

revenue sharing of Federal income taxes; to the Committee on the Judiciary.

257. Also, memorial of the 10th Guam Legislature of the Territory of Guam, relative to extending the GI home loan program to the territory of Guam; to the Committee on Veterans' Affairs.

258. By Mr. ULLMAN: Memorial of the 55th Oregon Legislative Assembly petitioning the Secretary of the Treasury to modify the regulations promulgated under the authority of Public Law 90-618, the Gun Control Act of 1968, to remove the undue and unnecessary restrictions on the purchase and possession of firearms and ammunition by law-abiding citizens; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. FARBSTEIN:

H.R. 13594. A bill for the relief of Carlos Echegaray; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 13595. A bill for the relief of Harry A. Murray; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 13596. A bill for the relief of Mrs. Vivencia O. Consing; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 13597. A bill for the relief of Judith Nesser, to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 13598. A bill to authorize the Secretary of the Interior to convey certain real property in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. MCKNEALLY:

H.R. 13599. A bill for the relief of Claudio Ricca, Accursia Ricca, his wife, and their children, Giuseppe Ricca and Lucia Grazia Ricca; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 13600. A bill for the relief of Mrs. Lee Morrison; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 13601. A bill to release and convey the reversionary interest of the United States in certain real property known as the McNary Dam townsite, Umatilla County, Oreg.; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

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

216. By the SPEAKER: Petition of the City Council, Eastlake, Ohio, relative to taxation of State and local government securities; to the Committee on Ways and Means.

217. Also, petition of Allan Feinblum, New

York, N.Y., relative to full employment; to the Committee on Education and Labor.

218. Also, petition of the Naha City Assembly, Naha, Okinawa, relative to removal of poison gas, germ, and radioactive weapons; to the Committee on Foreign Affairs.

219. Also, petition of the executive director, International Conference of Police Associations, Washington, D.C., relative to a resolution adopted at the 17th annual conference concerning a grievance of the Rochester Police Locust Club, Inc.; to the Committee on the Judiciary.

220. Also, petition of Demetrios Demopoulos, Athens, Greece, relative to redress of grievances; to the Committee on the Judiciary.

221. Also, petition of Ram Sroop Sidher, Yuba City, Calif., relative to redress of grievances; to the Committee on the Judiciary.

222. Also, petition of Allan Feinblum, New York, N.Y., relative to trials by jury; to the Committee on the Judiciary.

223. Also, petition of Henry Stoner, York, Pa., relative to establishment of a U.S. Civil Service Academy; to the Committee on Post Office and Civil Service.

224. Also, petition of the City Council, Crescent City, Calif., relative to taxation of State and local government securities; to the Committee on Ways and Means.

225. Also, petition of the City Council, Watsonville, Calif., relative to taxation of State and local government securities; to the Committee on Ways and Means.

SENATE—Wednesday, September 3, 1969

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord, our God, who art from everlasting to everlasting, whose faithfulness never ceases, we thank Thee for Thy providential care over us and Thy renewing grace within us while we have been separated.

As we resume the work of this House may faith and courage and wisdom be given to us in full measure. Surround those who are ill with healing ministries and to all who are well give new strength for new days. Keep ever before us the holy vision of service to all the people. Show us when to speak and when to be silent and ever to preserve that inmost peace of those whose souls are Thy dwelling place. Help us to find and to follow the truth that makes all men free and great and good. Give us the assurance we do not work alone but that we are fellow workers in that higher kingdom whose builder and maker is God.

Through Jesus Christ, our Lord.
Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, August 13, 1969, be dispensed with.

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

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of August 11, 1969, the Secretary of the Senate, on August 21, 1969, received a message in writing from the President of the United States submitting the nomination of Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court of the United States, which was referred to the Committee on the Judiciary.

Under authority of the order of the Senate of August 13, 1969, the Secretary of the Senate, on August 29, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on August 29, 1969, see the end of proceedings of today, September 3, 1969.)

Under authority of the order of the Senate of August 13, 1969, the Secretary of the Senate, on September 2, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on September 2, 1969, see the end of proceedings of today, September 3, 1969.)

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 13, 1969, Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported favorably, with

an amendment, on September 2, 1969, the joint resolution (S.J. Res. 121) to authorize appropriations for expenses of the National Council on Indian Opportunity, and submitted a report (No. 91-389) thereon, which was printed.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On August 18, 1969:

S. 714. An act to designate the Ventana Wilderness, Los Padres National Forest, in the State of California.

On August 20, 1969:

S. 912. An act to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado;

S. 1373. An act to amend the Federal Aviation Act of 1958, as amended, and for other purposes; and

S. 1611. An act to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes.

On August 25, 1969:

S. 742. An act to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of A.

Sydney Herlong, of Florida, to be a member of the Securities and Exchange Commission, which was referred to the Committee on Banking and Currency.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes, and that, at the conclusion of the period for the transaction of routine business, the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. Without objection, the unanimous consent request of the Senator from Massachusetts is granted.

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER FOR RECOGNITION OF SENATOR STENNIS

Mr. KENNEDY. Mr. President, it is my understanding that the distinguished manager of the military authorization bill has requested 1 hour at the termination of the routine morning business. I ask unanimous consent that, at the conclusion of routine morning business, the Senator from Mississippi (Mr. STENNIS) be recognized for 1 hour.

The PRESIDENT pro tempore. Without objection, at the termination of the morning business, the Senator from Mississippi (Mr. STENNIS) will be recognized for 1 hour.

SENATOR DIRKSEN'S ILLNESS

Mr. KENNEDY. Mr. President, all of us on this side of the aisle were extremely distressed to hear about the surgical operation of the distinguished Senator from Illinois (Mr. DIRKSEN). We are heartened by the fact that the operation was successful and that he continues to gain strength. We all are extremely hopeful that he will return speedily to his responsibilities in representing a great State and to his leadership responsibilities as the distinguished minority leader.

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

Mr. KENNEDY. I yield.

Mr. SCOTT. Mr. President, I join in the statement made by the distinguished acting majority leader, the Senator from Massachusetts (Mr. KENNEDY), in his comments concerning the illness of our very able minority leader, Senator DIRKSEN, who, as we all are aware, yesterday underwent surgery at Walter Reed Hospital in Washington.

I am happy to report that all the bulletins on Senator DIRKSEN's condition are good. He is apparently recovering

satisfactorily. We are all counting on his quick and total recuperation. We hope that he will be back with us in the very near future.

I may add that the distinguished Senator from Tennessee (Mr. BAKER), a member of the family, saw Senator DIRKSEN this morning and reported him to be his usual bright, alert, and cheerful self, and that he is coming along very nicely.

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

Mr. KENNEDY. I yield.

Mr. BAKER. I thank the Senator very much.

May I take this occasion, on my own behalf and on behalf of Mrs. Dirksen and my wife, to express our appreciation to the distinguished assistant majority leader and the distinguished minority whip.

The situation, I am happy to report, is coming along very nicely. As the distinguished assistant minority leader correctly stated a moment ago, I was able to see and visit with Senator DIRKSEN briefly this morning; and I am very hopeful that his recovery will progress as satisfactorily as it has begun and that he will soon be back with us.

THE CALENDAR

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 370 and the succeeding measures in sequence.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

COMDR. EDWARD WHITE RAWLINS, USN (RETIRED)

The resolution (S. Res. 96) to refer S. 881 to the Court of Claims was considered and agreed to, as follows:

S. RES. 96

Resolved, That the bill (S. 881) entitled "A bill for the relief of Commander Edward White Rawlins, United States Navy (retired)", now pending in the Senate, together with all accompanying papers, is hereby referred to Chief Commissioner of the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and the court shall proceed expeditiously with the same in accordance with the provisions of said sections and shall report to the Senate, at the earliest practicable date, its findings of fact and conclusions thereon as shall be sufficient to inform the Congress (a) of the nature and character of his demand, as a claim legal or equitable, against the United States, (b) whether Commander Rawlins suffered nonpromotion to the grade of captain as a probable consequence of any arbitrary, capricious, inadvertent, improper, inequitable, or wrongful act or action or combinations thereof by or within the Department of the Navy, and (c) in such event, the amount legally or equitably due from the United States to the claimant, notwithstanding the lapse of time and any statute of limitations or laches.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report

(No. 91-376), explaining the purposes of the resolution.

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

PURPOSE

The purpose of the resolution is to refer the bill S. 881, entitled "A bill for the relief of Comdr. Edward White Rawlins, U.S. Navy (retired)", now pending in the Senate, together with all accompanying papers, to the Chief Commissioner of the U.S. Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and the court shall proceed expeditiously with the same in accordance with the provisions of said sections and shall report to the Senate, at the earliest practicable date, its findings of fact and conclusions thereon as shall be sufficient to inform the Congress (a) of the nature and character of his demand, as a claim legal or equitable, against the United States, (b) whether Commander Rawlins suffered nonpromotion to the grade of captain as a probable consequence of any arbitrary, capricious, inadvertent, improper, inequitable, or wrongful act or action or combinations thereof by or within the Department of the Navy, and (c) in such event, the amount legally or equitably due from the United States to the claimant, notwithstanding the lapse of time and any statute of limitations or laches.

S. 881, which would be referred to the Chief Commissioner of the Court of Claims, provides that, notwithstanding any other provision of law or any commitment in conflict with this act, Comdr. Edward White Rawlins, U.S. Navy (retired), shall for all purposes, nunc pro tunc, be deemed to have been promoted to the grade of captain on the active list of the Regular Navy on July 1, 1947, to have served continuously in such grade until June 30, 1955, and on this latter date to have been placed on the retired list in such grade.

Section 2 of S. 881 provides that the United States shall reimburse Edward White Rawlins in full for all expenses, including attorneys' fees, incurred by him in his efforts to secure the relief which this act grants to him.

Section 3 of S. 881 provides that appropriations currently available for the pay of personnel of the Navy shall be available to pay such sums as are hereby authorized by this act.

STATEMENT

Comdr. Edward W. Rawlins, U.S. Navy (retired), is a graduate of the U.S. Naval Academy of the class of 1924. He served in active duty in World War II. He was promoted to the rank of commander in August, 1942.

A Navy wartime promotion panel declined to promote him to the rank of captain in June, 1943, even though many of the members of the class of 1924 were given this promotion. The failure to promote Commander Rawlins to the rank of captain is the subject matter of this legislation.

The claimant contends that the failure to promote him to captain was due to administrative errors on the part of the wartime promotion panel. Specifically, claimant contends that at the time his promotion to captain was being considered, a derogatory letter was in his files. Claimant further maintains he had previously submitted documents completely refuting the derogatory allegations contained in the aforementioned letter, but that his rebuttal material was not placed in his file; and that as a result, the promotion panel erroneously treated the derogatory allegations as being true.

Commander Rawlins contends that he had an excellent record at the time he was considered for promotion to captain. Alleged evidence of this contention will be cited subsequently in this report.

Commander Rawlins petitioned the Board for Correction of Naval Records to correct

the actions of the wartime promotion panel, but on January 14, 1949, the Navy Department declined to grant Commander Rawlins a hearing before that Board.

This case has a lengthy legislative history. In the 81st Congress, second session, the Senate passed S. 780, which would have provided that the Secretary of the Navy be directed to appoint a Board of commissioned Naval and Marine Corps officers to review the records of certain commissioned officers, of which Commander Rawlins was one, to determine if there were any error, administrative delay, oversight, or injustice that caused the officers concerned to fall of an advancement in grade or rank which would otherwise have been made. This bill originally provided for the relief only of Commander Rawlins, but it was amended by the Committee on Armed Services of the Senate to provide for more general relief to others in his category.

Hearings were held by the Armed Services Committee on this legislation and it is pertinent to here quote findings made in the committee report, being Report No. 3012, 81st Congress, second-session, on this legislation: S. 780 was originally introduced in the Senate as a private relief bill for the promotion of Comdr. Edward White Rawlins, U.S. Navy. The companion bill in the House was H.R. 2533. The private relief bill would have promoted Commander Rawlins to the permanent rank of captain due to alleged injustices brought about by the operation of the so-called panel promotion system.

On July 24, 1941, the selection board procedure for promotion in the Navy was suspended to the urgencies of the war situation. In lieu thereof and up until August 7, 1947, a panel system was used for determining promotions. The panel system was a short-cut system whereby it was not necessary for members of the panel to meet together, nor were they under oath. As circumstances permitted, the members of the panel reviewed the records of officers for promotion to the next high rank and rendered individual recommendations and reports on the cases reviewed by them.

There is ample evidence in the record that Commander Rawlins may have suffered due to an administrative error. It appears a letter was missing from his file which would have refuted a detrimental statement concerning him. For this reason, he alleges that he was passed over for promotion and, therefore, sought congressional action in gaining his promotion to the next higher rank.

S. 780 was passed by the Senate on July 6, 1949, and was reported by the House Armed Services Committee, but died on the House calendar in December 1950.

In the 83d Congress, first session, the Senate passed S. 1063, which was identical to S. 780, 81st Congress, first session. It is pertinent to quote from portions of the report of the Committee on Armed Services of the U.S. Senate, being Report No. 211, 83d Congress, first session, as follows:

As originally introduced, this bill would have provided for the promotion of Comdr. Edward White Rawlins, U.S. Navy, to the permanent rank of captain due to alleged injustices brought about by the operation of the so-called promotion panel system. During the course of the committee's hearings on this bill, it was developed that during the period from July 24, 1941, to August 7, 1947, the so-called selection-board procedures of the Navy were not in operation due to the urgencies of the war situation. In lieu thereof a panel system was adopted for promotions up to and including the rank of captain. A slightly different procedure was used for promotions to flag rank. Evidence before the committee indicated that the panel system was an expedient whereby designated officers, usually in addition to other duties would, at such times as circumstances permitted, review the records of officers for pro-

motion to the next higher rank. The members of these panels did not meet as a body but rendered individual recommendations and reports on the cases reviewed by them.

In the specific case of Commander Rawlins, there was evidence that he was an officer of excellent abilities with a long and favorable record in the Navy. Apparently due to the act that a less favorable, although not unsatisfactory, fitness report was filed on Commander Rawlins at about the time he was considered by a panel for promotion to the rank of captain, he was passed over by that panel. Subsequent panels, either as a result of the action of the first or because of their consideration of the same records, also failed to nominate him for promotion to captain. Evidence was submitted to the Committee, both in verbal testimony and in the form of letters to the committee by highly placed officials of the Navy Department, including many former superiors of Rawlins, to the effect that they felt an injustice had been done. The record shows that with the exception of this one fitness report he had an excellent record within the Navy Department and in fact was decorated for his performance of duty during the period in question. The Navy Department officially opposes approval of the bill as introduced. On the other hand there was complete unanimity among even the official representatives of the Navy Department that Commander Rawlins was and is qualified to perform the duties of captain.

On July 10, 1954 Senator Edwin C. Johnson of Colorado offered an amendment on the Senate floor to H.R. 6725, 83d Congress, second session. This amendment, which was adopted, provided for the retroactive promotion to the rank of captain of Commander Rawlins and one other officer. H.R. 6725, as amended, passed the Senate. However, in the conference between the House and Senate to compose differences in the two versions of H.R. 6725, the provisions benefiting Commander Rawlins were removed.

BUFFALO NATIONAL RIVER

The Senate proceeded to consider the bill (S. 855) to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 3, line 4, after "(b)" strike out "With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may retain the right of use and occupancy of the improved property for noncommercial residential purposes, for a term, as the owner may elect, ending either (1) upon the death of the owner or his spouse, whichever occurs later, or (2) not more than twenty-five years from the acquisition."; and insert "With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of (1) improved property and used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or of (2) lands used solely for agricultural purposes on such acquisition date may retain the right of use and occupancy of such property for such respective purposes for a term, as the owner may elect, ending either (a) upon

the death of the owner or his spouse, whichever occurs later, or (b) not more than twenty-five years from the date of acquisition."; on page 4, line 10, after the word "residential" insert "or agricultural"; on page 6, line 17, after the word "the" strike out the word "component" and insert "national river"; on page 7, after line 2, strike out:

"SEC. 6. Any person authorized by the Secretary to enforce any Federal laws or regulations applicable to the Buffalo National River may, with or without a warrant, arrest any person who violates such laws and regulations in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction, and may with a search warrant or as an incident to a lawful arrest, search for and seize property taken, used or possessed in violation of said laws and regulations. Anything so seized shall be held by such person or by the United States marshal pending disposition of the case by the court, magistrate, or commissioner. Upon conviction, any fish, bird, mammal, or other wild vertebrate or invertebrate animal, or part or nest or egg thereof seized shall be forfeited to the United States or otherwise disposed of by the court, magistrate, or commissioner. Upon conviction, any other property, except property of the United States, used or possessed in violation of said laws or regulations, including but not limited to any gun, net, or trap, may be forfeited to the United States or otherwise disposed of by the court, magistrate, or commissioner, except that this discretionary authority to forfeit or otherwise dispose of such other property shall apply only in the case of a conviction for an offense involving the taking or possession of property of the United States, or the taking, possession, capturing, hunting, or killing, or attempt thereof, of any fish, bird, mammal, or other wild vertebrate or invertebrate animal, or part of nest or egg thereof."

On page 8, line 6, change the section number from "7" to "6"; in the same line, after the word "appropriated" strike out "such sums as may be necessary to carry out the purposes of this Act."; and in line 8, after the word "Act." insert "not to exceed \$9,200,000 for acquisition of land and not to exceed \$8,225,400 for the development of the area as provided for in this Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of conserving and interpreting an area containing unique scenic and scientific features, and preserving as a free-flowing stream an important segment of the Buffalo River in Arkansas for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") may establish and administer the Buffalo National River. The boundaries of the national river shall be as generally depicted on the drawing entitled, "Proposed Buffalo National River" numbered NR-BUF-7103 and dated December 1967, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary may revise the boundaries of the national river from time to time, but the total acreage within such boundaries shall not exceed ninety-five thousand seven hundred and thirty acres.

SEC. 2. (a) Within the boundaries of the Buffalo National River, the Secretary may acquire lands and waters or interests therein by donation, purchase with donated or appropriated funds, or exchange, except that lands owned by the State of Arkansas or a

political subdivision thereof may be acquired only by donation. When an individual tract of land is only partly within the boundaries of the national river, the Secretary may acquire all of the tract by any of the above methods in order to avoid the payment of severance costs. Land so acquired outside of the boundaries of the national river may be exchanged by the Secretary for non-Federal lands within the national river boundaries, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended. With the concurrence of the agency having custody thereof, any Federal property within the boundaries of the national river may be transferred without consideration to the administrative jurisdiction of the Secretary for administration as part of the national river.

(b) With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of (1) improved property and used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or of (2) lands used solely for agricultural purposes on such acquisition date may retain the right of use and occupancy of such property for such respective purposes for a term, as the owner may elect, ending either (a) upon the death of the owner or his spouse, whichever occurs later, or (b) not more than twenty-five years from the date of acquisition. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the term retained by the owner. Such right (1) shall be subject to such terms and conditions as the Secretary deems appropriate to assure that the property is used in accordance with the purposes of this Act; (2) may be transferred or assigned, and (3) may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for noncommercial residential or agricultural purposes, and upon tender to the holder of the right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

(c) As used in this section the term "improved property" means a detached year-round one-family dwelling which serves as the owner's permanent place of abode at the time of acquisition, and construction of which was begun before January 1, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use: *Provided*, That the Secretary may exclude from any improved property any waters or land fronting thereon, together with so much of the land adjoining such waters or land as he deems necessary for public access thereto.

Sec. 3. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Buffalo National River in accordance with applicable Federal and State laws, except that he may designate zones where and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Arkansas Fish and Game Commission.

Sec. 4. The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), on or directly affecting the Buffalo National River and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above the Buffalo National River or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of approval of this Act. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component national river and the values to be protected by it under this Act.

Sec. 5. The Secretary shall administer, protect, and develop the Buffalo National River in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

Sec. 6. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act not to exceed \$9,200,000 for acquisition of land and not to exceed \$8,224,400 for the development of the area as provided for in this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-385), explaining the purposes of the bill.

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

THE RIVER

The legislation would enable the Secretary of the Interior to establish the national river area to include not more than 95,730 acres preserving 132 miles of the Buffalo River, cited by the Department as "among the most outstandingly scenic of free-flowing streams in the Eastern United States."

With little residential or commercial development on its banks, and with no municipal or industrial pollution, the Buffalo River is unspoiled. It provides a unique opportunity for preservation since its headwaters lie within the Ozark National Forest, and the remaining 132 miles of the river can be preserved and administered as a single unit.

Hillsides and bluffs provide a variety of conditions for some 1,500 species of plants * * * while the Buffalo River and its tributaries are one of the richest waterways in the Nation in terms of the total number of fish species.

Within the proposed national river are * * * a 200-foot waterfall in Hemmed-in-Hollow, the highest free-leaping waterfall between the southern Appalachians and the Rockies; a collection of outstanding gypsum formations in Beauty Cave, and a number of archeological sites. These sites can yield the story of Indian occupation from archaic to late prehistoric times—a span of some 9,000 years.

Recreational uses within the proposed Buffalo National River include boating, fishing, swimming, camping, photography, nature observation, and hunting, the report states:

The old trails and wagon roads which wind along the river, parallel the tributaries and traverse the ridges, provide a good basis for developing a system of hiking and riding paths. Two rugged and virtually uninhabited expanses of country, one at each end of this area, will provide unusual primitive environments where a rider, canoeist, trail camper, and scientist may find enjoyment.

The proposed national river includes about 132 river-miles and a total of some 95,730 acres in four counties as follows: Newton County (43,610 acres); Searcy County (24,530 acres); Marion County (26,000 acres); and Baxter County (1,590 acres). The Federal Government owns about 770 acres of land within the national river boundaries, and this acreage is administered by the Forest Service, Department of Agriculture. The State of Arkansas owns about 2,960 acres of land comprising the Buffalo River and Lost Valley State Parks and scattered parcels of public hunting areas. The remaining land acreage within the national river boundaries is in private ownership.

The committee wishes to acknowledge and compliment the National Park Service on its very fine 1968 publication "Proposed Buffalo National River, Arkansas." The information contained therein was of considerable value during the hearings on the measure.

The bill authorizes the Secretary of the Interior to acquire by donation, purchase with donated or appropriated funds, or exchange lands and waters or interests therein within the national river boundaries, and outside of such boundaries in order to avoid the payment of severance costs. Lands owned by the State of Arkansas or its political subdivisions may be acquired only by donation.

As amended the bill provides that owners of improved property or lands used solely for agricultural purposes on the date of acquisition could retain the right of use and occupancy for a term ending either on the death of the owner or his spouse, whichever occurs later, or not more than 25 years from the date of acquisition.

COSTS

The Department of Interior estimates the costs of the proposal as follows:

Land acquisition	-----	\$9,200,000
Development	-----	8,224,000

The committee following its usual practice has amended the bill limiting the authorization to the above figures.

The annual operating costs are estimated to be \$685,800.

AMENDMENTS

On page 3, line 5, amend the first sentence of section 2(b) to read as follows:

(b) With the exception of property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereinafter in this section referred to as "owner") of (1) improved property used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or of (2) lands used solely for agricultural purposes on such acquisition date may retain the right of use and occupancy of such property for

such respective purposes for a term, as the owner may elect, ending either (a) upon the death of the owner or his spouse, whichever occurs later, or (b) not more than 25 years from the date of acquisition.

On page 3, line 24, after the word "purposes" insert the words "or agricultural."

Strike all of section 6 and renumber section 7 as section 6.

Section 6 stricken from the bill on the recommendation of the Department of the Interior provided for arrest authority for violations within the national river. In the report it is indicated that the Department favors general legislation applicable to all areas under the jurisdiction of the Park Service to solve this problem rather than accomplishing it on area-by-area basis.

Amend renumbered section 6 to read as follows:

SEC. 6. There are hereby authorized to be appropriated not to exceed \$9,200,000 for land acquisition and not to exceed \$8,224,400 for development of the area as provided for in this Act.

The Committee on Interior and Insular Affairs recommends enactment of S. 855, as amended.

RECIPROCAL RIGHT OF STATES TO SUE IN DISTRICT OF COLUMBIA COURTS TO RECOVER DELINQUENT STATE TAXES

The bill (S. 2502) to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any State, territory, or possession, by and through its lawfully authorized officials, shall have the right to sue in the District of Columbia Court of General Sessions or in the United States District Court for the District of Columbia, according to the amount in controversy, to recover any tax lawfully due and owing to it when the reciprocal right is accorded to the District by such State, territory, or possession, whether such right is granted by statutory authority or as a matter of comity.

SEC. 2. The certificate of the secretary of state or other authorized official of any State, territory, or possession, or subdivision thereof, to the effect that the official instituting the suit for collection of taxes in the courts of the District of Columbia has the authority to institute such suit and collect such taxes shall be conclusive proof of that authority.

SEC. 3. For the purposes of this Act, the term "taxes" shall include—

(1) any and all tax assessments lawfully made, whether they be based upon a return or other disclosure of the taxpayer, or upon the information and belief of the taxing authority, or otherwise;

(2) any and all penalties lawfully imposed pursuant to a taxing statute, ordinance, or regulation; and

(3) interest charges lawfully added to the tax liability which constitutes the subject of the suit.

SEC. 4. The Corporation Counsel or any of his assistants is authorized to bring suit in the name of the District of Columbia in the courts of States, territories, and possessions, and subdivisions thereof, to collect taxes lawfully due the District. The Commissioner

of the District of Columbia is authorized to procure professional and other services, at such rates as may be usual and customary for such services in the jurisdiction concerned, when he deems it necessary for the prosecution of any suit authorized herein.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-386), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of S. 2502 is to authorize suits in the courts of the District of Columbia for the collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when a reciprocal right is accorded to the District.

NEED FOR THE LEGISLATION

According to the Finance Officer of the District of Columbia, many individuals move out of the District each year leaving unpaid District income taxes. In addition, corporations, other organizations, and individuals may, while located at or operated from places outside the District, incur liability for employer withholding, sales and use, franchise, or death taxes. Some evade payment of District taxes and other compliance with District tax laws because they are not within the jurisdiction of the District for normal enforcement proceedings.

Under the proposed legislation, the Corporation Counsel or any of his assistants would be authorized to sue for delinquent District taxes and obtain judgments in the courts of the States. A judgment obtained in a State court would be effective against the taxpayer's assets located within the State. Compliance with District tax laws should be greatly improved in consequence.

Tax collection suits by sister States and the District of Columbia may be brought on a reciprocal basis under the laws of 40 States, including nearby Maryland and Virginia. The bill (S. 2502) is necessary in order that the District may be eligible to proceed in the courts of these States under such reciprocal authority.

The committee is informed that the proposed legislation (S. 2502) is similar to general comity laws for such purposes of the following States:

Alaska	New York
Arkansas	New Jersey (income)
California	North Carolina
Delaware	North Dakota
Georgia	Ohio
Hawaii	Alabama
Idaho	Oklahoma
Indiana	Oregon
Iowa	Pennsylvania
Kansas	Rhode Island
Kentucky	South Carolina
Louisiana	South Dakota
Maine	Tennessee
Massachusetts	Texas (sales and use)
Michigan	Vermont
Minnesota	Virginia
Mississippi	Washington
Missouri	West Virginia
New Hampshire	Wisconsin
New Jersey	Maryland
New Mexico	

The District of Columbia government, by the Commissioner thereof, recommends enactment of the proposed legislation (S. 2502), so that the District may take advantage of the widespread reciprocal authority for tax collection provided by other jurisdictions. The District government does not anticipate that the bill will impose on the courts of the District of Columbia any substantial increased caseload. In addition, the Department

of Justice and the Bureau of the Budget have advised that there is no administration objection to this bill (S. 2502).

PROVISIONS OF THE BILL

Section 1 of the proposed legislation grants to any State, territory, or possession, or any political subdivision thereof, the right to sue in the courts of the District of Columbia when the reciprocal right is accorded to the District either by statute or as a matter of comity.

Section 2 provides a means of certifying the officials authorized to institute such an action in the District of Columbia courts.

Section 3 defines the term "taxes" to include all assessments, penalties, and interest.

Section 4 authorizes the Corporation Counsel or any of his assistants to bring actions in the courts of States, territories, and possessions, and subdivisions thereof, to collect taxes legally due the District. Since such suits may occasionally require the assistance of local investigators or local counsel, section 4 authorizes the Commissioner of the District of Columbia to retain such services without the limitations on per diem compensation imposed by section 15 of the act of August 2, 1946, 60 Stat. 810 (Public Law 89-600).

HEARING

A public hearing on S. 2502 was held before the Judiciary Subcommittee of this committee on August 8, 1969. There was no opposition to the legislation.

HISTORY OF THE LEGISLATION

S. 2502 is derived verbatim from S. 1628 (90th Cong., 2d sess.) as passed by the Senate on June 26, 1968.

CONCLUSION

In the committee's view, the District of Columbia government should be made eligible to proceed in State courts for the collection of delinquent taxes, and to avail itself of the reciprocal authority granted by State laws for this purpose.

Accordingly, the committee commends S. 2502 to the Senate for favorable action.

AMENDMENT OF SURVIVOR ANNUITY PROVISIONS OF THE DISTRICT OF COLUMBIA JUDGES RETIREMENT ACT OF 1964

The Senate proceeded to consider the bill (S. 2056) to amend title 11 of the District of Columbia Code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund for amounts paid for such annuity which had been reported from the Committee on the District of Columbia with an amendment on page 2, after line 4, strike out "(B) to have any amounts credited to his individual account under this subsection, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of his election under this sentence, returned to him." and, in lieu thereof, insert "(B) to have any amounts credited to his individual account under this subsection, to the date of his election under this sentence, returned to him, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded annually to December 31, 1956."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That paragraph (4) of subsection (b) of section 11-1701 of title 11 of the District of Columbia Code is amended by adding at the end thereof the following: "Any judge who elected to bring himself within the purview of this subsection and who after making such election is unmarried and has no dependent child may elect—

"(A) to terminate the deductions and withholdings from his salary under paragraph (2) of this subsection and any installment payments elected to be made under paragraph (3) of this subsection, and

"(B) to have any amounts credited to his individual account under this subsection, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of his election under this sentence, returned to him.

"(B) to have any amounts credited to his individual account under this subsection, to the date of his election under this sentence, returned to him, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded annually to December 31, 1956.

Any election under the preceding sentence shall be made in writing and filed with the Commissioner in such manner and at such time as he shall prescribe."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-387), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of S. 2056 is to remedy an inequitable situation that exists under the survivorship annuity provisions of the District of Columbia Judges Retirement Act of 1964.

The Retirement Act in question provides an elective system of survivorship annuities for the judges serving on the local courts of the District of Columbia. If a judge elects this coverage, he contributes 3 percent of his salary—through payroll deductions—to a District of Columbia judicial retirement and survivors annuity fund. Upon his death in service or in retirement after having rendered at least 5 years of qualifying service, the judge's widow and dependent children become entitled to an annuity.

For purposes of this survivors annuity, the statute defines the term "widow" as a surviving wife who was married to the judge for at least 2 years immediately preceding his death, or who is the mother of issue born of her marriage to the judge and who has not remarried. A "dependent child" means an unmarried child who is under the age of 18 years or who because of physical or mental disability is incapable of self-support. These are the only categories of persons eligible to receive a survivors annuity.

A problem exists, because under existing law the election to provide a survivors annuity is irrevocable. Notwithstanding the fact that a judge's wife may have predeceased him and all of his children may have grown up, married, and gone their own ways there is no provision in the law permitting the judge to terminate this coverage. He must continue to make contributions to the survivors annuity fund even though no one remains who would be eligible to receive an annuity. Further, the present law provides

that in such a case and on the death of the judge all of his contributions for the survivors annuity, plus interest at stated rates, must be refunded to a beneficiary designated by the judge or to other survivors according to an order of priority set out in the statute.

In your committee's judgment, it is highly inequitable to require one to make continued contributions toward the survivors annuity provided by the statute in question when no eligible survivor remains. Also, it makes little sense to require the continued accumulation of a survivors annuity fund only to have it paid out with interest to nondependents following the judge's death.

Your committee feels that once there has been a failure of beneficiaries a judge should be permitted to terminate his survivorship coverage. This would be compatible with the Federal civil service retirement system, which permits an employee to elect not to provide for a survivors annuity at the time he retires from the service, which he or she may do even though there may be eligible survivors.

Further, your committee feels that on a failure of beneficiaries and an election by a judge to terminate the coverage the individual's contributions for a survivors annuity should be refundable. The existing law makes little sense in authorizing such a refund only after the judge's death. The funds should be made available to the judge who made the contributions during his lifetime.

The purpose of S. 2056 is to remedy this situation. As reported by your committee, the bill amends existing law to permit any such judge who has elected to bring himself within the purview of the survivorship annuity provisions of the statute and who after making such election becomes unmarried and has no dependent child to elect—(1) to terminate deductions and withholdings from his salary for survivor annuity purposes and elected to make for such purposes, and (2) any installment payments he may have to have any amounts credited to his individual account for survivorship annuity purposes returned to together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually to December 31, 1956.

COMMITTEE AMENDMENT

As introduced, S. 2056 provides that upon his election to terminate survivorship annuity coverage a judge would be entitled to have any amounts credited to his individual account for such purposes returned to him, together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year.

On the recommendation of the District of Columbia government and the Department of Justice, your committee has amended the bill to provide that such repayment shall bear interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually to December 31, 1956.

HEARING

A regularly scheduled and noticed public hearing on S. 2056 was conducted by the committee's Judiciary Subcommittee on August 8, 1969. Testimony was received from representatives of the District of Columbia government, and a report on the bill was submitted by the Department of Justice. There was no opposition to the bill as amended and reported by your committee.

LEASE OF DISTRICT PROPERTY TO THE JEWISH HISTORICAL SOCIETY OF GREATER WASHINGTON

The bill (H.R. 12677) to authorize the Commissioner of the District of Columbia to lease to the Jewish Historical Society of Greater Washington the former synagogue of the Adas Israel Con-

gregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum was considered, ordered to a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-88), explaining the purposes of the bill.

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

PURPOSE

The purpose of H.R. 12677 is to authorize the Commissioner of the District of Columbia to acquire the city's oldest synagogue building, the synagogue of Adas Israel Congregation, and to lease it and real property of the District of Columbia to the Jewish Historical Society of Greater Washington.

NEED FOR THE LEGISLATION

The Commissioner of the District of Columbia does not have authority under existing law to enter into agreements for the preservation of historic buildings such as Adas Israel Synagogue. The authority to be granted by H.R. 12677 is sought because of vital Government interest in the property: the Washington Metropolitan Area Transit Authority owns the building; and the District of Columbia has highway property which is a suitable site for its location.

The Jewish Historical Society of Greater Washington desires to obtain a lease of the building and property on which it may be relocated, to move the synagogue and to restore it for use as a museum and as headquarters for the society. It has pledged itself to raising the required funds to match Federal grants for this purpose.

ADAS ISRAEL SYNAGOGUE

This building was the first synagogue erected in the District of Columbia. It was built between 1873-76 at the corner of 6th and G Streets NW., and was used by the Adas Israel Congregation until that group moved into larger quarters in 1907. It was subsequently used as a church and for small commercial firms. Your committee is advised that it is still structurally sound and has retained much of the original detail, particularly on the second floor which contained the synagogue, the lower floor having originally been used for classrooms.

The synagogue has been included by the Department of the Interior in the National Register of Historic Places. Because of this recognition of its importance historically, Adas Israel Synagogue is protected by the provisions of the National Historic Preservation Act of 1966. It is potentially eligible for grants in aid under that act, and its demolition may be contested before the Council on Historic Preservation, an independent Federal agency.

Adas Israel Synagogue is also listed in the Historic American Buildings Survey, an internationally famous archive of the records of distinguished structures, maintained by the Library of Congress for the use of scholars and architects. The Joint Committee on Landmarks has designated it a Category II landmark of importance.

AGENCIES' ACTIONS

Your committee is advised that Government agencies concerned with preservation of the Adas Israel Synagogue, the District of Columbia government, Washington Metropolitan Area Transit Authority, the Department of Housing and Urban Development, and the National Capital Planning Commission, and the Jewish Historical Society of Greater Washington, have approved the following commitments:

1. The District of Columbia government will provide a site for the structure on a

triangular remnant of land formed by a ramp off the Center Leg Freeway at Third and F Streets, N.W., to be made available by the Highway Department.

The City Council will apply for a HUD historic preservation grant to meet half the cost of moving and restoring the building. The building and site will remain government property and will be leased on long term to the Jewish group in accordance with Federal law.

2. The Jewish group will provide the 50 percent share of local funds required to match the HUD grant.

3. WMATA will donate the building and allow sufficient time for its removal.

4. The NCFP will prepare a site plan for the new location.

5. The Department of HUD will provide a grant for restoration of the structure under title VII of the 1961 Housing Act as amended.

The site finally approved by officials of the Federal Bureau of Public Roads is the northeast corner of 3d and G Streets, Northwest, three blocks from the synagogue's present location, on a triangular plot not required for the needs of the Government. The sum to be requested from HUD is \$60,500.

The District of Columbia Council endorsed the project in a resolution passed Dec. 17, 1968.

The Corporation Counsel of the District of Columbia has endorsed the bill.

AUTHORIZATION OF APPROPRIATIONS FOR EXPENSES OF THE NATIONAL COUNCIL ON INDIAN OPPORTUNITY

The Senate proceeded to consider the joint resolution (S.J. Res. 121) to authorize appropriations for expenses of the National Council on Indian Opportunity, which had been reported from the Committee on Interior and Insular Affairs with an amendment at the beginning of line 4, strike out the word "sums" and insert "sums, not to exceed \$300,000 annually"; so as to make the joint resolution read:

S.J. RES. 121

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated such sums, not to exceed \$300,000 annually, as may be necessary for the expenses of the National Council on Indian Opportunity, established by Executive Order Numbered 11399 of March 6, 1968.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-389), explaining the purposes of the joint resolution.

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

PURPOSE

The purpose of Senate Joint Resolution 121, introduced by Senator Jackson as requested in an executive communication from the Bureau of the Budget, is to authorize funds for expenses of the National Council on Indian Opportunity. As amended by the committee, the ceiling on authorizations for the Council would be set at \$300,000 annually.

