure Being, a bundle of minute, unique particulars in which, by some unspeakable and yet self-evident paradox, was to be seen the divine source of all existence.

" 'This is how one ought to see,' I kept saying as I looked down at my trousers, or glanced at the jeweled books in the shelves, at the legs of my infinitely more than Van-Goghian chair. 'This is how one ought to see, how things really are.' "

But if one sees, with the aid of the drug, through the eyes of a Blake or a Bach, why is it, one is inclined to ask, that so few of these insights are translated into new works of art of genuine quality? On this point Huxley is probably right when he answers that the production of a great work of art depends not only on having vision, but on possessing the technical skill to translate it into an objective form. And that talent is possessed by only a few men in any age. And why, after all, would one want to translate it into an objective form? Is not the vision itself enough? Is not the objective form but a crude imitation of the vision, a sacrilegious monument? Or at least, so the drug user might argue. It is certainly difficult to refute the argument that the demand for objective art as "proof" of the authenticity of the vision is an attempt to apply the standards of the conventional world to the inner world of the psychedelic experience. To the drug user, that world provides its own authenticity directly to those who experience it.

While the teenagers and even the older members of the hip community with whom one comes in contact are by no means as articulate or poetic as Huxley in describing their reactions to psychedelic drugs, the basic content of their accounts bears a striking similarity. The reactions vary, of course, over a broad spectrum, but what people seem to get out of using the drugs can be looked at under the two general headings of self-discovery and mystical experiences. In the area of self-discovery, the drug used almost always talks in terms of seeing himself from a different vantage point and frequently emphasizes the feeling that his body has become separate from his mind. Huxley says of this experience, ". . . my body seemed to have dissociated itself almost completely from my mind. . . . It was odd, of course, to feel that "I" was not the same as these arms and legs "out there", as this wholly objective trunk and neck and even head. It was odd; but one soon got used to it."[7] The significance of this separation of mind and body is that it gives the individual the impression of being able to view himself from a detached position. It's just as if you were looking in through a window, a drug user will frequently say, and saw yourself inside with a group of people.

This points to both the pleasant and the unpleasant effects of psychedelic drugs; they at least give the impression of stripping away illusions and defenses and of confronting the individual with what he "really is". For a stable personality with a high degree of self-awareness, this may come as no great shock, while for others it may be a truly shattering experience. One young lady in her late twenties described such an experience by saying that before she took LSD, she thought she had changed a great deal since graduating from college. While looking in the mirror under the effects of LSD, however, she saw that she was really just the same person with just a few more wrinkles, which upset her a great deal because she didn't like the kind of person she had been during her college years. But here, as in many cases, because the nature of the unpleasant experience involves what is felt to be some kind of self-knowledge, the drug user will insist that even a "bad trip" can be valuable.

For some, it must be said, the use of psychedelic drugs brings tremendous relief. One teenage girl who was interviewed extensively both before and after taking LSD showed a remarkable change in personality. Before taking the drug, she viewed herself as almost totally worthless. Under the influence of LSD, however, she saw herself, though not perfect, as at least having some good points, just as other people have. The realization that she may not be completely without value was reflected in a self-confidence and a self-acceptance that she had never exhibited before.

This factor of personal insight is also an important element in building group cohesiveness among drug users. This operates on two levels. First, the individual user frequently feels that he gains insight not only into himself but into other people as well. A common occurrence is an intense concentration of the details of some object; and when this is directed toward another person, it operates in much the same way as Huxley's concentration on the three flowers in the vase. The details are seen as avenues through which a new and more penetrating view of the other person is opened up. And this feeling that one has come to a deeper understanding of one's friends makes the bonds of attachment seem even tighter. Second, users of psychedelic drugs in general feel that they have something important in common by virtue of the fact that in using the drugs they have all gone through the same kind of intense experience, even though the details may have differed widely from user to user. Because of the fact that the drugs are illegal, this is reinforced by common feelings of persecution and alienation, which are in turn reflected in common patterns of speech and dress—of which in turn reinforce each other.

In addition to increasing self-discovery, psychedelic drugs are said to be a significant aid in achieving mystical experiences. Judging from the accounts of drug users themselves, this seems to be primarily a difference in the intensity of the experience rather than a completely different reaction to the drug. Instead, the quotation above from Huxley's *The Doors of Perception* is an account of a mystical experience of a sort in that he claims to see some kind of ultimate reality exhibited in the details of three flowers in a vase. It is this sense of a direct contact with "ultimate reality" which seems to define what the term "mystical experience" means to the users of psychedelic drugs.

When asked what precisely is involved in having "contact with ultimate reality", most drug users make some sort of reply stressing the "unity of life and nature" and the "death of the ego". This is the type of language employed by Timothy Leary in his published works, and one suspects that more than a few drug users have latched onto his catchy phrases to explain their own emotional responses. In any event, when pressed for details, most people say that they do not mean literally that all reality appears as a complete unity or that their own egos totally cease to exist, but rather, that they have some sense of how everything fits together, of some unity behind the multiplicity which exists in the world. As one young man in his early twenties put it, "You see why everything is just exactly the way it is, how every piece fits into place." It is in connection with this that the term "death of the ego" is also explained. What really "dies" is not the ego, but an egocentric view of the universe. The person no longer subjectively experiences the external world as something which revolves around him, but rather, sees himself as being

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somewhat like a single stone placed in the midst of a giant mosaic.

What must also be added is that such a vision is accompanied by extremely positive feelings—one has a strong, virtually irresistible, desire to fit into the mosaic and become a part of a larger reality. This leads to the passive nature of many members of the hip community, for the mosaic is, after all, complete and perfect in itself. It is significant that after writing, "This is how one ought to see, how things really are," even Huxley went on to say: "And yet there were reservations. For if one always saw like this, one would never want to do anything else. Just looking, just being the divine Not-self of flower, of book, of chair, of flannel. That would be enough."[8] And for many members of the hip community, that is indeed enough.

But before one judges too harshly, before one writes them off as totally worthless for not wanting to engage in the great American game of producing an almost endless supply of consumer products, one would do well to remember the great Christian mystics. What would they say was the most important "work" a man could engage in? It would clearly not be the production of a Chevrolet. One even begins to wonder, in spite of the separation of time and culture, whether there is really all that much distance between the way in which some members of the hip community speak about the movement of the individual mind toward a place in a greater reality and the way in which St. Bernard speaks of the movement of the soul toward God.

In any event, the attitudes noted above are reflected in the whole life style of the hip community. Personal property loses its significance, since such a concept is based on the assumption that mankind is a multiplicity of egocentric universes, each of which "owns" a number of particular objects. The official line is thus that one should not become upset over stealing, since all objects are part of the one great mosaic and are there for whoever has need of them. Many also feel no "ego need" to "win" an argument. What, after all, would be the *point* of winning an argument? Thus they meet hostility with passive indifference or silence and talk only to those whose "heads are in the same place."

One must be very careful in evaluating the religious claims made in connection with LSD. Such claims cannot be written off as completely phoney merely by saying that the religious experience is no more than a drug created illusion, much like a mirage appearing to a thirsty traveler in the desert. The argument advanced by its proponents is not that LSD creates any religious experience itself, but rather, that it frees the mind to have the religious experiences that it is naturally capable of having.

This leads to another important point, namely that virtually all heavy users of psychedelic drugs point out, that it is possible to have the same experiences without drugs. Indeed, they go to some lengths to point out the similarity between the insights obtained through LSD and those of traditional mysticism, particularly of the Eastern variety. Some of the very early users of psychedelic drugs have, in fact, stopped using them, claiming that they have "gone beyond" drugs to some form of Oriental meditation. The initial decision to use the drugs is defended on the grounds that they were a valuable shortcut to achieving the insights which Oriental mystics arrived at only after years of disciplined contemplation. As Alan Watts, a former Episcopal clergyman and the author of *The Way of Zen*, put it:[9]

". . . the Orient has dozens of varieties of meditation and yoga that yield the same basic experience as LSD. The trouble is, it takes an awfully long time to get anywhere with these methods, and most Westerners just don't have the patience. But if you take a few psychedelic trips first, then you're ready to use meditation fruitfully. You have the hang of it. Certainly, LSD has made meditation much easier for me."

Surprisingly enough, some scientific studies have been conducted in an effort to determine whether and how a mystical experience is possible under psychedelic drugs. Two series of such tests have been conducted by Dr. Walter N. Pahnke, a teaching fellow of the Harvard Medical School and a resident in psychiatry at the Massachusetts Mental Health Center.[10] The first involved twenty theological students and was carried out on Good Friday in 1962. Half of them were given 30 mg. of psilocybin, while the others (the control group) were given an active placebo of 200 mg. of nicotinic acid, which causes only warmth and tingling of the skin. All those who got only nicotine acid thought, however, that they were receiving psilocybin. Of the ten who actually received psilocybin, three or four had what might be called a mystical experience, while none of those receiving the placebo reported any such reaction.

The second series of tests was conducted at the Massachusetts Mental Health Center in 1965 and 1966. Forty carefully screened volunteers were used, most of whom were professional people over thirty. Psilocybin was administered to the subject in groups of four specially prepared rooms containing cut flowers, pictures of nature scenes, and candlelight, as well as places for each subject to relax. As for the results, Dr. Pahnke reports that "20% to 40% of the subjects had a mystical experience, depending on the level of completeness desired."[11] As a general observation, Dr. Pahnke also reports that, "Most researchers who have worked with LSD in either therapeutic or a supportive setting have reported the occurrence of mystical experiences in varying degrees of frequency."[12]

A number of psychedelic churches have been founded since 1958, including the League for Spiritual Discovery (L.S.D.), The Church of the Awakening, and the Neo-American Church. In addition, and not to be confused with the last of those is the Native American Church, a centuries-old Indian religious organization numbering somewhere between 50,000 and 250,000 members which uses peyote mushroom buttons as a sacrament (psilocybin is the synthesized active ingredient). The Church's use of the buttons was challenged when a group of Navajo Indians were convicted of illegal possession of peyote under a California statute.[13] The California Supreme Court, however, in the case of *People* v. *Woody*, reversed the trial court and held that the church's use of the peyote buttons was protected under the First Amendment of the Constitution of the United States. There is considerable doubt, however, as to whether this indicates that the courts will uphold the use of psychedelic drugs by other "churches". As Boston attorney Joseph Oteri (who has an appeal pending in the U.S. Supreme Court in which he is attempting to overturn the Massachusetts marijuana law) has pointed out. "The Supreme Court upheld the right of the Native American Church to use peyote, but only because it has been part of Indian religion since Aztec days. It won't buy the same argument for a religion only a few years old."[14]

To focus on the legal issues, however, is to miss the broader impact of peyote use by the Native American Church. The real problem is occasioned by the fact that the vast majority of teenagers know that peyote has been used for centuries by the Native American Church, and they reason that if it has not resulted in dire consequences for the Indians after all that time, there is little likelihood that taking psilocybin (the active ingredient) will be harmful for them. And if adults are lying or mistaken about the effects of psilocybin—so the argument is extended—what reason is there to trust what they say about mescaline or LSD either? Almost every group of teenagers interviewed on Beacon Hill this past summer raised precisely this argument. It is not easy to answer. It is indeed true that the prosecution was unable to show that any significant damage had resulted from prolonged and regular use of the drug, although the court was undoubtedly correct in saying that this was due only to the extremely strict conditions under which it was used. Indiscriminate use by teenagers has been shown to result in a disturbing number of psychotic reactions. But that, unfortunately, is not the end of the argument for that particular defense of abstinence carries with it the implication that Dr. Timothy Leary and his disciples were right after all in declaring that what is really important is the proper "set and setting". If taken by the right people under the right circumstances, the chances of harm are negligible. The Indians have done it; so can other people.

This plunges one right into the heart of the debate over the legalization and use of psychedelic drugs, but before one can even begin to approach "objectivity," a certain amount of factual information is necessary. Unfortunately, because of the restrictions which present laws impose on clinical research, the amount of information available is not all one would hope for. There are two types of harm which, from time to time, have been attributed to the psychedelic drugs. The first is that LSD causes chromosome damage which may result in either illness or birth defects. There are, in fact, a few tests tending to show that LSD causes a change in the blood chromosomes. The difficulty, however, as Dr. David Walters of the Harvard biology department points out, is that there are an equal number of tests showing precisely the opposite, and serious limitations have been shown in the way all the tests were set up.[15] In addition, there is serious question as to what significance the chromosome damage would have even if it occurs. As Dr. John Fort of the University of California at Berkeley points out, "similar evidence of damage to blood chromosomes has been reported in connection with such widely used products as coffee, alcohol, nicotine, DDT, and aspirin."[16] Some serious risk has been raised, however, regarding birth defects caused by LSD when taken by a pregnant woman. But it is rather difficult to sustain the argument that a product should be denied to the entire population simply because it is not good for pregnant women. Male teenagers have been particularly unimpressed by the point.