The National Council on Indian Opportunity was established by Executive Order No. 11399 of March 6, 1968. The purpose of the Council is to encourage full use of Federal

programs to benefit the Indian population, including interagency coordination and cooperation and appraising the impact and progress of Federal programs for Indians. The Executive order designates the Vice President as Chairman of the Council and provides for a membership consisting of six Indian leaders appointed by the President for 2-year terms and representatives of the Departments of Agriculture, Commerce, Health, Education, and Welfare, Housing and Urban Development, the Interior, and Labor, and the Office of Economic Opportunity.

NEED

Originally, it was anticipated that the funds and staff necessary for the successful operation of the Council would come through assessment of member departments. However, Public Law 90-479, appropriating funds for public works, contained language making it unlawful for appropriated funds to be used to finance interdepartmental boards, commissions, councils, committees, or similar groups not having prior and specific congressional approval. This act led to the request for specific congressional authority contained in Senate Joint Resolution 121.

The committee was advised that the Council is requesting \$300,000 for fiscal year 1970. These funds will provide seven positions—an Executive Director, an administrative assistant, three professional staff, and two clerks. This staff will work closely with staff of member departments to provide opportunities for program coordination and will keep in communication with tribal groups to assist them in their efforts to qualify for Federal programs. Staff needs account for nearly \$100,000.

The Council will also draw on outside experts as needed, which might involve expertise in civil rights law, medical services, agricultural practices, housing, or any of a score of technical areas. Indian members of the Council must be compensated for time spent in meetings of the whole group, in subcommittee meetings and hearings, or in investigations on behalf of the Council. This part-time activity of Council members and outside consultants will require \$80,000 in fiscal year 1970.

The remaining \$120,000 will defray costs of travel and all other expenses.

AMENDMENTS

As submitted by the Bureau of the Budget, the draft resolution provided an open-end authorization for funds to operate the Council. At the request of the Vice President, the resolution has been amended to set the authorization at not to exceed \$300,000 annually.

COST

Enactment of Senate Joint Resolution 121 will result in additional Federal expenditures of up to \$300,000 each year.

ORDER OF BUSINESS

Mr. EASTLAND. Mr. President, I ask unanimous consent to address the Senate for 15 minutes.

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

S. 2853—INTRODUCTION OF A BILL TO PROVIDE ADDITIONAL ASSISTANCE TO CERTAIN STATES FOR THE RECONSTRUCTION OF AREAS DAMAGED BY HURRICANE CAMILLE

Mr. EASTLAND. Mr. President, on behalf of myself and Mr. STENNIS, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. SPARKMAN, Mr. ELLENDER, Mr. LONG, Mr. SPONG, and Mr. BYRD of

Virginia, I send to the desk a bill for appropriate reference.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The bill will be received.

The bill (S. 2853) to provide additional assistance to the States of Alabama, Louisiana, Mississippi, Virginia, and West Virginia for the reconstruction of areas damaged by Hurricane Camille, introduced by Mr. EASTLAND (for himself and other Senators), was received and read twice by its title.

Mr. EASTLAND. Mr. President, I rise today with a heavy but a hopeful heart—with a spirit saddened by the suffering of Americans but strengthened by their unwavering courage in adversity.

I would attempt to describe—in words which cannot paint the picture—the awesome destruction inflicted on our people and property by Hurricane Camille, and I introduce with Mr. STENNIS, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. SPARKMAN, Mr. ELLENDER, Mr. SPONG, Mr. LONG, and Mr. BYRD of Virginia a legislative program designed to alleviate the suffering of our citizenry and to rebuild shattered sections of our country.

Camille, the strongest storm ever tracked by our weathermen, and proclaimed the greatest natural disaster in modern history, slammed into the gulf crescent out of the black night of August 17.

She struck at areas of Louisiana laid waste by Betsy in 1965 and fell with all her fury on coastal and inland sections of my State. The typhoon-type giant brought death and devastation to our neighbors in Virginia and West Virginia before the North Atlantic Ocean finally brought her down.

As soon as travel was possible on the day after the hurricane, I went into the gulf region of Mississippi. I met with Governor Williams and State officials already on the scene, and in the company of Mr. Fred LaRue, personal representative of President Nixon, and members of my staff, conducted an extensive inspection of the afflicted areas by helicopter and automobile.

I remained in the devastated section for 3 days, speaking to officials and residents, seeking means and methods of relieving and rehabilitating the area and I assigned two members of my staff to this vital mission.

Because my knowledge of the havoc caused by Camille is limited to Mississippi, I shall shape my remarks around my State. However, my deepest sympathy goes out to all who paid the price of standing in the path of this storm, and I propose to render maximum assistance to hurricane victims in my State and in each State devastated by this disaster.

From end to end of our beautiful coast, spanning a 60-mile-wide section, winds in excess of 200 miles per hour literally smashed the physical structure and the economy of the area; and tides of more than 30 feet swept inland, washing over and completing the destruction of one of the most rapidly developing regions in America.

The summary of damage—the litany of losses—strains comprehension and

burdens the mind. Every official, each person who viewed the pulverized land, came away with bowed head and stricken spirit.

The most modern motel—the humble dwelling—the stately mansion—the public building—the Port of Gulfport—fatally wounded by the wind; washed away and scattered by the water.

Historic churches, business and service establishments, fine restaurants, seafood plants, recreational facilities, banking houses, gutted and littered, or reduced to rubble or represented by mounds of ugly debris.

Scenic Highway 90 rended, post offices gone, water and sewage systems demolished, gas and power and telephone services wiped out, bridges heavily damaged or destroyed, roads and streets impassable, chaos and wreckage everywhere.

And the sights, the sounds, the unforgettable impressions. Three oceangoing steamships driven onto shore—steps leading to an empty slab where a home stood—the sad search for bodies—the noise of aircraft flying in desperately needed supplies—the clatter of heavy equipment removing debris—the faces stamped with grief and shock and fatigue. And the voices—"I lost my wife—my mother—my child"—"I lost my home"—"My business is gone"—"I cannot find my family."

The enormity of this catastrophe is impossible to describe; indeed, it is almost impossible to grasp.

This superstorm took an estimated 400 lives in my section and in Virginia and brought injury and illness to thousands of our citizens.

As difficult as this is to believe, I am speaking of more than 19,000 homes destroyed or sustaining major damage, over 24,000 homes suffering lesser damage, and almost a thousand farm buildings destroyed or heavily damaged.

Try to imagine an occurrence which causes major losses for 66,200 families, which will require long-term rehabilitation assistance for 19,000 families, which wiped out or crippled 650 small businesses, which affected almost 2 million acres of timber involving half of Mississippi's annual pulpwood harvest, which totally demolished our tung and pecan industries.

These are the partial grim statistics to date that tell the horrifying story of the passage of Hurricane Camille.

However, Mr. President, Camille has passed and in the American tradition the business at hand now is to rebuild, to rise from the wreckage.

In this mission we have a shining example to follow. I have tried to detail what is gone and what has been lost. And now I can report to the Senate, with a pride beyond my power to express, what remains—firm and unshaken.

I speak of the spirit of the people who live by the sea. Cruelly hurt, bereaved, deprived of the efforts of a lifetime—the citizenry of our coastal section face the future with faith and hope and unflinching courage.

The Governor of Mississippi asserted "we will rebuild"—and the residents of the southern portion of our State say—

with the voice of valor—"we will rebuild."

Mr. President, those who bore the burden of this catastrophe stand as symbols of the great truth that, while man and his works can be swept away, the human spirit endures and will prevail. The gallant people who are picking up the pieces of their lives along the shore of the sea remind us that Winston Churchill was right when he said, "Humanity will not be cast down."

I can report to the Senate also, with gratitude and satisfaction, that the response of the Federal Government in this calamity was a model of generosity and effectiveness.

This country, with her good heart and her great resources, rushed to the aid of her stricken citizens.

President Nixon has stated repeatedly his personal concern over this disaster. The distinguished Vice President of the United States personally inspected the devastated area, along with Secretary Romney, General Lincoln, and others. We appreciate Vice President Agnew's sensitive and sympathetic attitude and actions. Seven members of the Public Works Committee of the House of Representatives toured the region with a sincere view toward assisting the hurricane victims.

The list of Federal agencies which moved into the area reads like a roll-call of the resources of this Nation. The military services performed near miracles and their selfless, tireless, and heroic efforts are a credit to every man and woman who serves or has served in our Armed Forces. I salute, particularly, the Mississippi National Guard, the Army Engineers, and the Seabees. Every person involved in this tragic event understands why the Seabee motto is "Can Do."

I am equally proud of the conduct and the devotion to duty of our local and State officials. In spite of destroyed facilities, seemingly insoluble problems, extreme fatigue and personal losses, the local leaders sought with all their strength to serve our people. The leadership of Mississippi, headed by Governor Williams, including the chiefs of all departments and agencies, deserve the highest commendation for their exemplary performance under the most adverse of circumstances and conditions.

The State of Mississippi, with her limited resources, and the United States, with her wealth and power, have offered their hands and their help to the victims of this killer storm.

Now, Mr. President, in addition to the programs which are already in force and effect and which offer needed aid to our citizens, what can we do here to effectively support the massive effort which must be made to rebuild the physical structure and the economy of large sections of our land?

The harsh fact that we must deal with—in the case of Mississippi—is that the 60-mile-wide section proudly styled "America's Riviera" is, as I speak today, gone with the winds and the tides.

The economy was anchored by tourism and the seafood industry. The motel-restaurant complex, with several fortunate exceptions, is strewn across the

littered landscape. The processing plants which were the life of the commercial fishing business are shattered or crippled, machinery and equipment inoperable, buildings demolished or heavily damaged, inventories reduced or destroyed.

We have here a double disaster. We regard a situation in which the head of a family has lost his home, and the place of business where he earned a livelihood. He is without housing, clothing, transportation, and his job. The foundations of his life were snatched away in one night and he is reduced to zero. A service station operator has lost his home—his station—and his wreckers. A veteran fisherman is without his boat and his house and the cannery where he sold his catch. A cook or a waitress has lost a dwelling and the motel-restaurant which supported the family. The economy of the area is not slowed—not depressed—it simply does not exist at this time.

To further complicate a bleak and bitter situation—the coastal section was a leading revenue producer for my State—contributing 20 percent of the funds which operate the government of Mississippi. Thus the losses we have sustained along and behind the seashore have removed one-fifth of the financial foundation of the State.

Additionally—we confront a condition wherein small communities have—in the most literal sense—been wiped out. City halls, community centers, fire stations, are gutted or gone. Streets and water and sewage systems on which bonded indebtedness is outstanding are smashed. Populations are evacuated or impoverished. The tax rolls are decimated and the tax base is buried under debris. Taxpayers have no place to live and no place to work. Unless towns like Pass Christian are supported and sustained until a resumption of normal operation is possible—these old and valuable communities are in danger of becoming permanent casualties of Camille.

Mr. President, we seek solutions to our problems and cures for our ills in proven concepts which were successful in similar circumstances in the past.

Our rebuilding philosophy is based on the comments of all who viewed the results of this unprecedented catastrophe. Time after time we heard: "It looks like a battlefield." "It has the appearance of an area which was shelled from the sea and bombed from the air." "It reminds me of towns we passed through during World War II in Europe."

We considered the devastation visited on Europe by the machines of war—and that brought to these stricken sections by the awesome might of Camille and we drew a healing parallel.

Even as Europe was rebuilt from the ruins of conflict by this great and generous Nation through the application of the Marshall plan—so can the storm-wracked areas of America be raised up by means of the modified and miniature Marshall plan we offer today in the Hurricane Camille Disaster Relief Act.

This legislation is the product of careful and coordinated research of the Alaska, California, Indiana, and Betsy bills and relies heavily on the excel-

lent and comprehensive provisions of S. 1685—the Bayh bill—in which the distinguished Senator from Indiana was joined by 26 of our colleagues.

The Camille Act launches an attack on pressing problems involved in three critical categories:

First. To provide housing and food—the most basic of the necessities;

Second. To restore viability to the business and industrial sectors of activity in order to bring life back to the economy which supports these sections; and

Third. To sustain public facilities—on a temporary basis—until vital services are restored and the population is rehabilitated to that condition which allows the resumption of the normal and orderly function of local governmental entities.

We seek—in short—to protect our people—to renew their economic strength—to preserve their communities.

Specific provisions of this act would authorize action toward the attainment of our goals.

The Department of Housing and Urban Development is empowered to provide mobile homes as temporary housing and may sell these trailers to refugee-occupants at fair and reasonable prices.

The President may make available housing where requirements go beyond the temporary—and such housing can be rented or purchased at reasonable rates.

S. 2853 authorizes long-term, low-interest refinancing of home and business loans by SBA.

The Small Business Administration is authorized to forgive existing disaster loans in the amount of \$5,000 and waive interest for 4 years in a like amount. SBA's loan ceiling of \$100,000 for business loans and \$30,000 for home construction is lifted to allow borrowers to rebuild the tourist and seafood processing facilities which are the backbone of the area's economy—and to allow homeowners to rebuild despite mortgage commitments or moneys owing from Hurricane Betsy. Small Business authority is expanded to encompass loans to public and private schools as well as to colleges and universities as provided under existing law—and the forms and procedure for obtaining loans are simplified.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Mississippi may proceed for 5 additional minutes.

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

Mr. RANDOLPH. Mr. President, would the distinguished Senator from Mississippi yield to me at this point, as I find it necessary to leave the Chamber because of an appointment?

Mr. EASTLAND. I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, the distinguished Senator's proposed legislation and his report on the hurricane disaster give us reason to consider accelerating our efforts. If the Senator will

allow me to supplement to his remarks, my first comment is that he outlines with clarity the severity of the catastrophe which swept across Mississippi. And it is a catastrophe of terrible magnitude that also visited damages of differing degrees on areas of Louisiana, Virginia, West Virginia, and even other sections of the country.

The Senator from Mississippi makes particular mention of the disaster legislation previously reported from the Public Works Committee. That legislation, as he and his distinguished colleague, Mr. STENNIS, know, passed the Senate. But the measure passed by the House was not broadly national in scope, as is the Senate-passed bill. The House legislation is applicable to relief for a California disaster condition. We are attempting to have those two measures brought promptly before the Senate-House conference created to resolve their differences.

I wish to add to the references made to the legislation being introduced today by the Senator from Mississippi that it is our desire in the Public Works Committee and its Subcommittee on Rivers and Harbors and Flood Control to move forward as quickly as possible with brief but comprehensive hearings. We will highlight the situation that has caused many fatalities and much devastation in Mississippi, part of its neighbors, Alabama and Louisiana, and which also triggered the tragic flash flooding of sections of the Virginias—especially in the Commonwealth of Virginia. Damage in West Virginia was moderately severe in parts of three counties.

We will hope to be better able to supplement the legislation now in conference and to later add features of the measure which I am privileged to cosponsor with my colleagues from Mississippi, Louisiana, Alabama, Virginia, and West Virginia. We must seek to authorize in our laws those governmental actions to help bring the devastated areas back to a wholesome economy.

That is our desire. We will work very carefully with the Senators from Mississippi, Louisiana, Alabama, and Virginia, as well as with the senior Senator from Kentucky (Mr. COOPER), who is the ranking minority member on the Public Works Committee. Senator COOPER and I have talked again this morning about this matter. Other members of the committee—including the Senator from Virginia (Mr. SPONG), who is now in the Chamber—are appraised of the intense interest generated and of the fact that we are faced with a situation which requires immediate attention.

The Senator from Indiana (Mr. BAYH), author of the Senate-passed disaster relief measure, is most cooperative in this matter. The Senator from Ohio (Mr. YOUNG), chairman of the Subcommittee on Rivers and Harbors and Flood Control, will be working diligently with us so that priority attention will be accorded to the problems of the disaster areas.

For the information of the Senate, we have dispatched two staff members from the Public Works Committee to Mississippi in a further attempt to explore and

evaluate legislative remedies for the serious problems described here today. It is the intention of the Public Works Committee, as an instrument of the Senate, to be as helpful as we can in the matters that the Senator from Mississippi presents to the Senate this afternoon, and we hope to make the legislative remedies national in scope.

Mr. EASTLAND. I thank the distinguished chairman of the committee. I know the committee will proceed and will do a fine job in rebuilding this area of our country, and also in the States of West Virginia and Virginia, where the loss of life was great in the case of Virginia. I do not know about West Virginia.

Mr. RANDOLPH. The Senator refers to West Virginia. My able colleague, Senator ROBERT C. BYRD, is on the floor at this time and he is a cosponsor of the legislation with us. Because the Senator from Mississippi asked about West Virginia, I respond by noting that the devastation which was wrought in our State is not comparable to that which occurred in Mississippi and its neighboring Gulf States. Nor did West Virginia suffer the degree of devastation and the deaths experienced in Virginia. On certification by the Governor of West Virginia, the President has declared Greenbrier, Nicholas, and my home county of Randolph disaster areas, due to flooding and high winds growing out of hurricane Camille. Pocahontas County also suffered considerably. Senator BYRD and I know of the little town of Anjean, in Greenbrier County. It was obliterated—washed out and blown down.

So when reference is made to West Virginia, our problems there are substantial but not as acute as they are in Mississippi and parts of neighboring Gulf States and in the Commonwealth of Virginia.

We are all conscious of the need to cooperate here because, in a very real sense, this is a national tragedy. We must think of it not in a provincial way, but attempt to do what we can do nationally to meet this problem and be better prepared for future disasters.

Mr. EASTLAND. It is a national problem. We certainly have to attack it on a national basis.

Mr. STENNIS. Mr. President, if my colleague will yield, before the Senator from West Virginia leaves the Chamber, may I thank him for his remarks and also commend the very fine interest he has shown in this matter from the word "Go." I called him over the telephone, and no one ever received a finer response. His heart is in it, as well as his chairmanship.

I also want to thank the Senator from Kentucky, the ranking minority member of this wonderful committee.

I appreciate the fact that the committee is going to have hearings, because I think it is the only way to arrive at a solution.

Mr. RANDOLPH. Yes, it is the only way we can come to grips with this problem as completely as is necessary.

Mr. HOLLAND. Mr. President, will the Senator yield so I may ask a question of the Senator from West Virginia?

Mr. EASTLAND. Yes, I yield.

Mr. HOLLAND. I would like to ask the

Senator from West Virginia whether the level of authorization is sufficiently high in the matter which is in conference, which has been mentioned, to take care of this disaster, or will it require new legislation?

Mr. RANDOLPH. I am of the opinion, I may say to my able and esteemed friend from Florida, that the level of authorization, in view of this catastrophe, is not broad enough to take care of the problems presented. I have just talked here in an aside with the Senator from Virginia (Mr. SPONG). It seems to us that there will be very real reasons to check carefully the need for further legislation. We doubt that either existing law or pending legislation, or both combined, would be adequate.

Mr. HOLLAND. I thank the distinguished Senator. From prior experience which we, unfortunately, have had in my own State, I want to say that we have some idea of the extremities through which the States of Mississippi, Louisiana, Virginia, and West Virginia, to a limited degree, and perhaps others, are passing. I would hope the authorization might be on the generous side, because we have found heretofore that the damage generally goes beyond what is estimated in the beginning.

I would hope also that the authorization measure might be promptly carried through to legislation, because we have found in the appropriation process—and I see on the floor the distinguished Senator from West Virginia (Mr. BYRD), who is chairman of the Deficiencies and Supplementals Subcommittee—there is never any difficulty in getting speedy handling of appropriations provided the authorization was sufficiently big.

I hope Senators who are on the Public Works Committee will expedite passage of legislation which does raise the authorization sufficiently high to take care of this matter.

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

Mr. EASTLAND. Mr. President, I ask unanimous consent to have 5 minutes more.

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

Mr. EASTLAND. The first estimate by public officials of property damage in Mississippi was approximately half a billion dollars.

Mr. HOLLAND. Of course, may I say to my distinguished friend, that makes the disaster one of sufficient size that the whole Nation will be concerned in meeting whatever the crisis is. Of course, the Senator from Florida, having had most generous treatment always from the whole Senate for his own State, knows the Senate will respond in like measure to this challenge and to this situation. It is speed I am suggesting, because delay means greater damage and greater suffering for the areas which are affected.

I thank the Senator for yielding.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Mississippi yield, before he continues with his statement?

Mr. EASTLAND. Yes; I yield.

Mr. BYRD of West Virginia. Mr. President, I just want to express my apprecia-

tion to the able Senator for the leadership he is displaying in presenting this legislation. My able senior colleague from West Virginia has very adequately described the impact of the recent storms upon our State of West Virginia. I want to compliment him for the splendid work that he has performed as chairman of the Public Works Committee.

I want to assure the able Senator from Florida (Mr. HOLLAND), the able Senator from Mississippi (Mr. EASTLAND), and my colleague (Mr. RANDOLPH), that as chairman of the Appropriations Subcommittee on Deficiencies and Supplementals, I shall act, with my subcommittee, speedily to approve any funds that are needed to meet additional authorizations. Of course, as a member of the Appropriations Subcommittee on Public Works, I shall work with my able colleague, who is an ex officio member of that subcommittee, in securing any additional moneys that may be needed to meet any additional authorizations by the Senate Public Works Committee so ably chaired by my colleague.

Again I want to thank the Senator from Mississippi. I say, with my colleague, that our State of West Virginia, of course, did not suffer in comparison as greatly as did the State of Mississippi or the State of Virginia or the State of Louisiana, but the recent disaster has been brought face to face with our people at Anjean, Richwood, and other parts of West Virginia. Our hearts go out to the people of these other States in view of the great tragedy that has been visited upon them. I just want to assure the Senator from Mississippi that I shall be working with him and other Senators to provide the much needed relief, and as promptly as possible.

Mr. EASTLAND. I thank my distinguished colleague. The Senate is more than generous, and the country is more than generous.

Mr. RANDOLPH. Mr. President, will the Senator yield again?

Mr. EASTLAND. I yield.

Mr. RANDOLPH. This is a matter which I believe to be appropriate for discussion at this point. I have had the opportunity to look at the proposed legislation, and join in its purpose and want to be a cosponsor. But I am wondering about the matter of jurisdiction of the legislation. Parts of it naturally come to the Public Works Committee; but, as I have quickly looked over the proposal, I think the Banking and Currency Committee is involved. I think also that the Committee on Agriculture and Forestry has some jurisdiction. But all three committees involved certainly will want to be helpful and work together.

I am not attempting to ask the Senator from Mississippi to indicate to the Parliamentarian where, with three committees involved, he should send the legislation, but perhaps an expression from the Senator from Mississippi might be helpful at this point.

Mr. EASTLAND. I think the legislation should go to the Public Works Committee. I think that committee has jurisdiction. The main thrust is to the Public Works Committee, as I see the matter. Of course, on minor portions, the

Agriculture and Forestry Committee would have jurisdiction, and so would the Banking and Currency Committee. But when the total, the whole thrust is to one committee, I think the legislation takes the jurisdiction of that committee, even though on specific, small portions, another committee may have jurisdiction.

Mr. STENNIS. Mr. President, will the Senator yield to me for an observation on that point?

Mr. EASTLAND. I yield.

Mr. STENNIS. Mr. President, I join with my colleague from Mississippi in his bill, and I also have a bill which I shall introduce when he has concluded.

In the preparation of this bill, we went back to the Alaskan disaster and earthquake, and many similar calamities. Unquestionably, the main thrust of this bill, in my humble opinion, is for the Committee on Public Works. They have the tools to deal with most of it. They might well seek the counsel and advice of other committees, but I think it is right on their doorstep, if I may put it that way.

Mr. RANDOLPH. I thought we should discuss the matter, because of the potential jurisdiction of the three committees. Our committee would not, of course, wish to remove ourselves from the leadership responsibility which has been indicated as desired. I felt, however, that we should discuss the matter, because I know the Parliamentarian has a situation here to which he must give attention in determining the reference of the bill.

Mr. EASTLAND. Mr. President, I ask unanimous consent that the bill be referred to the Committee on Public Works.

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

Mr. EASTLAND. The Secretary of Agriculture is enabled to waive \$5,000 of principal and interest on loans to farmers who suffered severe losses.

Generous food stamp provisions are included to assist low-income families and surplus commodities will be made available.

Assistance is provided for those who are unemployed as a result of hurricane damage. Sums will be equal to those provided under a State's unemployment compensation program. It was felt that this portion of the program would be of special aid to migratory workers—as well as those not covered by a State program for any reason.

The Office of Emergency Preparedness is authorized to remove debris from private property or to reimburse property owners who bore the cost of cleaning their own land. Local and State contractors are given preference in clean-up projects as a stimulant to the economy during a critical period where little or no economic activity is in progress.

Bonded indebtedness on damaged or destroyed public facilities—such as water and sewage systems—would be assumed by the Federal Government—on a temporary basis—until the facility is restored and the citizens are in a position to support the normal functions of local government. We feel that this provision is vital to the salvation of small com-

munities which suffered insupportable destruction.

Lakes and bayous will be cleared of debris as an aid to navigation and in the interest of the health and safety of the populace.

Finally, private—as well as State—forests will receive fire protection and timber roads will be rebuilt. In those instances where rebuilding is not possible, timber contractors will be relieved of their obligations.

Mr. President, I suggest that hearts will be lifted and distress and worry lightened when our people realize that the full resources of our Government will be dedicated to the mission of building back—finer than ever—those sections devastated by this superstorm.

For example—grants will be made where necessary and all disaster loans will be disbursed at cheap rates of interest—over long periods of time—and on very liberal terms.

We regard this proposal to be a minimum platform for the support of the massive effort which must be made to rebuild the communities—the businesses—the homes—indeed—the lives of hundreds of thousands of Americans victimized by this colossal disaster.

I am reminded, as we list our losses—human and material—and prepare for the task of rehabilitating and rebuilding, of the words of an ancient Scotch battle song which say:

A little I'm hurt, but yet not slain;
I'll but lie down and bleed awhile,
And then I'll rise and fight again.

The people of my State and other States have been grievously wounded—but they have the strength of spirit to rise and fight again because this is the character of our citizens—the real strength of America.

Mr. President, on behalf of those brave people—in the compassionate and generous tradition of this great Nation—I appeal for early consideration and enactment of the Hurricane Camille Disaster Relief Act.

Several Senators addressed the Chair.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from Mississippi be allowed 10 additional minutes.

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

Mr. EASTLAND. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I was delighted to join the distinguished Senator from Mississippi in his bill which he has just presented to the Senate.

I sat out one of these storms back in 1909 in my own parish, when the eye of the storm passed over where I lived. It was a dreadful thing. During that storm, more than 500 people were drowned, and the lower part of the parish was completely destroyed. Hurricane Betsy also hit us hard only a short time ago; and in the late 1950's, Audrey wreaked great havoc and death on the Louisiana coast.

Still, it is hard to find anything to

compare with Camille. I have visited parts of Mississippi as well as the stricken areas of my own State, and the devastation wrought there was terrible. You must really see it to believe it. I recall the time when a wall of water 16 feet high washed over my home area. I understand that in the case of Camille, the wall or water was between 20 and 30 feet.

Mr. EASTLAND. No; it was 33 feet.

Mr. ELLENDER. Thirty-three. Well, you can imagine what would happen to a community hit by a wall of water 30 feet high. Nothing would be able to remain standing.

Mr. EASTLAND. As an example of the intensity of this storm, I would like to tell the Senator from Louisiana that St. Louis Bay has a railroad bridge 3 miles long. The rails were set on ties and spiked down, and then there is concrete over those, that comes up even with the tops of the rails.

The wind was so high that it blew every single rail off that bridge. It broke the spikes and broke the concrete.

Mr. ELLENDER. I understand also that in various cemeteries in the area, entombed bodies simply floated away after the brick and marble casements had been broken up by the wind and water.

Mr. EASTLAND. That is correct.

Mr. ELLENDER. Mr. President, I express the hope that the Senate will consider this bill as soon as possible.

In addition, as chairman of the Appropriations Subcommittee for Public Works, last week I wrote President Nixon, pointing out to him the severe cuts the flood control and hurricane protection programs of the Corps of Engineers have suffered in recent years. When measured in real terms, the level of Federal money available for these vital areas represents a decrease in construction capability of about 50 percent since 1964.

I ask unanimous consent that my August 26 letter to the President be entered in the RECORD at this point.

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

U.S. SENATE,
COMMITTEE ON AGRICULTURE AND
FORESTRY,

Washington, D.C., August 26, 1969.

HON. RICHARD M. NIXON,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: During the past several weeks, the nation has witnessed several natural disasters and near-disasters which have worked extreme hardship on our people. For example, note the following:

The brutal hurricane Camille that wrecked the Gulf Coast and resulted in more than 250 known deaths and perhaps half a billion dollars of property damage in Mississippi and Louisiana alone.

The water shortage that threatened our Capitol City in midsummer, followed immediately by severe flooding in the Washington metropolitan area.

The current floods on the James River in Virginia which may result in as many as 200 lives lost and missing and \$150 million in property damage.

Although we do not have the means totally to prevent such natural disasters, this great and wealthy nation certainly does possess the means to fortify our most vulnerable areas against these ravages of nature

and to minimize their toll of damage and human suffering.

We do have the know-how to minimize the effects of severe drought on our municipal and industrial water supplies. We do have the ability to prevent flooding of our great river valleys. We do know how to minimize the impact of the tidal waves which accompany coastal storms.

The fact is, however, that we are doing far too little either of a preventive or of a developmental nature and are in fact annually decreasing, rather than increasing, our actual effort in the field of water resources and flood control projects.

This unfortunate situation seems to me to call for a reevaluation of our priorities in the allocation of Federal funds. In effect, the Congress and the Administration must become as generous and as urgently concerned in our efforts to guard against damage resulting from hurricanes and floods as you yourself have been in your recent efforts to bring relief and rehabilitation to those who have suffered so gravely on the Gulf Coast and in Virginia.

Appropriations for water resource development has been a matter of concern to me for a number of years. On April fourteenth of this year, the senior Senator from West Virginia, Senator Randolph, discussed on the floor of the Senate a statement which Budget Director Robert P. Mayo had made before the Senate Committee on Finance, indicating that he was considering a freeze on public works construction. I joined in the colloquy that followed Senator Randolph's statement, at which time I discussed my growing concern over the delays in the completion schedule on most of the going public works projects which had been revealed to our Committee during the hearings on the Public Works appropriation bill. I concluded my remarks by restating my belief that we must do what we can to protect our two most important resources, land and water. If we failed to do that, our country will sustain great losses.

Subsequently, in May, I addressed the National Rivers and Harbors Convention, at which time I pointed out that in 1964 the construction program of the Corps of Engineers and the Bureau of Reclamation was \$1,188,428,700, or about 1.09% of the 1964 budget. I noted that for fiscal year 1970, the original budget request for these two agencies was \$1,038,920,000, or about .49% of the budget.

The request for the Corps of Engineers and the Bureau of Reclamation was subsequently cut by your Administration by \$181 million. The revised budget represents a dollar reduction in the past six years of about 15.39%. When you take into account the rise in the cost of construction, the level of appropriations in the revised budget for these agencies represents a drop in construction capability of about 50% since 1964!

Similarly, the efforts being made by the Federal Government to control air and water pollution are completely inadequate to cope with the severe damage these problems are working on our environment and, in fact, on the very health of our citizens. For instance, in the last few years that the Federal Water Pollution Control program has been under the jurisdiction of the Subcommittee on Public Works, I have noticed an increased disparity between the authorization for construction grants for sewerage treatment facilities and the appropriations requested, as indicated below.

Fiscal year	Authorization	Appropriation request in the budget	Percent of authorization request in budget
1968	450,000,000	200,000,000	44.4
1969	700,000,000	203,000,000	29.0
1970	1,000,000,000	214,000,000	21.4

I have received well over 1,000 letters from individuals and organizations urging the Committee on Appropriations to provide the full amount authorized for construction grants for fiscal year 1970. Most of these letters point out the extent to which the states and their political subdivisions have approved bond issues to finance the non-federal costs, relying on the Federal Government's ability to meet its share of the cost.

In spite of the fact that next to the air we breathe, water is our most precious resource, it seems the Bureau of the Budget first looks to the water resource program for a disproportionate share of any contemplated cuts whenever there is a need to reduce Federal expenditures.

If we are to meet the water needs of the 300 million people that you recently estimated will occupy our land by the year 2000, we must not only support adequate annual appropriations for the orderly development of these resources, but it is also essential that the unrealistic and arbitrary restrictions placed on project evaluations be removed.

For instance, the basis for the benefit-to-cost ratio for water resource projects had its origin in the 1936 Flood Control Act, where the policy was established that the Federal Government should improve or participate in the improvement of rivers and other waterways for flood control purposes in the interest of the general welfare if the benefits to whomsoever they may accrue are in excess of the estimated cost and if the lives and social security of people are otherwise adversely affected.

The terms, "benefits" and "costs," have no meaning in the abstract. They must be related to objectives in order to give these terms meaning. Since the passage of that Act, the technicians have chosen national economic efficiency as the sole criteria for project evaluation and have disregarded the phrases, "in the interest of the general welfare" and "if the lives and social security of the people are otherwise adversely affected."

The result of such an interpretation has been that as far as flood control and hurricane protection projects are concerned, we have become a "cow society." If, for instance, a thousand cows were lost in a flood or hurricane, we could consider the economic loss involved since a cow has an economic value in the market, and the monetary losses sustained can be used in the justification of protective works. On the other hand, if a thousand human lives were lost, it would not add one dollar to the all-important economic evaluation of the project. The loss of life and human suffering associated with the havoc wrecked on the Gulf Coast by Hurricane Camille transcends the imagination.

Fortunately, the Water Resources Council is attempting to find a way to deal with this problem of recognizing loss of life and misery associated with disastrous floods, by setting up four separate accounts which recognize national objectives other than economic efficiency such as regional development, environmental benefits, and the well being of man. The Council's efforts along these lines are to be commended and they deserve and need your personal encouragement.

Had the center of Camille been 50 miles east, the damage to New Orleans in terms of lives lost and property damaged would have been incalculable. Yet, despite this near miss and in spite of the constant threat of hurricane damage to the New Orleans area, the hurricane protection project for Lake Pontchartrain will continue to drag along with inadequate appropriations, unless the Administration loosens the purse strings and cooperates with the Congress in revamping the national priorities vis-a-vis such projects.

The budget estimate for this project for fiscal year 1967 was \$450,000 for planning, at a time when the Corps of Engineers had a capability of \$1,600,000, which would have permitted the initiation of construction. Rec-

ognizing the potential danger to New Orleans, the Congress provided the full capability of the Corps of Engineers.

For fiscal year 1968, the original budget was \$2,300,000, which was subsequently revised to \$3,260,000, at a time when the Corps' capability was \$4,500,000. Again, recognizing the potential loss of life and property, the Congress approved the \$4,500,000.

For fiscal year 1969, the budget estimate was \$7,800,000, compared with a Corps capability of \$10,800,000. But in view of the expenditure ceiling contained in the Revenue and Expenditure Control Act of 1968, the Committee, although recognizing the risk involved in not moving forward expeditiously on this project, did not increase the budgeted amount for this project or any other project in the bill.

For fiscal year 1970, the budget estimate is only \$6 million, compared with the Corps' capability of \$8,500,000. Neither New Orleans nor the nation can afford the gamble of procrastination on this project.

Similarly, the hurricane protection project, New Orleans to Venice, proceeds at an alarmingly slow rate. Since 1967, the estimated completion date for this project has slipped from June 1975 to December 1977.

Two years ago, I secured authorization for a study of the Louisiana coastal area, looking toward hurricane protection, the protection of the physical features of the coastline, and reestablishment of the former ecology of the area which contributed so much not only to the wildlife but to the marine resources of the entire Gulf Coast. Naturally, I was disappointed this year to find that the budget provided only \$60,000 for the continuation of this study in fiscal year 1970. At least double that amount will be required for satisfactory progress on the study, and I intend to urge my subcommittee and the Congress to expedite the project to this extent, at a minimum.

A few weeks ago, this nation—indeed, the whole world—was thrilled when man first set foot on the moon. In reflecting on this accomplishment, I had occasion to recall the hearings which I had recently completed on the Public Works appropriation bill, where the effect of the budget cuts which your Administration made in an already austere budget submitted by President Johnson were graphically revealed to the Committee.

Among the most serious cuts that I recall were those affecting the Southern Nevada Water District, the Folsom South Canal in Southern California, the Bonneville unit of Central Utah Project, the Chatfield Reservoir in Colorado, the Newark Bay, Hackensack and Passaic Rivers Project in New Jersey, the Wynoochee Reservoir in Washington, the New Melones Reservoir in California, the Lake Kemp Reservoir in Texas, and many more.

In a number of cases, we are finding that the expenditure ceilings imposed on the Corps will not permit contractors to pursue their work in accordance with the terms of the existing contracts, even though in many cases the funds are available or requested. Failure to provide funds and expenditure ceilings adequate to permit accomplishment of existing contracts inevitably will increase costs on all Government contracts and could even result in legal actions being taken by the contractor against the Government. I cannot help but feel that our priorities are out of balance.

These thoughts led me to a review of the requests for research and development appropriations requested by President Johnson for the NASA program, and I found that he had requested \$3,051,427,000. Further research revealed that in the review of the 1970 budget, your Administration recommended a reduction of \$45 million in this program, of about 1½%. In contrast, the "Construction, General" appropriation request of \$769,420,000 for the Corps of Engineers was cut

\$142,415,000, or about 18½%. I realize that our space program is based on a national objective—but so is our water resource program.

It would require a good deal of imagination to attempt to identify the tangible benefits that will result from man's flight to the moon. Any attempt at a monetary evaluation of those benefits would be almost impossible. If, however, these benefits could be identified and evaluated, the realization of most of the benefits would be projected far into the future.

If we applied the same economic principles to the benefit-cost evaluation of our space program as are required in our water resource program (where future benefits are discounted at a rate of 4½ percent) the benefits expected to result from the space program would shrink drastically. For instance, benefits evaluated at \$1 million to be realized 25 years from now would be worth only \$304,200 in terms of economic justification for a project under today's regulations. A \$1 million benefit to be realized 50 years from now would provide justification for the expenditure of only \$92,600 today. Such a system would probably kill the space program, just as it is now strangling our vital water resources, flood control and hurricane protection programs.

I am enclosing a list of selected hurricanes and their damages, compiled from information provided by the Office of Emergency Preparedness. It should be recognized that many hurricanes of earlier years are not listed. In fact, during the recorded history of Louisiana alone at least 150 hurricanes or tropical storms have battered or threatened the coast of my state.

I think it is interesting to note that, based only on the partial statistics available to us, the average damage from hurricanes since the turn of the century is over \$85 million per year. During the last 30 years, the damage averaged \$185 million. During the last 20 years, the damage averaged \$200 million and during the 10-year period from 1958 to 1968, the damage averaged about \$320 million. If this progression continues, we can expect average damages of \$500 million a year (or a total of \$5 billion) over the next decade.

Such damage tabulations are always on the conservative side because, by their nature, they tend to exclude many categories of physical and economic loss. As I have already mentioned, the loss of human life is a factor that is incalculable in monetary terms. In addition, there are the inaccuracy of complete inventory estimates, the impossibility of fixing replacement costs, the loss of business and trade to local enterprises and to the local economy in general, the loss of employment income, the loss of earning ability by those who are too old to "get started" again and who instead become public charges. All of these factors and many others add substantially to the damage estimates that are ascribed to various hurricanes.

Yet, even these staggering figures tell only part of the story of the "cost" of hurricanes, for they generally do not include the multi-million dollar rehabilitation expenditures by Federal, State and local governments following the disaster. In the case of Camille, the Army, Navy, Air Force, NASA, SBA, HUD, HEW, GSA, USDA, OEP, and numerous other federal agencies are spending large sums to assist in the recovery effort. Also, in terms of the federal costs, over the next several years both individual and corporate tax payers will be deducting from their income taxes considerable sums to which they are eligible as a result of the hurricane damages suffered.

All things considered, we might properly double the so-called "damage estimates." In order that you might see the disparity between these enormous damages and the

feeble efforts being made to provide protection. I am also enclosing a status report of the authorized hurricane protection projects for your review.

In view of the magnitude of the floods that this nation has experienced this year, the recent hurricane, and the lack of adequate progress being made in meeting the water resource needs of our expanding population, I expect that our Committee will respond to the needs of the Country. I cannot help but feel that you also will want to take another look at your recommendations for water re-

source development projects, particularly those relating to health, safety and the protection of human life, prior to the time the Congress acts on the Public Works appropriation requests you have submitted, and I urge that you do so.

I would welcome the opportunity to discuss this matter with you personally, or with a small bipartisan group of concerned members of the Congress.

Respectfully yours,

ALLEN J. ELLENDER,

Chairman, Subcommittee on Public Works.

AUTHORIZED HURRICANE PROTECTION PROJECTS

Project	Year authorized	Total cost (estimated)	Federal cost	Appropriation to date	1970 budget	Capability of Corps
Freeport, Tex.	1962	\$19,000,000	\$13,300,000	\$4,637,000	\$2,200,000	\$2,200,000
Port Arthur, Tex.	1962	59,900,000	41,600,000	8,557,000	5,000,000	5,000,000
Texas City, Tex.	1958, 1968	44,714,000	31,200,000	15,132,000	1,100,000	1,100,000
Lake Pontchartrain, La.	1966	166,000,000	113,562,000	12,498,000	6,000,000	8,500,000
Morgan City and vicinity, Louisiana	1965	6,067,000	4,180,000	347,000	150,000	200,000
New Orleans to Venice, La.	1962	43,400,000	25,885,000	1,654,000	950,000	1,400,000
Grand Isle and vicinity, Louisiana	1965	11,310,000	3,393,000	408,000		0
Hillsborough Bay, Fla.	1968	13,088,200	9,163,200			15,000
North River dike, North Carolina	1966	500,000	358,000			(1)
Top Sail Beach and Surf City, N.C.	1966	2,500,000	1,430,000			(1)
Brunswick County beaches, North Carolina	1966	24,400,000	14,400,000			110,000
Hyde County dike, North Carolina	1966	3,272,000	2,290,000			60,000
Neuse River barrier, North Carolina	1965	15,900,000	11,100,000			100,000
Ocracoke Island, N.C.	1965	2,150,000	1,880,000	109,000		500,000
Bodie Island, N.C.	1966	16,400,000	8,800,000			(1)
Fire Island Inlet to Montauk Point, N.Y.	1960	68,600,000	33,900,000	3,578,000	500,000	500,000

¹ Awaiting action by local interests.

RECENT HURRICANES AND TROPICAL STORMS

Name	Date	Areas affected	Deaths	Estimated damage (millions)
Carol	August 1954	North Carolina to Maine	60	\$461
Edna	September 1954	New Jersey to Maine	21	7
Hazel	October 1954	South Carolina to New York	95	252
Connie	August 1955	North Carolina to New York	25	46
Dianne	do	North Carolina to New England	184	832
Ione	September 1955	North Carolina	7	88
Audrey	June 1957	Texas and Louisiana	390	150
Donna	August 1960	Florida to New England	50	500
Carla	September 1961	Texas and Louisiana	46	408
Great Atlantic coast storm	March 1962	Florida to New England	33	200
Cleo	August 1964	Florida	3	129
Hilda	October 1964	Louisiana	38	100
Betsy	August 1965	Florida and Louisiana	75	1,420
Alma	June 1966	Florida	7	7
Beulah	September 1967	Texas	15	500
Gladys	September 1968	Florida	5	7
Camille	August 1969	Central gulf coast and Virginia	500	750

Several Senators addressed the Chair. The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, I ask unanimous consent that I be permitted to proceed for 10 minutes.

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

Mr. STENNIS. I yield 5 minutes to the Senator from Virginia, who is pressed for time.

Mr. SPONG. Mr. President, I thank the Senator from Mississippi for his graciousness. I commend the senior Senator from Mississippi (Mr. EASTLAND) for the effective presentation he has made here today. I also commend the Senator from West Virginia (Mr. RANDOLPH) for the expedition with which he has called for public hearings on this entire matter.

Mr. President, the rains and subsequent flooding brought on by Hurricane Camille caused the greatest natural disaster in Virginia's history. I join in sponsoring the Hurricane Camille Disaster Relief Act with the hope that it will provide a measure of assistance to those devastated by the storm in Virginia and other States.

In Virginia, the death toll from the flood which struck the James River

Basin stands at 105, with 61 persons still listed as missing. Many residents of the area lost every possession; entire families were lost in flash floods and landslides.

Property damage has been estimated at \$118,000,000. Homes valued at \$10,000,000 were destroyed, and the latest estimate for agriculture damage has been set at \$21,000,000. Hundreds of livestock were lost when the James River and its tributaries overflowed their banks. Rich bottom lands were washed out or so heavily silted that they cannot be utilized for crop production for a year or more.

Business and industry were damaged to the extent of an estimated \$55,000,000. Approximately 100 bridges on Virginia's primary and secondary highway systems were destroyed or damaged beyond use. Repairing this and other highway damage will cost in excess of \$19,000,000.

Mr. President, I wish to join the Governor of Virginia, Mills E. Godwin, Jr., in his expression of thanks to the public officials, private citizens, and organizations that came to the assistance of the victims of the disaster. All Virginia is indebted to them for their untiring efforts during and after the misfortune.

Legislation cannot possibly compen-

sate people for the loss of loved ones in a tragedy such as Camille. But it can be of assistance in the rebuilding of their homes and businesses, and can help in the rehabilitation of the economy of a community.

The bills being introduced today by the Senators from Mississippi are intended to accomplish these purposes, and therefore are deserving of the most compassionate consideration of the Congress. As has been explained by the distinguished senior Senator from Mississippi (Mr. EASTLAND), the legislation is the product of earlier bills designed to alleviate suffering from previous disasters. Several provisions in the Camille bill are contained in similar form in the Disaster Relief Act of 1969, a measure sponsored by the distinguished junior Senator from Indiana (Mr. BAYH), and approved by the Senate on July 8.

The purpose of the Bayh bill, S. 1685, is to establish the machinery by which assistance can be provided following all major disasters. It would obviate the need for special legislation. Its provisions would become operable almost automatically after acts of nature such as Camille.

The purpose of the Public Works Committee in its consideration of S. 1685 was to develop a comprehensive program which would meet the general needs of the entire Nation. The Senate conferees on the bill are pursuing that goal, but pending completion of action on the measure, immediate attention and consideration should be given to the victims of Camille. It would seem desirable to develop a blend of legislation which would serve as a foundation for assisting the victims of Camille and those who might suffer from similar disasters in the future.

I thank the Senator from Mississippi.

S. 2854—INTRODUCTION OF A BILL PROVIDING ASSISTANCE FOR THE DISASTER AREA OF HURRICANE CAMILLE

Mr. STENNIS. Mr. President, the tragic toll of Hurricane Camille along our Gulf coast continues to grow. An entire region, encompassing parts of three States, was devastated by winds of a force unprecedented in hurricane history and by storm flooding of inconceivable magnitude.

I have made an inspection of the area. What I saw leaves me with a heavy heart and a deep and lasting sympathy for those who have lost their families and their possessions.

That region is now shattered economically. However, it is not shattered in spirit. The courageous citizens of the area began immediately thereafter to fend for themselves, to protect the public health and safety and to rebuild their environment so that it would be acceptable to their minimum requirements. With all of their courage, however, the task is too much for them to accomplish alone. They must have some help from the rest of our country.

The Federal and State agencies have responded to this emergency in a most admirable way.

I will be brief about the matter. There

were volunteer men in the area from the nearby Air Force base at Keesler Field. These men went up and down the streets looking for the dead and administering to the helpless and the crying.

When medicine could be found, they brought it to the people. They did everything that could possibly be done to bring relief to the suffering.

There were hundreds of these men. They worked all night and all the next day. They were joined by many more of their comrades. However, I do not mention them with any more emphasis than I mention the men who came from the Third Army Engineering Battalion. These men got in the midst of the total destruction.

People who had lived on those streets could not identify the streets on which they had lived.

There was total destruction of the houses. Debris was piled up. Trees were blown down. The engineers had to erect quickly drawn, crude signs to tell the names of the streets.

In sight of that area were two large cargo ships on the sand beach. In the middle of the highway, there was a steel tanker which was pitched out of the water by the massive waves that rose more than 33 feet. The winds reached a velocity of 210 miles an hour.

I am told by those who watch hurricanes for our Government that the total force of this massive wind with its great intensity and the waves make Camille the most destructive hurricane we have ever had in the history of the Nation. Other hurricanes have had as much wind. Others have had waves as high. However, Camille was worse than any other hurricane. The destruction is indescribable.

I want to mention in addition to the men from Keesler Field, the men from the Third Army Engineers Battalion, the Seabees. More than 1,000 of them came there. The people were amazed at the result of the training these men had received. The men were able to accomplish so much in so short a time.

The people in the area received help also from many of the men from one of the NASA facilities, men who resided in one of the other counties. Their county happened to be outside of the storm area. However, many of those men lost their own homes.

These men furnished splendid leadership.

I found that the Office of Emergency Preparedness, the disaster relief organization that is directly under the President of the United States, really has a fine and effective organization.

I know that Haakon Lindjord was before our Committee on Armed Services early this year on a matter of confirmation. I was impressed with him then. However, little did I dream that my State would be the first victim he would have to administer aid to on a large scale. He has shown unusual ability. He has a fine staff. His deputy, Mr. Russell, stayed there and gave advice.

We were visited by the Vice President of the United States and members of the House Public Works Committee, as well as several members of the Cabinet. All have shown the most wholesome interest

that could be shown. Operating through very effective personnel, they have been a credit to their organization.

I wish I could speak with a little of the spirit that was so evident in the telethons held in Mississippi. There was more than one telethon in the State. I refer, however, to the telethon that Bob Hope held in his marvelous and matchless way. I saw one of the audiences there. The people of Mississippi were glued to their seats as they watched the telethon.

The telethon raised over a million and a half dollars in a little more than 12 hours by contributions that were either given at the telethon or were announced on the telethon. It was a tremendous example of people helping other people. It was one of the bright spots in our American history.

I very much appreciate the interest of the Senator from West Virginia and the Senator from Kentucky in the matter.

Mr. President, I introduce on behalf of myself, the Senator from Mississippi (Mr. EASTLAND), the Senator from Virginia (Mr. BYRD), and the Senator from Virginia (Mr. SPONGE) a bill dealing with the same subject and ask unanimous consent that it be printed in the RECORD at the end of my remarks. It being of the same general substance and nature as the other bill that has been introduced, I ask unanimous consent that the bill be referred to the Senate Committee on Public Works.

The PRESIDING OFFICER. The bill will be received, by unanimous consent referred to the Committee on Public Works; and, without objection, the bill will be printed in the RECORD, at the conclusion of the Senator's remarks.

Mr. STENNIS. Mr. President, I have talked about how others have responded. It is now time for Congress to respond to the requirements of the situation. I hope and expect that Congress will do so quickly and effectively. We must do so. There are thousands and thousands of desperate people who can look only to us for the help they must have.

I want to illustrate the completeness of this destruction. I am not the begging type, and those people are certainly not the handout type.

In one of the counties, school was scheduled to start on Monday of this week. That entire county had only four schoolrooms remaining. There were no schoolhouses or buildings, but just four schoolrooms left in a condition in which to conduct school. It shows how totally devastating the hurricane was in the whole area of the county.

Those counties are highly in debt and heavily bonded. So are the school districts—the towns and cities—within them. Their revenue from the sales tax is cut off now. Throughout the county, there is no property to apply—not over half, anyway—to an ad valorem attachment. So there must be the long hands, I hope, of the State government and the Federal Government, through some kind of sound financing that will take care of situations such as this, not only to public credit but also to private credit.

I can say with confidence that I think the investment in that area of the Federal Government, in the way of loans, will be a good one and that loans, if

administered carefully in the lending, eventually will be repaid with interest, which I hope can be at a smaller rate than the current rate.

Together with the Disaster Relief Act of 1966 and other existing legislation, my bill would give the Federal departments and agencies the ability to deal with the tragic situation that exists.

The bill draws in part on two measures which are now under consideration. I have drawn these aspects together in this bill so that the problem will be presented as a whole.

The bill provides that with respect to the disaster loan program under the Small Business Act, and the emergency loan program under the Farmers Home Administration Act, there may be canceled up to \$1,800 of loans in excess of \$500, or interest waived for 3 years up to \$1,800. These authorities were provided in the case of Hurricane Betsy on the gulf coast in 1965.

Loans to homeowners and businesses would be authorized whether or not financing is available from private sources, and a higher ceiling would be established for business loans. Forgiveness is provided for in existing loans where the same property destroyed by Hurricane Betsy in 1965 was again destroyed by Camille 4 years later.

Shelter for disaster victims is authorized, as is a food stamp and surplus commodity program, unemployment assistance, and grants for removal of debris from private lands when necessary for health and safety. These provisions are from S. 1685, disaster relief, considered by the Senate earlier this year, and now in conference.

One of the most critical conditions in the Camille disaster area concerns the financial situation of local governments. At the time their expenses are the highest, their tax base has been largely destroyed and their sales tax revenues are gone. The bill authorizes certain grants and funds for renewals of bonds or equivalent public debts or expenses.

Essential to the recovery of the disaster area is the restoration of roads and streets. The Highway Act of 1968 establishes steps that can be taken in the primary system. The bill submitted today authorizes matching funds for repair or reconstruction of the non-Federal-aid systems.

There is widespread devastation of agricultural crops of all kinds. A substantial portion of our tung and pecan orchards are destroyed. Further, our timberlands have been cruelly hit. Over 1.8 million acres have been damaged. These agricultural aspects are best covered in a separate bill, so that it can be considered as an entity by the Agriculture and Forestry Committee.

I consider it essential that hearings be held in considering the legislative provisions to be established for the Camille disaster area. From the facts developed in the hearings can be gaged the precise terms of the measures that should be taken.

I am requesting hearings on this bill, because I believe that is the only way in which we can delineate the need and find a sound remedy. I hope the hearings can be held soon, so that we may go

briskly about the business of doing all that is in the power of this body to give help to those who must have it. I wish that all my colleagues could see the utter devastation that exists. They would, I know, share my sorrow and my motivation for effective haste.

I assume that Representative WILLIAM COLMER, whose district was most affected, will introduce a bill similar to this in the House of Representatives. Representative COLMER spent approximately 10 days in that area with the people. He lives in the area, where he has always lived, and he has had a great deal to do with the building up of that fine area of our State. I told him that he would have to stay on now and rebuild it; and I know he will do more than his part.

Mr. President, again I emphasize my interest in the destruction suffered by other areas of the country, the devastation suffered by the fine people of Virginia, who were caught without any warning, as I understand. I see the Senator from Virginia (Mr. BYRD) in the Chamber, and I know that he will have some comments.

I wish to make one other point, Mr. President. In spite of the fine work done by those in charge of tracing these hurricanes, in spite of some excellent work they did in a timely way, we certainly need more attention to be given to this facility of the Government.

When the plane was sent into the eye of the storm to take its readings and the pilot flew back out and reported the readings, they were so high that it was thought an error had been made, and the pilot was asked to fly back in again and retake the readings, which he did. When he came out with the same readings the second time, they knew that great trouble was ahead.

This storm, I am informed, originated over Africa, as a violent rainstorm, and moved westward clear across the Atlantic, and grew as it went. It almost came in contact with Cuba and then changed its direction and came up into the gulf coast area. It passed over the remainder of our State without substantial harm, except to the two or three county links at the coast, and then hit again; and we know what the devastation was in Virginia in the form of rain and flash floods.

Mr. President, I appreciate the indulgence of the Senate, and I know we will have proper treatment for this bill.

Mr. BYRD of Virginia. Mr. President, my heart goes out to the many thousands of victims of this great tragedy. This tragedy struck a large area of our country.

The distinguished Senators from Mississippi have just detailed the tremendous damage that has been done in that area. In my home State of Virginia we caught the backlash from this hurricane, and tremendous damage and great loss of life occurred in the State of Virginia.

I join with the distinguished Senator from Mississippi (Mr. STENNIS) in introducing a measure today, and I join also with the distinguished senior Senator from Mississippi (Mr. EASTLAND) in the measure he has introduced. I feel it is

very important that hearings on both these proposals be expedited.

This was a widespread natural disaster—for certain areas of the Nation, the greatest disaster in their history. This is a situation to which I feel Congress is obligated to address itself.

So I support the proposals put forth by the Senators from Mississippi.

I feel that the victims of this natural disaster need and should have the support of the people of the United States, acting through their elected representatives in Congress.

Mr. STENNIS. Mr. President, I ask unanimous consent that the name of the distinguished Senator from South Carolina (Mr. THURMOND) be added as a cosponsor of the bill I have introduced.

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

The bill (S. 2854) to provide assistance for the disaster area of Hurricane Camille, introduced by Mr. STENNIS, for himself and other Senators was received, read twice by its title, referred to the Committee on Public Works by unanimous consent, and ordered to be printed in the RECORD, as follows:

S. 2854

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby recognizes that the States of Mississippi, Louisiana and Alabama suffered extensive damage, property loss, and loss of human lives as a result of Hurricane Camille in 1969, including wind and water and other damage, and that special measures are necessary to aid and accelerate the efforts of these States to rehabilitate the devastated areas.

Sec. 2. In the administration of the disaster loan program under section 7(b) of the Small Business Act, as amended (15 USC 636(b)), in the case of property loss or damage resulting from Hurricane Camille in 1969,

(a) The Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise,

(1) shall at the borrower's option on that part of any loan in excess of \$500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so cancelled shall not exceed \$1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

(b) Any application for a loan thereunder in an amount of \$30,000 or less in the case of a homeowner, or \$100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources.

(c) In those communities which are determined by the President to have suffered destruction of businesses in Hurricane Camille in 1969 to the extent that employment opportunities are substantially impaired, the Small Business Administration is authorized to increase the amount of a loan to a business concern, under the provisions of Sec. 2(b) above, to \$300,000 for a direct loan or for the Small Business Administration share of a participation loan.

Sec. 3. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 USC 1961-1967), in the case of property loss or damage result-

ing from Hurricane Camille in 1969, the Secretary of Agriculture shall at the borrower's option on that part of any loan in excess of \$500 cancel (A) the interest due on the loan, or (B) the principal of the loan, or (C) any combination of such interest or principal, except that the total amount so cancelled shall not exceed \$1,800 and (2) may defer interest payments or principal payments, or both, in whole or in part on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

Sec. 4. In the administration of the loan programs of Sections 2 and 3 above, in the event the existing loan is for repair or replacement of property loss or damage which resulted from Hurricane Betsy in 1965, to the extent such loss or damage is not compensated for by insurance or otherwise, the interest due on the loan and the principal of the loan shall at the borrower's option be cancelled in its entirety.

Sec. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of Hurricane Camille in 1969; and

(2) that such action is necessary to avoid severe hardship on the part of such individual or family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 percentum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

Sec. 6. Notwithstanding any other provision of law, mobile homes provided under provisions of Sec. 5 above may be sold directly to the persons who are the occupants thereof at prices that are fair and equitable.

SEC. 7. The President is authorized to provide to individuals unemployed as a result of Hurricane Camille in 1969, such assistance as he deems appropriate while they are unemployed. No individual who is receiving unemployment compensation or the proceeds of private income protection insurance shall be eligible for such assistance. Such assistance as the President shall provide shall not exceed the amount and the duration of payments under the unemployment compensation program of the State in which the disaster occurred.

SEC. 8. For those communities which are determined by the President to have suffered a substantial loss of tax base in Hurricane Camille in 1969, the President is authorized for a period of one year beginning on the date of enactment of this Act to provide grants to meet payments becoming due on public bonded indebtedness or equivalent public debts or expenses. For a period of two years thereafter the President is authorized in such cases to provide grants to underwrite a renewal of such bonds or debts and the payment of interest thereon.

SEC. 9. (a) When as a result of Hurricane Camille in 1969, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 or as said Act may be amended and to make surplus commodities available pursuant to the provisions of Section 3 of Public Law 875 of the Eighty-first Congress.

(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of Hurricane Camille on the earning power of the households to which assistance is made available under this section.

(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in the disaster area of Hurricane Camille.

SEC. 10. There is authorized to be appropriated for the period beginning on the date of enactment of this Act and ending on June 30, 1970, not to exceed \$60,000,000 for allocation to the states of Mississippi, Louisiana and Alabama by the President for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems, which were destroyed or damaged as a result of Hurricane Camille in 1969. No money shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the State or local agency of government agrees to share equally with the United States all such costs of repair or reconstruction.

SEC. 11. The President is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands as the result of Hurricane Camille in 1969 which has created conditions hazardous to health and safety.

ORDER OF BUSINESS

Mr. EAGLETON. Mr. President, I ask unanimous consent that I be allowed not to exceed 10 minutes for the completion of my remarks on the subject of Vietnam.

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

THE SAIGON POLITICAL FARCE

Mr. EAGLETON. Mr. President, as the Vietnam tragedy continues, the American public has been treated to yet another act in the Saigon political farce.

President Thieu's crony and hand-picked Premier, Gen. Tran Thien Khiem, recently summed up the actions of the Saigon regime—and, many would argue, the policies of the Nixon administration—when he stated:

Vietnamese democracy is becoming like American democracy. We discuss all possibilities, and then do mainly what we had been doing.

The most recent Cabinet reshuffle provides an excellent illustration of this principle.

Amidst hopeful speculation that he would finally take much-needed and long overdue action to broaden the Saigon regime's political base by including many of the diverse and still unrepresented elements of South Vietnam, President Thieu failed to do so.

In fact, President Thieu seems intent on narrowing his base of support by making personal loyalty to him the primary prerequisite for holding government office.

Last week he replaced moderate civilian Tran Van Huong with his close friend and staunch supporter, Gen. Tran Thien Khiem. Thus, General Khiem joins General Thieu and Air Marshal Ky to complete the ruling military triumvirate.

The announcement of the new Cabinet last Monday was even more disappointing.

President Thieu has apparently decided to add more members of his Cabinet in lieu of genuinely broadening representation in it. The new 31-man Cabinet—33 including Thieu and Ky—is the largest in the 14-year history of South Vietnam. However, it includes no representative of the non-Communist opposition in the South, nor any leaders of the important but unrepresented An Quang Buddhists. The military still retains control of the key ministries—interior and defense and rural development.

By selecting yet another military man as premier and failing to appoint a more representative Cabinet, the Saigon regime has diminished the prospects for a compromise solution to the war.

These two politically regressive acts by the Saigon regime over the last several weeks suggest that instead of preparing for the political competition which must come if the war is to end, it is content to remain a military regime with little popular support.

Unfortunately, the Nixon administration has almost simultaneously taken a similar backward step by postponing further troop withdrawals indefinitely.

These acts raise the possibility that both Saigon and Washington are once again off on the illusive, treacherous and bloody quest for military victory.

The American public has heard Government officials time and again declare that "the corner has been turned," or "the light is now visible at the end of the tunnel"—cliches served up to justify the pursuit of military victory. Now, once

again, they are heard in Saigon from people who have been repeating the same thing for years.

Messrs. Thieu, Ky, and Khiem know that as long as American military support is assured they need not broaden their base. President Thieu indicated the extent of his confidence in continued U.S. backing by announcing, upon his return from a Midway meeting with President Nixon, that anyone who suggested a coalition government would be severely punished. The new Cabinet is the most recent indication of Saigon's confidence in our power and support, and its betrayal of our most precious political ideals.

Until it is clear that the United States is not in Vietnam forever, Thieu, Ky, and Khiem will continue to head an unrepresentative and unresponsive government—neither deserving nor capable of commanding the allegiance of its own people.

Mr. President, I spoke to this point on July 28 of this year, and I ask unanimous consent that excerpts from my remarks be placed in the RECORD at this point.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

The excerpts, ordered to be printed in the RECORD, are as follows:

We are constantly told that, if the United States withdraws from Vietnam too rapidly, South Vietnam will fall. There will be no negotiated settlement, only capitulation.

Without belaboring history, I believe it is time to ask, "Why is this so?"

The preeminent reason is that today, as before, the government of South Vietnam remains unrepresentative and unresponsive to the aspirations, both national and personal, of the vast majority of the Vietnamese people. It is composed of a military and social elite—an elite all too often engaged in the pursuit of personal gain and advantage, rather in the quest for social justice and reform. It is a government of Catholics, in a land of Buddhists—of emigres from the North in a land of strong regional loyalties—of military men in a land where the military has not been held in high regard—of men who fought for the French against their own people in a land where anti-colonialism prevailed—and of men once again dependent on the force of arms of a foreign government in a land engulfed by the ferment of nationalism.

For over 14 years, the United States has bought time for the governments of Diem, Minh, Tho, Khanh, Huong, Oanh, Quat, Ky, and Thieu. Time has not been purchased on the cheap. The cost is over \$100 billion, nearly 40,000 American lives, over 200,000 wounded or maimed, and a cost in human suffering to the Vietnamese themselves which is unmeasurable.

And yet these successive governments have failed to afford political representation to the many diverse elements that make up South Vietnam's population; more importantly, they have failed to respond to the needs of the people. Past governments as well as the present have made numerous and grandiose promises and proposed a myriad of programs. Yet in land reform, in refugee relief, in rural development, in curbing corruption and inflation, the record is clear. The challenges are unmet.

Of all these deficiencies, none is more glaring than the failure of the Thieu government to broaden its base of support to include various neutralists who are not pro-Communist, but pro peace.

We cannot continue to pin American hopes for a free Vietnam on the narrow, restricted base of President Thieu and Vice President Ky. To do so is to prolong the killing and to insure, ultimately, that Vietnam will become Communist. If the neutralists are continually frozen out and their leaders jailed, we are signing in advance the death warrant for any type of non-Communist government in South Vietnam.

We must face the fact, Mr. President, that it is power—mainly American power—and not legitimacy derived from the consent of the governed, that makes public policy in South Vietnam. We have great power in South Vietnam to grant or to withhold, and Messrs. Thieu and Ky know it.

I think we have the right to insist that the thousands of neutralists confined in jail be released, and that the censored press be unshackled—now.

This strategy is not new. President Eisenhower recognized the legitimacy of withholding support if reforms were not instituted.

So did President Kennedy and Johnson. As President Eisenhower stated on October 23, 1954, in his original commitment of aid to South Vietnam:

"The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms. It hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people."

Unfortunately, to be effective a threat requires a willingness to act. We have been tested and found unwilling."

Mr. EAGLETON. Mr. President, I concluded at that time:

Unless and until we are willing to take the final step of withdrawal if reforms are not instituted, the small, elite group of Vietnamese running a government distinguished primarily by its corruption, repression, and inefficiency will continue to exercise great control over American lives, American wealth, and American destiny.

Such dictation of American policy must end.

This can be done by explicitly and categorically stating our commitment to a reasonable but unequivocal timetable, similar to the so-called Clifford formula, for the withdrawal of all American combat troops from Vietnam while at the same time demanding that the Saigon government be broadened to include the many diverse and still unrepresented elements of South Vietnam.

If the second demand is met the United States should continue its orderly withdrawal on schedule. Such a course of action is not without uncertainties and dangers:

The Saigon regime may not be able to respond quickly enough to win the support of its people.

Even with massive American material aid, it may not be able to fight its own war.

But as John F. Kennedy said of the Vietnamese over 6 years, \$100 billion, and 200,000 American casualties ago:

In the final analysis, it is their war. They are the ones who have to win it or lose it.

It is time to heed that wise counsel.

If, however, the Government of Vietnam, after a reasonable amount of time has elapsed, refuses to take the necessary steps toward reform and accommodation, refuses to give representation to the unrepresented, continues to be controlled by a military and social elite for the betterment of that elite, the United States should withdraw with all possible speed, consistent with the safety of American troops.

This position must be made clear to the rulers in Saigon. If it is impossible for our present Ambassador to South Vietnam, Ambassador Bunker, to convey these demands to the Thieu, Ky, and Khiem regime, he should be replaced by someone who can.

To send another 5,000 to 10,000 American boys to their deaths and countless thousands more to be maimed in the cause of protecting the present regime is unconscionable.

I believe the American people now recognize the wisdom of such action, and the folly of shedding more American blood in a futile war, in a distant land, in a cause betrayed by Saigon's leaders themselves.

Mr. President, recently the Washington Post published several articles from Vietnam written by Joseph Kraft. Also, the New York Times printed an interview of Ambassador Averell Harriman by Hedrick Smith. I believe that these articles are important and germane at this time, and I ask unanimous consent that they be printed in the RECORD.

Mr. President, I also ask unanimous consent to have printed in the RECORD several articles of recent vintage pertaining to this matter: An editorial entitled "Double Trouble in Vietnam," published in the New York Times of August 25; an article entitled "Thieu Lagging in Effort To Unite Land, Bar Reds From Postwar Power," published in the Wall Street Journal on August 29, 1969, and an article entitled "Thieu Reshuffles Without Broadening," published in the New York Times on August 31, 1969.

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

[From the Washington (D.C.) Post, Aug. 19, 1969]

THIEU FAILS TO PUT TOGETHER BROAD SPECTRUM OF SUPPORT
(By Joseph Kraft)

SAIGON.—President Nguyen Van Thieu of South Vietnam may well be, as President Nixon suggested, one of the four or five best politicians in the world. Which is all the more reason why his recent efforts to put together a new cabinet here in Saigon inspire fresh misgivings about Vietnam.

For President Thieu is not coming anywhere close to gaining the broad range of political support he has been seeking. On the contrary, his performance suggests that even the most skillful leadership cannot generate from the present advantageous military conditions an enduring political pay-off.

The South Vietnamese president began his efforts to rebuild his cabinet with a formal announcement on July 19. At that time there was no doubt about his objectives and little doubt about the course necessary to reach them.

The prime objective was to regroup all the non-Communist elements in South Vietnam behind his government. To that end, there was adumbrated a program that, in effect, stole the Communists' clothes. It included various social measures, such as land reform, tax reform and administrative decentralization. It featured a peace offensive—various new initiatives for composing differences with the other side, such as release of political prisoners and, perhaps, a proposal for a cease-fire.

As a reward for backing that program, distinguished personalities in the country were to be given places on a special advisory council to the president. Vietnam's political parties would have their leaders taken into the cabinet—hitherto a collection of technicians under the mandarin leadership of Premier Tran Van Huong. Local village chiefs and hamlet leaders would gradually be given more of the administrative authority now vested in the army.

But efforts along these lines encountered immediate opposition. Emphasis on returning local administrative duties to civilian leaders was opposed by powerful elements of Gen. Thieu's own power base—the army. The peace offensive idea aroused misgivings among the Catholics who comprise the heart of his support in the legislature.

The most eminent personalities—the Buddhist leader Thich Tri Quang, the former chief of state Gen. Duong Van Minh, the former economics minister Au Truong Thanh, the former general and present Senate leader Tran Van Don—were not attracted by the prospect of association with the Thieu regime.

Prime Minister Huong, with backing from the American Embassy and the help of a mysterious spy case that tended to weaken President Thieu and his advisers, clung tenaciously to office. And with the chief plum not up for grabs, there was even an abatement in the appetite of party leaders for participation in the new cabinet.

In these conditions, President Thieu's closest associates began knocking the cabinet reshuffle even before the final results had been announced. Nguyen Van Huong, Thieu's chief political adviser, in an interview with this columnist disparaged the leaders of Vietnam's political parties as men "who sought office before they had followers."

President Thieu's minister of interior and closest army buddy, Gen. Tran Thien Khiem, observed that "Vietnamese democracy is becoming like American democracy. We discuss all possibilities, and then do mainly what we had been doing." And Tran Van Lam, one of Thieu leaders in the Senate, implicitly wrote off the whole cabinet reshuffle as a kind of charade played out to make Americans feel better.

"Democracy with peace," he said in an interview, "is not so hard. Dictatorship with war is not so hard either. But democracy with war is practically impossible. Still that's what the Americans want, so that's what we try to give."

In fact, the failure to make a glowing success of the cabinet reshuffle is not all that innocuous. For it expresses the utter fragmentation of South Vietnamese opinion caused by the war, a splintering of views into bits and pieces too scattered and incongruous to be reassembled into organized blocs.

While the war goes on, there is no decisive political majority in Vietnam, nor even any cement for such a majority. And the notion that stable government with popular support can be achieved before a settlement with the

other side is an illusion—perhaps the last illusion, and the most painful to shed, still left to American officials.

[From the New York Times Magazine, Aug. 14, 1969]

HARRIMAN SUGGESTS A WAY OUT OF VIETNAM

Governor, you've talked many times about the idea of a Southern solution in Vietnam. Is this just a polite way of saying that in the end we're going to have to settle for a coalition which includes both Saigon elements and the National Liberation Front?

HARRIMAN. I don't know what's going to come out of it. I'd always hoped we could get the people from Saigon together with the N.L.F. and put them in a room and lock the doors and throw away the key until they came out with a decision.

We had arranged—or at least we thought we had, Cy Vance and I—that we would have private talks, the four of us together, right after the first open meeting.

This was last November in Paris?

HARRIMAN. Yes, after the end of the bombing and after we had agreed on the procedures for four-party talks with the South Vietnamese Government represented. In fact, it was so clear that we would have four-party private talks that the North Vietnamese asked if it would be possible for us to continue sometimes to have bilateral talks. I said: "Well, of course it would be, because we must have many subjects of mutual interest."

It hasn't worked out that way; both sides have been rather cautious about being unwilling to talk to each other, and it shows that each side is a bit afraid of the other. But one of the things that's absolutely essential is that the Saigon Government must broaden its base. It's not a very good negotiating team for the future of the South Vietnamese people when it represents such a narrow group.

You mean it should include many other elements, even progressives like the leftist Buddhists?

HARRIMAN. Yes. There are a number of different groups. I'm quite convinced that by far the majority of the people don't want to be taken over by the Vietcong or Hanoi; they want to be independent. The trouble is they're split a dozen different ways, and no one has been able to bring them together.

President Diem was not able to do so. That was the reason for his fall. And he got too arbitrary, put too many people in jail. And this Government is putting a lot of people in jail. I was rather startled when I heard President Thieu, coming back from meeting President Nixon at Midway, announce that he was going to punish severely anyone who suggested a coalition government.

Well, our position has been that we're not opposed to a coalition government. You remember I said in Paris a number of times that we would not impose it. We were not against it, but we would not impose it. We were against a government's being imposed either by Hanoi or by Washington.

How do you distinguish between broadening the base of the Thieu Government and what Hanoi and the N.L.F. call forming a "peace cabinet"? Are you suggesting we have to dispense with the Thieu regime?

HARRIMAN. No, I'm not. We've been urging Thieu to broaden the base, and he did to some extent when he brought in Tran Van Huong last year as Premier, and then others, but he didn't really bring together a coalition of all the anti-Vietcong forces. There are different groups, different sects, religious groups. There are two techniques, and both should be used. One is to bring in ministers that are representative of different groups, get a coalition that way. Another, possibly better technique, is to have what they once had, which is a council of notables. They could get some fel-

low who had great popular appeal—Big Minh,¹ for instance—to be chairman, and have it a consultative group, bring in everybody. Now, it couldn't be just a front; it would have to be consulted. Thieu would have to give up some of his arbitrary positions; he would have to really consult these people as to the kind of settlement they wanted to have.

We've been trying to persuade Thieu to broaden the base, but we've never really put heat on him, and I think that is something that ought to be done; I say put the heat on him and make him understand that this is essential for our support. I think he'd do it then.

I'm afraid that I would disagree with what the Embassy people think is enough. Some people think it's enough that he reshuffle the Cabinet and bring in two or three people who belong to certain different groups. I think he's got to bring them all into something like this council of notables, all the non-Communist groups.

There'd be some very vigorous differences of opinion between these groups, of course. But if Thieu cannot dominate the non-Communist groups, there's not much hope—is there?—for his surviving as a leader in his country, because the other side has no use for him. Thieu has been a very shrewd operator, but he hasn't got the appeal that a fellow like Big Minh has.

Do you think that broadening the base of the Saigon Government would break the present stalemate in the Paris talks, or do you think other steps are necessary?

HARRIMAN. I don't think that we'll ever come to serious negotiations until we're ready to accept the status quo, militarily and politically. The other side made it quite plain to us that they'd continue fighting as long as we continued fighting. This seems rather natural to me. If you're going to try to make a settlement you've got to accept the status quo.