It is not in the physical, but rather, in the psychological area that serious risk of harm has been shown. As noted, above, the real problem is that in a certain percentage of individual psychedelic drugs produce psychotic reactions. The situation is described by Dr. Donald B. Louria, head of the Infectious Disease Laboratory of Bellevue Hospital in New York City.[17]

"Among normals who are given LSD under medical aegis after careful screening, few serious reactions occur (estimated at 0.08%: Cohen, 1964). The adverse reaction rate is considerably higher in patients given LSD as an adjunct to psychotherapy—0.2% to 2% developed prolonged psychiatric disorders, one in 830 attempted suicide and one in 2,500 was successful (Cohen, 1964; Fink Simeon, Hague & Itil, 1966).

"The incidence of untoward reaction among those using LSD illicitly in uncontrolled circumstances is not known, but clearly it is substantially greater than that observed when LSD is prescribed for a specific medical or psychiatric illness."

The number of "bad trips" in uncontrolled situations is also increased by the fact that drugs purchased on the black market may frequently contain impurities or be cut with

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other unknown, but dangerous drugs. A recent study of drugs purchased on the street in New York City indicated that 60% of the capsules did not contain what the purchaser thought he was buying.

Another unfortunate side effect of psychedelic drugs is what is known as a "flash back". Some users have experienced sudden and unexpected recurrences of the psychedelic "trip" even without taking another dose of the drug. As one might expect, such experiences can be quite frightening. At the moment, medical science is totally unable to explain why or how this occurs.

Still another difficulty about taking psychedelic drugs in an uncontrolled situation is that the user may seriously harm or even kill himself because of hallucinogenic misperceptions about his immediate environment. Dr. Duke D. Fisher reports the following incidents from his clinical experience with LSD patients in California:[18]

"Some deaths occur because of the perceptual changes that occur after using LSD. One young girl leaped to a rocky beach thinking that the ocean had turned into a silk scarf. There were two young boys who felt they were having a religious experience and wanted to "become one" with several cars on Wilshire Boulevard. I had to restrain one young student who felt he had the new power to fly and attempted to leap from a window in a Hollywood apartment."

There are a sufficient number of cases where the drug user was successfully restrained and could be interviewed afterward to give credibility to accounts such as this one by Dr. Fisher, but one should still be somewhat skeptical in examining obviously sensational reports of this type. The main credibility problem is easily stated: if the person succeeds in killing himself, how can anyone possibly discover whether he did so because of a visual distortion caused by LSD? One is inclined to ask how, for example, Dr. Fisher knows that a girl lying dead on a rocky beach got there because she thought the ocean had turned into a silk scarf. It is a skillful interviewer indeed who can get a statement from a corpse. It is always possible, however, that the girl made a statement to someone standing nearby just before she leaped, or perhaps even after she leaped but before she actually died; but one should look carefully at the accounts of the death to see whether such circumstances were reported. The problem is complicated by the fact that LSD leaves the body very quickly and thus would frequently not show up in an autopsy. Some suspicion is warranted by an incident which occurred a few years ago in which several boys were said to have been permanently blinded by looking directly into the sun for a prolonged time while under the effects of LSD. The incident proved to have been completely fraudulent and to have been fabricated by an individual who wanted to scare people out of using the drug.

With this information in mind, it is now possible to return to a consideration of the public controversy over the use of psychedelic drugs and to see that there are in fact three separate, though interrelated and frequently confused, questions: (a) should the use of psychedelic drugs be legalized; (b) are people justified in using them at present, even though they are illegal; and (c) if they should not be legalized, how should society deal with the fact that illegal use of the drugs is so widespread? As society gropes toward some answer to these questions, the information presented in this report suggests several conclusions which need to be kept in mind:

1. An almost irrefutable case can be made for the position that psychedelic drugs should not be legally available to whoever might want to use them in an uncontrolled situation. The number of psychotic reactions resulting from such use is simply too high. In fact, contrary to popular conceptions, very few of even the strongest proponents of the use of these drugs would go that far.

2. Society must realize, however, that in choosing to make the drugs illegal it has taken action which substantially increases the percentage of "bad trips" and psychotic reactions among those who decide to take them anyway. This is true for two reasons: first, because people can only get the drugs on the black market and thus get a high percentage of adulterated products rather than the pure drugs which were formerly available through Sandoz Laboratories. And second, because driving the drug use underground means that they are frequently taken in uncontrolled situations. And it should not be forgotten that this is the largest single factor in producing adverse reactions. Not only does the proper screening, guidance and follow-up of a controlled situation greatly reduce the chance of a psychotic reaction, it also prevents people from acting out dangerous impulses, e.g. leaping onto a rockey beach or "becoming one" with cars on Wilshire Boulevard. In short, many of the dangers of using the drugs today are really artificial risks created primarily by the fact that the drugs are illegal. On the other hand, legalizing the use of the drugs even in controlled situations may greatly increase the total usage with the result that there may be no decrease or even an increase in the absolute number of serious psychotic reactions, even though they decrease on a percentage basis. The problem is one of deciding when illicit use of the drug has become so widespread that continuation of the present severe restrictions on them has become counter-productive.

3. In attempting to decrease illicit use, society should realize that it is very difficult to develop a convincing argument as to why a person who is already a heavy user should cease taking the drugs. Such an individual will readily admit that they cause psychotic reactions in a number of people, sometimes even after the drugs have been taken thirty or forty times. But a person who has taken LSD 100, 150, or even 200 times usually feels that he is demonstrably not one of that unfortunate group. In any event, it is only a risk and not a certainty that harm will result; and everyone takes many such risks during the course of his daily routine. Driving a car, for example, involves a great chance of bodily injury or death, but people do it because it is sufficiently useful to be worth the risk. Likewise, the drug user will say, the personal insights gained from LSD make it worth any risks of a "bad trip". And even a "bad trip", they go on to point out, can be full of valuable, though painful, insights. It is true that one may be arrested and sent to jail, but many are willing to accept even that risk, while others simply turn the argument around to say that such laws only prove the hypocrisy of society (there are six million alcoholics in this country, but centuries of Indians in the Native American Church have not been hurt by psilocybin). In other words, achieving a significant decrease in the level of drug use is not as simple as uttering a few legal admonitions or hurling a few moralistic thunderbolts—or even being "concerned". And one wonders how many people in society—the clergy of the Episcopal Church, for example—are really capable of doing drug counseling on an intensive and sophisticated basis.

4. It is impossible to eliminate the use of psychedelic drugs by legal sanctions, even with the most effective law enforcement imaginable. While it is not as easy as many people think to produce LSD, it can be produced by someone with a graduate school knowledge of chemistry and with no more equipment than what will fit into a large basement in an ordinary house. An undergraduate who was arrested during the past year was making it in a suburban house he had rented. The LSD produced under such conditions is no doubt of poor quality, but it is still sufficiently potent to produce an effect and would be readily marketable. Furthermore, as Dr. Helen Nowlis points out, a dose as small as 25 micrograms can produce an effect in some people, while a "normal" dose is only 100 to 250 micrograms. "The tremendous potency", she states, "can be dramatized by pointing out that an amount of LSD equivalent to two aspirin tablets would provide 6,500 100-microgram doses."[19] And how far would 6,500 doses go? Professor James T. Carey of the University of California at Berkeley gives some indication when he writes, "The effects are so strong that there is little desire to take it more than once a week, even among 'acid heads'. More than twice a month is considered very heavy usage."[20] Putting these facts together, it should be clear that one well-equipped individual can easily supply an entire metropolitan area. The situation will probably get worse, moreover, when one considers that the future will undoubtedly see the development of drugs which are even easier to synthesize. And as one Boston doctor points out, there may be dozens of natural plants which, like the peyote mushroom and the mescal cactus, will produce hallucinogenic effects.

If all this does not point to clear and obvious solutions, it may at least be said that there is some truth in the old maxim that an understanding of true confusion is better than a false simplicity.

IV. ALIENATION AND THE COUNTER CULTURE

As anyone with even minimal insight recognizes, the drug problem is not merely a "drug" problem. While drug abuse is not confined to any age group or income bracket, it is clearly not the pill-popping middle-aged housewife which has society upset. And while the existence of six million alcoholics may be of concern to the W.C.T.U., most Americans accept it with the same bland indifference with which they listen to statistics about highway fatalities. Nor has society suddenly become sensitive to the most serious kinds of drug abuse. For decades the most tragic cases have been those of heroin addicts in the ghettos; yet the most affluent nation in history has callously refused to allocate the necessary resources for solving the problem. (Dr. Donald B. Louria: "Either we do something about slums, or we don't get rid of the heroin problem. It's that simple.").[21] The junkie in the South End still is of little concern to the inhabitants of Boston's well-heeled bedroom suburbs.

The current furor has arisen because suddenly it is the sons and daughters of middle and upper-middle income parents who are taking drugs and because they are doing it, not merely as some kind of adolescent fling, but as members of what is a kind of informal "movement" of deeply alienated young people. Marijuana and LSD are more than drugs; they are also powerful symbols of the rejection of parental values. To think of them is also to call to mind other powerful symbols: long hair, beards, beads, and the bizarre clothing of the so-called "hippies". But such symbols go beyond even the rejection of parental values. As Dr. Walter N. Pahnke has put it:[22]

". . . opinions, pro or con, usually have a deep emotional basis. Certainly the reason is more than just an abhorrence of drug taking . . . A deeper reason may lie in the nature of the profound emotional experiences, often considered religious, which seem to have the power to change a person's values and to generate enthusiasm and inspiration in a direction perhaps not shared by society in general. Such consequences may be seen as a threat when considered logically, but felt even more powerfully to be so at a subliminal or non-rational level."

What is involved is nothing less than a re-

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jection of some of the most basic values of established society, and society has responded in the ways one might expect—with fear, hatred, and repression. Most adults have been so blinded by their emotions that they have failed to see the most obvious point of all: that a bitterly hostile response only adds fuel to the fire of alienation and makes the flames of the youthful rebellion leap higher. What, then, is the proper response? Before one can answer that one must first make some analysis, however tentative, however difficult, of the reasons for the alienation.

At the outset of such a task one is bombarded with a mass of confusing and, seemingly at least, contradictory bits of information. On the one hand, the alienation of specific young people seems related to specific causes: a reaction to a particular family situation, a particular school, or a particular personal problem. On the other hand, the alienation seems to be an almost world-wide phenomenon, occurring not only all across the United States, but in Europe and even Asia as well. A mistake which many people make is to assume that the second phenomenon cancels out the first. If what is happening is some kind of world-wide phenomenon, then, so it is argued, the rebellious act of a particular young person must not "really" be related to specific problems in his family or school. (President Nathan Pusey of Harvard is fond of this argument as a means of explaining undergraduate upheavals to the alumni). The feeling is that if all young people are alienated, it must be due to some common "defect" which they share: "What is wrong with young people today?" But this approach is based upon an assumption which may not be valid. It may be that the common "defect" is shared, not by the young people, but by the institutions against which they are revolting. It is only this latter hypothesis, in fact, which is capable of explaining several important pieces of information—namely, that the "hippie" phenomenon is not really world-wide at all, but is limited almost exclusively to the technologically highly advanced countries. And even within those countries it occurs predominantly within the middle, upper-middle, and upper income families, particular the latter two. There are very few black "hippies." Strangely enough, the basic trouble seems to have something to do with the quality of life in what many would call the most "successful" sector of society.

As the enormous pile of literature on the subject amply demonstrates, there are many ways in which one can analyze the "causes" of the alienation of the affluent young. What follows is an attempt to describe that alienation with reference to the three levels on which a young person relates to his social environment: the personal and family level, the national political level, and, in a sense, the "international" level of the technological society. Before going into these, however, it is necessary to make an important preliminary observation. What is presented here is an analysis of what might be called the "healthy" alienated young person. Adolescence is a time of great emotional turmoil, and there are a number of young people who, at this point in life, go over the edge into mental illness—frequently this is temporary, although sometimes permanent. While this may be acted out in the life style of the prevalent youth culture, it would be quite erroneous to assume that all cases of mentally ill adolescents could be explained by the points which follow. Some confusion is caused by the fact that the "hippie" subculture is far more tolerant of bizarre behavior than is the rest of society and thus frequently shelters people who are mentally ill. The rationale usually given for this is that mental illness is culturally defined; whatever varies from the usual middle-class norm is called "sick." There is more than a little truth in the statement; many who are venerated as saints in one age would be locked up in hospitals as "crazy" in a different age. But as a total explanation for the phenomenon of mental illness, the argument is untenable. One young person who was interviewed this past summer and who took that position quickly backed down when asked to defend its obvious implication: if mental illness is *only* a relative, culturally defined term, then it must follow that there is no one in the entire world or in the whole history of mankind who can be called "mentally ill" by any absolute standard. No one who has visited with the more disturbed patients in a mental hospital can possibly accept such a statement.