I think that we ought to abandon our efforts to expand the pacification program into new areas. That's an attempt by the Saigon Government, with our support, to improve their position, to get control of more villages which were rather doubtful or were under V.C. control. As I recall it, in December, half of our combat forces were engaged in that operation. So it was a quite important activity.

But the principal object would be for our forces to go into more defensive positions, to be available if the other side attacked, but not to try, at the last minute, either to "win the war" militarily or to pacify the people. You know, there's great hope in the Embassy in Saigon that in a few more months they can do a good deal in pacification. I have grave doubts about the permanent value of this procedure.

What's more important is to consolidate our position in the areas clearly controlled by the Government, and that means getting more of the people back of the Government in the manner that I described. That has to be done or the future elections will be quite unfortunate.

You seem to imply that recognizing the political realities means recognizing that the other side is going to have a share of the political power in the South as part of any settlement. Otherwise, they won't have any interest to stop fighting.

HARRIMAN. That's right. How it can be achieved is very hard. There are certain countries that have survived with an active,

vigorous Communist party. In France and Italy, for instance, you have strong Communist parties in opposition to the Government. In Finland, the Communist party is participating in the Government. There are others that were not successful in withstanding this. In the Western European countries, a number of them had Communist participation in government for a short period but the non-Communist forces were strong enough to throw them out.

[From the New York Times, Aug. 25, 1969]

DOUBLE TROUBLE IN VIETNAM

President Nixon's deferral of a decision on another major American troop withdrawal from South Vietnam and President Thieu's choice of a General to replace a civilian as Premier are poor auguries for peace.

President Thieu is not only disregarding Washington's advice that he broaden his government—essentially a military regime with civilian window dressing—but is putting another uniform into the window. The new Premier, Gen. Tran Thien Khiem, is the country's highest ranking general and an excellent administrator. He may strengthen the government's competence and Mr. Thieu's support within the Army officer corps. But his appointment puts a third officer alongside General Thieu and Vice President Ky at the top of the state.

The fact that General Khiem is a southerner and a Buddhist can be useful, since northerners and Catholics now are visible in high places for a regime governing predominantly Buddhist South Vietnamese. His appointment suggests that President Thieu is more interested in consolidating control of the Saigon military junta and the country's administrative machine than in widening his government's political appeal. It suggests preparation for continued war rather than for the approach of peace, and amounts to a statement that competent civilian leadership cannot be found. This runs counter to the direction of peace as Washington sees it.

In view of Saigon's position, President Nixon could have strengthened his policy of phased unilateral withdrawal of American combat troops from South Vietnam, turning over the responsibility for defending the country to the South Vietnamese. Instead, he now gives the impression of becoming an instrument of the Saigon regime, which opposes further American withdrawals at this time, and of the shifting military tactics of Hanoi.

The Nixon withdrawal policy was an American decision, not necessarily related to what Hanoi or Saigon wished or did. The rate of withdrawal was to be related to three criteria: the speed with which the South Vietnamese could take over combat responsibilities; the level of enemy military activity; the degree of progress in the Paris peace talks.

Secretary of State Rogers indicated last week that enemy-initiated military action remained below normal, despite the brief upsurge that punctuated the summer lull August 11 and 12 and sent American casualties rising. Mr. Rogers said he favored "sensible risks for peace," implying that American troop withdrawals would continue unless a major Communist military offensive developed. President Nixon's decision to delay is not likely to spur Saigon to take on added responsibility.

What is now needed is not a halt in American troop withdrawals but their continuation, linked with proposals for de-escalation of the fighting, and negotiation of a standstill ceasefire. The likelihood of de-escalation and the speed of Saigon's take-over of American combat responsibilities will be improved when it becomes clear that American policy is no longer to expand the area of Saigon's control but to settle for the territorial status quo.

¹ Maj. Gen. Duong Van Minh, a leader of the 1963 coup that overthrew the regime of President Ngo Dinh Diem. Minh was in exile in Thailand until last fall and since then has been living quietly in Saigon.

[From the Wall Street Journal, Aug. 29, 1969]

AFTER THE WAR: THIEU LAGGING IN EFFORT TO UNITE LAND, BAR REDS FROM POSTWAR POWER—VIETNAM PRESIDENT REFUSES TO ADD MEN FROM CHURCH, OTHER PARTIES TO HIS RULE—IS THERE A LOYAL OPPOSITION?
(By Robert Keatley)

SAIGON.—Richard Nixon rates South Vietnam's president Nguyen Van Thieu as one of the four or five best politicians in the whole world, a "very capable guy" who should not be underestimated.

Maybe so. By merely surviving two years in office, the former general has outperformed most of his predecessors. Mr. Thieu has also launched a few social reforms and brought about improvements of the South Vietnamese army and militia forces. Equally important, he has made it permissible to discuss out loud here the prospects of peace and negotiations—topics previously banned for fear of destroying Saigon's morale.

But now the dapper Mr. Thieu is facing perhaps his most important political challenge, and many here rate his performance deeply disappointing—no matter what Mr. Nixon may think. The task: Broadening the appeal of his now-unpopular regime for an eventual political show-down with the National Liberation Front over the right to rule this weary land when the war ends. The results to date: Minimal, and in some ways negative, as President Thieu's usual caution and suspicion continue to dominate his political maneuvering at a time when many believe bold leadership is essential.

The opportunity to provide it exists. Six weeks ago Mr. Thieu began a cabinet reshuffle designed to increase his regime's popularity and effectiveness. It's widely wished that this new government include representatives of leading political and religious groups along with the "technocrats" Mr. Thieu prefers. But the shuffle is painfully slow, and its direction is not encouraging. The only decision to date has been selection of a Thieu army crony as prime minister.

THE BASIC ISSUE: SURVIVAL

For many Vietnamese, all this is not only unacceptable but downright dangerous. "We need cooperation of all major political and religious groups behind some practical reform program," says Sen. Dan Van Sung, one of Saigon's most respectable politicians, who is trying to help Mr. Thieu win new mass support. "But we are not moving fast enough."

Speed is necessary because the basic issue is survival. Most analysts here consider an eventual overt political struggle between Saigon and the Communists to be unavoidable, making non-Communist unity more important than ever. This struggle could evolve in many ways—for example, through the national elections proposed by the Allies (so far rejected by North Vietnam), or in the wake of unofficial local agreements between the warring sides. Likewise, the timetable remains anyone's guess; to date Hanoi spurns Allied overtures toward cease-fire and political settlement.

But the belief grows that eventually, perhaps soon, Communists and non-Communists will compete for political power by less warlike means than at present. And without more popular support than it now enjoys, and without better organization, the Thieu government may lose this battle to the more dedicated and highly disciplined Communist minority, many people here fear. If so, this could make the American experience here—so costly in lives, materials and money—one long wasted effort.

SOME SQUABBLING LITTLE PARTIES

Mr. Thieu pays lip service at least to this argument. The announced purpose of his current governmental shakeup is to bring in new blood, with broader political backing. He

is nominally encouraging South Vietnam's squabbling little political parties to form united fronts so they will have more impact. He has even formed his own front by combining six tiny parties into a National Social Democratic Front, an alliance of hawkish politicians who are mostly refugees from the Communist North. In addition, the president has promised some basic social legislation, notably major land reforms.

But many consider these measures inadequate. Assuming the American withdrawal accelerates during months ahead, as promised by Washington, Saigon will be increasingly on its own—both militarily and politically. Yet Mr. Thieu seems unwilling to make relatively daring moves that might interest, perhaps even excite, the apathetic public whose support he will one day need in opposing the NLF. For many observers, last week's switch of prime ministers illustrates this point.

Fifteen months ago President Thieu appointed the highly regarded, if rather crochety, Tran Van Huong as prime minister. Mr. Huong, an elderly school teacher of Confucian principles, is widely respected for his integrity and learning, values revered by many Vietnamese. Once in office, he promised a crackdown on corruption and pledged other improvements. But he accomplished little, due to faint support from Mr. Thieu and to his own stubborn personality (he has an intense dislike of most politicians, for example). Thus, when President Thieu six weeks ago began searching for a new cabinet to improve his government's image, a change of prime ministers seemed possible if a suitable replacement could be found.

GENERAL KHIEM'S LIABILITIES

Mr. Thieu didn't look far. The other day he selected Deputy Prime Minister Tran Thien Khiem, a four-star general on active duty. Though undoubtedly more efficient than Mr. Huong, Gen. Khiem may likewise prove a political liability; many Vietnamese consider the general, whose present duties include command of the national police force, a somewhat sinister figure. It's alleged he has been overly zealous in arresting critics and otherwise squelching dissent.

In any case, Gen. Khiem certainly appears more flexible in some ways than the dignified Mr. Huong. Three years ago, the general was ambassador to Taiwan when Buddhist protests seemed ready to topple the Saigon regime. Gen. Khiem, originally a Roman Catholic, checked into a Taipei monastery and announced his sudden conversion to Buddhism, to the accompaniment of appropriate press releases. He still lists Buddhism as his religion, but he is hardly a favorite of the church, having jailed a leading monk and harassed politicians close to the Buddhist movement.

The general's new assignment illustrates Mr. Thieu's basic approach to reorganization, according to some analysts. "Despite what he says, Thieu considers it more important to be efficient than to be popular," says a foreign diplomat. "He won't appoint politicians whom he—often with reason—doesn't quite trust, when he can use military men or others whose loyalty he has wooed or purchased."

Thus the mostly military regime has orders to charge ahead with pacification, bringing more peasants under government control, in hope that economic and security benefits will lead to political support from farmers. This Thieu technique—supported by many senior Americans—avoids dangers of sharing real power with uncertain cohorts, while preventing restlessness among the generals whom Mr. Thieu needs if he is to stay in office.

THE "LOYAL OPPOSITION"

But whether the president can afford this rather mechanical approach is another matter. "How can you claim to have control of

84% of the people, or whatever?" a Vietnamese senator wonders, remarking: "This doesn't mean you control them politically, or can rely on their support." Warns Prof. Nguyen Ngoc Huy, a Paris peace delegate and deputy leader of the National Progressive Movement, "We need to develop political unity behind a national reform program, otherwise the Communists will take this country." Prof. Huy's movement, perhaps South Vietnam's most serious new political bloc, is trying to become a "loyal opposition" that can press the Thieu regime into adopting more popular political measures.

But this isn't easily done. "Loyal opposition" seems a contradiction in terms to President Thieu, whose Mandarin and military conditioning apparently make him regard others as either "loyal" or "opposition," but not both. Prof. Huy's organization efforts in Hau Nghia Province, for example, were halted by the province chief, an army colonel, who saw something subversive in them, though the movement has opened chapters in several other provinces recently. If President Thieu is to obtain mass support, critics contend, he must encourage, not merely tolerate, such groups even if they aren't completely under his control.

Others whom the president must woo, many believe, are the religious organizations, notably the An Quang Buddhists—remnants of the Buddhist force that once threatened the government. Still nominally led by the Venerable Tri Quang, whose shaved head used to be prominent in the world press, these Buddhists have lost much political clout but remain one of the few organizations that can legitimately claim mass support. Moreover, they sound rather conciliatory toward the government these days.

A visit to the An Quang pagoda, the group's headquarters, finds the Venerable Huyen Quang talking about possibly supporting a reformed Thieu government. "The church thinks it is about time we should settle personal differences and work together to build the nation," says the crew-cut Venerable, an official of the political and educational arm of the church. As messages crackle over an intercom connecting the monks' cells, and a small Japanese Sanyo refrigerator hums near his foam rubber bed, the Venerable says his branch of Buddhism has hardened its attitudes toward communism.

SENATOR DON'S POSITION

"In the past, we had strong reservations about the Vietcong," he says, "and these were confirmed by last year's Tet attacks. The Communists claim they executed only guilty people, but they actually killed many Buddhist cadres. They fear anyone who has prestige with the people."

Sen. Tran Van Don, an ex-general who has been prominent since the 1963 coup that overthrew the late President Ngo Dinh Diem, also argues that President Thieu must win support of religious groups. He claims that 10 million of South Vietnam's 17 million people belong to one of the four dominant faiths—Buddhist, Roman Catholic, Hoa Hao and Cao Dai—and that religious leaders have more influence with the people than do any public figures. "To create a strong government, he must have their support," insists Sen. Don.

But Mr. Thieu doesn't appear to see it that way. He has made no noticeable overtures toward the Buddhists or other major religions. Likewise, he shows scant enthusiasm for another Sen. Don suggestion, that of turning army veterans into a pro-government political force by creating their own organization and their own welfare benefits. Perhaps the president fears that ex-general Don, a potential rival, would gain stature if Buddhists and veterans increased their influence.

The president's resistance to political base-broadening is summed up by a key palace aide: "We are not going to let politicians par-

ticipate unless they are strong and competent. We are not just going to shuffle the old bunch around in order to get a new cabinet."

A PROUD BOAST

This is not an illogical approach. Many politicians have no more backing than that of a few friends and relatives, and are motivated only by dreams of personal gain. A round of interviews with leading political activists finds them repeating the clichés of bygone years about the need for "good men" who will "fulfill the aspirations of the people"—phrases Vietnamese politicians often substitute for hard work on basic organizing and specific programs.

Perhaps typical is a self-proclaimed leader of a Dai Viet Party faction whose proudest boast is that he has opposed every government in South Vietnam since 1954 and isn't about to support this one either. Over a cup of weak tea, he confides (off the record) that he will continue to "struggle" against Mr. Thieu, whom he considers a former lackey of the French and a present lackey of the Americans. He seems willing to talk about "struggling" for hours, as a servant repeatedly refills his teacup.

Small wonder that Mr. Thieu has little use for such politicians. But his critics argue that support by serious political organizations like Prof. Huy's, and the major religious groups is essential for any broad-based government. They express dismay at the president's reluctance to enlist this support at the risk of surrendering some power. "Now, is the time for us to more positive," insists the faithful Sen. Sung. "We need a policy that goes beyond simple anti-communism."

But simple anti-communism apparently remains the president's main political message. In a recent speech to village officials at a training center, Mr. Thieu warned, "The Communists sitting in Paris had better not look for a peace cabinet or a reconciliation cabinet." This hard line is echoed by an official sign planted throughout the country: A Coalition Government With the Communists Means Suicide.

[From the New York Times, Aug. 31, 1969]

THIEU RESHUFFLES WITHOUT BROADENING (By B. Drummond Ayres)

SAIGON.—South Vietnam is going through another of its political upheavals and, as usual, the faces are changing but not the policies.

Gen. Tran Thien Khiem, a hard-nosed military man with a reputation for efficiency has taken over the Premiership from Tran Van Huong, a patriarchal figure who also can be hard-nosed but of late has acquired a reputation of inefficiency. A new Cabinet will be named within the next few days and it probably will represent a broader cross-section of political personages than were in the Huong Cabinet. But no one will be fooled.

Everybody knows that President Nguyen Van Thieu still runs the show here.

The upheaval was caused by a number of developments. Mr. Thieu was being pushed hard by the Americans to broaden his right-wing Government so that it would be more democratic and perhaps more acceptable to those Vietcong willing to compromise to end the war.

At the same time, Mr. Thieu found it necessary to make some shifts to keep the South Vietnamese military appeased. The generals were increasingly leery of all the talk of compromise, and the President, himself a former general, was only too aware of the trouble they could cause him.

TAKING STOCK

Finally, it was time once again to take stock of the various political factions and personages to see which counted most or least in the summer of 1969 and therefore deserved a bigger or smaller slice of the action.

In short, a Government re-balancing was needed. Without it Mr. Thieu could not hope to hold power for long because the key to his tenure had always been his careful playing off of friends and enemies.

Mr. Huong, on the other hand, felt no shuffling was required. A proud man with fixed, sometimes impractical views on running a nation, he balked at bringing in new faces. The Government, he argued, should be run by dedicated civil servants or "technicians," not politicians.

Thus, a governmental stalemate developed. It dragged on for two months and during that time many ministries almost ground to a halt.

Mr. Thieu demanded that Mr. Huong resign, not wanting to go through the embarrassment of firing him. The Premier refused, not wanting to lose face.

Mr. Thieu then began to put on new pressure. The legislative branch, which Mr. Huong always treated cavalierly and which Mr. Thieu was beginning to court, suddenly called for a new Premier.

Legislators rose to accuse Mr. Huong of inefficiency. They said he had failed to push through any significant social programs. Newspaper editorials charged that he had not cleaned up rampant corruption, although it was acknowledged that he himself was one of the most honest men in Vietnamese public life. He was blamed for rising food prices and low wages. And so it went.

STEPS ASIDE

Finally, Mr. Huong and Mr. Thieu reached an agreement. The Premier would neither resign nor be fired. He would simply "step aside."

There was a minimum of embarrassment for everyone. But there was no doubt that the agile Mr. Thieu had emerged triumphant from still another crisis.

The President and Mr. Huong have never been close politically. So it can be said that Mr. Huong's appointment as Premier 15 months ago represented a certain broadening of the Government. The President found him a good choice at that time because he was one of the most popular Vietnamese personages and brought a measure of balance to the regime, being a civilian, a Southerner and a Buddhist. Perhaps most important, he was a natural foil for the driving political ambition of Vice President Nguyen Cao Ky.

It can hardly be said that General Khiem's appointment represents any real broadening of the Government. Not only is he one of the President's closest friends but his sudden elevation adds a third military man to the ruling triumvirate, since Mr. Thieu and Vice President Ky are both former high-ranking officers.

This militaristic makeup worries the United States Embassy here. But General Khiem's reputation for efficiency—based on his service as an Ambassador to Washington and as Deputy Premier and Minister of the Interior in the Huong Cabinet—offsets some of that concern. Further, he undoubtedly will prove very useful in keeping the South Vietnamese military happy.

General Khiem's appointment, then, is a consolidation of power. Now all that remains is a parceling out of Cabinet jobs—not power—to the personages who, by latest assessment, seemed to count. The appointments will be used to balance and to buy off and the over-all illusion will be that the Government has been broadening.

Obviously, Mr. Thieu is not yet ready to move toward either real democracy or accommodation with the Vietcong.

THE AUGUST 18 NARCOTICS RAID IN WASHINGTON

Mr. McCLELLAN. Mr. President, we all have much to learn about the spread of crime in our society and about the law-enforcement measures that can be em-

ployed to arrest it. While we often speak of "trial and error" and of learning by our mistakes, I believe there is much we can learn from our successes as well. Unfortunately, major successes in the escalating war against organized crime seldom occur. But a very important battle was won recently here in the District of Columbia, and I would now like briefly to describe that case and to point up certain lessons we can learn from it.

The case to which I refer involves a series of narcotics arrests and seizures in the District of Columbia beginning on August 18 of this year. In February of 1969, agents of the Federal Bureau of Narcotics and Dangerous Drugs began the planning of a long-range investigation aimed at discovering the sources of "hard" narcotics being sold in the District of Columbia. They believed that an individual named Lawrence Jackson, a 33-year-old resident of Southeast Washington with a 1969 Lincoln Continental and no legitimate job, was a major wholesale supplier to retail peddlers and smaller wholesalers in Washington. With the aid of an informer, they arranged and made "buys" from Jackson of \$750 worth of heroin found to be 88½ percent pure, and on another occasion \$1,500 worth of heroin which proved to be over 65 percent pure. According to an affidavit filed by Narcotics Bureau Agent John F. Cody, in connection with the case, based on his 15 years of investigative experience—

Narcotic drugs containing such high percentages of heroin can be obtained only from international sources or from major wholesale distributors who buy directly from such international sources.

Agents conducted extended surveillance of Jackson's headquarters, and, according to the affidavit, observed "a constant daily flow in and out of the premises by known narcotic dealers."

The agents then identified the telephone listed to Jackson's headquarters and, relying upon their "buys" and surveillance to establish probable cause, applied for a court order authorizing a wiretap on that telephone. On July 9, a 30-day wiretap order under title II of last year's Omnibus Crime Control Act was entered by District of Columbia district court Judge William B. Jones, and on August 7 it was extended for 2 weeks. Pursuant to that court order, agents recorded every conversation taking place over Jackson's line, and a special device called an "electronic dialing recorder" simultaneously printed out telephone numbers dialed from Jackson's telephone. On August 1, using information obtained through the Jackson wiretap—remember that wiretap was applied only on July 9—the agents obtained a court order for a wiretap on a second telephone located in northeast Washington and listed to a Mrs. Mary Davis.

Approximately 6 weeks after installation of the first wiretap, the agents had the necessary evidence and an opportunity to arrest three of Jackson's New York contacts in Washington. So, on August 18, 41 arrest warrants were obtained. Thirty arrests were made immediately, and four more had been made by August 27, leaving seven arrest warrants not yet served. Among those arrested were a lawyer, and a real estate

broker, a dentist, and a Metropolitan police officer.

Although the prosecutions resulting from this investigation have yet to be completed, and one must consider the contents of the affidavit and news articles as unproven allegations, still the case well illustrates the great utility of even title III's limited grant of wiretapping authority in cases apparently involving organized crime participation in grave felony offenses.

In the course of the Jackson wiretap, the narcotics agents allegedly overheard a large number of conversations in which Jackson arranged sales of wholesale lots of pure heroin, pure cocaine, and empty capsules. While evidence of the two "buys" made directly from Jackson might have been sufficient to establish his guilt of some offense, it was only through the wiretap that the agents were able to learn the vast scope of his operations and not only to identify his source of supply, but to develop evidence leading to the arrests of his suppliers. It is that latter contribution of the wiretap which is most impressive, since convictions of such high-level figures are exceptionally difficult to obtain and are the key to any successful attack on hard narcotics distribution. As Jackson said in one of the telephone conversations described in the affidavit, "after he met the 'big boys,' he started to make big money." More specifically, on July 19, Jackson was heard to say that he had renewed his supply of narcotics and had given \$130,000 to persons he referred to as the "Italians."

The three New Yorkers arrested in Washington on August 18 are Enrico "Harry" Tantillo, Carmine "Carlos" Paladino, and Bobby Santorelli. According to the Special Agent Cody affidavit:

Jackson and the three New Yorkers are members of an interstate narcotics network which arranges to receive narcotics smuggled into the United States and, thereafter, to transport the narcotics to regional suppliers who serve as central distributors to wholesalers and retailers of narcotics within each particular region.

Paladino is a convicted felon and Tantillo has a criminal record of charges for firearms and narcotics violations, corruptly influencing witnesses, and obstruction of justice. At the time of their alleged District of Columbia offenses, Tantillo and Paladino were awaiting trial on New Jersey charges of possession of a kilogram of cocaine. Both were identified as members of the Cosa Nostra "family" of Vito Genovese, in testimony given during our 1963 hearings on racketeering. According to the Cody affidavit, in the first half of 1969, Santorelli sold \$7,600 worth of 80-percent and 64-percent pure heroin to an undercover agent in New York and told the agent that he "supplied high quality narcotics to out-of-town wholesalers." When Tantillo was arrested on August 18 in an apartment in the 1200 block of Massachusetts Avenue NW., half a kilogram of cocaine was found with him. On the same day, officers arresting Jackson found \$4,600 cash on his person and \$14,000 cash at his home.

Furthermore, this case illustrates the way in which the narcotics traffic and organized crime's involvement in it poisons our society and its institutions. The local branch of this operation was centered

in Washington's Negro ghetto—it was that economically deprived area which was being further debilitated and crippled as the living death of hard narcotics use was promoted—and it was from that impoverished area that men like Paladino and Jackson was taking huge sums of money. As the use of hard narcotics flourished there, it contributed to the prevalence of other forms of crime and vice which long have been notorious in certain parts of Washington. As the Washington Star reported:

The roundup . . . is believed to have caused a near panic among the city's addicts and a disruption in the normal rhythm of life among the constellation of junkies, hustlers and addict-prostitutes who populate 14th Street NW and environs.

Nor are we spared the spectacle of official corruption which ordinarily accompanies the operations of organized crime. According to the Cody affidavit, on August 8, a Metropolitan Police officer was overheard telephoning Jackson and warning him of narcotics squad operations directed against him.

When the Congress was considering whether to pass title III, one argument used by those opposing its enactment was that today criminals, especially those involved in organized crime, are careful not to use the telephone for plotting or committing crimes. The then Attorney General suggested that wiretapping was "neither effective nor highly productive." This narcotics case completely refutes that contention, as an argument against the use of wiretapping. It is true that in one conversation described in the Cody affidavit, on August 15, Jackson interrupted Paladino and told him not to state a certain telephone number over the phone. Seven hours later, though, one of Jackson's assistants used the same telephone in Jackson's presence to haggle over whether a purchaser would pay \$750 or \$850 for 18 "spoons," \$1,500 for 36 "spoons," or \$3,000 for one-eighth of a "key"—terms well known to narcotics agents as units of heroin or cocaine. Indeed, the Washington Post reported that most of the 1,000 calls a month made from Jackson's telephone concerned narcotics sales.

Mr. President, in a letter I received on August 26, 1969, from the Honorable Jack C. Landau, Director of Public Information in the Department of Justice, he stated:

As you may have read, John Ingersoll, the Director of the Bureau of Narcotics and Dangerous Drugs, and Thomas Flannery, the United States Attorney for the District of Columbia, said that these arrests and seizures could not have been made without the aid of wiretapping devices approved by the Attorney General and authorized by the United States District Court for the District of Columbia pursuant to Title III of the Omnibus Crime Control bill.

Mr. President, it is most gratifying that the present administration has reversed the policy of the previous administration regarding wiretapping. The Washington Star described this raid as "the first one in recent years aimed at wiping out a major wholesale system in the city." Several years had passed without such a large and significant successful narcotics investigation in the District of Columbia; yet within 6 months after

the Nixon administration announced its intention to make use of the authority given to it by Congress in title III, and less than 6 weeks after the wiretap was applied, the Justice Department, in cooperation with local authorities, had completed successfully this very major investigation. The winning of one battle does not insure victory in the war against organized crime. However, this particular battle is, in my opinion, important because it represents a first step here in Washington toward reversing the tide in law enforcement against organized crime and affords a fine example of cooperation between Congress and the Executive to fashion and make efficient use of most effective tools against the leaders in organized crime. It demonstrates that when those underworld bosses use drugs to bleed the energy and meager funds of citizens in the ghetto through an interstate conspiracy with a Negro traitor to his own people, and a policeman traitor to the laws he swore to uphold, we who have legislative responsibility must support giving law enforcement the tools it needs to get its job done.

When, in 6 weeks one series of wiretaps can bring to book two members of La Cosa Nostra, a major wholesaler, a crooked policeman and an assorted group of other criminals, never again should we hear expressed a doubt that wiretapping is necessary to break the back of organized crime's exploitation of our people, particularly in the ghetto.

Mr. President, I ask unanimous consent that a letter sent to me on August 26, 1969, by Mr. Jack C. Landau, the Department of Justice Director of Public Information, and an affidavit and stories appearing August 24 in the Washington Post and Star, which he furnished to me, be inserted in the RECORD at this point.

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

DEPARTMENT OF JUSTICE,
Washington, D.C., August 26, 1969.
HON. JOHN L. MCCLELLAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Enclosed are materials relating to the series of narcotics arrests and seizures conducted by the Bureau of Narcotics and Dangerous Drugs in cooperation with the Washington Metropolitan Police Department on August 18.

As you may have read, John Ingersoll, the Director of the Bureau of Narcotics and Dangerous Drugs, and Thomas Flannery, the United States Attorney for the District of Columbia, said that these arrests and seizures could not have been made without the aid of wiretapping devices approved by the Attorney General and authorized by the United States District Court for the District of Columbia pursuant to Title III of the Omnibus Crime Control bill.

If this office can be of any further assistance, please contact us.

Sincerely,
JACK C. LANDAU,
Director of Public Information.

AFFIDAVIT

I, John F. Cody, being duly sworn, depose and state:

INTRODUCTION
The affiant

1. I am a Special Agent with the Bureau of Narcotics and Dangerous Drugs, (BNDD) Department of Justice. I have had fifteen years of experience in criminal investigation

and am fully familiar with the investigation of narcotic offenses and the investigation of drug-related crimes. More specifically, I am in charge of, and fully familiar with, the investigation pending in our Bureau of a major narcotic smuggling and trafficking operation.

The investigation

2. This investigation has focused on a number of subjects including, among others, Enrico Tantillo, Carmine Paladino, John Doe, also known as Bobby Santorelli, and Lawrence Jackson. The investigation has shown that these subjects are members of an interstate narcotics network which arranges to receive narcotics smuggled into the United States and, thereafter, to transport the narcotics to regional suppliers who serve as central distributors to wholesalers and retailers of narcotics within each particular region.

BACKGROUND OF SUBJECTS

I have reviewed the files of the BNDD and these files reveal:

3. Enrico "Harry" Tantillo, Carmine "Carlos" Paladino and John Doe, also known as Bobby Santorelli are identified as well-known major narcotic traffickers.

4. Enrico "Harry" Tantillo is a White male, 53 years of age, born January 28, 1916, 5'6" tall, 160 lbs., medium build, gray hair. He is a resident of New York. He is further identified by Federal Bureau of Investigation (FBI) Number 102-428-5 and New York City, New York Police Department (NYPD) Number 137-405. BNDD files indicate that Tantillo has been closely associated in illicit narcotic activities with Paladino and Santorelli described below. His criminal record includes charges involving violation of federal narcotic laws, corruptly influencing witnesses, obstruction of justice, and firearms violations.

5. Carmine "Carlos" Paladino is identified as a White male, 54 years of age, born July 14, 1916 in New York City, New York. He is further identified with New York City, New York Police Department Number 139-528 and has FBI Number 382-9275. According to these records he is a convicted felon who is now pending trial in New Jersey in case 5-NJ-1568 on a charge of possession of a kilogram of cocaine along with a co-defendant, Enrico "Harry" Tantillo, described above. A close association between Paladino and John Doe, also known as Bobby Santorelli, described below, is reflected in BNDD files. BNDD agents during this investigation have surveilled Paladino and Santorelli and have observed them acting together in narcotic transactions.

6. John Doe, also known as Bobby Santorelli is a White male, about 28 years of age, approximately 71" tall. He has black hair, brown eyes and medium build, and weighs about 185 lbs. He is a resident of New York. BNDD files indicate that he is closely associated with Tantillo described above. This close association has been determined by extensive surveillance by BNDD agents in New York City, New Jersey and Washington, D.C. He is further described in BNDD files as a deliveryman of illicit narcotics for Paladino and as a "lieutenant" for the organization's "chieftains".

7. Lawrence Jackson is a Negro male, 33 years of age, born August 4, 1936, in Washington, D.C. He is further identified with the Washington, D.C. Police Department under Criminal Photo Number 157-130, and has the FBI Identification Number 493-468-C. Jackson has been known to the BNDD as a major violator of the narcotic laws for the past several years.

UNDERCOVER BUYS

8. During the investigation a number of large undercover buys of narcotics have been made by BNDD agents and informants. Within the past two months, such buys of heroin were made directly from Jackson by an informant, hereinafter referred to as SE

2-9-0011. On one of these occasions 14.100 grams of heroin at a price of \$750.00 was purchased by SE 2-9-0011. The chemist's analysis showed that it contained 88.5 percent pure heroin. In this transaction, SE 2-9-0011 made arrangements for the purchase by telephoning 582-9265. I have personal knowledge of this, having monitored this call with the permission of SE 2-9-0011. On the other occasion, Jackson sold and delivered to SE 2-9-0011, 23.500 grams of heroin for \$1,500.00 in the presence of Agent Wilder. The chemist's analysis showed that it contained 65.2 percent pure heroin. In preparation of this second buy, once again SE 2-9-0011 made preparation for the purchase by telephoning 582-9265. I have personal knowledge of this, having monitored the call with the permission of SE 2-9-0011. On both occasions, BNDD Agents carried out full surveillance. Furthermore, SE 2-9-0011 has advised me that Lawrence Jackson is currently one of the largest wholesale narcotics dealers in the Washington, D.C. area. This informant's reliability has been proven in the past. Four cases have been initiated against major violators in the Washington, D.C. area as a result of information and services he rendered. In these instances, the informant, in company with Special Agents Cooper, Metz, and Wilder, Bureau of Narcotics and Dangerous Drugs, purchased heroin on eight (8) occasions. In all of the eight (8) purchases, the chemical analysis showed the presence of high quality heroin.

SURVEILLANCE AT JACKSON'S HEADQUARTERS

9. Intensive daily surveillance by BNDD agents between early July 1969 through the present has identified Apartment 2 at 201 53rd Street, S.E., Washington, D.C. positively as the headquarters of Jackson's illicit narcotic operation in Washington, D.C. The agents have observed a constant daily flow in and out of the premises by known narcotic dealers. By subpoena to the C & P Telephone Company, Washington, D.C., I had learned previously that Telephone Number 582-9265 is listed to a Richard M. James, 201 53rd Street, Southeast, Apartment #2, Washington, D.C.

ORDERS AUTHORIZING INTERCEPTION OF WIRE COMMUNICATIONS

10. During June and July, 1969, the investigation was intensified in the Washington, D.C. area. During that period I conferred extensively with representatives of the United States Attorney's Office. Specifically, I conferred with United States Attorney Thomas A. Flannery and Assistant United States Attorney Harold J. Sullivan, Chief of the Major Crimes Unit. We agreed unanimously that use of conventional means of investigation would not be effective in accomplishing our objectives, i.e. determining the date and manner in which narcotic drugs are smuggled into the United States, the identity and role of the participants and the nature of the conspiracy involved therein and the illicit distribution of those narcotic drugs in this jurisdiction.

Hence, authorization was sought and obtained from Assistant Attorney General Will Wilson, who had been specially designated for that purpose by the Attorney General John N. Mitchell, for the United States Attorney Thomas A. Flannery, Assistant United States Attorney Harold J. Sullivan, and I to make application to the Honorable William B. Jones, United States District Judge for the District of Columbia for an order under Section 2518 of Title 18, United States Code, authorizing interception of telephone communications at 201 53rd Street, Southeast, Apartment 2, Washington, D.C., carrying the telephone number 582-9265. On July 9, 1969, an Order was entered by the Honorable Judge Jones to that effect.

11. On August 7, 1969, pursuant to my further application and that of the United States Attorney Flannery and Assistant

United States Attorney Sullivan, an Order was issued by the Honorable William B. Jones, United States District Judge for the District of Columbia, extending the permissible period of the interception ordered on July 9, 1969 and described above. In this instance the approval of Assistant Attorney General Wilson, who had been specially designated by Attorney General Mitchell for that purpose, was likewise obtained in advance of our application. The period of permissible interception at 201 53rd St. Southeast, Apartment 2, Washington, D.C., carrying the telephone number 582-9265, included all times set forth below.

12. Pursuant to these Orders of the Court, BNDD Agents, used electronic devices to intercept and to record on tape all conversations occurring over telephone number 582-9265 for the period authorized by the Court. One such device was an electronic dialing recorder, a device that simultaneously prints out telephone numbers dialed from 582-9265. I have monitored personally a great number of the intercepted conversations and listened to a great number of the tape recordings simultaneously made of conversations intercepted pursuant to the Court's Order. I have examined the logs of the conversations as well as records obtained from the dialing recorder. By these means, and by talking with surveilling agents and members of the BNDD in appropriate cases, I have learned of the below-stated conversations and transactions which underly this affidavit.

13. In the intercepted conversations, certain expressions were frequently used that have a particular meaning to persons who traffic in narcotics. In my own experience and also from the experience of other BNDD agents, the following terms are commonly used by narcotic violators and have the meanings set forth below:

"Boy": Heroin.

"Girl": Cocaine.

"Piece": One ounce (28.5 grams).

"Spoon": Approximately 5 grams.

"Blow": Dosage.

"Scrambled": Narcotics mixed with adulterants such as lactose and mannitol.

"Stuff": Narcotics.

"Package": Narcotics of an indefinite amount.

"Hats": Empty gelatin capsules.

"Box": A box of empty gelatin capsules.

"Bonita": Mannite, which is milk substance used to adulterate narcotics.

CONVERSATIONS AND OBSERVATIONS

14. The conversations described in the remaining paragraphs of this affidavit took place over the facilities bearing telephone number 582-9265 and were intercepted pursuant to Court Order as described above. These conversations were personally heard by me, either directly or from the tape recordings of the intercepted conversations. The observations described in the remaining paragraphs of this affidavit were made by Bureau of Narcotics and Dangerous Drugs agents and reported to me.

15. On July 16, 1969, "Daisy" telephoned Lawrence Jackson at 582-9265. During the conversation reference was made to a person named "Carlos" whom Jackson meets every two weeks at Daisy's house. Referring to "Carlos", Jackson said in this conversation that after he met the "big boys" he started to make big money.

16. On July 17, 1969, "Daisy" telephoned Lawrence Jackson at 582-9265 and complained to him that he only comes around every two weeks when his "man" makes a delivery to her house. That same day, July 17, Lawrence Jackson called from 582-9265 to 584-4763 (as printed out by the dialing recorder) and spoke to "Rose" whom he instructed to get "two packages" from a location inside her premises and give them to "Paul". I reviewed records of the Chesapeake

and Potomac Telephone Company which show that telephone number 584-4763 is listed to David Surlis and located at 3418 Minnesota Avenue, Southeast, Washington, D.C., Apartment Number 1.

17. At 11:24 a.m. on July 19, 1969, a man telephoned Lawrence Jackson and said he would meet him at the Alabama place. At 2:01 p.m. that same day, Jackson said in the telephone that he had renewed his supply of narcotics. At 2:55 p.m. that same day, Jackson speaking from 582-9265 told "Gilbert" on the telephone that he gave \$130,000.00 to the "Italians".

18. At 9:23 a.m. on July 21, 1969, Lawrence Jackson telephoned to Richard M. James at 582-9265 and said he was at 581-9653, that he was waiting for a "dude" to call, and to have the "dude" call that number. At 10:26 a.m. Jackson called Richard M. James again to learn if the "dude" had telephoned. He had not. At 11:47 a.m. Lawrence Jackson telephoned from 582-9265 to "Daisy" at 399-3695 (as printed out by the dialing recorder). At 12:13 p.m. Jackson telephoned "Daisy" at 399-3695 and she said that "Carlos" and "Bobby" had called. At 12:15 p.m. "Carlos" telephoned Jackson and instructed him in 15 minutes to meet with him at 2801 Alabama Avenue, Southeast.