A. Alienation from the family

To an alarming extent, economic success seems to have created a situation in which the American family is victimized by its own affluence, which in a number of ways undermines personal relationships within the family unit. Having a good bit of money means that no one needs to do unpleasant tasks since someone else can be paid to do them. Thus no one makes any sacrifices for anyone else in the family, with the exception of paying money to have things done. Money, then, either as gifts or the purchase of services or appliances, becomes a substitute for personal relationships. The first major effect of this is to cut the father out of the family, since he is frequently caught up in his own profession, and his daily routine naturally makes him more insulated from contact with the children. Rather quickly, the busy and absent executive comes to think of himself as a "good" father if he buys things to express his love for his children. New cars, stereo sets, and any of a thousand other "things" take the place of personal involvement and interaction, with the result that in time even the father himself comes to be seen as a "thing," a self-propelled robot who dresses in a three-piece suit, carries an attache case, and on occasion produces expensive gifts. And the mother fares little better. Because of this country's overly rigid definition of the roles of men and women, she will usually not have a career of her own, but will play at life with a mass of dilettantish activities in an effort to be an "interesting" person. But the perceptive adolescent sees very quickly that "interesting" and "authentic" are by no means the same thing.

This situation is compounded by the gap which a child from an affluent family sees between his own life style and that of other people. The point is well made by an extremely perceptive Harvard undergraduate honors thesis submitted last spring by Harrison G. Pope, Jr.[22] Pope points out that young people from wealthy families are aware that the other 90% of the population doesn't live the way they do. They see well-cushioned life as insulated from hardship and thus not "real". To try to come to some understanding of life while living in an affluent suburb is like trying to construct a world-view from the inside of an economic and social cocoon. The subjects taken in school, moreover, seem increasingly technical and to have as their primary purpose equipping the student to enter the insulated life of his parents; thus school too is "unreal". Such students are attracted to drugs like LSD because they think they are capable of allowing them to see what their lives are "really" like. They also become hippies and imitate lower class life because that group, not being insulated, is thought to have a more first-hand acquaintance with what life—"real life"—is about.

B. Alienation on a national political level

The alienation of young people over political issues has filled more pages in newspapers and magazines and consumed more hours on television than one could possibly calculate. As a result, the issues around which the alienation centers are well known, but what mystifies many adults is the intensity of the feeling. How often one encounters the middle-aged parent with a quizzical, uncomprehending look on his face asking, "Why can't they work through the system?" "Isn't it better to try to change the system than just to drop out?" "Since this is a democracy, why can't they abide by the decision of the majority rather than trying to start a revolution?"

What follows is an attempt to explain why many young people feel they can't do any of these things. Since the War in Vietnam is unquestionably the central political issue for most young people, an attempt will be made to examine the reasons for their intense alienation with reference to two aspects of that war.

First, there is the question of the impact of that war on domestic political issues. Young people see very clearly the contradiction between America's affluence and America's poverty. Being products of the former, they feel very guilty about the latter. During the administration of John F. Kennedy, it was possible to deal with that guilt by participation in the "New Society" programs, such as the domestic Peace Corps. Not a great deal of money was allocated for those programs, but it was said that poverty couldn't be solved overnight, and it was important to make a beginning. Besides, the call to action came in the stirring Kennedy rhetoric which made it all seem a kind of noble gradualism.

But when President Johnson decided upon a significant escalation of the War in Vietnam, necessitating large increases in the federal budget for that purpose, American young people experienced a tremendous crisis of faith in the "system." Suddenly this country was willing to mobilize hundreds of thousands of men and spend from twenty-four to thirty billion dollars per year to conduct a war half way around the world in a country few Americans had even heard of. Prior to the Vietnam build-up, if one had suggested that comparable manpower and money be immediately allocated to the eradication of poverty, he would probably have been referred to a psychiatrist. But the sudden large increase in expenditures for war exposed the meagre "New Society" programs as a big joke, a colossal put-on. The real reason for the gradualism was not that America could not have allocated the resources—the War proved that—but rather, that people weren't really serious about alleviating human suffering. In short, the men who ran the "system" had acted in *bad faith*. Kennedy himself was not blamed, but was seen as a victim like all the rest. He was martyred in principle as well as in fact. But for the young people of today, what he stood for was over. With one swift stroke the whole Liberal Creed was reduced to a valley of dry bones, and only a fool could think they would ever rise again and only an even greater fool could see any point to it if they did.

The other major impact of the War centered around the problem of the selective conscientious objector. Many young people were morally opposed to this particular war, although not to all wars, and thus could not legitimately claim to be conscientious objectors under existing law. A young man in this position who was called for induction was thus faced with a terrible set of alternatives: either he had to lie about the most important moral decision in his life, or participate in the killing of other human beings when he was morally opposed to doing so, or go to jail as a felon, or flee the country as a fugitive.

One should be under no illusions as to what is asked of a young man when he is

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called to participate in a war, for war is nothing more, nor less, than a giant conspiracy to commit homicide. Even when it is morally justified, it is a grave undertaking; when it is not, it is inhuman. Nor is the possibility of non-combatant service a solution to the problem. The Army operates on what is sometimes referred to as a "pyramid" theory: as any young recruit quickly learns in basic training, the primary purpose of every soldier, whether he serves as a clerk typist, a cook, or a medical corpsman, is to support the infantry man at the front who fires the shell that shatters the skull of another human being. Many young men have felt that any society which callously tried to force a man to participate in that kind of act when he was morally opposed to doing so was nothing short of diabolical. To them, it was another clear example that the adults who were running the "system" were acting in bad faith.

"Why can't they work through the system?" "Isn't it better to try to change the system than just drop out?" "Since this is a democracy, why can't they abide by the decision of the majority rather than trying to start a revolution?" All these questions have behind them the unstated assumption that one can *trust* the system, and it is precisely that which many young people no longer feel they can do. To them, the plaintive cries of their parents are like voices out of another century—an age of innocence long since passed.

C. Alienation from the Technological Society

The intense alienation of young people is expressed in two very different ways which it is important not to confuse. One is that of the student revolutionary who emphasizes political action to over-throw existing institutions so that more equitable and just ones can be erected in their place. The most notable representative of this viewpoint is, of course, the Students for a Democratic Society, with its almost constantly proliferating factions. The most radical, doctrinaire and disciplined of these factions is the Progressive Labor Party (Work-Student Alliance) faction of SDS, which insists that its members wear short hair (so as not to antagonize the working class) and strongly opposes the use of drugs, on the grounds that they dull the revolutionary mentality.

The second way in which youthful alienation is expressed is that of the "hippie", who argues that the present society cannot be redeemed even by revolution, and thus the only solution is not to revolt but to drop out and start a new society based on entirely different principles. The social criticism of the hippie strikes at a much deeper level than that of the student revolutionary. The problem is more, he argues, than merely the fact that one cannot trust the people who run the system, or even that material goods are not equitably distributed. The real problem lies in the quality of life which emanates from the technological society. Political action and even revolution are thus futile gestures which merely change the people who run the system, while leaving intact the dehumanizing technological structure. "Real" change comes, not by toppling the political edifices of society, but by transforming the lives of the specific individuals who make up that society.

The revolutionary and the hippie each view the other as reactionary, and, in a sense, both are right. From the standpoint of the former, the hippies deprive the revolutionary forces of an enormous supply of manpower, and by political inaction give passive support to the present structures. From the standpoint of the hippie, however, it is the building of the new society which is important, and the revolutionary is merely draining of manpower into a diversionary and futile endeavor. Because it has been more associated with drug use, it is the hippie subculture, and not the revolutionary movements which is of interest for this report.

Because the mass media tends to play up the colorful clothing, the loud music, and the sometimes shocking or even obscene language, there is a temptation among adults to treat the hippie movement as if it were either a mere fad or else evidence of the total degeneracy of youth. What is actually involved, however, is something far deeper, something which represents nothing less than a shift of values on a very fundamental level. The people who have gravitated toward the hip community and have become its hard core are characterized by a deep-seated feeling that in the great technological innovations of modern industrial society something spiritual was being lost. As they looked at the long assembly lines, the ranch-style houses in the suburbs, and the very proper three-piece suits—as they saw masses of men whose total productive hours seemed oriented toward bringing them more new cars, more television sets, more gadgets of every kind—and as they encountered a school system blatantly designed to give them greater speed in the big materialistic marathon, the much-heralded technological society began to look more like a bunch of hamsters running through a maze than a group of human beings living in a community. What foolishness to talk of loyalty to such a system. How silly to speak of a revoltuion to change the leadership. The corruption ran too deep for all that.

All that was left was to withdraw, to start over again at the beginning. Perhaps if one stripped away all the hypocrisy and useless customs with which man had become encrusted by his social environment—perhaps, just perhaps, one could find, hidden beneath all the layers, something left of that basic emotion: human love. There would be bright colors and flowers, and people would be open and honest with each other. If it were not possible to change established society, it was at least possible to "liberate" one's own mind. Drugs would help, but they were an aid, not a solution. With marriage and school and all the other phoney institutions thrown away, one would be free to experiment with new life styles and new ways of living in which the worth and dignity of every human being was preserved.

The number of "hard core" members of the hip community those who have permanently dropped out of the established society is fairly small. But there is a large and growing number of young people who attach themselves to the hip community for a certain period of time, frequently even for several years. They immerse themselves in it in varying degrees, hoping to find some new values and new life styles by which to order their lives. In addition, there are the "teeny boppers", young people between the ages of 13 and 16 who float into whatever they think is the hip "scene" on weekends and in the summer (they are frequently referred to as "plastic" hippies).

Many of the "hard core" hippies and those who have joined the hip community for some period of time have begun to enter into communal living arrangements on a fairly large scale. People who are deeply involved in the communes which are springing up around the country estimate that there are approximately 150 of them in the Boston metropolitan area, each containing anywhere from about 6 to 25 members. The Modern Utopian, an underground newspaper circulated among cummunes and published in Berkeley, California, lists the following communes as being the major ones in Massachusetts:

Name	*Location*
ASD	Boston.
Fort Hill Community	Roxbury.
Gould Farm	Great Barrington.
Harrad	Cambridge.
Kushi	Brookline.
Leyden	Leyden.
Nordeca	Bellingham

Joseph Moreau of Project Place, who has personally visited over 50 communes in the Boston area, states that the greatest concentration is in Cambridge, although a significant number are also located in such places as Jamaica Plain, Roxbury, Beacon Hill, Allston, Brighton, and some sections of Dorchester.[24] Another source indicated some contact with communes in Newton.

The word "communes," however, can be a rather misleading way of describing these living arrangements. They are clearly not "communes" in the usual sense of the word, since very few involve any sharing of wealth or income, except for some of the rural communes. In most of them the basic expenses (rent, food, etc.) are just divided equally among the members regardless of individual income, and for that reason they appear on the surface to be little different from an extension of the traditional idea of roommates to include a larger number and both sexes. What differentiates them as "communes" seems to be factors more psychological than organizational. Of great importance is the motivation for joining the group. Unlike the usual roommate situation, it is not primarily to cut expenses and provide a little casual companionship, but rather, to engage in a certain life style involving intense personal relationships on a group level. Contrary to many popular conceptions, these communes are not great hedonistic dens where a lot of wild people are constantly "high" on drugs or engaged in a continuous sexual orgy. (One is reminded immediately of the incredible rumors which surrounded meetings of the early Christians.)

To add some historical perspective to this phenomenon, it is important to remember that the hippies are not the first individuals in Western civilization to be involved in a shift of values away from the predominant culture. A number of people have noted the similarity with the rise of monasticism in Christianity, a movement which also involved a conscious rejection of the material benefits of society on the grounds that they interfered with deeper, more spiritual concerns. Nor should it be forgotten that many of the very greatest leaders of the early Church were monks who came from noble or wealthy families and who made precisely that kind of decision: Gregory the Great, St. Jerome, and St. Augustine, to name only a few. And as one Church historian has pointed out, if one were to encounter St. Francis today, he would undoubtedly appear as a very dirty and smelly individual.