19. On July 22, 1969, Jackson called "Rose" at 584-4763 and told her to send him one "spoon" of "girl" (cocaine) and one-half "spoon" of pure "boy" (heroin).

20. On July 24, 1969, at 12:59 a.m., "Pauline" telephoned from 582-9265 to "Rose" at 584-4763 and told her that he was on his way over to her place. At 2:11 a.m., "Rose" telephoned to Lawrence Jackson, at 582-9265 and was told by him to give "Pauline" a "spoon" of "girl". At 2:17 a.m., "Rose" again telephoned Lawrence Jackson at 582-9265 and asked him if the "girl" should be "pure" or "scrambled". Jackson said, "pure".

21. At 2:52 p.m. on July 25, 1969, "Daisy" telephoned and asked for Jackson at 582-9265 but was told he was out. At 3:16 p.m. Jackson called a female at 399-3695 and talked about "a package" and "money". At 3:31 p.m., Jackson called the same female at 399-3695 and was told to wait until the female obtained the money. At 4:36 p.m., "Daisy" called Jackson at 582-9265 and was told he was not in. She said she had the money and was ready. At 5:34 p.m., "Daisy" telephoned Jackson, who was not there, and spoke with "Truck". "Truck" asked her for some "derbies"; she said "okay" and she asked "Truck" to bring the package from Jackson. At 5:51 p.m. Jackson called "Daisy" at 399-3695 and told her to send the man and one "box" over. At 5:56 p.m. Jackson telephoned "Daisy" at 399-3695 and told her to have the "guy" bring up two cans of dextrose. At 6:29 p.m. Jackson called "Daisy" and told her to give "Lester" a "box of hats" when he comes over. In my experience as a narcotics investigator I have learned that dextrose is mixed with heroin to "cut" it and that "derbie" is a slang word for an empty capsule.

22. By subpoena issued to the Chesapeake and Potomac Telephone Company, Washington, D.C., I obtained a record of long distance toll calls made from 399-3695, listed to Mrs. Mary Davis at 3676-A Hayes Street, Northeast, Apartment 301, in the District of Columbia. On June 1, 1969, two telephone calls were placed from 399-3695 to 212-838-9743 and on June 13, 1969, one call from 399-3695 was made to that same number. The telephone bearing number 212-838-9743 is located in the Emilliana Restaurant Bar, 1111 First Avenue, Manhattan, New York. Extensive surveillance by agents of the BNDD has shown that the Emilliana Bar is regularly frequented by Carmine Paladino who receives his telephone calls and makes his headquarters there.

23. On July 28, 1969, at 9:17 a.m., "Daisy" telephoned to Lawrence Jackson at 582-9265 and told him that "Carlos" had called and

would be at her place between 9:00 a.m. and 11:00 a.m. At 10:46 a.m. BNDD agents observing the residence of Mary Davis, 3676-A Hayes Street, Northeast, saw two white males arrive in a taxicab and enter that address. At 10:48 a.m. "Daisy" telephoned Jackson at 582-9265 and told him that the "people" were there and that he should hurry up and come over to her place. Due to difficulties inherent in surveilling 3676-A Hayes Street, Northeast, BNDD agents were unable to remain in a position to observe Jackson enter that address, but they were in a position at 11:20 a.m. to see, and they did see, Jackson leave that address (3676-A Hayes Street, Northeast). At 11:50 a.m., the same two white males left 3676-A Hayes Street, Northeast, with a negro male and entered a 1966 Cadillac convertible. The negro male drove the two white males to Washington National Airport and left them there. White male number one was followed by a BNDD agent on to the 12:50 p.m. Eastern Airline Shuttle Flight to LaGuardia Airport in New York City. White male number two disappeared at the airport.

24. BNDD agents met the Eastern Airline Shuttle Flight described in the previous paragraph and positively identified white male number one as being a man they knew to be Bobby Santorelli who resides in the Bronx, New York.

25. BNDD agents in New York City have been conducting intensive surveillance of Bobby Santorelli during all of 1969 and have observed him regularly in the company of Carmine Paladino and sometimes in the company of Enrico "Harry" Tantillo. One BNDD agent acting in an undercover capacity has negotiated a narcotic purchase with Santorelli in which Santorelli represented to that agent that he, Santorelli, supplied high quality narcotics to out-of-town wholesalers. On January 23, 1969, at Bronx, New York, the BNDD agent purchased 52.6 grams of 79.6 percent pure heroin for \$3,800.00 from Santorelli; and on April 29, 1969, at Bronx, New York, the same agent purchased 106 grams of 63.9 percent heroin for \$3,800.00 from Santorelli. I know from my experience as a narcotics investigator that narcotic drugs containing such high percentages of heroin can be obtained only from international sources or from major wholesale distributors who buy directly from such international sources.

26. After white male number two disappeared at Washington National Airport at noon on July 28, 1969, BNDD agents did not see him again until the early morning hours of July 29. During the interim, Lawrence Jackson was involved in several telephone conversations. At 10:02 p.m. on July 28, 1969, "Carlos" said to Jackson that he was at Room 943 of the Hotel America registered under the name of "D. Carlo" and that he wanted to see Jackson. At 10:14 p.m. "Daisy" telephoned Jackson and told him that "Carlos" had called and wanted to see him. Jackson said that he knew that because he had just spoken with "Carlos" ten minutes ago. At 11:15 p.m. Jackson telephoned to Room 943 of the Hotel America and spoke to "Carlos." They agreed to meet in front of the hotel at 1:00 a.m. "Carlos" said that he wanted Jackson to meet a buddy of mine. At 12:59 a.m. on July 29, 1969, "Daisy" telephoned Jackson, and he told her he had to go see two men—"Carlos" and "Chico."

27. At 1:00 a.m., on July 29, 1969, BNDD agents personally saw two white males leave Room 943 of the Hotel America, take the elevator to the lobby, and stand in front of the hotel. Bureau agents identified the two men as Carmine Paladino and Enrico "Harry" Tantillo. Paladino was identified as being white male number two who had been to Mary Davis' residence with Bobby Santorelli earlier on July 28, 1969. Tantillo and Paladino remained in front of the hotel until 1:25 a.m. when they returned to Room 943. Approximately two minutes later, Tantillo

and Paladino emerged from Room 943 again. This time Tantillo was carrying a dark gray satchel. At 1:35 a.m. they were again standing in front of the Hotel America. BNDD agents saw Lawrence Jackson drive up in an automobile and smile at Tantillo and Paladino. Tantillo placed the gray satchel in the back seat of Jackson's car. Both Tantillo and Paladino got into Jackson's car and drove with him around the block three times. At 1:45 a.m., Jackson left them off at the hotel and drove away. The gray satchel remained in Jackson's car. Tantillo went to the hotel desk, presented a stub, and checked out of the hotel. A few minutes later, a hotel attendant arrived with a 1968 yellow Dodge Charger with New Jersey registration JH 2616. Tantillo and Paladino then drove North on the Baltimore-Washington Parkway in the direction of New York City. BNDD agents have observed Tantillo driving that same automobile on previous occasions in New York and in New Jersey.

28. At 9:25 a.m. on July 29, 1969, "Daisy" telephoned Lawrence Jackson, who told her that "Harry" was with "Carlos" last night and that "Carlos" had told him (Jackson) to be careful.

29. At 10:04 p.m. on August 7, 1969, a male telephoned Lawrence Jackson at 582-9265 and complained that Jackson had not delivered the "stuff" (narcotics), the "boy" (heroin) and "girl" (cocaine). The male told Jackson that he would come by 201 53rd Street, Southeast, the next morning.

30. At 10:48 p.m. on August 7, 1969, a male telephoned to 582-9265. When "Richard" answered the telephone, the male identified himself as "Bobby of Hannah Place" and said he wanted "girl" (cocaine) and two "spoons" of "boy pure" (pure heroin). Lawrence Jackson picked up the receiver and told "Bobby" to come by 201 53rd Street, Southeast. "Bobby" said "No" and that "Richard" or "Lester" should bring it to him because he had to talk more.

31. At 12:19 a.m. on August 8, 1969, a male identifying himself as "Butler" telephoned to Lawrence Jackson at 582-9265 and asked if he could get the same "thing" (one ounce of pure heroin). Jackson said, "Yes, come on up." "Butler" said he would be there in about five minutes.

[From the Washington (D.C.) Star, Aug. 24, 1969]

MODEL FOR FUTURE DRUG RAIDS: HOW THE BIG BUST WAS CARRIED OUT

(By John Fialka)

By a little after 5 p.m. Monday, Bill Olivanti knew he had in custody 10 men alleged to be top figures in Washington's narcotics traffic.

Olivanti, special agent in charge of the Washington office of the Bureau of Narcotics and Dangerous Drugs, then picked up a microphone and radioed the word that special force of more than 50 federal narcotics agents and accompanying District policemen had been waiting for weeks to hear.

The word was: "Go."

Striking simultaneously in several areas of the city, the agents began making the major share of arrests in what now has come to be known as the "big bust."

The roundup, using warrants naming 41 persons alleged to be involved in a major "interstate narcotics network," resulted in 30 arrests.

It is believed to have caused a near panic among the city's addicts and a disruption in the normal rhythm of life among the constellation of junkies, hustlers and addict-prostitutes who populate upper 14th Street NW and environs.

On Tuesday morning, for example, a dozen addicts were clustered outside the offices of Bonabond, which is happy if it can attract addicts to its rehabilitation programs in ones and twos.

Commented its director, Hiawatha Burris: "Addicts are nervous people. They saw their source of supply going and they wanted to get into the hospital."

And one evening later, a high-ranking police official who drove a visitor up to 14th and U Streets to show him the extent of prostitution in the city found the situation "kind of embarrassing."

"Virtually no one was out on the streets, I guess the word was out," he said.

Burris and others are quick to point out, however, that the city is by no means "dried up." He walked up 14th Street Thursday night and found drugs still being sold.

"The dealers are telling their one- or two-pull addicts to go away; people are being a little careful, but the stuff is still around," he said.

The architects of the raid, the first one in recent years aimed at wiping out a major wholesale system in the city, readily acknowledge that sales are continuing.

"We are in touch with the reality here," said Andrew C. Tartaglino, the bureau's assistant director for enforcement. "We're not going to wipe out all the traffic with one raid."

But the Washington raid, he said, will be the model for future attacks to be made against Mafia-linked narcotics networks in other major cities.

The Washington raid was special. Planning for it was begun in February, shortly after President Nixon pledged to wage war on crime in the District, including the narcotics traffic.

The policies that guided the development of the raid were those of John E. Ingersoll, appointed last year as director of the new bureau, a consolidation of the Treasury Department's Bureau of Narcotics and the Department of Health, Education, and Welfare's Bureau of Drug Abuse Control.

According to Tartaglino, Ingersoll believed that the thrust of the bureau's major efforts should be against the organized crime "executives," the wholesalers.

Drawing on bureau units throughout the nation, Ingersoll began forming a special task force, headed by Philip R. Smith, an agent with 18 years of experience.

OUTSIDE AGENTS USED

Olivanti worked with Smith on the task force, which was intended to beef up his Washington office for the big raid.

"A lot of agents were taken out of other cities. We wanted unknowns and the best undercover men." And because the drug hierarchy in the city is largely Negro, Olivanti added, the bureau brought in young, black agents.

Attempting to size up the local market, the agents began making "buys" of heroin. The idea was, according to Tartaglino, to see how close the investigators could come to the New York channels of distribution by testing the relative purity of the drug which is usually diluted with milk sugar (lactose) by each of the many middlemen it passes through before it reaches the streets.

QUALITY GOT BETTER

"We were amazed at the quality of the stuff we bought. It was getting better and better. Finally we bought some that was 88 percent pure, as pure as it comes. We had to be close to the source."

In April, as soon as he was nominated U.S. attorney for the District, Thomas A. Flannery was brought into the planning. He organized a special team of attorneys, headed by Harold Sullivan, to begin the prosecution side of planning for the raid.

In July, Ingersoll's men believed that they had enough evidence to apply for permission as authorized in the 1968 Safe Streets Act, to place two wire taps. Permission was given by District Court Judge William B. Jones.

One tap was on the phone of an apartment allegedly used as an office by Lawrence "Slippery" Jackson, in the 200 block of 53rd Street SE.

The other tap was on the phone of Mrs. Mary Davis, 30, of the 3600 block of Hayes Street NE. Mrs. Davis, known as "Daisy," is alleged to be the contact between Jackson and Mafia sources in New York, according to court affidavits.

GLOSSARY OF TERMS

According to the affidavits, agents listened to thousands of phone calls. They assembled a glossary of code terms used to identify the tools of the drug world:

"Boy"—Heroin.

"Girl"—Cocaine.

"Piece"—One ounce of heroin or cocaine.

"Spoon"—Five grams.

"Scrambled"—Narcotics adulterated with such additives as milk sugar.

"Hats"—Empty gelatin capsules.

"Bonita"—Milk sugar.

The court papers allege that Jackson did much of his business over the phone in jargon-packed transactions such as the one recorded early in the morning of July 24:

At 2:11 a.m., "Rose" telephoned to Lawrence Jackson and was told by him to give "Pauline" a "spoon" of "girl." At 2:17 a.m., "Rose" again telephoned Lawrence Jackson and asked him if the "girl" should be "pure" or "scrambled." Jackson said, "pure."

POLICEMAN'S VOICE

The telephone taps also allegedly recorded the voice of a Metropolitan Police officer, Carl W. Brooks, who, according to the affidavits, called Jackson on Aug. 8, after federal agents had given Brooks false information that they were setting up a trap for Jackson that day.

Brooks, it is charged, told Jackson that the "Feds" were planning to set up a meeting with a "broad named Betty" who was going to attempt to buy and then "knock you off."

Finally, the taps recorded calls to a phone in a Manhattan bar, allegedly used by Carmine Paladino as a headquarters.

Agents of the bureau watched Paladino and Enrico Tantillo, identified in 1963 Senate hearings as members of the Mafia "family" headed by Vito Genovese, meet with Jackson in the early morning hours of July 29 outside a hotel near Thomas Circle, according to the court papers.

They also saw Roberto Verderosa, 35, characterized as a "delivery man" for Paladino, meeting with "Daisy" on July 28, it was charged.

The pieces seemed to fit together. The break the agents were waiting for came on Aug. 15, when, the court papers alleged, Paladino called Jackson long distance and told him he was coming to Washington on Aug. 18 and was bringing his "niece" with him. "Niece" is described as another word for cocaine.

Through complex surveillance, both in New York and Washington, agents learned that all three of the New Yorkers would be in Washington on the 18th, Monday.

The teams of agents, including three that had been tracking Paladino, Tantillo, and Verderosa separately, were given an initial "go" signal by Olivanti around 3 p.m. Monday.

SEIZED AT SHOPPING CENTER

Jackson, Paladino and Verderosa were arrested near a shopping center in Southeast Washington. Two hours later, Tantillo was captured in an apartment in the 1200 block of Massachusetts Avenue NW. Along with him, agents recovered half a kilogram of "girl," they reported.

By then, six other alleged major wholesalers had been rounded up, including an oral surgeon, a dentist and a real estate operator.

It was then that Olivanti, working with other bureau officials in a command center in the Internal Revenue Service Building, reached for the microphone to tell his radio cars to complete the arrests.

In what could be described as an anticlimax to the evening, Officer Brooks was

phoned by his commanding officer, Inspector Walter Bishop of the Morals Division. Brooks, according to Bishop, was told to report for work at 10 p.m., one hour early.

"I swore out the warrant . . . served it, booked him and suspended him from the force," Bishop said.

[From the Washington Post, Aug. 24, 1969]
SE 2-9-0011 PLAYS SECRET ROLE IN DISTRICT'S MASS DRUG ARRESTS

(By Thomas W. Lippman)

Somewhere in the secret files of the Bureau of Narcotics and Dangerous Drugs is a dossier labeled SE 2-9-0011.

One day early this summer, a Washington man identified only by that code number picked up a telephone here and dialed 582-9265. With him when he made the call was John F. Cody, a veteran federal narcotics agent.

As Cody listened, SE 2-9-0011 made arrangements with the man at the other end of the line to purchase 14.1 grams of "boy" for \$750. "Boy," in the jargon of the narcotics trade, is heroin. Cody was watching later in the day when the transaction took place.

A chemist at the Bureau of Narcotics later tested the powder that the \$750 had bought. He found it to be 88.5 per cent pure heroin, an extraordinarily high degree of purity for Washington. Most heroin sold here is heavily diluted with milk sugar and other substances.

It was the eighth time that information provided by SE 2-9-0011 had proved valuable to the agents, but the results on this occasion exceeded anything that they had obtained in the past.

The telephone number that their informant had dialed provided the most important link in the chain of data that led to last Monday's mass arrests of suspected narcotics wholesalers and dealers, including three men from New York reported to have Mafia connections.

It was the largest such roundup here since 1952, when the narcotics ring headed by Randolph (Catfish) Turner was broken up. This account of the events that led up to the raid is reconstructed from court papers, interviews with federal officials, court testimony, telephone company records and sworn statements of federal narcotics agents.

On July 9, U.S. Attorney Thomas A. Flannery called a press conference. He announced that his office, in cooperation with federal and local law enforcement agencies, was beginning a new drive against organized crime, narcotics traffic and gambling.

Flannery named Assistant U.S. Attorney Harold J. Sullivan to head the new "major crimes unit" and told him to use "any means that we consider legal" to gather information.

What Flannery did not announce was that on that same morning, he, Sullivan, and Cody had a conference with Judge William B. Jones in his chambers at U.S. District Court.

At their request, Jones signed an order authorizing agents of the Bureau of Narcotics to place electronic eavesdropping and monitoring devices on the telephone to which SE 2-9-0011 had made his call a few weeks earlier.

That telephone is in Apartment 2 at 201 53rd St. SE., less than two blocks from the house where Catfish Turner ran the narcotics ring that was broken 17 years ago.

Once the wire tap authorization was obtained, one investigator said, the mechanical operation was easy. "It doesn't even require the cooperation of the phone company," he said. "Any private eye can do it with a little instruction."

It was a simple matter, once the agents had identified the telephone line that led into Apartment 2, to follow it a few blocks through the subterranean network of wires, attach to it their own equipment, and listen in comfort at a place conveniently out of sight of the apartment.

"EXTENSION PHONE"

"It's just like putting in an extension phone," one said, "only you do it a few blocks away."

Instead of an extension, the agents attached two pieces of equipment to the line: one enabled them to hear and record both sides of every conversation; the other converted into printed numbers the electronic impulses sent when calls were dialed. That device, one investigator said, looks like a newspaper wire service ticker.

From the telephone company, the agents subpoenaed records showing who was using the telephones listed under the numbers that the machine printed out.

Thus they knew not only what was being said on the line they were tapping, they knew whom it was being said to and where those persons were.

The telephone in Apartment 2 is listed to a Richard M. James. But from SE 2-9-0011, and from their own observation, the agents concluded that the man doing most of the talking there was not James but Lawrence (Slippery) Jackson, 33, a Baptist pastor's son who had no job but drove around in a 1969 Continental.

ONE THOUSAND CALLS MONTHLY

Jackson, they said, made more than 1,000 calls a month from the phone in Apartment 2, mostly concerning narcotics sales.

The agents began "intensive daily surveillance" of the apartment, "observing a constant daily flow in and out of the premises by known narcotics dealers."

On the telephone, the conversations were laden with linguistic oddities that the agents knew are peculiar to the narcotics trade; "low" meant dosage, "bonita" was mannitol, used to "scramble" or adulterate, the drugs; "hats" referred to empty gelatin capsules.

And the agents heard names: Daisy and Rose and Pauline and Chico and Richard and Harry and a dozen others. Some of those persons were identified by tracing their phone numbers when the recording machine printed them out.

On July 16, Daisy and Jackson had a conversation about a man named Carlos, whom Jackson meets every two weeks at Daisy's house. The next day, Daisy complained to Jackson that he only "came around" every two weeks when his "man" makes a delivery to her house.

SUPPLY RENEWED

Two days later, an unidentified man called and arranged for Jackson to meet him at the "Alabama place." Later the same day, Jackson said on the telephone that he had renewed his supply of drugs and that he had given \$130,000 to "the Italians."

On July 21, Jackson dialed 399-3695 from the telephone in Apartment 2, and asked for Daisy. That telephone is listed to Mary Davis at 3676A Hayes St. NE. Daisy said that "Carlos" and "Bobby" had called. A few minutes later, Jackson received a call from Carlos, who arranged to meet him at 2801 Alabama Ave. SE. That is the address of the Hillcrest American Service Station. There is no indication that anyone at the station knew of the meeting.

In the following week, narcotics agents subpoenaed from the telephone company the records of long-distance calls that had been made in recent months from the Hayes Street telephone.

Those records showed that on July 1, two calls had been made to a telephone at the Emiliana Restaurant at 111 First Ave., New York. Agents watching that restaurant reported that it is "regularly frequented" by Carmine (Carlos) Paladino, who often receives telephone calls there.

On July 28, the woman who called herself Daisy telephoned Jackson and told him to come to her apartment because Carlos was going to be there.

BUILDING WATCHED

Narcotics agents watching the Hayes Street address saw "two white males" arrive by taxi at 10:46 a.m. They did not see Jackson arrive, but they did see him leaving the building half an hour later.

Shortly afterward, the same "two white males" came out with a Negro man and climbed into a 1966 Cadillac convertible. Followed by narcotics agents, the Negro man drove the Cadillac to National Airport, dropped the two white men and drove away.

One of the white men took an Eastern Airlines shuttle to La Guardia airport in New York. An agent took the same flight and kept him in view. The second white man disappeared at the airport.

When the plane landed in New York, it was met by another group of narcotics agents who identified the man under surveillance as Bobby Santorelli, "who resides in the Bronx."

Agents in New York had been keeping an eye on Santorelli since January when "one agent acting in an undercover capacity negotiated a narcotic purchase with Santorelli in which Santorelli represented that he, Santorelli, supplied high quality narcotics to out of town wholesalers."

Santorelli, 30, is the son of a bricklayer's helper from the Bronx. His real name is Robert Verderosa. Narcotics agents had seen him "regularly in the company of Paladino and 'sometimes' in the company of Enrico (Harry) Tantillo.

Tantillo was indicted here in the 1952 Catfish Turner case, but four years elapsed between the indictment and his arrest, and he was never tried. He is now under indictment in a narcotics case in New Jersey.

Back in Washington, the agents here were still looking for the second man who had eluded them at the airport.

That afternoon, July 28, Jackson received a phone call from Carlos, who said he had registered in Room 943 of the Hotel America at Thomas Circle and wanted to see him. Carlos said he was registered under the name of "D. Carlo."

Jackson called room 943 at 11:15 p.m. and arranged to meet Carlos outside the hotel at 1 a.m.

At that hour, narcotics agents watching Room 943 saw two men leave the room, take the elevator to the lobby and stand in front of the hotel. They identified the men as Paladino and Tantillo; they also realized that Paladino was the second man who had gone to the airport with Santorelli the day before.

SATCHEL CARRIED

They returned to their room once before Jackson arrived and when they came back downstairs, Tantillo was carrying a gray satchel.

Jackson drove up at 1:35 a.m., Tantillo placed the satchel on the back seat, and both men entered Jackson's car. They drove around the block three times. At 1:45, Jackson left them back at the hotel and drove away. The satchel was still on the back seat.

Tantillo went to the hotel desk and checked out. A few minutes later, a hotel attendant brought to the front door a yellow 1968 Dodge Charger with New Jersey tags.

Tantillo and Paladino were last seen that night driving north on the Baltimore-Washington Parkway.

On Aug. 1, Sullivan and the narcotics agents asked and received another court order authorizing a tap on the telephone at the Hayes Street apartment.

On Aug. 5, Tantillo rented an apartment on the seventh floor of an apartment building at 1221 Massachusetts Ave., NW. Sullivan said later in court, and Tantillo paid a year's rent in advance.

Two days later, Judge Jones authorized a two-week extension of the monitoring on the telephone in apartment 2.

NEW ELEMENT

A new element entered the case on Aug. 8. On that date, Lt. George Day of the Metropolitan police narcotics squad assigned officer Carl W. Brooks to work with the federal agents on the Jackson investigation.

Brooks was told that an informant had arranged to make a purchase of drugs from Jackson; Brooks and his partner were to watch the sale and arrest the participants.

Twice that afternoon, a person identifying himself as Chico called the number in Apartment 2 and left such messages as: "Tell Lawrence to sit tight, don't do anything."

Late in the day, Jackson himself answered the phone and a man's voice, without identification, told him, "The Feds were trying to get you today." Agents in the Bureau of Narcotics have sworn that the voice of that caller, and of the man who identified himself as Chico earlier that day, was that of officer Carl W. Brooks.

On Aug. 11, an agent sitting in the lobby of the Hotel America saw Paladino, Tantillo and Santorelli. Paladino had rented Room 232 under the name of J. DeCarlo, the agent learned, had given a nonexistent New York address, and had reserved the room only until 7 p.m.

FOLLOWED BY AGENTS

At 4 p.m., Paladino left the hotel and entered a Thunderbird driven by a man named Leon James, a known associate of Jackson. James later returned alone, and agents followed him to an apartment building at 14th Street and Florida Avenue NW.

They lost him there. Other agents had failed in an effort to follow Santorelli. At 7 p.m., the agents in the hotel entered the room where Tantillo and Paladino had been registered, but found only three empty coffee cups.

Paladino was next heard from four days later, on Aug. 15. He telephoned Jackson at Apartment 2 and arranged to meet him in Washington on Monday, Aug. 18.

Jackson replied that he would be available on that date, and told Paladino to bring his "niece." Niece, agent Cody said, is a synonym for "girl," or cocaine.

Knowing that the New York suspects were coming back to town on Monday, Sullivan and his assistants sat down with the federal agents and drafted 41 arrest warrants.

NAMED IN WARRANTS

The warrants named the three New York men, Jackson, the Mrs. Davis who had the telephone on Hayes Street, Leon James—who served a prison term of eight to 24 years after being convicted of taking part in the 1952 narcotics conspiracy—Officer Brooks, and all the persons whom the agents had been able to identify from their telephone monitoring.

On Monday morning, the warrants were signed by a federal magistrate and the arrests began.

Paladino, Verderosa (or Santorelli) and Jackson were arrested together near a shopping center at Alabama Avenue and Naylor Road SE, not far from the service station where the earlier meeting had taken place.

The arresting officers said they found \$4,600 in cash on Jackson's person and about \$14,000 at his house.

Tantillo was arrested in the Massachusetts Avenue apartment. There the agents said they found half a kilogram of cocaine. They estimated its value at \$120,000, a figure later ridiculed by Tantillo's lawyers.

THIRTY-ONE IN CUSTODY

By Friday afternoon, 31 of the 41 persons named in the warrants had been taken into custody. Tantillo, Santorelli/Verderosa, and Paladino, still wearing the clothes in which they had been arrested, stood in handcuffs at a lineup at police headquarters.

A small, gray-haired woman came into the lineup room, quickly picked them out, and

departed. Sullivan refused to say who she was or what her connection with the case was.

In addition to Brooks, who has been suspended from the force, the agents seized a lawyer, a dentist and a real estate broker.

The dentist is Edward N. Meyers, 40, of 1756 Portal Dr. NW., a house that city records show cost him \$48,500 five years ago. Dr. Meyers practices at 909 Pershing Dr., Silver Spring.

On May 9 of this year, the house was advertised for sale at a foreclosure auction. City records show that a sale actually took place, but there is no record that the deed ever changed hands.

The lawyer who was arrested is Alan V. Roberson, 31, of 4660 Nichols Ave., SE. He is an alumnus of Howard University Law School and practices here but little else is publicly known about him.

The real estate broker is Ignatius F. Perry, 41, who lives in a neat Victorian row house at 1217 New Jersey Ave. NW. He works for the Homeowners Mortgage Co., 470 K St. NW.

All three of the suspects from New York have waived preliminary hearings and been ordered held for grand jury action. Hearings for the other suspects are scheduled to begin Monday.

Mr. MURPHY. Mr. President, I take this opportunity to commend my distinguished colleague from Arkansas for the long, patient, and vallant effort he has expended in the areas that have just been recorded here. We had the problem in my own State to the point that I have in my office over 100 letters from mayors of small communities in southern California asking that the border be closed because of the narcotics problem. It is not confined to any particular area; it is all over the United States, and it is one of the most dangerous problems that we in this Nation face today. I congratulate the Senator from Arkansas.

Mr. McCLELLAN. I thank my distinguished friend. I have always insisted that this weapon, when legalized, must be used with caution, restraint, and discretion, and that it must have court approval before any wiretap or electronic surveillance is employed. But I say this is just the beginning of the proof we are going to have over and over and over again that when the law is followed, when the application and the affidavits meet the test that the law requires, and a court, in its judicial wisdom, grants the order, and that order is carried out in a manner comparable to the way in which this one was carried out, we are going to find that wiretapping and electronic surveillance as tools of law enforcement are most potent and productive and that we simply could not combat organized crime in this country effectively without their use and employment.

I thank the distinguished Senator.

APPROVAL BY PRESIDENT NIXON OF S. 714, DESIGNATING 98,000 ACRES OF LOS PADRES NATIONAL FOREST OF CALIFORNIA AS THE VENTANA WILDERNESS

Mr. MURPHY. Mr. President, I rise at this time to announce that President Nixon recently approved S. 714, of which I am a cosponsor which designates 98,000 acres of Los Padres National Forest of California as the Ventana Wilderness.

This is the first addition to the na-

tional wilderness system under President Nixon's administration and I join with the President in expressing gratification that that addition is in my State of California.

Mr. President, the Ventana Wilderness contains superb mountain scenery and unusual species of wild animals and trees, including the bristlecone or Santa Lucia fir which grows only in the Santa Lucia Mountains.

The Ventana Wilderness offers a striking and unspoiled setting for hikers, horsemen and trout fishermen in an area located near large urban centers.

It is indeed a worthwhile addition to the wilderness system.

Mr. President, no man more than President Nixon is aware of the struggle that faces us if we are to preserve areas of unmarred natural grandeur for future generations.

I am sure that as Congress and conservationists consider other areas to be set aside in their wild state, they will find in the President a staunch friend and ally. Only recently the President declared:

I hope I will have the opportunity to approve a number of wilderness proposals in the coming months so that our wilderness preservation system may continue to grow and pay dividends, intangible but nevertheless real, for countless years ahead.

Mr. President, I am sure that all my colleagues will join in sharing my enthusiastic commendation.

PROPOSED CUTBACKS IN FEDERAL CONSTRUCTION

Mr. YARBOROUGH. Mr. President, it is shocking to hear that the administration is planning a 75-percent cutback in all domestic Federal construction programs, as reported in the national press today, and on page 1 of the Washington Post, in an Associated Press article, as having been announced by Vice President Agnew to the Governors' conference in Colorado Springs, Colo.

This is particularly shocking in view of the fact that no such cutback was announced for South Vietnam.

Before we deescalate 75 percent of domestic American improvements, we should deescalate 75 percent of the \$36 billion a year being squandered in South Vietnam.

I recommend to the administration an immediate cutback of 50 percent of the forces in South Vietnam, and a continuation of the programs to develop this country. The administration, like a crawfish, is moving backward and not forward. If its present plans are carried out, America is certain to go down and backward, not forward and upward as it should be going.

It is ironical that we are debating bills for tens of billions of dollars for military procurement, much of it for overseas wars, while the administration announced a deescalation of astronomical proportions of 75 percent for Federal construction projects in America. Jobs for Americans are more important than bullets for Vietnamese.

I request unanimous consent that the account of Vice President Agnew's an-

nouncement to the Governors' conference as reported in the Washington Post of September 3, 1969, be printed at this point in the RECORD.

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

AGNEW SAYS UNITED STATES WILL CUT CONSTRUCTION

COLORADO SPRINGS, COLO., September 2.—Vice President Agnew told the Nation's governors today the Nixon administration will announce Friday a 75 per cent cutback in federal construction projects to fight inflation.

But informed sources reported that the Vice President, in addition to giving the bad news about cutbacks that could range as high as \$1 billion, also gave the governors good news that the administration plans to oppose the removal of tax exemptions on local and state municipal bonds.

Although Agnew used the 75 per cent figure in describing the cutback, an administration source cautioned that the percentage has been under discussion.

The timing has also varied, he noted, adding that the announcement was originally scheduled several weeks ago.

[There was considerable confusion among the governors as to how much construction would be cut back, and when. The consensus seemed to be that new starts on all-federal projects such as post offices and dams would be frozen immediately, while federal-state projects would be frozen as of April 1. But one high administration source expressed surprise at the reports and said such plans may not be final.]

Governors, who attended the session without staff aides, were sworn to secrecy but details of the Vice President's presentation leaked out within hours after the session.

Agnew said the administration would ask the Senate Finance Committee to reject restriction on municipal, county and state bonds contained in the House-passed bill and restore previously existing tax advantages.

DEATH OF FORMER SENATOR THYE OF MINNESOTA

Mr. COOPER. Mr. President, it was with sorrow that I learned of the death of the Honorable Ed Thye, formerly a Senator from Minnesota from 1947 through 1958. I had also been elected to the Senate in 1946 for an unexpired term of 2 years and had the opportunity to serve with Senator Thye in that term and later when I returned to the Senate. It was my privilege to sit next to him during 1947 and 1948, which gave me the opportunity to know him and to learn his great qualities.

He was an outstanding Senator for his State and the Nation. He was one of the first in the Senate who spoke and worked for adequate authorizations and appropriations for health programs and to support research in the fields of diseases which take thousands of lives annually in our country and in the world.

Following World War II, he supported strongly the Marshall plan and other initiatives to restore the economies and peoples of countries stricken by war.

A strong Republican, he led in his State and area the effort to nominate and elect President Eisenhower.

Son of a father and mother who came from Norway to settle in our country, Ed Thye inherited their pioneer quali-

ties of hardihood, courage, and strength of character.

Ed Thye, aided by his devoted wife, Myrtle, had a good life—one of service to his State and country—a good life which provides to all who knew him an example to honor and emulate.

EXECUTIVE COMMUNICATIONS, ETC.

The President pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON APPROVAL OF LOAN TO THE CO-OPERATIVE POWER ASSOCIATION OF MINNEAPOLIS, MINN.

A letter from the Administrator, Rural Electrification Administration, transmitting, pursuant to law, a report on the approval of a loan to the Cooperative Power Association of Minneapolis, Minn. (with an accompanying report); to the Committee on Appropriations.

REPORT ON TRANSFER OR SALE OF GOVERNMENT-OWNED COMMUNICATIONS FACILITIES IN ALASKA

A letter from the Secretary of Defense, reporting, pursuant to law, on the sale of the Alaskan Communications System; to the Committee on Armed Services.

REPORT OF THE DEPARTMENT OF THE NAVY ON MILITARY CONSTRUCTION CONTRACTS AWARDED ON OTHER THAN A COMPETITIVE BID BASIS

A letter from the Assistant Commander for Contracts, Naval Facilities Engineering Command, transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the period January 1, 1969 to June 30, 1969 (with an accompanying report); to the Committee on Armed Services.

REPORT ON DEPARTMENT OF ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Acting Assistant Secretary of the Army (R&D) transmitting, pursuant to law, a report on Department of Army Research and Development contracts, for \$50,000 or more, during the period January 1 through June 30, 1969 (with an accompanying report); to the Committee on Armed Services.

PROPOSED LEGISLATION EXTENDING FOR 1 YEAR THE AUTHORITY FOR MORE FLEXIBLE REGULATION OF MAXIMUM RATES OF INTEREST OR DIVIDENDS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to extend for 1 year the authority for more flexible regulation of maximum rates of interest or dividends (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON MORTGAGE INTEREST RATES

A letter from the Chairman, Department of Housing and Urban Development, transmitting, pursuant to law, the report of the Commission on Mortgage Interest Rates, dated August 1919 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED PUBLIC TRANSPORTATION ASSISTANCE ACT OF 1969

A letter from the Secretary of Transportation, transmitting a correction in the letter of the Department of August 11, 1969, in connection with the Public Transportation Assistance Act of 1969; to the Committee on Banking and Currency.

REPORT OF ARCHITECT OF THE CAPITOL

A letter from the Architect of the Capitol, transmitting, pursuant to law, a report of all

expenditures, during the period January 1 through June 30, 1969, from moneys appropriated to the Architect of the Capitol (with an accompanying report); ordered to lie on the table and to be printed.

PROPOSED LEGISLATION IMPROVING AND CLARIFYING CERTAIN LAWS AFFECTING THE COAST GUARD RESERVE

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to improve and clarify certain laws affecting the Coast Guard Reserve (with accompanying papers); to the Committee on Commerce.

PROPOSED LEGISLATION REQUIRING CERTAIN SAFETY DEVICES ON HOUSEHOLD REFRIGERATORS

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An Act to require certain safety devices on household refrigerators shipped in interstate commerce," approved August 2, 1956 (with accompanying papers); to the Committee on Commerce.

REPORT ON THE ACTIVITIES OF THE U.S. TRAVEL SERVICE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the activities of the U.S. Travel Service for calendar year 1968 (with an accompanying report); to the Committee on Commerce.

REPORT ON ACTIVITIES CARRIED OUT UNDER THE HIGH SPEED GROUND TRANSPORTATION ACT OF 1965, AS AMENDED IN 1968

A letter from the Under Secretary, Department of Transportation, transmitting, pursuant to law, a report on activities carried out under the High Speed Ground Transportation Act of 1965, as amended in 1968, dated July 1969 (with an accompanying report); to the Committee on Commerce.

REPORT OF DISTRICT OF COLUMBIA BAIL AGENCY

A letter from the chairman, District of Columbia Bail Agency, transmitting, pursuant to law, the third annual report of the agency (with an accompanying report); to the Committee on the District of Columbia.