What is perhaps even more important is to think of what might have happened if the Church had tried to squash all the various monastic movements which have appeared in her history. What, for example, would have been the result if the Church in the Middle Ages had refused to give any sanction to the powerful emotional thrust behind the formation of the Cistercians, the Carthusians, the Franciscans, and the Dominicans? There is little doubt that the Church would have been torn assunder. The problem today is that society has no recognized institutions which can play the role which monasticism did in the Church. But as the rise of the communes indicates, the hip community—what Theodore Roszak calls the "counter culture"—is beginning to offer its own alternatives. And when one considers that there were 400,000 young people at the Woodstock Rock Festical, one begins to wonder whether it is not time to call a halt to the "cold war" (and sometimes not so "cold") between the hip community and established society. One wonders, in short, whether it is not time to call for a detente.

One thing is certain—the alienation which many young people feel is deeper and more wide-spread than many adults are aware of or are willing to admit. Many families have already been tragically and bitterly pulled apart, and there are few parents who are entirely at ease about the problem. If it is not yet midnight, it is clearly past eleven—

Footnotes at end of article.

and it has been a long time since anyone looked at his watch.

V. THE MARIJUANA QUESTION

The most striking fact about the present laws dealing with drugs, is the remarkable extent to which they are self-defeating. In general, the laws, both state and federal, attempt to provide a shotgun blast aimed at everything from marijuana to heroin and from amateur users and dealers to the highly professional activities of the mafia. The least harmful end of the spectrum of drug use is clearly represented by marijuana and (until recently, at least) the amateur dealers who peddled it. But because marijuana is by far the bulkiest of the illegal drugs, and because amateurs are much less skillful than the mafia, any overall crackdown on drugs inevitably has its greatest impact on the end of the spectrum they represent.

The result is graphically demonstrated by the Nixon Administration's ilifated Operation Intercept, which attempted to seal off the flow of drugs across the Mexican border. Because of the government policy, marijuana had become quite scarce at least a month before any public announcement of the government's new program. The rumor which spread like wildfire around Beacon Hill was that the scarcity was due to the fact that the mafia had put the amateur marijuana dealers out of business in an effort to protect and increase its own sales of stronger drugs. The falsity of the rumor was exposed of course, by the Administration's grandiose announcement of its new drive against illegal drugs. But the interesting thing is that if one put together the rumor with the later discovered fact, it becomes clear that the Nixon Administration did for the mafia what the mafia could never have done for itself.

The mafia moved swiftly to capitalize on government policy in two important ways. First, as recent Congressional hearings have demonstrated, it moved to take over a much larger portion of the marijuana trade. The only reason organized crime had not moved into that area to any great extent in the past was that there were so many amateurs involved, many of whom sold it to friends at low prices, that it was not profitable to do so. When many of the amateurs were eliminated, however, a vacuum was created, and the mafia was quick to fill it.

The second way the mafia took advantage of Operation Intercept was to greatly strength its heroin trade. The government was never able to completely shut off the marijuana traffic, but the limited supply which remained went to those who had the best connections for getting it—college students and older members of the hip community. But there were still many younger, less sophisticated, less discriminating adolescents who were anxious to take drugs of some kind in order to feel a part of the youth "scene". In response to this, the mafia made available a large number of smaller, less expensive bags of heroin, which could be purchased for as little as three dollars (there were reports of some bags being sold for as little as two dollars). "Doing skag" (taking heroin) quickly became the "in" thing to do if one really wanted to be part of the "scene".

Far from leading to the use of heroin, marijuana had actually been a significant and valuable buffer between the adolescents and harder narcotics. Even young people who knew little about drugs had heard of marijuana, and since it was the least harmful drug available, they usually began by taking that. It was even possible to be a part of the "scene" and use little or nothing else. Eventually some did go on to stronger drugs, but even then there was a significant delay in their doing so, with the result that most of them were not heavily involved in the drug culture before returning home. When the marijuana supply dried up, however, the buffer was gone. Other drugs, by definition, became the least harmful drugs available—but they were a good bit stronger than marijuana. The result was that adolescents went much more quickly to the harder drugs, and the use of heroin rose sharply.

This is but one illustration of the reason why the time has come to legalize the sale and possession of marijuana. The reason is not that marijuana has been proven to be "absolutely" harmless, but rather, that use and demand for the drug have become so widespread that it is counter-productive to continue its illegal status. Dr. Stanley F. Yolles, director of the National Institute of Mental Health, testified before a Congressional committee on September 17, 1969, that "A conservative estimate of persons in the United States, both juvenile and adult, who have used marijuana at least once is about eight million and may be as high as twelve million." [25] Dr. Joel Fort, of the University of California at Berkeley, states that, "The World Health Organization has estimated that there are at least 250,000,000 regular Cannabis users in the world. We have between 12,000,000 and 20,000,000 of them right here in the United States, according to my own surveys and the Department of Health, Education, and Welfare, and the number is increasing." [26] And Boston attorney Joseph Oteri points out that, "Today, pot is smoked at every college campus, from Maine all the way across to Oregon." [27] *Time* magazine reports that "for all the massive expenditures of police time and money, pot smoking is so widespread that there are roughly 25 times as many users as there are places to hold them in all the nation's prisons." [28] As Prohibition demonstrated in an earlier era, when use of a drug becomes that great, society loses more than it gains in resorting to legal suppression.

Many government apologists try to give the impression that very little is known about marijuana, and thus proposals for its legalization are premature. In fact, however, quite a great deal is known about marijuana. There are records of its use dating back as far as the reign of the Chinese Emperor Shen Nung in 2737 B.C.,[29] and the drug has undergone far more tests than most of the drugs one can purchase in an ordinary drug store. An excellent summary of all the experiments, including the latest research, is contained in an article on marijuana in the December, 1969, issue of "Scientific American" by Dr. Lester Grinspoon,[30] an associate clinical professor of psychiatry at the Harvard Medical School and director of psychiatry (research) at the Massachusetts Mental Health Center. It is certainly true that not everything is known about marijuana, but there are very few drugs about which medical science can be said to know "everything". A good capsule summary of what is known is contained in the following statement by Dr. Lawrence Hartman, clinical instructor in psychiatry at the Harvard Medical School.[31]

"Marijuana is a mild drug, capable of giving many people mildly pleasant experiences, and of doing some social and psychological harm to some users, probably especially to those teenagers who use it in ways that help avoid the necessary anxieties and tasks of growing up.

"Let us help teenagers know it is not an entirely safe drug.

"But let us not be so hypocritical as to pretend it belongs with heroin, dexedrine, or LSD—

"Let us not be so hypocritical as to deny that there is a good bit known about marijuana (the NIH radio commercials overstate our ignorance), and what is known puts it in a category comparable to those other mild but not harmless drugs about which our society is ambivalent but far more tolerant: alcohol, tobacco, caffeine."

The intolerance, in the form of stiff prison sentences, is in fact so great that Dr. Yolles, cited above, concludes that, "I know of no clearer instance in which the punishment for an infraction of the law is more harmful than the crime." [32]

Before turning to the serious disadvantage of continuing to make marijuana illegal, there are two totally fallacious, but frequently voiced, arguments which need to be dealt with. The first is that use of marijuana leads on to heroin addiction. People who make this argument are never able to explain one very important phenomenon—namely, that the greatest increase by far in the use of marijuana during the past few years has been among college students, and yet there is still hardly any heroin use at all among this group. In addition, the study of the effects of Operation Intercept, noted above, indicates that marijuana frequently has precisely the opposite effect for many adolescents. And Dr. Grinspoon, in answering the question of whether use of marijuana leads to the use of hard narcotics, writes: [33]

"No such relation has been found in several studies that have looked into this question, including the La Guardia study and a U.S. Presidential task force investigation of narcotics and drug abuse. It is true that the Federal study showed that among heroin users about 50 percent had had experience with marijuana; the study also found, however, that most of the heroin addicts had been users of alcohol and tobacco. There is no evidence that marijuana is more likely than alcohol or tobacco to lead to the use of narcotics."

And Federal Judge Charles E. Wyzanski adds wryly, "One might as well say that because most users of heroin once imbibed milk, milk leads to heroin addiction." [34]

The other old chestnut frequently hauled out during discussions of legalizing marijuana is that even if it is no more harmful than alcohol, marijuana should not be legalized since the nation already has 6 million alcoholics and it would be horrible to add to that another 6 million marijuana-addicts. The first, and most important, fallacy in this argument is that it amounts to no more than playing a game with numbers. There is only a certain percentage of the population willing to take drugs of any kind, whether alcohol, marijuana, heroin, of whatever. Under a situation in which alcohol is legal and marijuana is not, the overwhelming majority of those individuals have chosen alcohol, which has resulted in 6 million alcoholics. If marijuana were legalized and became as popular as alcohol, it is possible that those individuals who seek to escape personal problems through chronic drug use would divide themselves equally between use of marijuana and alcohol. Under present population figures, this would mean three million alcoholics and three million people dependent on marijuana. To assume that there would still be 6 million alcoholics, with an additional 6 million people dependent on marijuana piled on top of that is to assume that the entire drug-taking population would immediately be doubled by the mere legislative act of legalizing "pot".

In addition, if the number of chronic drug users were to become equally divided between users of alcohol and marijuana, this in itself would be an enormous improvement, since: (a) marijuana is not physically addictive as is alcohol, and therefore dependent persons could be more easily rehabilitated; (b) experienced users of marijuana do not have the loss of motor skills associated with alcohol, and there would thus be fewer automobile accidents due to drunken driving, as well as a reduction in home accidents (alcohol accounts for ¼ of all home accidents requiring hospital emergency room treat-

Footnotes at end of article.

ment), and perhaps most important of all, it would still be possible for many dependent persons to function in jobs; (c) marijuana is much less expensive than alcohol, and thus a much smaller percentage of the chronic user's income would go toward meeting this need; and (d) chronic use of marijuana does not produce the violent behavior which frequently results from excessive use of alcohol.

Against the medical risks and costs of legalizing marijuana must be weighed the risks and costs of keeping it illegal. These are substantial and are at least five number:

(1) It diverts police resources away from more dangerous drugs. The police resources of any city or governmental unit are limited and when a segment of it is directed toward one problem, it becomes unavailable as a means of meeting other problems. During 1968 alone there were 80,000 arrests for violations of the marijuana laws, a figure which represents a significant expenditure of time, money, and manpower. At a time when heroin use is rapidly increasing, along with virtually all other forms of serious crime, there is no justification in devoting such enormous resources toward arresting people for possession and sale of a product no stronger than alcohol or tobacco.

(2) Strict enforcement of the marijuana laws simply consolidates control of the drug in the hands of organized crime. Amateur dealers are the first ones to be caught by efforts to "crackdown" on marjuana, and as they are eliminated, the mafia moves in to supply the market. During the investigation conducted by James Southerland, executive director of the House Select Committee on Crime, one source reported that, "Before Operation Intercept, the Mafia handled 40 percent of marijuana coming into the U.S. Now they control and distribute the great bulk of it."[35] Some people might dispute whether the mafia's control was in fact that great,[36] but nearly everyone would agree that it has increased enormously as a result of government law enforcement policy. As was true in the Prohibition era, one of the greatest foes of legalization is organized crime.

(3) Keeping marijuana illegal seriously undermines the credibility of drug education and drug counseling efforts. A vast number of young people do not believe that marijuana is any more harmful than the martinis their parents drink, and because they do not feel that adults are being honest about marijuana, they see no reason to trust what they say about other drugs either.

(4) The marijuana laws promote disrespect for the law among a large number of young people. This is true for several reasons:

(a) They feel the laws have no rational basis since marijuana is not harmful. This leads them to wonder what other laws lack a rational basis.

(b) Due to the large number of marijuana users, the laws are inconsistently applied. Less than one in 1,000 are actually caught and jailed,[37] and the penalties for those who are vary tremendously. This is looked upon as evidence of the irrationality of the whole judicial system.

(c) The marijuana laws are sometimes used as instruments of repression against individuals whose political views or life styles are repugnant to police and judicial figures. The classic case of this, which is known to many young people, is that of John Sinclair, who was a political activist in Ann Arbor, Michigan. After pretending to be his friends for a period of two months, a couple of plainclothes policemen induced Sinclair to sell them two marijuana cigarettes, for which he was promptly arrested. He is presently in jail on a 9½–10 year sentence while he waits for his appeal to be heard.

Footnotes at end of article.

(5) And finally, as noted in the example at the beginning of this chapter, cutting off the supply of marijuana increases the use of harder drugs. Because it is so much bulkier than other drugs, marijuana is much the easiest drug to enforce the law against. But wiping out the supply means that those young people who are attracted to the drug culture find only much stronger drugs awaiting them when they get there.

Such costs make the continued prohibition of marijuana unjustifiable. No one, of course, would advocate that all restrictions be removed, so that children of any age could purchase it. Just as is true for alcohol, some minimum age would be necessary. But what is needed is a comprehensive approach to all drugs, which does not discriminate against the drugs preferred by those in any particular age group or life style, and which has as its goal reducing the use of the stronger drugs while discouraging the use of all drugs. A sensible law would be one which legalized the use of marijuana for people over a minimum age and provided for its production under government supervision, and in addition prohibited all advertising for liquor and cigarettes as well as marijuana.

VI. CONCLUSION

Until now the "drug" problem has been seen primarily as a "law and order" problem. The answer to any increase in the use of drugs usually takes the form of a "crackdown" or demands that the police "do something". But if the history of drug abuse has proved anything, it has shown fairly conclusively that even the most vigorous and efficient law enforcement cannot eradicate the problem. The most common results, in fact, are an increase in the alienation of youth and a consolidation of the illegal market in the hands of organized crime.

Another example of the self-defeating nature of present legal approaches to the drug problem is that laws are used, not merely against drug abuse itself, but as a means of driving drug users out of a particular geographical area. The classic example of this has been the effort of the Boston Police Department to drive the "hippies" off Beacon Hill and the Boston Common. Aggressive police action succeeded in driving many hippies away from the area, which satisfied many of the Beacon Hill residents. But from a larger perspective, it only moved the problem from one section of the city to another, and, in fact, increased the scope of the problem by feeding the alienation which many young people feel. As the experience of the early Church made clear, martyrdom only increases the size and strength of a movement, and the hip community has been no exception to the rule.

Police action of this nature has also had an unfortunate effect in another way as well. As noted in the section of this report describing heroin use among teenagers, many adolescents have strong self-destructive impulses. Those who gravitate to the hip community have trouble not only with the police, but with juvenile gangs and other antagonistic individuals as well. But such antagonism satisfies a deeply felt, though unhealthly, need. When widespread police action is taken against young people like these, it merely gratifies their self-destructive impulses. As such, it is a bit like running a mental hospital in which free razor blades are distributed to patients who exhibit suicidal tendencies.

It is rather safe to predict that if the response to the increase in adolescent heroin use is a comparable increase in law enforcement and action taken directly against the young people themselves, the only results will be to move them from one section of the metropolitan area to another and to vastly increase the alienation which local young people feel—which will, in turn, only increase the number of runaways and heavy drug users among them. And while one can understand the desire of a parent on Beacon Hill to have constant police harassment used to drive the drug scene away to somewhere else, such as Kenmore Square, one wonders how he would feel about a parent in Kenmore Square who wanted the same techniques used there to drive it back to Beacon Hill.

But if law enforcement methods of dealing with the drug problem are frequently counter-productive, that situation is compounded many times over by the fact that as soon as the point is raised most people assume that the central issue revolves around attacking or defending the attitudes and actions of the police themselves. In fact, however, it is the police who are caught in the most difficult position of all and who usually end up being knocked back and forth by both sides like a ping pong ball. Contrary to what many people think, police departments are quite sensitive to public opinion, and, by and large, they give the general public whatever kind of law enforcement it wants. And all too often, what the public really wants is to use the police department as a scapegoat for its own failure to deal with complex, social and political problems. The drug problem is precisely such a case. When a difficult issue defies easy solutions, the general public resorts to its own special "cop-out"—a law is passed and the issue is redefined as one of "law and order". To pull off such a colossal fraud, it is necessary, of course, to pat the police on one hand while handing them the leash to the great white elephant with the other.

All this is not to say that all drugs should be legalized, but it is to say that a practice of relying almost totally on law enforcement to solve the problem is a policy which has become bankrupt. If progress is to be made, a significant shift in emphasis will have to be made toward competent drug counseling and the development of sophisticated, sensitive and intelligent drug education programs. Harmful drugs are so available, and will continue to be so available, that in the final analysis only the individual decision of the user will prevent widespread abuse. And no progress will be made until the socalled "shotgun approach" is eliminated and an effort is made to isolate and reduce the use of more dangerous drugs. The legalization of marijuana under the conditions indicated in this report would be an important step in the right direction.

And finally, it must be emphasized that drug abuse can never be totally eliminated or even significantly reduced until society comes to grips with the underlying causes, the motivating forces, which lead people to take drugs. In the ghettos this will mean massive expenditures of money to alleviate the grinding poverty which constantly presses down on people and which creates an almost irresistible desire for an escape—*any* kind of escape. In the case of the deeply alienated youth of the middle and upper middle classes, it will be necessary to examine honestly some aspects of family life, the political structure, and the technological society which are indeed painful to face. It is not easy for adults to apply the sharp scalpel of analysis to those aspects of life by which they have defined themselves. "These young people did not have to go through what we went through," many adults will be inclined to say. And that will be true. And because they did not, the vision of many young people will be different—but it may be none the less true. Prophetic voices always speak from a different vantage point. And one should not be deaf to the fact that the most dominant theme in the cries of young people is some intense longing for a new spiritual dimension to life. If it is sometimes confused, sometimes inarticulate, sometimes misdirected, it may still prove, in in the long run, to be the force which makes living in this complex civilization human and bearable. If the outlines of the "New

Jerusalem" are not yet clear, one can at least take hope in the fact, as one middle-aged Harvard professor recently put it, that, "We seem to be moving drunkenly—almost blindly—toward Meaning."

VII. RECOMMENDATIONS

1. Because of the rapidly changing nature of the drug scene, another report should be made to the Diocese next year, bringing the present report up to date.

2. Drug education programs should be undertaken on a parish level. Because many drug education programs rely more on "scare techniques" than solid knowledge, they are frequently self-defeating and end up encouraging more drug use than they discourage. A welcome exception is the material developed by Dr. David C. Lewis, head of the outpatient clinic of the Beth Israel Hospital. His program, which is being produced by City Schools Curriculum Service Inc. (60 Commercial Wharf, Boston, Mass.), is being tested in several parishes in the Diocese, and further information on it will be available at the Diocesan Convention.

3. A program should be set up to provide training in drug counseling for both the clergy and laity in this Diocese.

4. On both a parish and Diocesan level, financial support should be given to drug counseling programs, such as Project Place, which are directly involved with the drug culture. Because drug abuse is frequently intertwined with the whole problem of alienated youth, many young people refuse to come to the usual type of medical center or counseling service for help, and only something which fits in with the new life style to which they are attracted has any chance of success. Project Place has done an excellent job of meeting this need, but because it depends for the most part on local funding, it has had a precarious financial existence. It needs and deserves the Church's support.

RESOLUTIONS

1. Therefore, be it resolved that the Committee on Drugs and Organized Crime be continued for another year; that it be charged with providing continuing information on drugs; that it be encouraged to provide information on existing drug education programs, and if necessary to develop its own programs; that it explore the feasibility of establishing a drug counseling center both for direct work with individuals and for training clergy and laity in drug counseling.

2. And be it further resolved, that while the feasibility study is in process, financial support be given to such existing drug counseling and educational programs as those operated by Project Place.

FOOTNOTES

[1] Helen H. Nowlis, *Drugs on the College Campus* (Doubleday & Co.: Garden City, New York, 1969), pp. 108–9.

[2] Most of these summaries are based on material in the following sources: Nowlis, *Drugs on the College Campus;* Margaret O. Hyde, ed., *Mind Drugs* (McGraw-Hill: New York, 1968); and Taini, Smith, Englund and Curran, *Drugs Among the Young* (Central City Poverty Program: San Francisco, 1968).

[3] Taini, Smith, Englund and Curran, *Drugs Among the Young*, p. 19.

[4] Interview with Peter A. Callaway, Peter Sherer and Joseph Moreau, Jan. 12, 1970, Boston, Mass.

[5] Aldous Huxley, "Culture and the Individual", in David Solomon, ed., *LSD: The Consciousness-Expanding Drug* (G. P. Putnam's Sons: New York, 1966), p. 39.

[6] Aldous Huxley, *The Doors of Perception* (Harper and Row: New York, 1954, Harper Colophon ed., 1963), passim.

[7] Ibid., p. 52.

[8] Ibid., pp. 34–5.

[9] Alan Watts, "The Drug Revolution", *Playboy* Magazine, January, 1970, pp. 64–5.

[10] These tests are reported in: Walter N. Pahnke, "LSD and Religious Experience," in Richard C. DeBold and Russell C. Leaf, ed., *LSD, Man & Society* (Wesleyan University Press: Middletown, Conn., 1967), pp. 60–84.

[11] Ibid., p. 67.

[12] Ibid., p. 65.

[13] For a discussion of this case, see Neil L. Chayet, "Social and Legal Aspects of LSD Usage", in DeBold and Leaf, ed., *LSD, Man & Society*, pp. 92–124.

[14] Joseph S. Oteri, "The Drug Revolution", *Playboy* Magazine, January, 1970, p. 74.

[15] Interview with Dr. David Walters, July 16, 1969.

[16] Joel Fort, "The Drug Revolution", *Playboy* Magazine, January, 1970, p. 62.

[17] Donald B. Louria, "The Abuse of LSD", in DeBold and Leaf, *LSD, Man & Society*, p. 37.

[18] Duke D. Fisher, "LSD for Science and Kicks", in Margaret O. Hyde, ed., *Mind Drugs* (McGraw-Hill: New York, 1968, Pocket Book ed., 1969), p. 72.

[19] Helen H. Nowlis, *Drugs on the College Campus*, p. 103.

[20] James T. Carey, *The College Drug Scene* (Prentice-Hall Inc.: Englewood Cliffs, N.J., 1968), p. 39.

[21] Louria, "The Abuse of LSD", p. 56.

[22] Pahnke, "LSD and Religious Experience", p. 78.

[23] Harrison G. Pope, Jr., *"Pure Experience": A Study of the Social Psychology of LSD and the Hippy Subculture*, A. B. Thesis submitted to Harvard University, March 28, 1969, 153 pp. (Cambridge, Massachusetts: unpublished).

[24] Interview with Joseph Moreau, January 12, 1970, Boston, Mass.

[25] Reported in the *New York Times*, September 18, 1969.

[26] Joel Fort, "The Drug Revolution", p. 55.

[27] Joseph S. Oteri, "The Drug Revolution", p. 55.

[28] *Time* Magazine, September 26, 1969, p. 74.

[29] Lester Grinspoon, "Marijuana", in *Scientific American*, December, 1969, p. 17.

[30] Ibid.

[31] Lawrence Hartman, letter to the editor of the *Boston Globe* published September 20, 1969.

[32] Statement reported in the *New York Times*, September 18, 1969.

[33] Grinspoon, "Marijuana", p. 21.

[34] Charles E. Wyzanski, "There's Only One Way to Deal With Marijuana", Harvard Alumni Bulletin, November 11, 1967, p. 13.

[35] *Boston Globe*, January 1, 1970.

[36] *Boston Globe*, January 12, 1970.

[37] *Time* Magazine, September 26, 1969, p. 74.

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EARTH DAY AND CORPORATE RESPONSIBILITY

Mr. MUSKIE. Mr. President, the successful achievement of the goals set by those participating in Earth Day will depend on commitments by private citizens, government agencies, and private corporations. One cannot act without the cooperation and support of the others.

I was particularly struck, this week, to read an eloquent address on the subject by J. Paul Austin, president of the Coca-Cola Co. Mr. Austin chose to speak to the Georgia Bankers Association on "Environmental Renewal or Oblivion—Quo Vadis?" at a meeting in Atlanta, Ga., April 16.

Mr. Austin had something to say to all of us about the need for action to improve our natural and man-made environments, and he outlined some steps his company is taking to meet that need. I commend his remarks to the attention of the Senate and ask unanimous consent that they be printed in the RECORD.

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

ENVIRONMENTAL RENEWAL OR OBLIVION—QUO VADIS?

(An Address by J. Paul Austin)

I appreciate the invitation to speak to you Georgia Bankers, and I'm delighted to be with you.

Rather than invest my time today exploring some of the financial and economic pressures that face both of us—as bankers and businessmen—I would like, instead, to talk with you quite seriously about an even more pressing matter. This is one that involves us even more directly and far more personally, than matters of finance.

I'm talking about . . . our environment. This is the most urgent problem any of us has right now . . . not just as businessmen . . . but as human beings, as Americans who honestly care for this land of ours.

I do care about this country. And I'm concerned about what's happening to it.

My company shares this concern. And my purpose in speaking to you today is to publicly commit The Coca-Cola Company to active and honest programs which we sincerely believe will help reclaim—even renew—an environment which some say has already passed any point of possible return.

Most of us in this room have children. But, have we paused recently to reflect on the legacy we're creating for their generation? Have we thought much about the quality of the life they will enjoy—or be forced to endure—largely because of the decisions and acts you and I undertake . . . or worse, fail to attempt . . . during this decade of the 70s?