PROPOSED LEGISLATION REPEALING THE PROHIBITION AGAINST FLYING KITES IN THE DISTRICT OF COLUMBIA

A letter from the assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to repeal the prohibition against flying kites in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

PROPOSED LEGISLATION PROMOTING SAFE DRIVING IN THE DISTRICT OF COLUMBIA

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to promote safe driving and eliminate the reckless and irresponsible driver from the streets and highways of the District of Columbia by providing that any person operating a motor vehicle within the District while apparently under the influence of intoxicating liquor shall be deemed to have given his consent to a chemical test of certain of his body substances to determine the alcoholic content of his blood, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

REPORT ON NUMBER OF CIVILIAN OFFICERS AND EMPLOYEES IN THE EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Acting Director, Bureau of the Budget, reporting, pursuant to law on the number of civilian officers and employees in the executive branch for the quarter ended June 30, 1969, as well as for the entire fiscal year 1969 (with accompanying papers); to the Committee on Finance.

REPORT OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of grants approved by the Department, which are financed wholly with Federal funds, for the period April 1, 1969, to June 30, 1969 (with an accompanying report); to the Committee on Finance.

REPORT OF SECRETARY OF THE SENATE

A letter from the Secretary of the Senate, transmitting, pursuant to law, a report of the receipts and expenditures of the Senate, for the period from January 1, 1969, through June 30, 1969 (with an accompanying report); ordered to lie on the table and to be printed.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness in meeting the supply requirements of overseas U.S. Agencies, General Services Administration, dated August 15, 1969 (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 the examination of financial statements of Federal Home Loan Banks supervised by the Federal Home Loan Bank Board, for the year ended December 31, 1968, dated August 17, 1969 (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 administration and effectiveness of the economic opportunity loan program for low-income rural families under the Farmers Home Administration, Department of Agriculture, dated August 21, 1969 (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 opportunities for increased savings by improving management of value engineering (design or manufacture simplification) performed by contractors, Department of Defense, dated August 25, 1969 (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 the effectiveness and administration of the migrant and seasonal farmworkers program under title III-B of the Economic Opportunity Act of 1964, Phoenix, Ariz., Office of Economic Opportunity, dated August 26, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, a report on the management of the suggestion award portion of the incentive awards program, Department of the Army, dated August 27, 1969 (with an accompanying report); to the Committee on Government Operations.

PROPOSED LEGISLATION TO MAKE APPROPRIATE ACCOUNTING ADJUSTMENT OR REIMBURSEMENT BETWEEN THE RESPECTIVE APPROPRIATIONS AVAILABLE TO SUCH DEPARTMENTS AND ESTABLISHMENTS, OR ANY BUREAU OR OFFICE THEREOF

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An Act to authorize any executive department or independent establishment of the Government, or any bureau or office thereof, to make appropriate accounting adjustment or reimbursement between the respective appropriations available to such departments and establishments, or any bureau or office thereof," approved June 29, 1966, so as to include

within its coverage the municipal government of the District of Columbia (with accompanying papers); to the Committee on Government Operations.

PROPOSED LEGISLATION TO AUTHORIZE THE APPROPRIATION OF FUNDS FOR FORT DONELSON NATIONAL BATTLEFIELD IN THE STATE OF TENNESSEE, AND FOR OTHER PURPOSES

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSAL TO TRANSFER THE OLD MINT BUILDING IN SAN FRANCISCO TO THE STATE OF CALIFORNIA FOR USE BY SAN FRANCISCO STATE COLLEGE

A letter from the Chairman, Advisory Council on Historic Preservation, transmitting, pursuant to law, recommendations of the Advisory Council on Historic Preservation concerning a proposal to transfer the Old Mint Building in San Francisco to the State of California for the use of San Francisco State College (with accompanying papers); to the Committee on Interior and Insular Affairs.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification for certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF THE LAW-ENFORCEMENT ASSISTANCE ADMINISTRATION

A letter from the Law Enforcement Assistance Administration, U.S. Department of Justice, transmitting, pursuant to law, the First Annual Report of the Law Enforcement Assistance Administration (with an accompanying report); to the Committee on the Judiciary.

REPORT OF TENTATIVE NEGATIVE DETERMINATION UNDER THE ANTIDUMPING ACT

A letter from the Acting Secretary of the Treasury, transmitting, the text of a particular determination inadvertently omitted in the report enclosed with the President's letter setting forth determinations under the Antidumping Act, 1921, and certain other information required, pursuant to law (with accompanying papers); to the Committee on Finance.

REPORT OF CLAIMS PAID BY THE DEPARTMENT OF THE AIR FORCE UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964, AS AMENDED

A letter from the Office of the Air Force, transmitting, pursuant to law, a report of claims paid by the Department of the Air Force under the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, fiscal year 1969 (with an accompanying report); to the Committee on the Judiciary.

REPORT OF THE PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

A letter from the Chief Justice of the United States, transmitting, pursuant to law, a report of the proceedings of the Judicial Conference of the United States, held in Washington, D.C., on March 13 and 14, 1969, together with the proceedings of the special meeting of the Conference held on June 10, 1969 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON POSITIONS ESTABLISHED BY NASA DURING THE FISCAL YEAR ENDING JUNE 30, 1969

A letter from the Administrator, National Aeronautics and Space Administration, trans-

mitting, pursuant to law, a report on the positions which the National Aeronautics and Space Administration had established as of June 30, 1969 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT ON THE COST OF CLEAN AIR

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the first report of the Secretary of Health, Education, and Welfare to the Congress of the United States, on the cost of clean air (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Illinois; to the Committee on the Judiciary:

"H.R. 290

"Resolved, By the House of Representatives of the Seventy-sixth General Assembly of the State of Illinois, that this House respectfully withdraws the petition made by the Seventy-fifth General Assembly of the State of Illinois to the Congress of the United States to call a Constitutional Convention; and, be it further

"Resolved, That a duly attested copy of this Resolution be immediately transmitted by the Office of the Secretary of State to the Secretary of the Senate of the United States and to the Clerk of the House of Representatives of the United States.

"Adopted by the House, June 26, 1969.

"RALPH T. SMITH,

"Speaker of the House.

"FREDERIC B. SELCKE,

"Clerk of the House."

A joint resolution of the Legislature of the State of Illinois; to the Committee on Labor and Public Welfare:

"H.J. RES. 36

"Whereas, Poverty is one of the foremost internal problems facing our great nation today; and

"Whereas, The number of people receiving public aid benefits is ever increasing; and

"Whereas, The amounts of welfare payments vary greatly from state to state; and

"Whereas, It is a common occurrence that a person receiving public aid in one state will move to another state in order to receive higher welfare payments; and

"Whereas, Since the public assistance paid by the states consists of some federal monies, the federal government has enunciated certain rules that the state must apply in determining whether individuals are eligible for welfare; and

"Whereas, The present system of public assistance payments is financially inequitable to the states and to those citizens who, of necessity, must depend on public aid benefits; therefore, be it

"Resolved, By the House of Representatives of the Seventy-sixth General Assembly of the State of Illinois, the Senate concurring herein, that we urge the federal government to assume control and responsibility for all public aid benefits and payments in the country so as to adopt uniform nationwide standards which would end any inducement based on public aid for movement from one state to another; and, be it further

"Resolved, That a copy of this preamble and resolution be forwarded by the Secretary of State to the President of the United States, the Vice-President of the United States, the Secretary of Health, Education and Welfare, and to every member of the

Congress of the United States from the State of Illinois.

"Adopted by the House, June 26, 1969.

"RALPH T. SMITH,

"Speaker of the House.

"FREDERIC B. SELCKE,

"Clerk of the House.

"Concurred in by the Senate, June 30, 1969.

"SAMUEL H. SHAPIRO,

"President of the Senate.

"EDWARD E. FERNANDES,

"Secretary of the Senate."

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"S.J. RES. 12

"Relative to school nutrition programs

"Whereas, The proposed federal budget for 1970, submitted by President Johnson, deleted provisions for the school milk programs; and

"Whereas, Under existing budget provisions school lunch program funds will terminate on October 31, 1969; and

"Whereas, There are many families in the United States and California who, because of their financial condition, have an inadequate diet; and

"Whereas, The school milk program and the school lunch programs supplemented the inadequate diet of the children of these families; and

"Whereas, H.R. 515 and H.R. 516, Perkins and S.B. 2548, Talmadge, will strengthen and extend existing child nutrition programs; and

"Whereas, S.B. 644, McGovern, and H.R. 5568, Sisk, will provide funds for the continuation and improvement of the school milk program; and

"Whereas, The lack of an adequately balanced diet among schoolchildren contributes in part to their poor performances in school; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, and the Congress, to give support to and to continue the programs that provide nutritional food services, for schoolchildren that are currently deprived of adequate diet; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"S.J. RES. 26

"Relative to Sherman Institute

"Whereas, The Legislature is concerned with the educational opportunities of California students; and

"Whereas, California Indians, as well as Indians of other states, are students at Sherman Institute, a Bureau of Indian Affairs boarding school, in Riverside, California; and

"Whereas, Indian students require, desire and are entitled to educational opportunities on a parity with other students throughout the State of California; and

"Whereas, Equal educational opportunities equal educational facilities, curriculum, personnel, services, and direction must be obtained; and

"Whereas, The physical plant, curriculum, and faculty training of Sherman Institute do not meet the minimum standards required in California for accreditation; and

"Whereas, Sherman Institute's library is

outdated and inadequate as a reference library in that it is deficient in both number and quality of recommended books and other resource material necessary to meet the students' educational needs; and

"Whereas, There is insufficient personnel at Sherman Institute to provide the students with an equal educational opportunity in the areas of instruction, counseling, coaching, and extracurricular activities at the school; and

"Whereas, Funds for clothing and travel for needy Indian students are not available at Sherman Institute, although funds are provided for this purpose at other federal Indian schools; and

"Whereas, The most effective schools are those which are governed by school boards that reflect the attitudes of the student's parents; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide for an emergency appropriation to Sherman Institute to enable the school to bring its physical plant up to standards necessary for accreditation, to improve the school's library system, to obtain adequate personnel, and to provide adequate services and to budget funds on a continuing basis to insure Sherman Institute's ability to maintain its facilities, curriculum, personnel and services at a level necessary to meet the Indian students' educational needs and to establish an all-Indian school board to direct the school's program; and be it further.

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the chairmen of the committees of the United States Congress dealing with the subject of this resolution, to the Secretary of the Interior and to the Commissioner of Indian Affairs."

Two joint resolutions of the Legislature of the State of California; to the Committee on Commerce:

"S.J. RES. 24

"Relative to high-speed rail passenger service

"Whereas, The federal government is now considering the so-called 'Pell Plan,' which envisions the creation of an interstate authority which, with federal assistance, would establish and operate a high-speed rail passenger service in the heavily populated northeast corridor of the United States; and

"Whereas, There is an imperative need for such a high-speed rail passenger service in the San Francisco Bay area metropolitan complex, in the Los Angeles metropolitan complex, and in the San Diego metropolitan complex and for the future linking of these three heavily populated metropolitan areas by a high-speed rail passenger service; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to expand the so-called 'Pell Plan' to include provisions for the establishment and operation of high-speed rail passenger service in the San Francisco Bay area metropolitan complex, in the Los Angeles metropolitan complex, and in the San Diego metropolitan complex and provisions for the future linking of these three heavily populated metropolitan areas by a high-speed rail passenger service; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 33

"Relative to the Marine Mineral Technology Center in Tiburon

"Whereas, There are indications that the 1970 Budget of the Marine Mineral Technology Center of the Bureau of Mines in Tiburon, California, is being reduced to the extent that the center will be required to dismiss 35 to 45 employees and to suspend operation of the research vessel 'Virginia City'; and

"Whereas, The Marine Mineral Technology Center of the Bureau of Mines is concerned with the vital development of unknown mineral resources of the ocean waters along the Pacific Coast and is a function necessary for the entire United States because, with the constant Soviet operations along the Pacific Coast to determine the extent and possibilities of mineral and fishing wealth, it is imperative that our country be the first to obtain such knowledge; and

"Whereas, Curtailment of budget funds for the center would eliminate its offshore operations and limit accomplishments in the marine mineral field by the center; and

"Whereas, The Marine Mineral Technology Center urgently requires reinstatement of approximately \$600,000 to its working capital to continue the well-established work in the marine mining program on the Continental Shelf; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to give prompt and full approval to the budget requirements of the Marine Mineral Technology Center in Tiburon, California, so that its invaluable services in behalf of the national interest may be sustained and implemented; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

Two joint resolutions of the Legislature of the State of California; to the Committee on Finance:

"S.J. RES. 10

"Relative to homeowners' property tax rebate

"Whereas, The increasing burden of property taxes on homeowners is of nationwide concern; and

"Whereas, The California Legislature has provided for a \$70 rebate in 1969 of property taxes paid by homeowners for the 1968-1969 fiscal year; and

"Whereas, Under federal income tax law, this tax relief may be reduced by the inclusion of the rebate as income for federal income tax purposes; now, therefore be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to exclude the \$70 homeowners' property tax rebate from income for federal income tax purposes; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 19

"Relative to federal funds for urban public transit

"Whereas, At the present time, federal participation in urban public transit programs is in no way comparable to the more adequate federal participation in aviation and highway programs; and

"Whereas, It is impossible for state and local governments to plan expenditures and initiate programs in the area of urban public transit without having adequate and dependable assistance from the federal level; and

"Whereas, A trust fund, similar to that set up for highway programs, which does not depend upon yearly congressional appropriations, is needed for urban public transit in order to allow for planning over a reasonable period of time; and

"Whereas, There is now legislation before Congress embracing this trust fund concept and which is a step in the right direction; and

"Whereas, It appears that urban public transit is a necessary adjunct to our highway system in California and throughout the nation, as a means of transporting the large populations of certain metropolitan areas; and

"Whereas, The urban public transit trust funds should be drawn from a source other than highway trust funds, since in California, and other states, even at present rates of collection and expenditure of trust funds, highway needs will not be met; and

"Whereas, Such federal assistance should also provide for protection of the interests of employees of presently existing transit systems which may be affected thereby with respect to collective bargaining rights, continuation of pension rights, paid retraining programs, reemployment priorities, and dislocation allowances; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation setting up a trust fund for the development and support of urban public transit systems with provisions to protect the interests and welfare of employees of existing transit systems; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Transportation, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Foreign Relations:

"S.J. RES. 28

"Relative to oil pollution

"Whereas, It is the desire of the people of California to protect the ocean waters, coastline, and marine resources of this state from pollution by oil; and

"Whereas, One major source of pollution to the coastal environment is caused by oil washing ashore from tankers that surreptitiously clean their tanks near our shores; and

"Whereas, This causes great harm to the marine and coastal biology and wildlife resources, despoils beaches and coastline, impairs valuable recreational uses, costs taxpayers thousands of dollars to remove, and results in considerable economic loss to shoreline communities; and

"Whereas, The United States is a contracting nation to the International Convention for the Prevention of Pollution of the Seas by Oil, thereby establishing a zone extending 50 miles off our coast in which registered vessels of all contracting nations are prohibited from discharging oil; and

"Whereas, If such an oil discharge takes place outside of the territorial waters of the United States, although within the protective zone, the United States does not have authority under the treaty to punish any vessel of any contracting nation other than its own; and

"Whereas, Oil imports have risen over 100 million tons in the past 20 years and American flag vessels carry only 5 percent of the oil imports into the United States; and

"Whereas, The United States tanker fleet is governed by substantially adequate domestic laws and most American vessels are operating under a voluntary 'clean seas' policy which prohibits the discharge of persistent oils into any part of any ocean; and

"Whereas, As long as foreign vessels are preeminent in the oil import trade, the domestic law of the United States is inadequate to deal with the discharge of oil in connection with tanker operations and protection must be sought through international channels; and

"Whereas, the United States has set the international community a good example with respect to the control of oil discharges from tankers and demonstrated a need for a worldwide 'clean seas' policy; now therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly. That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take immediate steps to commence negotiations with other countries toward the formulation of international conventions to extend controls over the discharge of oil and other hazardous substances into international waters beyond the zones presently proscribed, to establish international policies for "clean waters" on the high seas, and to provide adequate deterrent to violators; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

Six joint resolutions of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"S.J. Res. 9

"Relative to state inspection and regulation of offshore oil and gas development operations

"Whereas, The coastline of California is of unique scenic beauty and is one of the state's greatest natural resources; and

"Whereas, The coastal fish and wildlife resources of California furnish a significant contribution to the state's economy; and

"Whereas, The California coast is under continuous hazard from oil and gas development operations which may result in oil escapement on federally controlled outer continental shelf lands; and

"Whereas, The State of California and cities and counties within the state have an exigent interest in offshore oil and gas development operations conducted under federal leases and survey permits but have no voice in the granting of such leases and permits by the federal government; and

"Whereas, The State of California, acting through its Governor and its legislative representatives, has requested that the authority for inspection and control of offshore oil and gas development in federally controlled areas beyond the three mile limit be vested in the state; and

"Whereas, The Government of the State of California has demonstrated a high degree of reliability in its inspection of, and regulations over, oil and gas developments on all onshore and offshore lands within state boundaries; and

"Whereas, The transfer of the inspection function from federal to state control would provide uniformity of protection through uniform inspection and regulation practices; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide for the holding of a public hearing within the

affected local area of California, upon adequate notice thereof, on the matter of any future oil and gas development operation which would be conducted off the California coast whenever the granting of a federal lease or survey permit for any such operation is under consideration, such hearing to be held prior to the granting of any such lease or permit; and be it further

"Resolved, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to provide for the immediate transfer of inspection and regulation of oil and gas developments off the California coast outside the three-mile limit to the State of California; and be it further

"Resolved, That the enactment of legislation providing for such transfer also provide the necessary funding to carry on the inspection program; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Interior, and to each Senator and Representative from California in the Congress of the United States."

"S.J. Res. 16

"Relative to lands for the Washoe Indian Tribe

"Whereas, The Legislature is concerned with the public health, safety and welfare of all the citizens of California; and

"Whereas, The Washoe Indian Tribe residing in and around Woodfords, Alpine County, California, are living in an overcrowded condition, in vastly substandard housing with inadequate water and sanitation facilities, on public and private land; and

"Whereas, These existing conditions are matters affecting the Washoe Tribe's health, safety and welfare; and

"Whereas, Under the existing conditions it is impossible to make community improvements, or to participate in and develop community programs, particularly housing; and

"Whereas, the Washoe Tribe has expressed a united desire to acquire a land transfer from the public domain where they can build a community; and

"Whereas, The Board of Supervisors of the County of Alpine, State of California, on the third day of September, 1968, passed and adopted a resolution in support of a land transfer; and

"Whereas, Legislation has been introduced in the Congress of the United States to declare that the United States holds in trust for the Washoe Indian Tribe certain lands in Alpine County, California; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation pertaining to the lands for the Washoe Indian Tribe; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the chairmen of the committees of the United States Congress dealing with the subject of this resolution, to the Secretary of the Interior, and to the Commissioner of Indian Affairs."

"S.J. Res. 18

"Relating to mineral extraction from outer continental shelf lands

"Whereas, The State of California has for many years been engaged in the study of

coastal marine resources, including mineral resources, to determine the methods whereby such resources may best be utilized and protected; and

"Whereas, The federal government exercises, by virtue of its sovereignty, jurisdiction over outer continental shelf lands; and

"Whereas, The United States Department of the Interior has entered into a mineral extraction leasing program with respect to outer continental shelf lands adjacent to the coastal states; and

"Whereas, This program will have a decided impact upon the coastal environment of the states adjoining the outer continental shelf lands under lease, and the recent oil leakage disaster off the California coast is tragic evidence of the terrible impact such oil and gas operations may have upon the marine and coastal resources of adjacent states; and

"Whereas, Congress is currently considering legislation affecting the coastal resources of the various states adjoining the outer continental shelf lands and the revenues derived from such lands, which legislation would provide for the augmentation of the Land and Water Conservation Fund; and

"Whereas, The State of California recognizes the need for increased funding of the Land and Water Conservation Fund, in order to permit the acquisition and development of land and water resources by the various states pursuant to the Land and Water Conservation Fund Act of 1965 (Public Law 88-578; 78 Stat. 897); and

"Whereas, The disposition of the revenues derived from the outer continental shelf lands should take into consideration the impact which the mineral extraction leasing program will have upon the coastal environment of the coastal states; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes Congress to recognize the precedent established in the so-called Mineral Lands Leasing Act of 1920 which allocates to the particular state involved 37½ percent of proceeds derived from mineral extraction from federal lands located within such state; and to recognize, further, that the Land and Water Conservation Fund should be augmented with additional moneys (as determined by the Secretary of the Interior), provided that such funds are taken from money in the United States Treasury not otherwise allocated, together with funds specified under subsections (a), (b) and (c) of Section 2 of Title I of the Land and Water Conservation Fund Act of 1965; and be it further

"Resolved, That the Legislature of the State of California fully supports any measure which affirms the concept of allocating portions of the funds derived from mineral extraction to the states adjoining outer continental shelf lands for the purpose of serving the national interest; and be it further

"Resolved, That the Legislature of the State of California recognizes the need for Congress to provide subsidence and oil seepage disaster protection for the states located adjacent to the outer continental shelf lands; and be it further

"Resolved, That the Legislature of the State of California memorializes Congress to enact legislation creating a commission composed of both federal and state technical personnel to establish drilling and safety practices for the development of the oil resources of the outer continental shelf; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Interior, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 29

"Relative to Point Reyes National Seashore

"Whereas, A total of 64,415 acres of land is in the process of acquisition by the federal government pursuant to the act of Congress approved September 13, 1962 (72 Stats. 538), as amended in 1966, establishing the Point Reyes National Seashore in California; and

"Whereas, The State of California has provided 11,415 acres of tidelands, the federal government has additionally acquired 23,845 acres, and 29,155 acres remain to be acquired by purchase; and

"Whereas, The 1966 amendment to the act provided an increase in the amount authorized to be expended for the purchase of land for the project from \$14,000,000 to \$19,135,000; and

"Whereas, As is the case with respect to lands throughout California, the value of lands within the area of the Point Reyes National Seashore has risen substantially since 1962 and 1966 and an increase in the presently authorized expenditure of funds is necessary in order to acquire the remaining 29,155 acres; and

"Whereas, The National Park Service, in the course of recent hearings on HR 3786 in the National Parks and Recreation Subcommittee of the House Committee on Interior and Insular Affairs, indicated an intention to sell approximately 9,000 acres of acquired National Seashore property to private owners for development; and

"Whereas, The people of the State of California are opposed to the use of any National Seashore property for commercial or residential development which would reduce Point Reyes National Seashore property and alter the basic concept of the present plan; and

"Whereas, After due and careful consideration of the public interest, Senators Alan Cranston and George Murphy and Congressmen Don Clausen and William Mailliard, representing the First and Sixth Congressional Districts of California, respectively, have introduced bills (S. 1530 and H.R. 3786) before the 91st Congress, supported by a majority of California Congressmen, to further amend the act to authorize an increase in the expenditure of funds from \$19,135,000 to \$57,500,000 for the acquisition of Point Reyes National Seashore lands; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to move swiftly to support and enact S. 1530 and H.R. 3786 of the 91st Congress into law and thus act in the interest of the people of California and of the United States to complete the Point Reyes National Seashore in general, and particularly, to secure the immediate purchase of the property to insure that the National Seashore will not be split by the pending subdivision; and be it further

Resolved, That the National Park Service is hereby requested to carefully reevaluate its budgetary requirements for completion of the National Seashore in the most conservative manner so that there is no question but that funds sufficient to complete the National Seashore will be authorized; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Director of the National Park Service, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 32

"Relative to federal policy in regard to Indians in California

"Relative to federal policy in regard to Indians in California

"Whereas, The Indians of California are

virtually excluded from participation in various federal programs and services that are available to other Indians of the United States; and

"Whereas, The Legislature of the State of California in 1968 adopted Senate Joint Resolution No. 3 requesting full participation of California Indians in all federal programs and services available to Indians of the United States; and

"Whereas, The Congress of the United States in 1953 adopted House Concurrent Resolution No. 108, which became the basis for termination legislation and which expressed a sense of Congress that was imposed upon the Indian people; and

"Whereas, Some terminated Indian groups and other California Indians wish to reestablish their trust relationship with the federal government; and

"Whereas, The termination policy of House Concurrent Resolution No. 108 has since been abandoned by Congress in favor of the Indian consent policy expressed in revisions to Public Law 280 and Public Law 85-671; and

"Whereas, House Concurrent Resolution No. 108 is still interpreted as the guiding policy by some federal agencies and officers in regard to services and programs for California Indians; and

"Whereas, Many California tribal groups and Indian organizations regard various federal programs and services as a valuable resource that should be available to them; and

"Whereas, The various federal agencies administering Indian programs for Indians of California should be able to operate their programs in a flexible manner in order to provide a sustained, positive and dynamic Indian policy with the necessary constructive programs and services needed by California Indians; and

"Whereas, House Concurrent Resolution No. 245 which has been introduced in the Congress of the United States states a new national Indian policy that more clearly expresses the will of the California Indian people; and

"Whereas, The sense of House Concurrent Resolution No. 245 should be applicable to the Indians of California especially since California is emerging as the state with the largest Indian population; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to establish a policy that insures that California Indians are included to the fullest extent in various federal programs and services that are available to other Indians of the United States; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the Interior, to the Commissioner of Indian Affairs, to the Secretary of Health, Education, and Welfare, to the Director of the Division of Indian Health of the United States Public Health Service, to each member of the National Council on Indian Opportunity, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the chairmen of the committees of the United States Congress dealing with the subject of this resolution."

"S.J. RES. 34

"Relative to the Richard Milhous Nixon Birthplace National Historic Site

"Whereas, All the Presidents of the United States of America have had a profound effect upon the history of this nation; and

"Whereas, It has been the policy of the federal government of the United States to preserve and restore birthplaces of its Presidents; and

"Whereas, The preservation and restoration of the birthplace of Richard Milhous Nixon is in the national public interest; and

"Whereas, The Nixon birthplace has been adequately maintained and is now available for acquisition and development by the federal government; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation to acquire, restore, and develop the birthplace of President Richard Milhous Nixon and to designate that site as the Richard Milhous Nixon Birthplace National Historic Site; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"S.J. RES. 8

"Relative to school district appropriations

"Whereas, The Congress of the United States of America has appropriated \$505.9 million for the fiscal year ending June 30, 1969, for payments to school districts under the provisions of Public Law 81-874, estimated to be sufficient to meet 90 percent of the requirements under the law; and

"Whereas, Federal administrative decisions have determined that only 35 percent of the requirement will be released during the fiscal year ending June 30, 1969, to eligible school districts; and

"Whereas, This administrative decision affects adversely some 438 California school districts, in which in excess of 400,000 eligible pupils reside; and

"Whereas, The withholding of these funds will adversely affect the educational program for more than three million children who attend school in these districts eligible for funds under Public Law 81-874; and

"Whereas, The administrative decisions made will result in reduction in school support from Public Law 81-874 in excess of \$50 million during the fiscal year; and

"Whereas, Under the provisions of Public Law 81-874, the federal government since 1951 has participated as a local property taxpayer in school districts impacted with students of parents employed on federal property which is not subject to local property taxation; and

"Whereas, Such federal participation under full provisions of the law does not meet the added costs of education caused by federal activities; and

"Whereas, The withholding of these funds by administrative decision is not in accordance with the intent of the Congress as expressed in Public Law 81-874 and in Section 406 of Title III of Public Law 90-576; and

"Whereas, The withholding of these funds will have an irreparable adverse effect on the majority of school children in California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President of the United States, the Director of the Bureau of the Budget and the Secretary of Health, Education and Welfare and other involved federal officials to review the existing administrative decision and to provide for release to eligible school districts during the 1969 fiscal year the full appropriation authorized by Congress for that year; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, the Director of the Bureau of the Budget, the Secretary of Health, Education and Welfare, and to each

member of the California Delegation in Congress."

Four joint resolutions of the Legislature of the State of California; to the Committee on Public Works:

"S.J. RES. 13

"Relative to flood control in the Carpinteria Valley watershed

"Whereas, There exists in the Carpinteria Valley a severe flooding problem which affects hundreds of homes, local schools, valuable agricultural lands, highway and railroad transportation, and the health and safety of the citizens residing in the area; and

"Whereas, Three separate floods devastated the Carpinteria Valley in January 1969; and

"Whereas, A federally financed flood control project under the provisions of Public Law 566 is proposed for the Carpinteria Valley watershed, which would eliminate the flooding problem; and

"Whereas, Such flood control project has been found to be economically feasible, and the watershed work plan, which constitutes the feasibility report for such project, has been submitted to the federal Administrator of the Soil Conservation Service for review and transmittal to the Congress; and

"Whereas, The urgent necessity for flood protection requires quick action by the Congress and the Administrator of the Soil Conservation Service in approving the work plan, authorizing the project, and appropriating funds for the beginning of engineering and construction; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully requests federal agencies to expedite their review of the Carpinteria Valley Watershed Project Work Plan and to forward their comments to the Administrator of the Soil Conservation Service without delay; and be it further

Resolved, That the Administrator of the Soil Conservation Service is requested to approve the work plan and to include the Carpinteria Valley Watershed Project in the group of PL 566 projects to be submitted to the Congress in the near future; and be it further

Resolved, That the Soil Conservation Service and the local sponsoring agencies are requested to cooperate with the Department of Fish and Game in protecting and improving wildlife conditions in the project area, and especially in devising ways to enhance the management of El Estero Marsh for such purposes; and be it further

Resolved, That the Legislature memorializes the Congress to approve, authorize, and appropriate funds for the beginning of work on the Carpinteria Valley Watershed Project; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Administrator of the Soil Conservation Service, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 15

"Relative to federal flood control assistance

"Whereas, Many counties and communities in the State of California have been subjected to heavy and continuous rainfall and disastrous flooding; and

"Whereas, Such rainfall and flooding have caused great damage to both public and private property throughout the state and have resulted in substantial monetary losses; and

"Whereas, Conditions resulting from such rainfall and flooding continue to cause extreme peril to the safety of both persons and property throughout the state; and

"Whereas, The Governor of the State of California has proclaimed a state of disaster in many areas of the state; and

"Whereas, Legislation which would provide

for increases in the amount of federal assistance available to disaster areas under already existing programs has been introduced in the Congress of the United States; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact pending legislation dealing with this problem; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. RES. 27

"Relative to the Santa Clara River Flood Control Project

"Whereas, the Santa Clara River Flood Control Project has been proposed to provide for a system of works to control floods along the Santa Clara River and its tributaries; and

"Whereas, The Santa Clara River Flood Control Project was authorized by the Congress of the United States through the enactment of Public Law 858, 80th Congress, approved June 30, 1948; and

"Whereas, The Santa Clara River Flood Control Project was authorized for financial participation by the California Legislature at the 1953 Regular Session of the Legislature; and

"Whereas, Floods occurring in the Santa Clara River Basin during the early part of 1969 caused severe damage to public and private property, endangered lives, and created great hardship for the residents of the basin; and

"Whereas, Much of the damage and hardship created by these floods could have been prevented had the authorized features of the Santa Clara River Flood Control Project been constructed and in operation; and

"Whereas, The United States Army Corps of Engineers is currently conducting a detailed study of the flood problems of the Santa Clara River Basin in order to determine the additional works necessary to provide vital flood control; and

"Whereas, The Corps of Engineers plans to submit three additional project reports on the Santa Clara River Basin, including a report currently being prepared for flood control in the Newhall-Saugas areas; and

"Whereas, The maintenance of an adequate level of federal funding for the construction of vital flood control projects is necessary for the safety and welfare of the people of California and of the United States; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to appropriate funds necessary to immediately undertake the construction of the presently authorized Santa Clara River Flood Control Project; and be it further

Resolved, That the United States Army Corps of Engineers is urged to expedite their studies of flood control in the Santa Clara River Basin and to seek authorization and construction of necessary flood control works at the earliest possible time; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the chairman of the appropriations committees of the United States Senate and House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the

Corps of Engineers, and to the Chief of Engineers, United States Army District Engineer, United States Army Corps of Engineers District, Los Angeles."

"S.J. RES. 30

"Relative to recreation planning at federal flood control projects

"Whereas, The U.S. Army Corps of Engineers, pursuant to various federal statutes, plans and constructs flood control projects in the various states, including the State of California; and

"Whereas, Such projects include not only reservoir flood control storage projects but also channel improvements and channel rectifications; and

"Whereas, Under the Federal Water Project Recreation Act approved July 9, 1965 (79 Stat. 213), recreation planning is included in the planning of federal reservoir projects, including those that provide flood control storage; and

"Whereas, Flood control projects involving levees and channel improvements and rectifications, such as the one presently being designed for the Napa River in California, present opportunities for recreation development and beautification associated with the channel improvements; and

"Whereas, Recreational uses, such as walkways, pathways, access points, view areas, and areas for boating, fishing, swimming, and other outdoor activities, but not excluding other recreational activities, should be considered in planning channel improvement projects as well as reservoir projects; and

"Whereas, Streams and channels should be considered in relation to their multipurpose uses and not simply as flood discharge conduits; and

"Whereas, There exists a great demand for water-associated recreational development; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, and the U.S. Army Corps of Engineers to include recreation and beautification in planning channel improvement and channel rectification projects, and that provisions for recreation be included as part of the project plans; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Director of the Bureau of the Budget, to the Chief Engineer of the U.S. Army Corps of Engineers, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution of the Legislature of the State of California; to the Committee on the Judiciary.

"S. CON. RES. 159

"Relative to 'Space Pioneers Day'

"Whereas, The landing of two American astronauts on the surface of the moon on July 20, 1969, is an event sure to be remembered and honored by all future generations as an historical landmark comparable to the discovery of America by Columbus; and

"Whereas, Such an event should be commemorated in a manner reflecting its historical significance; and

"Whereas, Corporations, scientists, engineers, technicians and workingmen in California have played an essential part in making this splendid achievement possible, thereby serving their country and all mankind; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Governor is requested to proclaim July 20 as 'Space Pioneers Day' in honor of the moon landing by American astronauts; and be it further

Resolved, That the Senate and the Assem-

bly of the State of California respectfully memorialize the President and Congress of the United States to designate July 20 as a permanent national holiday to commemorate our space pioneers; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the Governor of California, to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A memorial of the Legislature of the State of Florida; to the Committee on the Judiciary:

"SENATE MEMORIAL 397

"A memorial to the Congress of the United States requesting Congress to call a convention for the purpose of proposing an amendment to the constitution of the United States to provide for revenue sharing with the states of federal income taxes

"Be It Resolved by the Legislature of the State of Florida:

"That this legislature respectfully petitions the congress of the United States to call a convention for the purpose of proposing an amendment to the constitution of the United States to provide that a portion of the taxes collected in each of the states on the incomes of persons, associations and corporations shall be returned to the respective states to be utilized at the discretion of the state.

"Be It Further Resolved that copies of this memorial be dispatched to the President of the United States, to the president of the United States senate, to the speaker of the United States house of representatives, and to each member of the Florida delegation to the United States congress."

A resolution adopted by the Los Angeles Board of Library Commissioners, Los Angeles, Calif., praying for the enactment of legislation relating to funds for the Library Services and Construction Act; to the Committee on Appropriations.

A resolution adopted by the Naha City Assembly, of Okinawa, praying for the immediate removal of poison gas, germ and radioactive weapons from Okinawa; to the Committee on Armed Services.

A resolution adopted by the Legislative Council of Maryland, praying for enactment of legislation to break the impasse delaying construction of the Metropolitan Washington Transit System; to the Committee on the District of Columbia.

A resolution adopted by the Kiwanis Club of New Orleans, New Orleans, La., remonstrating against the enactment of legislation relating to reduction of the present depletion as applied to the oil and gas industry; to the Committee on Finance.

A resolution adopted by the city council of the city of Madera, Calif., remonstrating against the enactment of legislation relating to the tax-exempt status of interest on municipal obligations; to the Committee on Finance.

A resolution adopted by the city of Eastlake, Ohio, remonstrating against the enactment of legislation which would limit the exempt status for income tax purposes of interest paid on bonds issued by State and local governments; to the Committee on Finance.

A resolution adopted by the Board of Commissioners of the City of Lexington, Ky., remonstrating against the enactment of legislation that would in any way limit the tax exemption status on bonds issued by State or local governments; to the Committee on Finance.

A resolution adopted by the city council, of St. James, Minn., remonstrating against the enactment of legislation relating to taxation of interest on municipal bonds; to the Committee on Finance.

A resolution adopted by the Duchess County Board of Representatives, State of New York, praying for the continuance of tax exemption of bonds of local governments; to the Committee on Finance.

A resolution adopted by the city of Appleton, Wis., praying for the prevention of taxing of State and local government bond interest; to the Committee on Finance.

A resolution adopted by the city of Watsonville, Calif., remonstrating against proposed action to eliminate the tax-exempt status of State and local municipal securities issued for municipal purposes; to the Committee on Finance.

The petition of World Peace Appeal, New York, N.Y., praying for the discouragement of a nuclear confrontation between the U.S.S.R. and China; to the Committee on Foreign Relations.

The petition of World Peace Appeal, New York, N.Y., relating to protection of the right to petition for redress of grievances; to the Committee on the Judiciary.

The petition of World Peace Appeal, New York, N.Y., praying for the enactment of legislation relating to full employment; to the Committee on Labor and Public Welfare.

A resolution adopted by the Greenwich Grange, Greenwich, Ohio, remonstrating against the enactment of legislation relating to the registration of firearms; to the Committee on the Judiciary.

A resolution adopted by the Republican Club of Hicksville, Hicksville, N.Y., praying for the enactment of legislation designating Flag Day as a legal holiday; to the Committee on the Judiciary.

A resolution adopted by the National Association of Women Lawyers, Chicago, Ill., praying for the enactment of legislation relating to the equality of rights regardless of sex; to the Committee on the Judiciary.

A resolution adopted by the American Bar Association, Chicago, Ill., praying for the enactment of Senate bill 952, relating to judgeships; to the Committee on the Judiciary.

A resolution adopted by the Lambda Kappa Mu Sorority, Inc., Washington, D.C., relating to civil rights; to the Committee on the Judiciary.

Resolutions adopted by the Mississippi Association of School Superintendents, praying for the enactment of legislation to provide relief in relation to benefits under the Elementary and Secondary Education Act; to the Committee on Labor and Public Welfare.

Resolutions adopted by the 39th Illinois State Convention, Polish Legion of American Veterans, U.S.A., Chicago, Ill., praying for peace in Vietnam, and so forth; ordered to lie on the table.