Not long ago I realized that my sons will reach my age sometime late in the first decade of the twenty-first century. A realization like this can bring a man up short. If you share my concern for the happiness, the hope and well-being that all today's children will find in their world of tomorrow, I know you'll agree that it's about time we began doing more than merely hoping that the world we leave them will still be hospitable to man. The hard facts, the stark evidence of environmental homicide that's emerging today indicates with painful reality that my sons may not find this a hospitable home at all.

By the time they're my age—when they should be enjoying real fulfillment and meaningful satisfaction in life—there may be little left on this world to be satisfied with.

Last year when this country put two men on the moon, I found myself transfixed by the televised pictures of that incredibly barren lunar landscape. How cold and utterly dead it seemed. And then I wondered, could that bleak terrain, with no natural life stirring anywhere between the eye of the camera and a distant, pock-marked horizon—could that same desolation someday be the look of this world? Someday—no matter how far in the future—might we look like that to a pair of alien explorers from another star system?

And what if that were the grim prospect for the future of earth? Wouldn't at least some of our children—or, maybe, their children—look to the stars as the only alternative to death on a dying planet?

While we don't now see interplanetary migration as a serious possibility for future generations, I can't help wondering if migration might someday become the only acceptable alternative. No matter for how few . . . some may well prefer the uncertainties of space to the predictable death right here.

Is this an overstatement of the imperatives for cleaning up our world? I don't think so. After all, what has man always done after he leached the land and so thoroughly fouled his water that it was no longer tolerable? He picked up and move. He has always been able to find another, more hospitable home on land that would grow lush crops—in a place where the streams hadn't yet been spoiled.

But man can move no more. Not on this world, anyway. Sure—there are the vast savannahs of the African wastes. And the perma-frost of barren Arctic reaches. There's still plenty of raw real estate around. But, until now, at least, man hasn't solved the problems of living on lands like these. That's why he's packed himself—and almost four billion like him—into only a fraction of Earth's total landmass. Perhaps that's also why he's submitted to the increasingly popular urge to rush, lemming-like, into the cities of his world. Already, we're told, over a fifth of the planet's entire population lives in cities of a hundred thousand or more.

Professor Kingsley Davis, one of the top authorities in the study of urban development, predicts that—if present trends continue—it will take only fifty-five years for everyone on Earth to be urbanized.

And that's frightening! Especially when you consider that within the lifetime of a child born this year—there will be some fifteen billion inhabitants on this incredibly delicate Earth.

So—to add to the manifold problems of land waste, the prodigal depletion of both land and water, and the all-too-visible carbonization of our air . . . we must also add geometric multiples of human beings. Vast hordes of humanity which must somehow be fed, housed, employed and coped with by each other.

Already, in this country, we're hearing strange-sounding names of tomorrow's super cities. Boswash will be the sprawl down the eastern seaboard from Boston to Washington. Chipitts is destined to be a single over-industrialized behemoth embracing Chicago on the west and Pittsburgh on the east. And Sansan is the name proposed for California's contribution to urban insanity. Sansan, we're told by the experts, will run along the Coast from San Francisco to San Diego.

And, as you know, the experts have usually been wrong in the past only when they underestimated the magnitude of future growth.

So, twenty-first century man may find himself faced with the necessity to colonize other planets if only because he's run out of room on this one. But, sadly, a glut of humanity is likely to be the least among his motivations to move.

Why? Simply because some of today's most eminent scientists are saying that the relatively few people on Earth right now are doing more than an adequate job of totally destroying their environment.

Even without another ten or twelve billion people, we're told we haven't much of a chance to survive . . . unless we make some dramatic commitments right now!

Who are these scientists? Who is behind all the environmental doomsday talk we're hearing today? And why are they seemingly going out of their way to get everybody all upset about the mess we're making of our environment?

There are two answers here. The scientists are ecologists. And they're shouting warnings at us because we're wasting our natural wealth . . . because, they tell us, we have no inkling of the enormity of the problem we've created—or, perhaps even more importantly—the terrifying and unacceptable consequences of our ecological ignorance and irresponsibility.

Now, let's take these one at a time. First ecology. What, exactly, is it?

The word was first used a hundred years ago to define the interrelationship of everything to everything else in nature.

Example? The rain and sunlight help plants to grow. The plants—through photosynthesis—help renew the air. The air helps purify the water. And the water irrigates the plants.

Everything around us is tied together in a closed system of interdependence. It's called an "ecosystem"—the sum total of all the living and nonliving parts that support a chain of life within a selected area.

Left undisturbed, an ecosystem will continue to operate indefinitely . . . with, as one of this country's top environmental scientists, Dr. Barry Commoner, puts it: "Everything connected to everything else." In fact, Dr. Commoner calls this simple equation "The First Law of Ecology."

Now, remember, undisturbed an ecosystem will continue to operate indefinitely. And there's the problem. Man hasn't—perhaps he can't—leave the system undisturbed.

The rewards of man's own system don't seem to allow a peaceful co-existence with nature. Or at least, man's attitudes and values he demonstrates everyday in seeking his rewards haven't operated in the best interests of his ecosystem!

Man is a doer. He's a road-builder, a house-builder, a tree-cutter; an industrious, hard-working chap whose very industry determines the size of his rewards. And, being rather selfish—or, shall I say, operating in his own self-interest, anyway—this doer, this creature with the big brain has chopped and hacked and paved and built . . . and polluted his way from one end of this once-virgin land of ours to the other.

So why not? Isn't that the way things simply are? Nobody is known to have achieved commercial greatness in this society by whiling away his hours beside some pastoral pond, Thoreau to the contrary, not withstanding.

Really . . . isn't that the popular, no-nonsense attitude . . . the industrialized heritage we've been taught since we were children? Yes, it is.

Hard driving free enterprise is a fine old tradition in this country. It's what's made this country what it is. So what is wrong with free-wheeling progress?

Maybe nothing is wrong with it but on the other hand, maybe the ecologists are trying to tell us something. They're telling us—in quiet, clear tones—that if we keep all this up, we're going to "advance" ourselves into oblivion. An oblivion comprised of undrinkable water and air that can't be breathed.

Listen to what they're saying. Think about some of the mid-twentieth century realities they're pointing out to us as we plunge headlong in pursuit of "progress."

They're telling us that, as a people, we're firing rockets at the moon—while standing knee deep in our own garbage.

They say man is the only creature in nature who, apparently with great foresight and planning, dumps that same garbage into his drinking water.

Researchers point out that right now—in the breasts of this country's young mothers—there is human milk containing from three to ten times more pesticide residues than the government will allow in cow's milk meant for human consumption.

Ecologists are disturbed over the decline and disappearance of whole species. Fish, fowl and other types of wildlife are finding it increasingly more difficult to adapt to an unnatural environment which rots fins and gills—an environment where unprecedented concentrations of death-dealing chemicals mutate the young.

And, recalling that first law of ecology—that everything is connected with everything else in nature—we're beginning to understand that there is no such thing as an isolated act.

Large amounts of pesticides—not merely traces—are found today in the freezing waters of Antarctica where none has ever been used before.

It is said that this country alone is clearing, paving and—if you still buy the term—"improving" some three thousand acres a day. Plants and trees on these once-lush tracts are lost forever. They're oxygen producers, remember. And some very responsible scientists are expressing real fear that, if this

wholesale land improvement continues at our present rate for a few more years, there won't be enough oxygen in either the air or the sea to sustain life.

Now, you know why I am so upset about environmental pollution. However, let me be even more specific.

I'm concerned . . . because you and I are killing each other, and I'm deadly serious when I say that. Unless you and I and every other responsible American—especially those who guide the policies of our major corporations and those who sit in the halls of our councils, legislatures and the Congress—unless all of us begin immediately to reverse the processes of impending self-destruction which we have set in motion—this green land of ours will become a graveyard!

The youth of this country know what the stakes are. They're upset. And they're indignant over our apparent unconcern. Whole student populations are engaging in protests and demonstrations against those who compound their transgressions of pollution with an abysmal ignorance of man's responsibility to his environment.

Why? Because it's their world we're wasting. And, to put it mildly, they don't like it a bit!

There's a nationwide "Environmental teach-in" planned for the twenty-second of this month—just six days from now. On that day—on over a thousand college and university campuses all over America—lecturers, seminars, demonstrations and discussions will be devoted entirely to the preservation of our environment.

This sort of thing hasn't happened before. Not on this scale. Not with the planning, organization and thought that's been put into this collegiate effort to enlighten and illuminate.

And I commend our young people for their awareness and perspicacity. They have done all of us a service by pushing the panic button.

But wnat are we going to do—now that we have some idea of the magnitude of the problems that face us?

The President of the United States—in his State of the Union message to the Congress last January—called for a broad federal program designed to help clean up our land, air and water. He has since proposed legislation which would implement parts of this mammoth program. And this is not a bad beginning. But that's really all it is.

The government can't solve our problem. The government has been trying to do something about pollution and environmental decay since the first administration of Teddy Roosevelt.

The people, though, can do something. And it will take the best effort of every individual and corporate citizen to do what must be done.

Of course, there are the "doomsdayers" who say nothing will prevent "ecocide"—the death of the environment. Others claim that, since ecological destruction is so intimately linked with over-population and over-production, the only answer is a zero population increase and a stable Gross National Product. And it may be that they're right.

But, before ultimate measures such as these are imposed on us, shouldn't we at least attempt some determined solutions of our own?

I'm convinced we must! And the Corporate policies of The Coca-Cola Company reflect our commitment to employ substantial technological, financial and human resources as a responsible corporate citizen.

In setting our policy and stating our commitment. The Coca-Cola Company accepts a dual responsibility.

We acknowledge and accept the responsibility for having been a limited contributor to the problems in the past. But, at the same time, the Company accepts the responsibility to set its own house in order.

Those aren't mere high-sounding pleasantries to be forgotten or ignored by this time tomorrow. Those are commitments! Commitments to be met while discharging our responsibility to our stockholders to operate our business at a reasonable profit level.

As you know, we manufacture the syrups which our Bottlers mix with water to make soft drinks. Water—good, clean, potable, unpolluted water: it's vital to the operation of our business.

For almost half a century, we've been studying the water in this country and in the one hundred thirty-five other countries where our products are sold. We know what's happening to water. That's why it's standard practice for Coca-Cola Bottling Plants to filter water before it's mixed with syrup and bottled or canned.

So—we're not entirely altruistic in our approach to the preservation of our environment. We freely admit that the profit motive and the desire to remain in business has played a major role in the decision to commit ourselves to the cause of environmental renewal.

Very well, what are we doing to fulfill that commitment?

First let's talk about cleaning up our air and water.

The Coca-Cola Company has been involved in its own programs of environmental renewal for a long time now. And over a year ago we began looking for a way to get into the business of pollution control, itself, through merger with a leading firm in this field.

Now, The Coca-Cola Company expects to enter the business of pollution control, itself, through an agreement to merge with The Aqua-Chem Company of Milwaukee. This anticipated merger represents a substantial investment for us—about one hundred fifty million dollars.

Aqua-Chem is the world's leading manufacturer of "packaged" steam and hot water generating systems—systems which produce no toxic effluent or airborne pollution of any kind and which require no smoke stack.

As a result of their leadership and experience in making these generating and heating systems, Aqua-Chem found it a natural progression to the fume-free incinerator. Like their generating systems, this unusual incinerator gives off no smoke, no fumes and no odors.

There's an experimental unit on test in one of our midwestern cities right now. And—assuming this test proves successful—the Aqua-Chem Company may be on the way to offering a large, commercial incinerator that will provide both pollution-free disposal and a source of energy created by the intense heat that's generated during the total combustion process.

In addition to these advances in pollution control, Aqua-Chem is also a leader in the development and production of water desalination and purification equipment.

Just recently a true breakthrough was made by the Company. It's the discovery of a new application for a process called "reverse osmosis." This special application is still in the developmental stage.

But, with this revolutionary process—which may take Aqua-Chem into a whole new area of its basic business—the Company should be able to produce economical water purification devices for both industrial and consumer applications.

There may be a small, compact model for the kitchen of the home—as well as huge sands of gallons of clear, pharmaceutically clean water a day.

Now it is possible for industry to clean its waste water—not only efficiently and inexpensively, but even at a profit!

One test installation is in a Wisconsin paper mill where, as you can imagine, the effluent from manufacturing is highly polluted. But, by purifiying this effluent, the mill is able to recapture chemicals used in the making of paper. It costs the mill $100 a day to operate the water purification equipment, but they recoup $500 a day in reusable chemicals. Instead of dumping syrupy, brown water into a nearby river and, eventually, into Lake Michigan, the mill is now discharging water that's so pure you can drink it!

When you introduce profits into pollution control, you radically change the environmental equation.

Most legislatures and the Congress have shown a degree of leniency in dealing with pollutors up to now. But I don't think any of us doubts that stronger legislation is bound to come. And, if industry can both conform to the requirements of new laws—and earn a profit in the bargain—it would seem to be just good business to anticipate these changes.

In fact, with profit incentives to clean up their industrial effluents, it may well become indefensible for companies to corrupt their environments.

But the manufacture of devices to control air and water pollution isn't the main business of The Coca-Cola Company.

Our main business is soft drinks. We're also in the coffee, tea, orange juice and food business through divisions of our Company.

And recently we completed a comprehensive study of all our operations in the United States to determine where and how we were contributing to pollution . . . of any kind. This study, by the way, was initiated by the Company over two years ago.

Our Corporate goal—and a priority that's right at the top of our list—is to stop any form of pollution . . . anywhere it exists in our entire Company . . . and to stop it as fast as money and technology will allow.

But let me tell you briefly what we discovered in our study—and what we're doing about our findings

Our Foods Division produces citrus products—orange juice and others—along with coffee.

And our study showed that—in our coffee roasting plants—there is smoke and odor being generated.

We're going to eliminate these entirely.

In our citrus operations in Florida, we found that so-called "weak wastes" from washing down our equipment was a potential problem. So we've asked one of Aqua-Chem's top engineers to study the situation and find a way for us to use some of their technology to clean up the problem.

Incidentally, we recently received a Gold Medal Award from The Sports Foundation—a non-profit membership association dedicated to conservation in the interest of outdoor sports. Our award recognized the contribution to conservation that's being made by an elaborate water treatment system we operate in one of our Florida citrus processing plants. In addition, we are continuing to cooperate with state water quality control engineers in order to utilize more sophisticated pollution control technology to further insure that all operations at this plant, and other similar plants, will meet existing regulations and exceed them, if possible.

In our Tenco Division, we produce instant tea and coffee.

In our coffee operations, we even use the "spent" coffee ground as fuel to generate heat and power for the plant. And we use after-burners for total combustion of the gasses coming off the roasting ovens.

But once we've extracted the tea from our tea leaves, we dispose of them in a private, sanitary land fill. This is the proper and recommended way to do it, but we think there may be a way to liberate nutritive values from the "spent" leaves. If there is, we may be able to come up with a new component for cattle feed.

In our domestic soft drink division, Coca-Cola USA, we find that virtually the only effluent from our operations is in the airborne exhausts of our trucks and other vehicles.

While there isn't now an efficient device to eliminate lead and hydrocarbon emissions from the internal combustion engine, I can pledge that—as soon as one is developed—this Company will lead the way in putting it on our entire corporate fleet. Our franchised bottlers will willingly follow our lead.

At this moment, over ninety percent of all our Company-owned bottling plants are recycling both glass and paper waste material. Paper, of course, is used in the cartons, can wraps and other packaging that surrounds our glass and cans in shipment and on dealers' shelves. Ninety percent of our own plants are returning glass and paper to manufacturers for re-use.

Ninety-five percent of the bottling plants owned by The Coca-Cola Company are recycling the old crankcase oil that's drained from our trucks. The oil, too, is returned to the manufacturer—the refining company—for purification and re-use. This means that we don't dump it down a drain where it could add to the pollution of rivers and streams.

It's a fact of our Corporate life that soft drinks must be put in some form of container before they can be distributed, sold and consumed.

Soft drinks are packaged in several types of containers: returnable and one-way glass bottles—and in cans made of various materials. And, because the glass, aluminum and steel used in our containers are rather sturdy materials—and because the brightly colored decoration on a can or the unique shape of our bottle doesn't deteriorate as readily as paper containers—the packaging for our products is highly visible.

As a result, we're criticized more than many other manufacturers. But there's evidence—from a recent survey of the roadside debris in twenty-nine states—that soft drink containers account for only about five percent of the total highway litter. This study—conducted by the Highway Research Board, the National Research Council and the National Academy of Sciences—disclosed that only three percent of the litter was comprised of soft drink cans and only two percent was soft drink bottles.

So, even if there were no such thing as the soft drink industry, it appears that we'd still have ninety-five percent of the litter problem we're faced with now.

But we don't deny that the bright red can and the familiar bottle are a part of the problem. And we've been taking steps designed to reduce their numbers in places where they don't belong.

In fact, back in the mid-60s, when it became clear that consumers would demand more and more convenience—and that non-returnable, "convenience" packaging would become an increasingly large part of our total market—we began an intensive program to study the problem of litter and what we could do to help minimize our contribution to the problem.

In 1966 we assigned a senior executive of The Coca-Cola Company to learn more about litter and to formulate ways we could help hold it in check.

What have we learned? What are we doing?

Well, for one thing, we've learned that litter probably won't be reduced appreciably until the consumer has a greater awareness of the problem and his part in it.

So, our Company, other members of the soft drink industry and the manufacturers of the containers we use are right now launching a major effort to inform the consumer and, hopefully to motivate him to do his part in helping reduce the volume of litter.

Here are two specific examples of this co-operative effort to inform and motivate the consumer.

First—can manufacturers are right now underwriting a sizeable re-tooling expense which will result in the tops of all our cans being embossed with the message, "Please don't litter—dispose of properly."

It's our hope that consumers—seeing this request as they enjoy our products—will do as we ask and dispose of the container properly.

One can manufacturer has even mounted a major recycling program for its used containers.

And what about one-way bottles?

The Coca-Cola Company has created special advertising for several parts of the country which seeks to promote the sale of returnable bottles.

Since one-way bottles carry no deposit value, these are the glass packages most frequently thrown away by the consumer.

The thrust of this special advertising asks the question, "Wouldn't you rather borrow our bottle than buy it?" And I think this sort of appeal—tied to economy and value—should help reduce the number of one-way glass bottles that wind up as litter.

Even so, cans and one-way bottles comprise only about thirty percent of our Company's total sales of packaged soft drinks. That's in this country. Abroad, our products are sold almost exclusively in returnable bottles.

The returnable bottle built our business. And most returnables still do return.

At any given time, something over ninety percent of all the returnable bottles leaving our bottling plants do come back. However, this figure does vary from market to market. And the return of our bottles depends heavily on consumer and retailer cooperation.

And even though it's far more economical for consumers to buy our products in these returnable packages, some of our dealers—supermarkets and convenience stores—find it more desirable to handle one-way bottles and cans.

And, as I've already said, we're well aware of the demand by many consumers for convenience. That's why we refer to non-returnable containers as "convenience" packages. There's no deposit on them and consumers don't have to bring them back to the store.

But there's an even larger issue here. It's the issue of solid waste disposal and the degradability of containers.

Glass and cans are not degradable. Some cans will eventually oxidize, but even then, the materials of which they're made don't return to nature as realistically re-usable resources.

And there aren't any serious prospects for truly degradable soft drink containers. Not now, anyway. But we are working on this and we have a number of research teams attacking this problem of degradability.

In the meantime, we're trying still another approach to the disposal of one-way bottles. This involves a special grinding apparatus which we recently had made for use in conducting an unusual test.

This test is already underway with a unique device which grinds up glass containers. Two of these units are in place at a supermarket in one of Atlanta's large shopping centers. Consumers bring their one-way glass containers with them when they come to shop. These containers then will be ground up by the machines.

The ultimate?

Sand. It isn't quite fine enough—or highly polished enough—to be used in playgrounds yet. But we're working on improvements to the process which may eventually enable us to make safe, inexpensive playground sand out of bottles.

Meanwhile, this material has several other applications.

One is in the manufacture of asphalt. It's a perfect matrix material. It's cheap, reasonably consistent in size, and it can be produced in plentiful quantities.

Roads made from old bottles? It's more than just possible.

One more thing on packaging: We've been working for some time now with a leading chemical company in experiments with a plastic bottle. This innovative package has only now gone into some limited consumer testing. But it may be that—within a few years—we'll be able to offer consumers a soft drink container that can be incinerated without giving off any noxious gas, fumes or smoke in the process.

So, you see . . . we are working at it. We've been working at it for years. We were involved in our own anti-pollution programs long before it became a fashionable or expedient cause to espouse. Again, what have we been doing?

Trying to find new ways for this Company to serve the best interests of our environment . . . new ways to prevent our contributing any further to the problems of pollution . . . new ways to more responsibly share in the task of environmental renewal that's ahead.

But no Company—no matter how large or influential—can do more than share in this task. I believe this Company is doing its share in attacking the problems of our environment. And we're glad to see other responsible companies joining us in this effort.

But, more than just the corporations of this country, each of us . . . as individuals . . . must commit himself and actively get involved in the massive job that's ahead.

We can no longer accommodate the selfish acts and unthinking environmental waste of which each of us is guilty. We have to change! And this may well require—even demand—some basic revisions in our traditional attitudes. But, whatever it takes, we must require it of ourselves . . . and, if necessary . . . enforce it with others.

That's what I was talking about when I said earlier that, for The Coca-Cola Company, this is a time of meaningful commitment. We are responsibly policing our own acts, and—through both our leadership and our innovation—we hope to join forces with all those who share our determination that this world shall not become just another lifeless planet.

For the only alternative to commitment and intelligent action now may be the possibility of extinguishing ourselves through ignorance and indifference.

And no matter what future technology may give us—even the ability to colonize among the stars—I still want my sons and yours to enjoy their lives right here . . . and to remember that we acted responsibly to insure the well-being of their and all future generations.

But, I cannot conclude without pointing out the bright prospect that shines through the dark cloud. We are a nation of optimists, and even in this dim perspective, there is an overriding potential benefit that we can reap.

Several years ago, a major publication asked a number of historians and social scientists to define the national purpose of the United States. The conclusion reached was most unhappy: i.e., that we don't have a national purpose except in time when we are in a world war.

However, today the facts have changed. Environmental control offers a national purpose. Pollution is the sole common danger that confronts us all . . . spares no one, no institution, or individual . . . is recognized by every segment of our society . . . and can unite us all in a common goal.

There is no political spectrum here . . . no color line . . . no generation gap . . . no public-private sector conflict . . . no urban-rural clash . . . no "haves" and "have nots" . . . no doves and hawks in this issue. We share this fragile issue braided together.

Thus saving our environment can give us

a national purpose. It is the one crisis . . . the unique challenge . . . that can knit this nation together again. It can give us a vital national goal . . . give us all a new sense of purpose, of sharing and of accomplishment.

It is the absolute crisis that demands the total support of young and old . . . of people and government . . . of management and labor . . . of small town and metropolis . . . of black and white. It knows no politics. The stakes are high, but the rewards are not only the physical survival of the species but also the spiritual renewal of the nation.

We must begin now. We must begin together. There is no place to hide.

ADJOURNMENT TO 11:30 A.M., MONDAY, APRIL 27, 1970

Mr. HARRIS. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. on Monday next.

The motion was agreed to; and (at 4 o'clock and 29 minutes p.m.) the Senate adjourned until Monday, April 27, 1970. at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate April 21, 1970:

U.S. Coast Guard

The following-named officers of the Coast Guard to be permanent commissioned officers in the grade of chief warrant officer, W–2.