The petition of World Peace Appeal, New York, N.Y., praying for the enactment of legislation relating to a Day of Fasting, Humiliation, and Prayer; ordered to lie on the table.

The petition of World Peace Appeal, New York, N.Y., praying for the enactment of legislation for the restitution to black people prior to the Civil War; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs, with amendments:

S. 719. A bill to establish a national mining and minerals policy (Rept. No. 91-390).

By Mr. RANDOLPH, from the Committee on Public Works, without amendment:

S. 1499. A bill to name the authorized lock and dam No. 17 on the Verdigris River in Oklahoma for the Chouteau family (Rept. No. 91-391).

BILLS INTRODUCED

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

By Mr. EASTLAND (for himself, Mr. STENNIS, Mr. RANDOLPH, Mr. BYRD of West Virginia, Mr. ALLEN, Mr. SPARKMAN, Mr. ELLENDER, Mr. SPONG, Mr. LONG of Louisiana, and Mr. BYRD of Virginia):

S. 2853. A bill to provide additional assistance to the States of Alabama, Louisiana, Mississippi, Virginia, and West Virginia for the reconstruction of areas damaged by Hurricane Camille; to the Committee on Public Works, by unanimous consent.

(The remarks of Mr. EASTLAND when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. STENNIS (for himself, Mr. EASTLAND, Mr. BYRD of Virginia, Mr. THURMOND, and Mr. SPONG):

S. 2854. A bill to provide assistance for the disaster area of Hurricane Camille; to the Committee on Public Works, by unanimous consent.

(The remarks of Mr. STENNIS when he introduced the bill appear earlier in the RECORD under the appropriate heading.)

By Mr. BAKER:

S. 2855. A bill to amend section 523 of the Housing Act of 1949 to permit sale of rural housing sites to or for the benefit of qualified lower-income families in addition to participants in self-help housing programs, and for other purposes; to the Committee on Banking and Currency.

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

By Mr. HART:

S. 2856. A bill for the relief of Saul Bluestone; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2857. A bill for the relief of Clotilde R. Vilar; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2858. A bill for the relief of Chin Fa Chow; to the Committee on the Judiciary.

By Mr. METCALF:

S. 2859. A bill for the relief of See Ting Lip Lee (Stan Lee); to the Committee on the Judiciary.

By Mr. HART:

S. 2860. A bill for the relief of Emmanuel Karusakis; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 2861. A bill to authorize the University of New Mexico to operate a county hospital at Albuquerque, N. Mex.; to the Committee on Labor and Public Welfare.

S. 2855—INTRODUCTION OF A BILL TO AMEND SECTION 523 OF THE HOUSING ACT OF 1949

Mr. BAKER. Mr. President, I introduce today a bill to amend section 523 of the Housing Act of 1949 to permit the sale of rural housing sites to or for the benefit of qualified lower income families in addition to participants in self-help housing programs, and for other purposes.

I ask unanimous consent that the bill be printed in full at the conclusion of my remarks.

Mr. President, this bill would amend section 523 of the Housing Act of 1949 by broadening the statement of purposes in subsection (a) to include assistance in making housing sites in rural areas available for purchase by lower income families, or nonprofit organizations or cooperatives providing housing for lower

income families, who are eligible either for HUD assistance under the National Housing Act or for Farmers Home Administration assistance under the Housing Act of 1959.

Subsection (b) (1) (B) of section 523 of the Housing Act of 1949, which authorizes loans by the Secretary of Agriculture for the purchase, development, subdivision, and sale of land for building sites in rural areas, by its language now encompasses those eligible parties. Because the statement of purposes in subsection (a) is limited to assistance to self-help housing program participants, however, section 523 has been interpreted as requiring that site sales under subsection (b) (1) (B) be likewise limited.

The bill which I introduce today would simply clarify the language in subsection (a), thereby removing this restriction. It is a corrective amendment only and would not conflict in any way with any other program administered either by the Department of Housing and Urban Development or the Farmers Home Administration. Nor is it in any way an attempt to weaken the self-help housing programs, which have been of real benefit in enabling persons who could never hope to own their own home otherwise to obtain decent housing. Rather this amendment would merely facilitate the acquisition of housing sites in rural areas by others who seek to provide adequate housing for lower income families.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2855) to amend section 523 of the Housing Act of 1949 to permit sale of rural housing sites to or for the benefit of qualified lower income families in addition to participants in self-help housing programs, and for other purposes, introduced by Mr. BAKER, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2855

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 523 of the Housing Act of 1949 is amended by inserting before the period at the end of subsection (a) the following: "and (3) to assist in making housing sites in rural areas available for purchase by families, nonprofit organizations, and cooperatives eligible for assistance under section 235 or 236 of the National Housing Act of section 521 of this Act".

ADDITIONAL COSPONSORS OF BILLS

S. 2459

Mr. HATFIELD. Mr. President, I ask unanimous consent that, at the next printing, the name of my colleague from Oregon (Mr. PACKWOOD) be added as a cosponsor of S. 2459, relating to a feasibility investigation by the Secretary of the Interior relating to the Willamette Valley project.

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

S. 2523

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next

printing, the name of my colleague from Washington (Mr. MAGNUSON) and the Senator from Massachusetts (Mr. BROOKE) be added as cosponsors of my bill, S. 2523, to amend, extend, and improve certain public health laws relating to mental health.

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

S. 2674

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Hawaii (Mr. INOUYE), I ask unanimous consent that, at the next printing, the name of the Senator from Oregon (Mr. HATFIELD) be added as a cosponsor of S. 2674, to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces.

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

S. 2705

Mr. SCOTT. Mr. President, on behalf of the Senator from Arizona (Mr. FANNIN), I ask unanimous consent that, at the next printing, the names of the Senators from South Carolina (Mr. THURMOND and Mr. HOLLINGS), and the Senator from Texas (Mr. TOWER) be added as cosponsors of S. 2705, to provide for medical and hospital care through a system of voluntary health insurance, and for other purposes.

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

S. 2790 AND S. 2791

Mr. SCOTT. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Pennsylvania (Mr. SCHWEIKER) and the Senator from New Mexico (Mr. MONTOYA) be added as cosponsors of S. 2790 and S. 2791, to incorporate the Catholic War Veterans of the United States of America and to incorporate the Jewish War Veterans of the United States of America.

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

S. 2809

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Pennsylvania (Mr. SCHWEIKER) be added as a cosponsor of S. 2809, extending the authority to make formula grants to schools of public health.

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

SENATE RESOLUTION 246—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON RIOTS, CIVIL AND CRIMINAL DISORDERS

Mr. McCLELLAN submitted the following resolution (S. Res. 246); which was referred to the Committee on Rules and Administration:

S. RES. 246

Resolved, That there be printed for the use of the Committee on Government Operations two thousand additional copies of part 21 of the hearings before its Permanent Subcommittee on Investigations during the

Ninety-first Congress, first session, entitled "Riots, Civil and Criminal Disorders."

SENATE RESOLUTION 247—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON RIOTS, CIVIL AND CRIMINAL DISORDERS

Mr. McCLELLAN submitted the following resolution (S. Res. 247); which was referred to the Committee on Rules and Administration:

S. RES. 247

Resolved, That there be printed for the use of the Committee on Government Operations two thousand additional copies of part 22 of the hearings before its Permanent Subcommittee on Investigations during the Ninety-first Congress, first session, entitled "Riots, Civil and Criminal Disorders."

SENATE RESOLUTION 248—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ON RIOTS, CIVIL AND CRIMINAL DISORDERS

Mr. McCLELLAN submitted the following resolution (S. Res. 248); which was referred to the Committee on Rules and Administration:

S. RES. 248

Resolved, That there be printed for the use of the Committee on Government Operations two thousand additional copies of Part 23 of the hearings before its Permanent Subcommittee on Investigations during the Ninety-first Congress, first session, entitled "Riots, Civil and Criminal Disorders."

SENATE RESOLUTION 249—RESOLUTION RELATING TO HURRICANE PROTECTION OF CERTAIN SOUTH CAROLINA COASTAL AREAS

Mr. THURMOND (for himself and Mr. HOLLINGS) submitted the following resolution (S. Res. 249); which was referred to the Committee on Public Works:

S. RES. 249

Resolved, That the Committee on Public Works shall, in accordance with section 110 of the River and Harbor Act of 1962, request the Secretary of the Army to direct the Chief of Engineers to make a survey, in the interests of beach erosion control, hurricane protection, and related purposes, of the following South Carolina coastal areas:

- (1) the shoreline from Surfside Beach to the mouth of Murrells Inlet;
- (2) Pawleys Island;
- (3) Isle of Palms; and
- (4) Edisto Beach, including Edisto Beach State Park.

SENATE RESOLUTION 250—RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF PART I OF THE HEARINGS ENTITLED "ECONOMICS OF AGING"

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 250); which was referred to the Committee on Rules and Administration:

S. RES. 250

Resolved, That there be printed for the use of the Special Committee on Aging two thousand five hundred additional copies of part I of its hearings of the current Congress entitled "Economics of Aging".

SENATE RESOLUTION 251—RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey submitted the following resolution (S. Res. 251); which was referred to the Committee on Rules and Administration:

S. RES. 251

Resolved, That S. Res. 76, agreed to February 17, 1969 (authorizing a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people), be amended by striking out "\$200,000" and inserting in lieu thereof "\$230,000".

SENATE RESOLUTION 252—RESOLUTION RELATIVE TO THE DEATH OF REPRESENTATIVE DANIEL J. RONAN OF ILLINOIS

Mr. BYRD of West Virginia (for himself, Mr. DIRKSEN, and Mr. PERCY) submitted a resolution (S. Res. 252) relative to the death of Representative Daniel J. Ronan of Illinois, which was considered and agreed to.

(The remarks of Mr. BYRD of West Virginia when he submitted the resolution appear later in the RECORD under the appropriate heading.)

REFORM OF INCOME TAX LAWS—AMENDMENTS

AMENDMENT NO. 141

Mr. FULBRIGHT submitted amendments, intended to be proposed by him, to the bill (H.R. 13270) to reform the income tax laws, which were referred to the Committee on Finance and ordered to be printed.

(The remarks of Mr. FULBRIGHT when he submitted the amendments appear later in the RECORD under the appropriate heading.)

DEPARTMENT OF LABOR, AND HEALTH, EDUCATION, AND WELFARE BILL, 1969—AMENDMENT

AMENDMENT NO. 142

Mr. ALLEN submitted an amendment, intended to be proposed by him, to the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

(The remarks of Mr. ALLEN when he submitted the amendment appear later in the RECORD under the appropriate heading.)

TAX REFORM ACT OF 1969—NOTICE OF HEARINGS BY COMMITTEE ON FINANCE

Mr. LONG, Mr. President, tomorrow the Senate Finance Committee begins the long and difficult task of considering the Tax Reform Act of 1969. The Secretary of the Treasury is to be our first witness.

Public witnesses will be heard beginning September 8, and continue for 4

weeks. Hopefully, we will continue the hearing segment of our consideration of this bill on Friday, October 3. Nearly 700 witnesses have requested an opportunity to testify on the many complicated provisions of the House bill. The Finance Committee has completed the scheduling of the witnesses through Monday, September 22. For the information of the Senate, I believe it would be helpful to include in the RECORD at this point a list of those witnesses who are scheduled to testify and identify the general area to which their comments will be directed.

A total of 149 witnesses have been named to appear through September 22. In a few days we hope to complete the witness list and identify those who will speak on the subject of State and local bond interest, minimum tax, allocation of deductions, real estate depreciation, natural resources, and a few other provisions to which the House bill relates.

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

**TAX REFORM ACT OF 1969—LIST OF WITNESSES
MONDAY, SEPTEMBER 8, 1969**

1. The Honorable Paul Douglas—National Committee on Tax Justice.
2. The Honorable Wilbur J. Cohen—Dean, School of Education, University of Michigan.
3. Philip H. Wilkie—Rural-Small Town—Small City Coalition, Inc.
4. The Honorable Abner J. Mikva—U.S. Representative from Illinois.
5. Jacob Clayman—Administrative Director, Industrial Union Department, AFL-CIO.
6. Joel Barlow—Counsel for National Machine Tool Builders Association, American Machine Tool Distributors Association, and National Tool, Die and Precision Machining Association.
7. Charles W. Stewart—President, Machinery and Allied Products Institute.
8. John C. Davis III—Past President and Past Chairman of the Board of Trustees of the National Association of Wholesalers.
9. Jerome R. Gulan—Legislative Director, National Federation of Independent Business.
10. J. T. Higgins—Chairman, American Textile Manufacturers Institute Inc. Tax Committee.
11. James B. Irvine, Jr.—President, Association for Advanced Life Underwriting.
12. John P. Meehan—Chairman, National Association of Life Underwriters Committee on Federal Law and Legislation.
13. Leonard Kust—Vice President and General Tax Counsel, Westinghouse Electric Corporation.
14. Miss Vivian Kellems—East Haddam, Connecticut.
15. Mrs. Caryl Terry—Parents Without Partners, Inc.
16. Miss Dorothy Shinder—Director War Singles (Not War Widows) and President, Single Persons Tax Reform.
17. Richard Walton Edwards, Jr.—Washington, D.C.

TUESDAY, SEPTEMBER 9, 1969

**Foundations' coordinated testimony group
The Role of Foundations in American Life**

1. Irwin Miller—Chairman of the Board, Cummins Engine Company.
2. Herman Wells—Chancellor, Indiana University.

Effect of the Legislation (Proposed Tax) on Beneficiaries

3. Reverend Theodore Mortin Hesburgh—President, University of Notre Dame.
4. Frank Irwin—Chairman, Board of Regents, University of Texas System.
5. Dr. John Cooper—Executive Secretary, Association of American Medical Colleges.

6. Felix Robb—Director, Southern Association of Colleges and Schools.

Effect of the Tax as Seen by Foundations

7. George Harrar—President, Rockefeller Foundation.
8. Alan Pifer—President, Carnegie Corporation of New York.
9. David Freeman—President, Council on Foundations.

Effect of Program Limitations

10. Merriomon Cuninggin—President, Danforth Foundation.
11. Homer Wadsworth—President, Kansas City Association of Trusts and Foundations.
12. Russell Arrington—President Pro-Tempore, Illinois State Senate, testifying for the Citizens Conference on State Legislatures.
13. Elvis Stahr—President, Audubon Society.

Effect of Distribution Requirements (Including Problems Raised by Definition of Qualifying Distributions)

14. Ben W. Heineman—Chairman, Chicago and North Western Railway Company.
15. Julius Stratton—Chairman of the Board, The Ford Foundation.
16. McGeorge Bundy—President, The Ford Foundation.

17. Whitney Young—President, The National Urban League.

18. Whitney North Seymour—Counsel, Council on Library Resources and the International Legal Center.

Restrictive Effects on the Development of Philanthropy and Operation of Foundations Including Effects of "Expenditure Responsibility" and Heavy Penalty on Trustees

19. James Killian—Chairman, Board of Trustees of Massachusetts Institute of Technology.
20. Dana Creel—Director, Rockefeller Brothers Fund.
21. Dr. Jonas Salk—Director, the Salk Institute for Biological Studies.
22. John J. McCloy—Milbank, Tweed, Hadley, and McCloy.
23. Stephen Alles—Counsel, Corporation for Public Broadcasting.

WEDNESDAY, SEPTEMBER 10, 1969

Foundations

1. Dr. Carl Kaysen—Director, Institute for Advanced Study, Princeton University.¹
2. Kermit Gordon—President, Brookings Institution.¹
3. Caryl Haskins—President, Carnegie Institution.¹
4. O. Meredith Wilson—Director, The Center for Advanced Study in the Behavioral Sciences.¹
5. John J. Gunther—Executive Director, U.S. Conference of Mayors.
6. The Honorable Brooks Hays—Chairman, Southern Committee on Political Ethics.
7. Howard J. Privett—The James Irvine Foundation.
8. Lyndol L. Young—with respect to The James Irvine Foundation.
9. Byron P. Hollet—The Lilly Endowment, Inc.
10. George C. Hazard, Jr.—Executive Director, The American Bar Foundation.
11. David D. Henry—President, Association of American Universities and President, University of Illinois.
12. John G. Simon—Professor of Law, Yale Law School.
13. Raymond B. Ondov—Member, The Hormel Foundation.
14. Charles Stewart Mott—Charles Stewart Mott Foundation, accompanied by Frank K. Manley, Executive Director.
15. Eugene T. Hackler—Vice President, American Association of Homes for the Ag-

¹ Panel on Impact of Foundation Provisions on Advanced Study Groups.

ing and Treasurer, Evangelical Lutheran Good Samaritan Society.

THURSDAY, SEPTEMBER 11, 1969

Foundations

1. Mrs. Bruce Benson—President, League of Women Voters of the United States.
2. Paul Anthony—Executive Director, Southern Regional Council, Inc.
3. Lawrence Speiser—Director, Washington Office, American Civil Liberties Union.
4. Reed Larson—Executive Vice President, National Right to Work Committee.
5. The Honorable Richard E. Thigpen—The Duke Endowment.
6. Stephen H. Hart—Holland and Hart.
7. Dr. Kenneth Clark—Metropolitan Applied Research Center, Inc.
8. John M. Stalmaker—President Emeritus, Merit Scholarship Corporation.
9. William Thayer Tutt—President, El Pomar Foundation.
10. John A. Wells—The Morris and Gwendolyn Cafritz Foundation.
11. Lyman C. Conger—Chairman of the Board of the Kohler Company.
12. Albert E. Arent—Phoebe Waterman Foundation, Inc.
13. Isaac N. P. Stokes—Chairman of the Board of Trustees and General Counsel of the Phelps-Stokes Fund.
14. William H. Baldwin—President, The Kresge Foundation.
15. Sydney Howe—President, The Conservation Foundation.
16. Mitchell Rogovin—The Louis and Henrietta Blaustein Foundation, Inc.

FRIDAY, SEPTEMBER 12, 1969

Tax-exempt organizations

1. The Honorable Mortimer Caplin—The National Tax Equality Association.
2. Reverend Homer Jolly, S.J.—President, Loyola University.
3. Robert E. McKenna—President of Chilton Company and Chairman of the Washington Legal Committee of the American Business Association, accompanied by John B. Babcock, President and Robert A. Saltzstein, General Counsel.
4. Hal M. Christensen—Director, Washington Office, American Dental Association.
5. William J. Lehrfeld—The National Fraternal Congress of America.
6. Edwin Steers—General Counsel, The Imperial Council of the Ancient Arabic Order of the Nobles of the Mystic Shrine for North America.
7. George F. Kachlein, Jr.—Executive Vice President, American Automobile Association, accompanied by Tax Counsel.
8. J. P. Janetatos—The National Club Association.
9. Denver D. Adams—National Adjutant, The Disabled American Veterans, accompanied by Charles L. Huber, National Director of Legislation, and Donald C. Alexander of Dinsmore, Shohl, Coates and Deupree, Counsel.
10. Norman A. Sugarman—Baker, Hostetler and Patterson.
11. Zeke L. Loflin—President, National Interfraternity Conference.
12. James W. Riddell—Volume Footwear Retailers of America and Committee of Consumer Finance Companies.
13. Walter Pozen—National Retail Merchants Association.
14. Michael Waris, Jr.—Baker and McKenzie.
15. Maurice H. Goetz—Metropolitan Taxicab Board of Trade and Empire State Taxicab Association.
16. Robert E. Thomas—LP Gas Industry and MAPCO, Inc.

MONDAY, SEPTEMBER 15, 1969

Banks

1. The Honorable Preston Martin—Chairman, Federal Home Loan Bank.
2. Willis W. Alexander—President, The American Bankers Association.
3. Charles H. Ogilvie—Chairman, National

Association of Business Development Corporations.

4. George C. Williams—President, National Association of Small Business Investment Companies.

5. I. Shirley Tark—accompanied by Arthur Roth, Co-chairmen of the Bankers Committee for Tax Equity.

6. Edward P. Clark—Chairman, Committee on Taxation, National Association of Mutual Savings Banks.

7. George L. Bliss—President, Council of Mutual Savings Institutions.

8. Glen Troop—Staff Vice President, U.S. Savings and Loan League.

9. Kenneth G. Heisler—Executive Director, National League of Insured Savings Associations.

10. Franklin Hardinge, Jr.—Executive Vice President, California Savings and Loan League.

TUESDAY, SEPTEMBER 16, 1969

Capital gains

1. Robert W. Haack—President, New York Stock Exchange.

2. Donald T. Regan—President of Merrill, Lynch, Pierce, Fenner and Smith, Inc., on behalf of the Association of Stock Exchange Firms.

3. James J. Rutherford—Executive Director, Financial Executives Institute.

4. John C. Bogle—Chairman of the Board, Investment Company Institute.

5. Roland M. Bixler—Chairman, Board of Directors, the Tax Council.

6. William K. Condrell, Secretary, Forest Industries Committee on Timber Valuation and Taxation.

7. Dave Ehlers—President, Gibraltar Growth Fund, Inc.

8. The Honorable Joseph D. Tydings—United States Senator from Maryland.

9. Harley Hinrichs—Associate Professor of Economics, U.S. Naval Academy and Lecturer in Economics, University of Maryland Graduate School.

10. Thomas L. Waterbury—Professor of Law, University of Minnesota.

Restricted stock

11. John Seath—Vice President-Taxes, International Telephone and Telegraph Corporation.

12. George H. Kitendaugh—New York City.

13. Leon O. Stock—The Crown Textile Manufacturing Corporation.

Lump-sum distributions under pension and profit-sharing plans

14. Charles W. Davis—Sears, Roebuck and Company.

15. Roger Vaughan—Secretary, Organization Resources Counselors, Inc.

16. S. D. Noble—President, Council of Profit Sharing Industries.

WEDNESDAY, SEPTEMBER 17, 1969

Charitable contributions

1. John D. Rockefeller III—New York City.

2. Dr. Ernest L. Wilkinson—President, Brigham Young University.

3. Chester A. Myron—Secretary, Committee on Gift Annuities.

4. Dr. H. Leroy Brininger—Associate General Secretary of the National Council of Churches.

5. William R. Considine—General Counsel, United States Catholic Conference.

6. Leonard S. Silk—President, The National Assembly for Social Policy and Development, Inc.

7. Walter H. Wheeler, Jr.—Chairman of the Board, Pitney-Bowes, Inc., on behalf of the United Community Funds and Councils of America.

8. Kyran M. McGrath—Director, American Association of Museums.

9. Perry T. Rathbone—President, Association of Art Museum Directors.

10. H. Stewart Dunn, Jr.—Ivins, Phillips and Barker.

11. John J. Schwartz—Executive Vice President, American Association Fund-Raising Counsel, Inc.

12. W. Lloyd Tupling—Washington Representative, Sierra Club.

13. Alan Reeve Hunt—General Counsel, American Friends Service Committee.

14. Eugene Shenefield—Executive Director, American Council of Voluntary Agencies for Foreign Service, Inc.

THURSDAY, SEPTEMBER 18, 1969

Charitable contributions

1. John D. Morse—Director, American Council on Education.

2. Herman L. Trautman—Professor of Law, Vanderbilt University.

3. Dr. C. W. Sorensen—President, Augustana College.

4. Herbert E. Longnecker—President, Tulane University.

5. Miss Susan Thompson—Assistant Director, Office of Public Affairs, Lutheran Council in the U.S.A.

6. Dr. Eugene Stockstill—The Association of Independent Colleges in Virginia.

7. Louis J. Fox—President, Council of Jewish Federations and Welfare Funds, Inc.

8. Philip Sokol—Consultant on Government Programs, Federation of Jewish Philanthropies of New York.

9. Donald A. McCormack—Treasurer, National Parks Association.

10. C. Stanley Lowell—Associate Director, American United for Separation of Church and State.

Stock dividends

11. Barron K. Grier—Litton Industries, Inc.

12. Benjamin M. Brodsky—Gottlieb and Schwartz.

Accumulation trusts

13. Cornelius C. Bond—Easton, Maryland.

Moving expenses

14. Jay W. Glasmann—Employee Relocation Real Estate Advisory Council.

15. E. D. Hoekstra—The National Constructors Association.

FRIDAY, SEPTEMBER 19, 1969

(Not scheduled.)

MONDAY, SEPTEMBER 22, 1969

1. George Meany—President, AFL-CIO.

Farm losses

2. The Honorable Lee Metcalf—United States Senator from Montana.

3. The Honorable George A. Smathers—The American Horse Council.

4. Herbert A. Fogel—General Counsel, State Harness Racing Commission.

5. Albert K. Mitchell—Chairman of the National Livestock Tax Committee, accompanied by E. H. Shoemaker, Jr., Chairman of the Tax Committee of the American National Cattlemen's Association, and Stephen H. Hart, Counsel for the National Livestock Tax Committee.

6. G. L. Hadley—President, National Livestock Feeders Association, accompanied by Don F. Magdanz, Executive Secretary-Treasurer.

7. John B. Connally of Houston, Texas, accompanied by Earl Rudder of College Station, Texas.

8. Marvin McLain—Legislative Director, American Farm Bureau Federation accompanied by William C. Anderson, Assistant Legislative Director.

9. Harry L. Graham—Legislative Representative, The National Farmers Organization.

10. Angus McDonald—Director of Research, National Farmers Union.

11. Robert W. Frederick—Legislative Representative, the National Grange.

Cooperatives

12. The Honorable E. A. Jaenke—Governor, Farm Credit Administration.

13. Stanley Dreyer—President, The Cooperative League of the U.S.A.

14. Melvin E. Sims—President, National Council of Farmer Cooperatives.

15. Bruce J. Hendrickson—Executive Vice President, National Federation of Grain Cooperatives.

16. Patrick B. Healy—Secretary, National Milk Producers Federation accompanied by M. R. Garstang, general counsel.

17. Irving Clark—Minnesota Association of Cooperatives, Farmers Union Central Exchange, Farmers Union Grain Terminal Association, Great Plains Supply Company, Land O'Lakes Creameries, Inc., Midland Cooperatives, Inc., and Twin City Milk Producers Association, Northern Cooperatives Inc., North Star Dairy.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Leonard E. Alderson, of Wisconsin, to be U.S. marshal for the western district of Wisconsin for the term of 4 years, vice Keith C. Hardie.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, September 10, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF SMALL BUSINESS SUBCOMMITTEE HEARINGS

Mr. MCINTYRE. Mr. President, I wish to announce that the Small Business Subcommittee of the Committee on Banking and Currency will hold hearings on the problems facing our small domestic shoe manufacturers on September 16 and 17, 1969.

The hearings will begin at 10 a.m. in room 5302, New Senate Office Building. Anyone desiring information about these hearings, please contact Mr. Reginald W. Barnes, assistant counsel, Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225-7391.

NOTICE OF PUBLIC HEARINGS ON WATER RESOURCE PROJECTS

Mr. YOUNG of Ohio. Mr. President, as chairman of the Subcommittee on Flood Control, Rivers and Harbors, of the Committee on Public Works, I wish to announce that the subcommittee will hold public hearings on Wednesday, September 17, and Thursday, September 18, 1969. Matters and projects to be considered by the subcommittee include: First, the need for additional dams in the Potomac River Basin for flood control, water supply, and recreation; second, the flood problem in the Four Mile Creek Basin in Arlandria, Va.; third, flooding in areas of West Virginia and in the James River Basin, Va., due to hurricane Camille; and fourth, the need for flood control improvements in the Souris River in North Dakota.

The subcommittee will meet at 9:30 a.m. on the above dates in room 4200,

New Senate Office Building. In the event the subcommittee is unable to hear all interested parties on the scheduled dates, remaining witnesses will be heard at a time to be announced later.

Any Senator or other person wishing to testify should notify Mr. Joseph F. Van Vladriken, professional staff member, on extension 6176, in order that he might be scheduled as a witness.

NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, the Committee on Government Operations will hold a hearing on the nomination of Robert F. Keller to be Assistant Comptroller General of the United States next Thursday, September 11, at 10 a.m. in room 3302, New Senate Office Building. Persons wishing to testify or submit statements regarding this nomination should contact the staff director of the committee on extension 4751.

NOTICE OF HEARINGS

Mr. HOLLINGS. Mr. President, on behalf of the Senator from Alabama (Mr. SPARKMAN), chairman of the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency, I wish to announce that the subcommittee will hold hearings on September 12 and 15, 1969, on S. 2740, a bill to authorize the Federal Housing Administration to insure loans financing the purchase of mobile homes, and on the subject of mobile homes in general.

The hearings will begin at 10 a.m. each day and will be held in room 5302, New Senate Office Building.

NOTICE OF HEARINGS

Mr. McCLELLAN. Mr. President, on behalf of the Senator from Connecticut, Mr. RIBICOFF, I wish to announce that the Subcommittee on Executive Reorganization will hold hearings on the capability of the General Accounting Office to analyze and audit defense contracts. The hearings will be held on September 16, 17, and 18. Anyone desiring further information should contact the subcommittee staff in room 162, Old Senate Office Building.

MEDICARE PAYMENTS FOR SERVICES OF SUPERVISORY AND TEACHING PHYSICIANS AT COOK COUNTY HOSPITAL, CHICAGO, ILL.

Mr. LONG. Mr. President, one of the serious problems in the medicare program involves the appropriateness and validity of part B payments to supervisory physicians in teaching hospitals. The question, in the main, arises because such services had generally not been paid for prior to medicare and because the actual care is in large part or even entirely rendered by interns and residents. The salaries of the interns and residents are fully reimbursable under part A—the hospital portion of medicare.

The Finance Committee is examining this matter carefully as part of its continuing inquiry into the operations and status of medicare and medicaid. As one aspect of the committee's review of medi-

care's payments for supervisory physician services, we asked the Comptroller General in April to investigate and report to us concerning allegations of serious and costly abuse in the Cook County Hospital in Chicago, Ill.

I have just received the Comptroller General's report on the situation in the Cook County Hospital. The full report will not be made public until after members of the Finance Committee have had adequate opportunity to read and evaluate it. Meanwhile, for the information of Senators, I ask unanimous consent that the portion of the GAO report entitled "Digest," which contains findings and conclusions, be printed in the RECORD.

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

DIGEST

WHY THE REVIEW WAS MADE

In accordance with a request, dated April 28, 1969, from the Chairman, Committee on Finance, United States Senate, the General Accounting Office (GAO) reviewed selected Medicare payments for physicians' services made to the Associated Physicians of the Cook County Hospital (APCCH), Chicago, Illinois. The Chairman advised GAO that the Committee did not intend that GAO develop overall conclusions relating to any legal or policy questions which might arise during the review. The Committee has also requested GAO to limit the distribution of the report prior to its release by the Committee.

Medicare is administered by the Social Security Administration (SSA), Department of Health, Education, and Welfare (HEW). Illinois Medical Service (Blue Shield) has been operating under a contract with SSA to make payments of Medicare claims for physicians' services in several counties in Illinois, including Cook County.

In accordance with certain SSA regulations, issued in August 1967, payments under the supplementary medical insurance portion (part B) of the Medicare program could be made for the professional services rendered to Medicare patients by supervisory or teaching physicians in a hospital in cases where the physicians are the patients' attending physicians and provide personal and identifiable direction to interns and residents who are participating in the care of their patients.

FINDINGS AND CONCLUSIONS

From April 1968 to April 15, 1969, when, at the direction of SSA, Blue Shield suspended making payments of APCCH claims, APCCH had received about \$1.6 million in payments under part B of the Medicare program for the services of attending physicians.

The GAO review of patient medical records of Cook County Hospital indicated that the professional services billed by APCCH and paid by Blue Shield had been furnished, in almost all cases, by residents and interns at the hospital and showed only limited involvement of the attending physicians in whose names the services had been billed.

The GAO review of the hospital medical records applicable to selected Medicare claims for attending physicians' services showed that:

For 60 of the 72 initial visits for which billings had been made, the medical records supporting the specific services billed disclosed no involvement of any attending physicians, although the SSA regulations provided that the attending physicians should review the patients' histories and physical examinations and personally examine the patients within reasonable periods after admission. (See p. 29.)

For 129 of 747 follow-up visits billed, no notations had been made by any physicians,

including residents or interns, to indicate that physicians had seen the patients. For the remaining 618 visits, which were supported by physicians' notations, attending physicians had been identified as involved in providing the services for only 35 visits and residents and interns had been identified as providing the services for nearly all the remaining visits. (See p. 31.)

The medical records applicable to 38 consultations for which the Medicare program had been billed disclosed no involvement of the attending physicians in whose names the services had been billed. (See p. 34.)

Hospital records in nine of 18 cases involving charges for operating room surgery did not indicate that attending physicians had been present during the operations. (See p. 37.)

Hospital records in 31 of 39 cases involving charges for minor surgical procedures did not indicate that attending physicians had been specifically involved. (See p. 40.)

Officials of APCCCH and Cook County Hospital advised GAO that generally the services were provided to the patients under the direction of attending physicians responsible for the patients' care but that evidence of such direction was not incorporated into the patients' medical records.

RECOMMENDATIONS OR SUGGESTIONS

Although in April 1969 SSA issued new and more comprehensive guidelines which were intended to clarify and supplement the criteria for making payments for the services of supervisory or teaching physicians, GAO suggested that SSA inquire further into the propriety of the charges being allowed when the circumstances outlined above existed at hospitals.

AGENCY ACTIONS AND UNRESOLVED ISSUES

HEW pointed out that SSA, by letter dated April 9, 1969, had directed Blue Shield to suspend further payments to APCCCH. HEW stated that it would inquire further into the specific circumstances described by GAO. (See p. 68.)

ILL-CONSIDERED ATTEMPTS TO CUT DEFENSE BUDGET

Mr. GOLDWATER. Mr. President, there is a growing concern in the Nation about what appears to be ill-considered attempts to cut the defense budget without regard to the possible consequences.

I am sure there is no one in this country or in Congress who does not believe there is fat in the Pentagon somewhere. As a matter of fact, President Nixon has named a blue ribbon committee to seek ways of streamlining the Defense Department and making it more efficient and more responsive to changing needs. Secretary Laird has also performed admirably in this field.

But this does not mean that Congress or anyone else should rush in and hack away at defense expenditures without being quite sure of what they are hacking at and what the results can be.

The Los Angeles Times, in an editorial published August 26, agrees that this is not the time for "slipshod, cart-before-the-horse" approaches to defense policymaking.

I ask unanimous consent that the editorial be printed in the RECORD.

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

CAUTION IN DEFENSE CUTS

Issue: Is Defense Secretary Laird correct in charging that Congress is going too far with cuts in military spending?

Just about everybody agrees that military

spending should come under much more critical congressional scrutiny than it has in the past. And there is evidence that the 91st Congress, by building a fire under the Pentagon, has already succeeded in making the Defense Department hierarchy more economy conscious.

When members of the U.S. Senate return to work after Labor Day, however, they should ponder Defense Secretary Melvin Laird's pointed warning last week that they are in danger of carrying a good thing too far, with consequent peril to the national security of this country.

Laird made his comment in the process of announcing an additional cut of \$3 billion in defense spending—bringing to \$4.1 billion the amount sliced off the figure bequeathed to President Nixon by the Johnson Administration.

Not all the details have been disclosed, but the \$3 billion reduction involves, among other things, a 100,000-man cut in military manpower, the deactivation of more than 100 Navy ships and a sizeable reduction in Air Force training flights.

The defense secretary, blaming congressional pressure for the cutbacks, warned that "there will be an inevitable weakening of our worldwide military posture . . . these cuts will reduce our capability to meet current commitments."

It is entirely possible that Laird overstated the impact which the announced reductions will have on the U.S. defense posture. Surely there is at least \$3 billion worth of "fat"—and probably more—which can be excised without real damage.

What should be taken with absolute seriousness, however, is the defense secretary's additional warning that Congress will make a "grave error" if it goes beyond the cuts already made in weapons procurement and military research and development.

It is especially important that his remarks be heard and heeded in the Senate, where the meat-axe approach to defense budget-cutting is particularly fashionable.

One pending amendment, for example, would eliminate the \$377 million earmarked for a nuclear-powered aircraft carrier. Another proposal would slash funds for development of a new manned bomber, and still another would drastically curtail purchases of the big C-5A transport plane.

It is intriguing that the most energetic proponents of such drastic moves are men like Sens. Fulbright, Gore, Proxmire, and McGovern—the same group that is spearheading the drive for curtailment of U.S. commitments abroad.

Their strategy apparently is to make future Vietnams impossible by rendering the United States militarily incapable of intervening in places far distant from our shores.

The world is far too complicated and dangerous a place for such slipshod, cart-before-the-horse approaches to defense policymaking.

This is especially true in light of Russia's ominous buildup of its own forces, both conventional and nuclear.

SOVIET NAVAL POWER

Mr. SPONG. Mr. President, the increasing strength of Soviet Russia's naval power has been of great concern to me. On several occasions during the 90th Congress, I placed articles and editorials on this subject in the CONGRESSIONAL RECORD. A timely and accurate assessment of the continuing emphasis by the Russians on naval power was presented in the lead editorial of the Washington Sunday Star of August 31. I commend the editorial to the Members of the Senate.

It has been evident since the Cuban

missile crisis of 1962 that the Russians are determined to expand their maritime strength and conventional naval power until they reach a position of supremacy.

While here the air is often filled with rhetoric about the need for bolstering our declining merchant marine, the Russians—by action and deed—have shown a wiser understanding of the use of the sea than we have in recent years. Indeed, it would seem we are forgetting the necessity to go to sea.

I ask unanimous consent that the editorial be printed in the RECORD.

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

THE RISE OF SOVIET RUSSIA'S NAVAL POWER

While the United States Navy is retiring 76 ships and defense budgetparers are demanding further cuts in naval spending, the Soviet Union is well on its way to becoming the world's leading maritime power.

Russian squadrons are cruising the seven seas, breaking the Red ensign over troubled waters from the Caribbean to the Persian Gulf in a profound reversal of Moscow's relatively recent landlubber policies.

Although the Russians never have been a sailor people, the lure of the sea is nothing new for Muscovy. Peter the Great, who ruled from 1682 to 1725, fathered the Russian Navy. After working incognito in a Dutch shipyard to obtain personal knowledge of maritime matters, Peter through his Baltic conquests and the construction of St. Petersburg (Leningrad) gave Russia her "window on the world."