Roland W. Callis
James H. Thomson
Richard C. Motter
William B. Clow
Robert C. Herold
Malcolm W. Gray
Lavere E. Amundson
John F. Weseman
Karl Kaufman
Donald L. Dobbs
Robert B. Swart
John S. Wenter
Philip K. Hauenstein
Donald A. Kirkham
John H. McLaughlin
Robert W. Baine
Richard B. Petersen
John G. Gaskill
Kenneth H. Kramer, Jr.
Francis G. O'Hearn
Charles H. Thompson
Roland E. Miller, Jr.
Manual G. Macara, Jr.
Ellis A. Gray, Jr.
Carl A. Wade
Joseph F. Newsome
Arthur W. Stokes
John R. Koehler
John T. Crowe
John M. Lehman
Hubert C. Jackson
James G. Kirby
Richard E. Carrier
James L. Herron
Herman J. Murphy
Frank D. Goolsby
Alfred G. Addy
Jack R. Kirk
Jerry D. Fisch
Steve J. Avilla
Mark C. Dennis
William F. Doyle, Jr.
Harold E. Helfrich
Roger L. Lanier
Harold Z. Parker
Gary L. Elliott
Rexford W. Altman
Dan G. Lents
Dale S. Draa
Oscar N. Skelton
Floyd W. Hayden
Stuart W. Clarke
Robert O. Horst
David H. Martin
Julius Alama
Paul E. Sparrow
Robert P. Edgar
Donald E. Bay
Joseph W. James
Donald M. Warren
George E. Cain, Jr.
Loyd S. Williams
James C. Tanner
John H. Fenter
James A. Walker
Eugene A. Mellott
William R. Beers, Jr.
John D. Klemm
William A. DeGeorge
Eugene B. Crawford
Darwin G. Asch
Billy F. Rawlinson
Richard E. Irwin
Eugene B. Murray
Irvin J. A. Treadway
Gerald L. Colton
Wayne J. Ayers
Edward T. McArthur
Thurman L. Knight, Jr.
William R. Brantley
Gordon M. Snook
Donald L. Nolan
Donald R. Strange
James N. Defries
John H. Peabody
James A. Arthur
Robert J. Covert
Robert K. Critchlow
Ray L. Buckner
Royce W. Fulcher
Robert E. Osterberg
Robert D. Harwell
Lowell R. Andrews
Richard D. Rebele
John W. Harm
William E. Garrett
Donald M. Hanley
Melvin L. Ferguson
Edward E. Laycock
Donald L. McMillin
David T. Daniels
John E. O'Donnell
Aubrey E. Fussell
Christopher Maropis
Guy O. Seago
Gene I. Goodwin
Clark C. Logsden
William C. Henning, Jr.
James D. Grimes, Jr.
Wilfred J. Laufenberg
Kent D. Vallier
Robert E. Dailey
Robert R. Raby
Frederick L. Regan
John W. Babcock, Jr.
William F. Haygood, Jr.
Jack L. Elam
Robert W. Jackson
Charles L. Kidd, Jr.
Alvin K. Johnson
Robert V. Kassela
Damian T. Sarchiapone
William M. Dukes
Leroy Rosa
Stanley M. Pridham
Weyland D. Logue
Elmer A. Stevens
Leo L. Whaley, Jr.
Pernell J. Perry
Allen L. Smith
John R. Hearn
Delbert A. Riley
Robert M. St. John
William A. Sturgis
James B. Zipfel
Carl R. Green
Frederick P. Pitts
Gene F. Lewis
William R. Shaffer
Brian C. Curtis
John L. Anglin
Alex Z. Walker, Jr.

The following-named officers of the Coast Guard to be permanent commissioned officers in the grade of chief warrant officer, W–3.

Giles M. Vanderhooff
Lyn E. Nicholson
Robert W. Jackson
George M. Miley, Jr.
Jack W. Gildersleeve
Augusta L. Duncan
Kenneth A. Parkin
Frank W. Thompson
Worth H. Hopkins
Edward L. Goodrich
James L. Dorsey
Gerald D. Kaarstad
Thomas E. Stringer, Jr.
Anthony J. Maglione
David R. Cheyne
Clyde R. Hutton
Michael J. O'Donnell
Clarence L. Moulton
Toshio Mitsunaga
Donald E. Darnauer
Victor F. Lane
Paul R. McKenna
Lawerence H. Borelis
Artis Copeland
Charles R. Martin
Russell V. Gilbert
Nicholas L. B. Galash
John H. Edwards
John R. Arnold
Edgar B. Mason
Seben Griffin, Jr.
Harland D. Speer
Robert E. Behrens
Amos R. Daniels
Francis A. France
William T. Burnette, Jr.
Raymond A. Hughes, Sr.
Carroll H. Holst, Jr.
Richard T. Lyon
Raymond J. Duplin
Robert B. Jordan
Harold D. Lineweber
Rex F. Wall
Robert J. Jones
Thomas J. Borbrowski
Floyd C. Greenfield
Kenneth J. Harker
James V. Shilley
Kilby T. Guthrie
Robert O. Backlin
Gary P. Day
Richard T. Shannon
Edward T. Kassick
David M. Donaldson
Lee R. Oliver
David M. Peake
David L. Heinecke
William M. Crumrine
Donald D. Olson
Dennis E. Coughlin
Samuel L. Clark
Horace C. Webb
Casimir Malinovsky
Neil J. Dodge
Robert C. Rescola
Robert C. Collins
Lonnie K. Johnson
Rodney L. Harter
Thomas A. Bozeman
Everette H. Hoins
Louis J. Jensen
Clarence M. Pope
Harold T. Cogburn
Frank W. Slaney
William G. Parr
Tomas K. Jahn
Donnie R. Weitzel
Richard L. Jonas
Gerald F. Perry
Tom W. Shelton
John W. Spreter
Dan R. Riksen
David N. Russell
Robert I. Young
Paul F. Burden
Colin J. Woodbury
Ronald D. Ricker
Ernest C. Card
Peter J. Anderson
Pleasant A. Lewis, Jr.
William C. Pless
Ernest P. Joyce
Richard J. Bebble
Jerry L. Furey
Robert C. Simpson
Gordon M. Schreiber
Don L. Siena
Donald L. Schmidt
Fred L. Sanders
Dale U. Duren
Rudolph Eberwein, Jr.
Louis A. Nataro
Maxwell B. Ferrill, Jr.
Bobbie W. Evans
John Norman Edens
Mitchel Arnold, Jr.
James W. Bailey
Wilbur A. Yoast
Clifford A. Emert
William L. Lett
Daniel Ing
Joseph J. Welsh
Reginald T. Hensley
Robert E. Barbutti
Richard G. Pelley
Robert C. Curtz
Thomas G. Henderson
Festus L. Snead
John P. Fitzgerald
Donald H. Jones
Edmond B. Paradis, Jr.
Thomas C. Calderwood
Jesse A. Moffett
Lynn C. Oliver
Leon R. Cisek
Malcolm I. Simmons
Lennis L. Getchell
William F. Collier
John R. Manyon
Foy A. Stiewig
Leonidas M. Patton
George H. Wilp
Robert A. Swanson
William C. Russell, Jr.
William Sneller
William F. Young
Louie J. Weber
William K. Herrell
Leonard W. Flood
William F. Madigan
James W. Knapp
Horace O. Rawls
William H. Gill
George A. Nicholson
Kenneth E. Clark
Fred B. Eidson
Roger E. Cowley, Jr.
Thomas J. Lynn
Robert W. Baine
Myron G. Colburn, Jr.
James R. Seward
Harold R. Packer
Eugene P. Bishop
Ernest D. McLawhorn
Kyran P. Kane
Odom E. Nowlin
John W. Acuff
Harold L. Skinner
Edward L. Ferguson, Jr.
Ronald P. Vancamp
James T. McAndrews
Donald H. Yonkie, Jr.
William E. Davis
Jack N. Bond
Robert C. Hoffman
Alex Z. Walker, Jr.
Roger L. Kennedy
Ellis W. Grimes
Lywald W. Hendricks
Michael J. Schiel
Larry E. Martin
Harry F. Schmecht
Roland W. Callis
George S. McDowell, Jr.
William R. Paul
James M. Hough
James H. Thomson
Winston G. Churchill
Richard C. Motter
Jerry L. Echols
William B. Clow

The following-named officers of the Coast Guard to be permanent commissioned officers in the grade of chief warrant officer, W–4.

Bobbie L. Bentley
Allie C. Woodcock
George E. Montfort
Donald K. Byrd
Owen M. Halstad
John E. Cutright
Clifford E. Reeves
Carl A. Powers
Charles E. Fulcher
Eugene O. Thorson
John R. Scott, Jr.
John R. McMahon
Wallis N. Zimmerman
Delbert F. Summers
Joseph E. Bruce
Daniel M. Wirzburger
Allen V. Walker, Jr.
Edward H. Monson
William Jackson
Raymond W. Nickerson
Burr K. Vail
Elmer Berrish
Loyd B. Reach, Jr.
Allen W. Craven
Forrest E. Colbath
Billy Hopper
Wayne E. Nunnenkamp
Edward E. Godlewski
Edgar L. Parker
Dale E. McElfresh
Richard B. Page
Robert J. Baker
Arnold Brooks
Robert T. Gray
Warren G. Berto
Henry E. Brunet
Carl F. Baker
Jack G. Albert
Ernest C. Moore III
Alfred E. Schreiber
Paul W. Licking
Thomas J. Hummel
Orrin E. Starr
James C. Myers
John P. Higman, Jr.
Herbert E. Roche
Charles C. Stephenson
Alex Z. Walker, Jr.

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

To be lieutenant commander

John H. Murphy

To be lieutenant

Barrett T. Beard
Scott D. McCowen

Executive nomination received in the Senate April 22, 1970:

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Earle Gilmore Wheeler, [redacted], Army of the United States (major general, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate April 23, 1970:

U.S. Circuit Judge

Wilbur F. Pell, Jr., of Indiana, to be a U.S. circuit judge, seventh circuit.

U.S. DISTRICT JUDGES

Howard B. Turrentine, of California, to be a U.S. district judge for the southern district of California.

Warren K. Urbom, of Nebraska, to be a U.S. district judge for the district of Nebraska.

Joseph F. Weis, Jr., of Pennsylvania, to be a U.S. district judge for the western district of Pennsylvania.

Andrew W. Bogue, of South Dakota, to be U.S. district judge for the district of South Dakota.

James L. Oakes, of Vermont, to be U.S. district judge for the district of Vermont.

U.S. ATTORNEYS

Robert L. Meyer, of California, to be U.S. attorney for the central district of California for the term of 4 years.

D. Dwayne Keyes, of California, to be U.S. attorney for the Eastern District of California for the term of 4 years.

Robert E. Hauberg, of Mississippi, to be U.S. attorney for the southern district of Mississippi for the term of 4 years.

A. Roby Hadden, of Texas, to be U.S. attorney for the eastern district of Texas for a term of 4 years.

U.S. MARSHALS

William B. Henderson, of Kentucky, to be U.S. marshal for the western district of Kentucky for the term of 4 years.

Joseph W. Keene, of Louisiana, to be U.S. marshal for the western district of Louisiana for the term of 4 years.

John A. Birknes, Jr., of Massachusetts, to be U.S. marshal for the district of Massachusetts for the term of 4 years.

Anthony T. Greski, of New Jersey, to be U.S. marshal for the district of New Jersey for the term of 4 years.

HOUSE OF REPRESENTATIVES—*Thursday, April 23, 1970*

The House met at 12 o'clock noon.

Rev. C. R. Walker, First Baptist Church, Marion, Ill., offered the following prayer:

God of our fathers, and our God, God of this Nation and all nations, we bow before Thee with grateful hearts for our many blessings. We thank Thee for this great Nation with all its resources, opportunities, and people. Give to us a spirit within to match the resources without.

As we confront the problems of this day, grant us the grace and courage to seek first the kingdom of God that we may be enriched in our Nation with a great spiritual heritage. Then make us humble in the acceptable of that heritage.

Instill the moral integrity and courage in these our leaders to stand for the hard right against any easy or expedient wrong that might seem attractive.

In Jesus' name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Tuesday, April 21, 1970, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on April 15, 1970, the President approved and signed a bill of the House of the following title:

On April 15, 1970:

H.R. 16612. An act to amend the District of Columbia Bail Agency Act to provide additional funds for the District of Columbia Bail Agency for fiscal year 1970.

THE REVEREND C. R. WALKER

(Mr. GRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAY. Mr. Speaker, I deeply appreciate your courtesy in recognizing me at this time. I wish to thank you, Mr. Speaker, and Dr. Latch, our beloved Chaplain of the House of Representatives, for permitting one of southern Illinois' finest ministers, the Reverend C. R. Walker, pastor of the First Baptist Church of Marion, Ill., to give the invocation today.

Mr. Speaker, I wish to point out the fact that in our busy lives so many times we overlook the great work done by our spiritual leaders. I again want to thank you and our beloved Chaplain of the House, Dr. Latch, for giving us the opportunity of bringing in from our congressional districts these able servants of His service royale to help us in our spiritual guidance. Reverend Walker is a lifelong friend and is a leader in his own right. He does this great body honor by his presence.

APPOINTMENT OF CONFEREES ON S. 2062, ADMINISTRATION OF ACREAGE LIMITATION OF FEDERAL RECLAMATION LAW

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2062) to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, JOHNSON of California, FOLEY, HOSMER, and MCCLURE.

APPOINTMENT OF CONFEREES ON S. 743, TOUCHET DIVISION, WALLA WALLA PROJECT, OREGON-WASHINGTON

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 743) to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes, with House amendments thereto, insist on the House amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, JOHNSON of California, FOLEY, HOSMER, and BURTON of Utah.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE REPORT ON H.R. 17123, MILITARY PROCUREMENT AUTHORIZATIONS, 1971, UNTIL MIDNIGHT FRIDAY

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight Friday to file a report on the bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 515, TO AMEND THE NATIONAL SCHOOL LUNCH ACT AND THE CHILD NUTRITION ACT OF 1966

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 515) to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. ARENDS. Mr. Speaker, reserving the right to object, am I correct in my understanding that this has been cleared with the ranking minority member of the committee, and that he is totally in agreement with the conference?

Mr. PERKINS. The gentleman is absolutely correct.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation of objection.