Catherine the Great, whose sexual voraciousness matched her lust for power, consolidated Peter's work and—through judicious use of such 18th Century cutlasses-for-hire as John Paul Jones—contested mastery of the Caspian with the Ottoman Turks and won control of the Black Sea.

In an interesting parallel to the present situation, Russian fleets plied the Mediterranean for 40 years before their recall was forced in 1807 by the growing might of Napoleonic France.

Diversions of Russian energies to the conquest of the Eurasian land-mass, the superior technology of the Western maritime nations, and poor leadership combined in the 19th Century to force the czarist navy into a defensive posture. The ultimate humiliation came with the Japanese annihilation in 1904-05 of Russian fleets at Port Arthur and Tsushima, contributing to the atmosphere of despair which culminated in the October Revolution a dozen years later.

The navy fared little better under the Kremlin's Communist rulers. Suspect as a nest of aristocratic sympathies, the navy was savagely purged and starved of appropriations.

Stalin, an insular Georgian who thought in continental rather than global terms until his last years, created only a "fortress fleet" for coastal defense, subordinating the navy to army command during World War II.

In the last decade of Stalin's life, Russian strategy reverted to Peterist concepts. The Soviet Union extended its "window on the world" by annexing the Baltic states, and began laying the keels of a balanced fleet to match its new postwar power.

Under Khrushchev and the present Brezhnev-Kosygin duumvirate, the Kremlin pushed a program of naval construction that was at once recognition of the declining maritime strength of Britain and France and admission of the political and military need to challenge America on the high seas.

Although the need for a global fleet probably had been conceded by them, the single event underlining this imperative unquestionably was the Cuban missile crisis of 1962, when lack of conventional Soviet naval power

forced a humiliating defeat on the Russians which contributed to Khrushchev's downfall.

Since that day, Russian military spending, including naval allocations, has increased annually. This year the Russians are spending the equivalent of about \$60 billion on defense, as compared to about \$80 billion for the U.S. But when the costs of the Vietnam war are deducted—about \$29 billion annually—it becomes clear that the Russians are spending more than we are on weaponry, although their gross national product is only half that of the U.S.

The Russian fleet now totals 1,575 vessels, as opposed to 894 American ships, excluding the 76 to be mothballed within the next three months. More importantly, Moscow's growing armada is more modern than ours: 58 percent of our navy's combat ships are 20 years or more old; in contrast, only 1 percent of Russia's navy is that old. Nor is the Russian edge limited only to numbers and newness; Soviet excellence in naval missilery, electronics, fire-control and hull-design is acknowledged by Western experts.

Although the U.S. Navy enjoys overwhelming superiority in aircraft carriers, the Russians outnumber us in submarines by 375 to 143. According to recent testimony by Admiral Hyman G. Rickover, the Navy's nuclear boss, the Russians are building one Polaris-type submarine per month and will overtake us in this aspect of the nuclear field by the end of next year.

While land-based intercontinental ballistic missiles may be the most vital element in any nation's arsenal, the Russians have recognized—if we have not—that naval superiority can be crucially important in the immense range of alternatives short of total nuclear war.

By their nature, missiles are both remote and invisible, having little day-to-day political impact around the world. But the presence in a neutralist port of a modern Russian fleet gives visual testimony to the politico-economic might of the Soviet Union, lends dignity to local Communist parties, encourages trade, facilitates intelligence gathering and overawes wavering governments.

Logic and the movements of the Red Fleet serve to identify the initial goal of Soviet naval strategists: Predominance in the Mediterranean, where 63 warships—half their long-range fleet—are cruising.

Through its pro-Arab, anti-Israel policies, the Kremlin has gained political leverage and concomitant military footholds along the southern shore of that sea, from Latakia in Syria to Mers-el-Kebir in Algeria. Soviet naval activity in the Mediterranean during the first half of 1967 was 400 percent greater than the comparable figure for all 1963; since the earlier year, Russian submarine activity in the Mediterranean has increased 2,000 percent.

With the end of British rule in Aden, the Russians have expanded their influence at the southern end of the Red Sea, solidified their position in Egypt and placed heavy pressure on the Turks for unrestricted use of the Dardanelles. In Gibraltar, Spain—supported directly by the Arabs and indirectly by the Soviet Union—is trying to expel Britain from the Mediterranean's western gate.

If and when the Suez Canal is reopened, it appears more than possible that the Russians will have compliant regimes at each of the Mediterranean's corks. This would provide moral support to the Communist parties of Italy and France (the biggest in the West) and open the way to that historic Russian goal, the Indies.

In short, the peoples of the world are going to be seeing more of Soviet naval squadrons in the near future. Ivan's wake is going to be foaming blue water from New Orleans to Tokyo, from Valparaiso to Cape Town.

We know too much to doubt Russia's military capabilities. We can only guess at the

Kremlin's intentions. But the prognosis—in view of increased Russian defense spending, the crushing of domestic dissent and the demonstrated willingness to take military risks in Europe and Asia—cannot be sanguine.

Under the circumstances, those who seek to slash our defense budget—and particularly naval allocations—must be very sure they are trimming fat and not military muscle.

We do not quarrel with the retirement of over-age ships. But if this nation is to preserve its influence among the countries washed by the seven seas, this should be matched by a substantial building program to modernize both our navy and merchant fleet.

DEATH OF VERNON L. NICKELL, FORMER ILLINOIS SUPERINTENDENT OF PUBLIC INSTRUCTION

Mr. BAKER. Mr. President, the Glen Ellyn News and Wheaton Leader, of Glen Ellyn, Ill., recently published an editorial tribute to the late Vernon L. Nickell, former Illinois Superintendent of Public Instruction. On behalf of the minority leader, I ask unanimous consent that the editorial be printed in the RECORD.

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

WON'T LIVE LONG ENOUGH

If all of us living today outlived our normal life span for three generations, we still would not live long enough to feel the full impact which has been left with education by Vernon L. Nickell, former Illinois superintendent of public instruction, who was laid to rest Monday.

In Mr. Nickell we had a true son of Illinois rise above the ranks from a meager start in life to one of the greatest educators of our time. The accomplishments did not occur easily. Some were fraught with great controversy. Some of his adversaries, political and otherwise, attempted to crucify him personally. Not only did they fail in this end, but their efforts only made Mr. Nickell all the stronger in the educational picture.

Education has probably undergone as many or more changes since World War II than any other phase of our daily lives. Most of them have been for the better. As laymen, we feel that some of them have not been so beneficial. But most of the better ones in this state were either launched by or advanced by Mr. Nickell and the group of accomplished educators whom he assembled as his staff to carry out the work. The benefits to education for which he toiled have left their mark not only in his home city of Champaign or in this state, but also across the country. People across these United States, in education, will attest to that.

Many of the programs which Mr. Nickell engineered would not have come to pass, had it not been for legislative implementation. He had a faculty of presenting programs to the General Assembly. Their acceptance and implementation crossed party lines. Illinois has been the beneficiary.

Among those, to name but a few, whom Mr. Nickell placed on his staff, were several who rated as outstanding in their fields. When he first took office in 1943 he retained an outstanding DuPage county educator as his first assistant, Cary C. Byerly, superintendent of West Chicago elementary district 33. He served until his death in 1957 and was replaced by Dr. Eric Johnson, now administrative aide to the president of Illinois State university.

Another whom he retained was Ray Graham, for whom a rehabilitation center in DuPage county is named. Mr. Graham was rated tops in the country in special

education, a multifold program which during Mr. Nickell's tenure rose to one of the greatest in the nation. Mr. Nickell's successors and those who succeed the late Mr. Graham will advance this important educational program well beyond its present status.

The tremendous growth of the junior college movement had its major promotion through the efforts of Mr. Nickell. More people than ever are getting the benefit of higher education than at any prior time. The state, through a formula, subsidizes public junior colleges to make it possible to provide education for many who otherwise could not afford it. The results are nothing short of phenomenal.

Driver education receives its biggest shot in the arm during Mr. Nickell's reign over the schools of Illinois. This program also receives financial help, again determined by formula. Who among us is to say that this program hasn't been one of the most far reaching of all in its application to our daily lives?

The program which Mr. Nickell launched that will probably have the strongest impact for the longest time to come is the school district reorganization program. Its results are so far reaching that they have spread to other states. When the program was first started, Illinois led the nation in the total number of districts. Today that number has been reduced to about one eighth of its former size.

It saw the introduction to the state of the community unit (12-grade) district, which in the non-growth and sparse areas has been particularly effective. An incentive to convert to this district was given in the form of a larger per capita grant for state aid from the Illinois Common School Fund.

Speaking not only from the sparsely populated districts but from the heavily urbanized ones as well, perhaps no single program that Mr. Nickell furthered had more impact than that of school transportation. This is also a partial state aid program by formula, and its impact is so vast that we could not hope to convey it in words.

Mr. Nickell maintained a small staff whose sole activity was concerned with physical education and athletics. Physical fitness was a big thing in his educational program as were several other fields for which full time staff people of exceptional calibre were retained. Some of them were music, art, vocational teaching and veterans' education, to name just a few.

School people all over the state made requests for Mr. Nickell's appearances at official functions and conferences involving school programs. He found it difficult to decline some of them, owing to the unbelievable press of his duties. Some of his close friends believe that his downfall in health which prompted him to decline to run for a fifth four year term came about in part from his incessant desire to serve every school district possible, be it a small country affair or one of the largest. The same can be said for the man he retained to be the legal counsel of his office, N. E. "Gene" Hutson of Monticello, who still serves the office. Hutson is regarded as one of the best school lawyers in the country.

With all our references to school districts, we almost overlooked the major hand he played in the development of the state's universities. By virtue of his office, Mr. Nickell was an ex officio trustee of the University of Illinois, as well as an ex officio member of numerous other boards concerned with education in Illinois. Their progress during this time is in no small measure attributed to ceaseless work under the guidance of Mr. Nickell.

We admired Mr. Nickell's outspoken patriotism as one of his greatest assets. We admired his great belief in the right of school districts, and/or their voters, to make their

own decisions without an ugly arm of compulsion under undue threat. We admired his admonition, oft repeated, to many county superintendents who might be inclined to promote segregation by gerrymandering school district boundaries. Generally they heeded his words. Mr. Nickell did not want to be armed with dictatorial authority to force actions which were properly those of the local jurisdiction.

Despite all his high stature in education which even capped his six-foot-five stoop shouldered physical frame and his ruddy Abraham Lincoln rugged build, he was still one of us who loved people and loved sports. In big time sports, the sun rose and set on the Chicago Cubs, the Chicago Bears and the Fightin' Illini. No one was too big or too small to be his friend. He was perhaps the busiest man around, but he was always a devoted family man. The book on his private desk which meant the most to him and was the most prominently displayed was the Holy Bible. He was just "one of us." Those of us who knew him well will always remember that.

Too many good things in education owe their origin or development to the efforts of Mr. Nickell. The benefits are too numerous to mention in this small space. Prior to his passing he was able to see the benefits of his handiwork. All of us now living will never see the benefit in full during our life spans.

FRUSTRATIONS OF THE WAR IN VIETNAM

Mr. PEARSON. Mr. President, Mr. Stan Rose, publisher of the Johnson County Scout, has accurately expressed in an editorial of August 14, 1969, that which is, I believe, the attitude and conscience of many Kansans regarding the war in Vietnam. He expresses with calmness the frustrations we all bear. He is critical, more in sadness than in anger, regarding the failure—as he sees it—of this administration to change our policies in Southeast Asia.

Mr. President, while I would differ with my neighbor and friend in that I believe that President Nixon, particularly in his May 14 speech, has in fact changed the Nation's policies and our direction in Vietnam, it is most significant that Mr. Rose, an able student of public affairs, believes our course in Vietnam to be a continuation of the past. It is also important that in voicing such an opinion he is, I believe, reflecting the persuasion of many of the people of my State. That which appears to be so has the force of reality, and it is one more sign that this administration and those of us in public life have a great responsibility not only to state policies clearly, but also a duty to outline the reasons for our judgments.

I ask unanimous consent that the editorial be printed in the RECORD.

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

MEMO
(By Stan Rose)

A few years ago, I took part in a panel discussion on Vietnam at the Village Church and found myself strongly defending the position of the Administration against what I felt then to be a roomful of misguided doves. Congressman Larry Winn, another panelist, expressed similar views to mine in what turned out to be a minority report.

Since that time, the situation in Vietnam has changed very little—except that there are now many more American troops fighting

there. But I find that my own views about Vietnam have changed a great deal.

I can no longer defend the policies of the Johnson administration with regard to Vietnam—and I believe that the policies of the Nixon administration in the pursuit of this war are basically the same as President Johnson's. I believe this despite reassuring promises by President Nixon to de-escalate, and interpretive remarks by Administration spokesmen and other "experts" that what he means is peace will come before the next Presidential election.

I believe the sad truth is we are no nearer a settlement of the war in Vietnam today than we were two years ago or four years ago, and that the longer we follow the Rusk-McNamara theory of fighting a "War of Containment" against Communism, the deeper we will find ourselves in the quicksand.

Frankly, the Rusk-McNamara theory of limited warfare to check Communism made sense to me in 1964 when I first heard it explained by Undersecretary of State U. Alexis Johnson at a Regional Foreign Policy Conference in Des Moines. Despite the obvious failure of this theory and its disastrous consequences, U. Alexis Johnson remains as one of the key men in the State Department today.

Year after year, the State Department and the Pentagon have stubbornly propped up their sagging theory by putting more men behind more guns in Vietnam but with never a thought of winning a military victory and getting out.

The song of Containment has ended, but the policy lingers on.

I believed before, and believe now, that our intentions were good when we went to the aid of the people of South Vietnam against aggression. Force, or the threat of force, had prevented aggressors from swallowing up South Korea, West Germany, Israel, and who knows what other countries. And we had supplied that force. I believe we had plenty of precedents for what we tried to do in Vietnam, and I believe in the integrity and dedication of the American leaders who set these precedents and of those who followed them—Truman, Eisenhower, Kennedy, Johnson, Nixon, and Rusk, McNamara and U. Alexis Johnson, too. But they miscalculated.

Just as the road to hell is paved with good intentions, so are the American-built roads in South Vietnam. And unless we detour in a hurry, our miscalculations will surely take us there. To hell, I mean.

We miscalculated when we expected the Viet Cong and the North Vietnamese to react with sober second thoughts as the Russians did during the Berlin airlift and the Cuban showdown. We miscalculated when we expected the people of South Vietnam to rally and fight for freedom as the South Koreans did. Or the Greeks. Or the Israelis. We miscalculated when we expected the American public to respond without dissent to another call to send its sons to fight for freedom and democracy—this time in a strange jungle land whose people had never known the meaning of either. We miscalculated when we failed to hear the rumblings of our young people who want no more wars of containment or liberation or whatever you call them—rumblings that have grown to volcanic proportions in a few short years.

The Viet Cong and the North Vietnamese haven't miscalculated. And neither has the Soviet Union, without whose help this war would not have been possible. They know the bind we are in. They know we have been dedicated to NOT winning the war in Vietnam and that it is too late for us to change that policy now because our country would surely be torn apart by internal strife.

They know that the life of a Viet Cong or a North Vietnamese soldier is the cheapest commodity they have. And so they play the waiting game. And while they wait, they goad us—on the battlefield and at the conference table—knowing that we will someday have to throw in the towel, and that

when we do South Vietnam will be theirs for the taking.

I believe they have no intention of letting us off the hook—with honor.

Meanwhile, the days become weeks, the weeks become months, the longest war in American history grows longer, and the American casualty list continues to mount. And President Nixon, knowing he has a mandate from the American public to end the war somehow, talks in one breath of withdrawal and, in the next, of Vietnam as "one of our finest hours."

We Americans are a proud people and it may be consoling to our ego to hear our President speak of peace with honor, withdrawal with reciprocity, but before another year of this war goes by and before another batch of names is added to the American casualty list, I for one would rather see the President face up to the grim task of telling us the truth.

We have lost the war. We have lost it because we did not try to win it and wars don't end in ties.

The President can tell us he is pulling our troops out unconditionally—"let the chips fall where they may"—or he can tell us he is making a deal to "buy our way out" with an economic aid program for North Vietnam that would continue as long as it leaves South Vietnam alone. The price might be high but it might be well worth it this time. We have bought so many friends in the past, it might be advantageous just this once to buy an enemy.

Either way it won't shake up the American public nearly as much as a continuation of this pointless struggle. The parents of boys who lost their lives in that war may greet the news with a tinge of bitterness, but parents whose boys are still fighting over there or are on the list to go won't put up much of an argument. And neither will many other Americans.

ORGANIZED CRIME

Mr. HRUSKA. Mr. President, the August 22, 1969, issue of Time contains an interesting and informative article about organized crime. The problem discussed in this article should be of great interest to all Members of this body.

Organized crime has entered all facets of society. It has infiltrated the business world as well as its traditional activities in gambling, narcotics, and labor racketeering. An estimated membership of 3,000 to 5,000 individuals in 24 regional gangs control all major crime in the Nation. It is roughly estimated that the Mafia's profit is \$30 billion a year; when measured in terms of profits, this makes the Mafia larger than United States Steel, Ford, American Telephone & Telegraph, General Motors, Standard Oil of New Jersey, General Electric, International Business Machines, Chrysler and Radio Corp. of America, combined. What a drain on our economy.

Time says:

The Nixon administration and several key States are striving to improve law-enforcement efforts.

I can attest to that fact. Attorney General Mitchell has undertaken to strike a meaningful blow at the crime czars who control the Mafia and all their illegal activities by establishing permanent field offices in major metropolitan areas. For example, a Federal-State-local effort is currently underway in New York City.

But the Attorney General cannot do the job alone. He needs the support of

Congress and of the people. Public apathy has too long been an ally of organized crime.

Time is to be commended for its efforts in bringing this problem to the public's attention. 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:

THE CONGLOMERATE OF CRIME

Nobody will listen. Nobody will believe. You know what I mean? This Cosa Nostra, it's like a second government. It's too big—JOE VALACHI.

At the beginning of the decade, even J. Edgar Hoover denied its existence. Its structure was a mystery, and if it had a name, no one on the outside was sure of what it was. Yet, almost unnoticed, it exerted a profound impact on American life. It still does. Small wonder that Valachi, the thug-turned-informer, doubted that anybody would believe or care when he talked about an organization called La Cosa Nostra.

Today people do care. Organized crime is suddenly a high-priority item in Congress. The Nixon Administration and several key states are striving to improve law-enforcement efforts. The Justice Department is sending special anti-Mob "strike forces" into major cities, more money is being spent by police forces, and more men are being thrown into the battle. Hollywood makes movies about it (*The Brotherhood*), and readers have put it on the top of the bestseller list (Mario Puzo's novel *The Godfather* and Peter Maas's *The Valachi Papers*). Organized crime is no longer quite the mystery that it was. It is a vast, sprawling underground domain impossible to trace fully; but there is no longer any doubt that its most important part, its very nucleus, is La Cosa Nostra (LCN), otherwise known as the Mafia.*

Its reality borders on fantasy. Many Americans still find it difficult to fully believe that their nation harbors an evil entity capable of stealing billions while destroying the honor of public officials, the honesty of businessmen and sometimes the lives of ordinary citizens. The evidence that it does these things, and more has become all too credible. The image persists of the colorful gambler who speaks quaint Runyonesque, or the romantic loner—Jay Gatsby, say—who has his own somehow justifiable morality, or of the paternalistic despot who challenges society by his own peculiar code.

THE MULTIPLIER EFFECT

There are bits of truth in all the impressions, but all fall short. The biggest and most important truth is that La Cosa Nostra and the many satellite elements that constitute organized crime are big and powerful enough to affect the quality of American life. LCN generates corruption on a frightening scale. It touches small firms as well as large, reaches into city halls and statehouses, taints facets of show business and labor relations, and periodically sheds blood. It has a multiplier effect on crime; narcotics, a mob monopoly, drives the addicted to burglaries and other felonies to finance the habit. Cosa Nostra's ability to flout the law makes preaching of law and order a joke to those who see organized crime in action most often: the urban poor and the black. Says Milton Rector, director of the National Council on Crime and Delinquency: "Almost every

bit of crime we study has some link to organized crime."

Yet La Cosa Nostra itself, the Italian core of organized crime, consists of only 3,000 to 5,000 individuals scattered around the nation in 24 "families," or regional gangs, each headed by a boss and organized loosely along military lines. There is no national dictator or omnipotent unit giving precise direction on all operations. Rather, the families constitute a relatively loose confederation under a board of directors called the Commission. From this soft center the mob's web spreads to many thousands of allies and vassals representing most ethnic groups. "We got Jews, we got Polacks, we got Greeks, we got all kinds," Jackie Cerone, a member of the Chicago gang, once observed with both accuracy and pride.

In many respects, says Ralph Salerno, who was the New York City police department's chief Mafia expert until his retirement in 1967, the leadership has always been a "happy marriage of Italians and Jews." Salerno adds: "It's the three Ms—moxie, muscle and money. The Jews provide the moxie, the Italians provide the muscle, and they both provide the money." In the public mind, however, Cosa Nostra is identified with the Italians, and about 22 million Italian-Americans are being hurt in reputation by the depredations of a very few.

In money terms, the organization is the world's largest business. The best estimate of its revenue, a rough projection based on admittedly inexact information of federal agencies, is well over \$30 billion a year. Even using a conservative figure, its annual profits are at least in the \$7 billion-to-\$10 billion range. Though he meant it as a boast, Meyer Lansky, the gang's leading financial wizard, was actually being overly modest when he chortled in 1966: "We're bigger than U.S. Steel." Measured in terms of profits, Cosa Nostra and affiliates are as big as U.S. Steel, the American Telephone and Telegraph Co., General Motors, Standard Oil of New Jersey, General Electric, Ford Motor Co., IBM, Chrysler and RCA put together.

HOW IT WORKS

Two years ago, the President's Commission on Law Enforcement and Administration of Justice simply threw up its hands at the prospect of estimating the crime conglomerate's full penetration. "The cumulative effect of the infiltration of legitimate business in America cannot be measured," it said. Robert Kennedy, who began the first big push against the Mafia when he became Attorney General, warned that "if we do not on a national-scale attack organized criminals with weapons and techniques as effective as their own, they will destroy us." No one now disputes its potential for destruction.

Despite its continuing evolution, organized crime follows certain basic patterns that vary little. It must buy or force freedom from the law and from accepted rules of commerce. It must milk gambling, the narcotics trade, industrial relations and usury. It must find outlets for its accumulated profits. These are its main forms of activity:

The political fix takes many forms, but the most important, from LCN's view, is obtaining the cooperation of the policeman and the politicians. East of the Mississippi, particularly, it is the rare big-city government that is completely free of the fix. In Newark corruption is rampant. One gangster recently confided to another that \$12,000 a month flows to police superiors for protection—which sometimes goes beyond a shield for illicit activities. When he vacationed on the West Coast last spring, for example, Thomas Pecora, a boss of Teamsters Local 97 as well as a Mafia man, took along a Newark city detective as a bodyguard.

Newark Police Director Dominick Spina was recently indicted for failing to enforce gambling laws. He was acquitted. Mayor Hugh Addonizio has refused to give his per-

sonal financial records to a grand jury that asked for them. So pervasive is the aura of corruption, a governors committee reported, that it contributed heavily to the Newark riot of 1967, in which black resentment of police was a major factor.

In Illinois, La Cosa Nostra exerts major influence in a dozen Chicago wards and dictates the votes of as many as 15 state legislators. Known as the West Side Bloc, a newspaper euphemism to avoid libel suits, the Mob opposes anticrime bills in the state legislature, forces gangsters onto the payroll of Mayor Richard Daley's Chicago machine, and corrupts the city police department. Salvatore ("Momo") Giancana may be hiding in Mexico, but his stand-ins, Tony ("Big Tuna") Accardo and Paul ("The Waiter") DeLucia still pack influence. Example: When a Justice Department report charged 29 Chicago policemen with being grafters, Daley pooh-poohed the allegations, took no action. Some of the 29 were subsequently promoted.

Protection can also mean death for informers. Richard Cain, once chief investigator for the Cook County, Ill., sheriff's office, gave lie-detector tests to a quintet of bank robbery suspects. Cain, now in prison, was not after the guilty man but in search of the FBI informant among the five. The tipster, Guy Mendolia Jr., was subsequently murdered.

Three federal men arrived in Columbus last year to investigate gambling. They were soon arrested by local police, accused of being drunk in public. The G-men were acquitted and eight Columbus cops were indicted for taking \$8,000 a month in bribes.

Ralph Salerno, co-author of an upcoming book on the Mob, *The Crime Confederation*, estimates that the votes of about 25 members of Congress can be delivered by mob pressure. New Jersey Congressman Cornelius Gallagher was an associate of Joe Zicarelli, a Cosa Nostra power in New Jersey. Zicarelli's command over Gallagher was strong enough, in fact, to bring Gallagher, whom Zicarelli calls "my friend the Congressman," off the floor of the House of Representatives to accept Zicarelli's telephone calls. Although Gallagher has denied the allegation with varying degrees of indignation, he has never bothered to sue Life for its disclosures about him. He has since been reelected, and remains a member of the House Government Operations Committee, which watches the federal agencies that watch the Mob.

Even the judiciary is not beyond reach, and the Mob has a special set of instructions for judges on the payroll. An FBI "bug" placed in the First Ward Democratic organization on La Salle Street, a favorite gathering place for Chicago gangsters, overheard the following conversation between Illinois Circuit Court Judge Pasqual Sorrentino and Pat Marcy, a friend of the Chicago LCN family. What should he do, Sorrentino asked, if federal agents questioned him about his associations with gangsters? Marcy's answer: "Stand on your dignity. Don't answer those questions. Tell them they're trying to embarrass you. Stay on the offensive. Remember, you're a judge." The trouble is, of course, that Sorrentino and some of his colleagues, on federal as well as state benches, have forgotten just that fact.

Nowhere has organized crime subverted more than a tiny minority of public officials. But a minority can be enough both to undermine law enforcement and to bend regulations, purchasing procedures and legislation to a shape pleasing to the mob.

Gambling is far and away the Mob's biggest illicit income producer, more than taking the place that bootleg liquor held during Prohibition. No one can more than guess how much money is bet illegally in the U.S. each year, but a conservative estimate is that about \$20 billion is put down on horse racing, lotteries and sports events. Perhaps a third is pure profit for LCN and its affiliates.

In the slums, the bets are usually on "the numbers." The gambler picks the number

* "Mafia," literally, means swank, or dolled up, but it probably derives from a Sicilian term meaning beauty or pride. In the context of crime, Mafia applies to the older, strictly Sicilian element of the Mob, "La Cosa Nostra," or Our Thing, is a broader term that means the modern American-born organization.

that he thinks will come up in some agreed-upon tabulation—the total dollars bet at a race track, for example—and puts down as little as 25¢ or as much as \$1. In some places \$10 bets are allowed. The bet taker himself, called the policy writer, is too small—and too vulnerable—to be a formal member of La Cosa Nostra. He works instead under contract as a "sharecropper."

Bookmaking is next up the ladder from the numbers, and the bookmaker, who usually employs several solicitors, is a man of substance. When FBI agents seized Gil Beckley, the king of layoff men (a banker to smaller bookies), in Miami in January 1966, his records showed that on that day alone he had handled \$250,000 in bets, for a profit, by his own reckoning, of \$129,000. He is now appealing a ten-year prison sentence in the case.

An operator like Beckley is not necessarily a full member of LCN. Beckley has a kind of associate status, in which favors and profits flow back and forth. As in certain other areas, LCN is content to get a cut while leaving active management to a relative outsider. Another big layoff man, Sam DiPiazza, once told of an attempt by Giancana's Chicago family to extort 50% of his six-figure take. As DiPiazza related the story, he was forced to go before a committee in Chicago, where he haggled the bite down to a mere \$35 a day. His big bargaining point was that he cooperated with "the Little Man," Louisiana Family Boss Carlos Marcello.

General affluence and increasing public interest in sports such as football and basketball hike the stakes and make the potential for corrupting athletes great. Even if he does not succeed in fixing a game, the Cosa Nostra agent finds information about a team's morale or physical condition priceless in helping him to set odds. On just such an information hunt, a scout for Chicago Handicapper Burton Wolcott wangled his way into the clubhouse of the Los Angeles Dodgers a few years back. Learning that Sandy Koufax, who was scheduled to pitch that day, was having even more arm trouble than usual, the agent flashed the news to Wolcott, who put down \$30,000 against the Dodgers. Koufax gave up five runs in early innings and the Dodgers lost.

The National Football League has gone to considerable lengths to detect the fix, relying, ironically, on Gil Beckley. Apparently the league operated on the theory that it takes one to know one. "I want the games square," Beckley told league officials when he announced his proposition. "If I know that something's wrong, I'll give you the name of the club. But I won't give you names of the players." Tips from Beckley have touched off a number of secret investigations by the league.

Until the mid-'60s, one of Cosa Nostra's most profitable gambling operations was at one of the few places in the U.S. where most kinds of gambling are legal: Las Vegas. The Mob's technique there, known as "skimming," was as simple as larceny and as easy as shaking the money tree: a part of the cash profits from six LCN-controlled casinos was simply diverted before the figures were placed in the ledger books. How much cash was spirited away in this manner, eluding both state and federal taxes, no one can say precisely. After the Government became aware of mob influence and forced the gangsters out of most of casinos in 1966 and 1967—LCN still has interests in two big casinos—revenue reported for tax purposes jumped by more than \$50 million a year.

Loan-sharking or usury nets several billions—it is impossible to say how many—in revenue for the Mob. Dollar for dollar, usury is LCN's best investment; though the gross is lower than it is in gambling, profit is higher. Interest rates commonly run at 20% per week, or, in the Mob's words, "six for five"—borrow \$5 on Monday and pay back

\$6 by Saturday noon, the normal deadline. Borrowers are frequently gamblers who have lost heavily or hope to make a big strike, but they also include factory workers, businessmen on the verge of bankruptcy, or anyone else who needs cash but cannot meet a bank's credit check.

Many of the Cosa Nostra's legitimate business fronts were acquired when the owner could not pay his debt. Some public officials were acquired in the same manner. Over his head in various business deals, James Marcus, the former Water Commissioner of New York City, took a loan at 104% annual interest. When he was unable to pay, the gangsters found him a willing victim for other schemes, including graft on city projects. In the case of Marcus, as with many other public officials, the loan was almost certainly a come-on for what the Mob really wanted: a good friend in a high place. Marcus, Mobster Anthony ("Tony Ducks") Corallo, and Contractor Henry Fried were convicted in the kick-back scheme.

Narcotics traffic, chiefly in heroin, is less lucrative than gambling, but still profitable enough, bringing in more than \$350 million in revenue and \$25 million in profits. Because of the risks involved in peddling drugs directly, Cosa Nostra once again contracts the retail trade to its sharecroppers, saving for itself the less dangerous and infinitely more profitable role of importer and wholesaler. The sums involved are substantial. By the time opium from Turkey, the chief supplier for the U.S., is processed into heroin and shipped to New York, it is worth about \$225,000 per kilogram. The price to society is beyond measure.

So far, there is no evidence that the Mafia has tried to penetrate the marijuana market. The source of supply in Mexico is too close, and the competition from travelers passing over the border too intense. One unforeseen byproduct of the Federal Government's crackdown on the marijuana trade, however, may be to create an LCN monopoly. If the "independents" are driven out, the mobsters might find pot as profitable as heroin. Just that happened in bookmaking, when police put many freelance operators out of business.

Labor racketeering has no price tag, but obviously nets the Mob many millions. It takes several forms. One of the simplest is extortion. The gangsters might thus inform a small businessman, who has perhaps only a dozen employees, that from that minute on his enterprise is unionized. Though the employees may never know that they belong to a "union"—and never receive any of the benefits of being in a union—the employer nevertheless pays the "union organizers" the workers' initiation fees and monthly dues. In another variation, the bogus union settles for "sweetheart" contracts that are grossly unfair to the workers it is supposed to represent. The difference between what a legitimate union might win for the workers and what the Mob union actually obtains is split between the mobsters and the company owners. In one such contract, writes Donald Cressey in his definitive work, *Theft of the Nation*, the president of a paper local won his union only one paid holiday a year: Passover. His membership was exclusively Puerto Rican.

In other ways as well, union racketeering can be as profitable to a company as it is to the Mob. Once the gangsters have taken over a union—they find their easiest prey in unskilled and semi-skilled occupations—they can guarantee both labor peace and a competitive edge over other companies in wages and benefits. There is, of course, a fee, but that is often lower for the businessman than the real costs of strikes or higher wages.

Business infiltration is the organization's fastest-growing source of revenue. Its interests extend to an estimated 5,000 business concerns. Indeed, Cosa Nostra's penetration of the above-ground world of finance and

commerce is probably the greatest threat that it poses to the nation today. A business can be acquired in any number of ways, from foreclosure on a usurious loan to outright purchase. LCN, after all, has more venture capital than any other nongovernmental organization in the world. New York's Carlo Gambino and his adopted family own large chunks of real estate in the New York area valued at \$300 million. Until recently, they also ran a labor consulting service. Marcello of New Orleans, another real estate millionaire, has been buying up land in the path of the Dixie Freeway and hopes to make a bundle in federal highway funds.

Once brought under the Mob's umbrella, a business almost always ceases to operate legitimately. If it is a restaurant—favorite targets—or a nightclub, it buys coal or oil from one LCN affiliate, rents linen from another, ships garbage out through still another. Its entertainers, parking-lot attendants and even its hat check girls must always be approved by the Mob—and sometimes they must kick back part of what they take in. When the gangsters were big in Las Vegas, they sometimes used skimmed cash to supplement the fees paid to featured performers. The under-the-table funds went untaxed and left the compliant performer with an obligation. This was repaid by appearances elsewhere at the Mob's request.

Unfortunately, the gangs' business methods do not stop with such relatively innocuous, if illegal, tactics. The giant Atlantic & Pacific grocery can testify to that. Taking control of a company that manufactured detergent, the powerful New York-New Jersey gangster brothers, Gerardo and the late Gene Catena, tried to put the product on A. & P. shelves. When the A. & P. officials rejected the inferior Brand X, marketed by the Catenas' Best Sales Company, the brothers tried traditional means of persuasion. Four A. & P. employees died violently. Six stores were fire-bombed. Finally, two union locals threatened to strike, rejecting out of hand a contract that seemed more than generous.

Dumfounded by tactics not taught at the Harvard Business School, A. & P. officials seemingly never connected Catena detergent with strikes and terror. The government did, however, and impeded a grand jury to investigate the Catena brothers' marketing procedures. Brand X was apparently not worth the bother of federal heat. The Catenas got out of detergents, the unions signed their contracts, and the A. & P. was left at peace.

Generally, the Mob favors businesses in the service and retail fields, particularly things like coin-operated machines, liquor stores and laundries. These offer, among other advantages, cash turnovers susceptible to skimming. With these companies the mobsters can rake off funds without anyone, particularly anyone in the Internal Revenue Service, being the wiser. When FBI agents searched the house belonging to the son of Buffalo Boss Stefano Magaddino last December, they found in a suitcase \$521,020 in skimmed cash, most of it from Magaddino's 15 companies in the Buffalo area. It may not have been worth all of Magaddino's trouble. Not only has the Government confiscated his money, but the other mobsters are infuriated because Magaddino had told them that he had no funds to help them meet common expenses. This month, in fact, LCN's top hierarchy took the highly unusual step of sending a team to investigate Magaddino's finances. Mrs. Magaddino, who had never looked into the suitcase, was also upset. "Son of a bitch!" she muttered when the FBI carted the money away. "He said we have no money for Florida this year. \$500,000!"

Jukeboxes, funeral parlors, small garment firms and other marginal enterprises that have long attracted gangsters have little effect on the general economy. Big-time construction is another matter, and by playing

both the union and management sides, LCN begins to exercise major impact. The Crime and Delinquency Council's Milton Rector says air-freight trucking operations have been so deeply penetrated that gangsters could bring New York's Kennedy Airport "to its knees at any time."

As the boodle piles up, repositories bigger than Magaddino's suitcase must be found. Many millions go to foreign banks. Switzerland, with its numbered bank accounts, is the favorite. Funds from these reservoirs often come back in the form of "loans" for investment purposes. Asked to produce collateral for a jukebox import deal, Philadelphia Boss Angelo ("Mr. A.") Bruno quickly came up with a certified check backed by a Swiss account. The amount: \$50 million.

WHAT KIND OF MAN?

Cosa Nostra's business sophistication should not be surprising, since some of the bright young men in the Mob are as astute and innovative as their peers in any other field. What kind of man joins La Cosa Nostra today? To be in the organization itself—as distinct from its many affiliates—he must, first of all, be Italian or of Italian descent. Until 1952, he had to be a certified killer as well. That requirement has been dropped, and the recruiters look for a young man who has, besides the necessary venality, some protective coloring. The older men are not always happy about the change. "They shouldn't let nobody in this unless he's croaked a couple of people," New Jersey's Angelo ("Gyp") DeCarlo was once heard to mutter. "Today you got a thousand guys in here that never broke an egg."

There have been other, though less important changes induced by both shifting life styles and the desire to escape notice. Years ago, anyone could tell a mobster by his loud dress and, more particularly, his large wide-brimmed, white hat. Now, the tendency is to dress like a businessman, in conservative Brooks Brothers gray.

One custom that had to be dropped was the kiss of greeting between members. "Charlie Lucky [also known as Salvatore Luciana or Lucky Luciano] put a stop to this and changed it to a handshake," Joe Valachi told Author Peter Maas. "After all, Charlie said, 'we would stick out kissing each other in restaurants and places like that.'"

Ostentatious living has gone out as well, despite the fact that even the lowliest members are often millionaires. The Government provides one good reason. If a man spends much more than he shows on his income tax return, the IRS can nail him for tax fraud. Few of the bosses thus claim or openly spend much more than would a moderately successful businessman. The ancient, somewhat puritanical code of the Mafia, which dislikes display, provides another reason for simple style. The late New York boss Vito Genovese, for example, used to drive a two-year-old Ford, spent little more than \$100 for his suits, and lived in a modest house in Atlantic Highlands, N.J. When his children and grandchildren visited him, Genovese, very much the kindly paterfamilias, would cook them up a huge pot of spaghetti.

Another legacy from the Sicilian Mafia is Cosa Nostra's almost mystical concept of respect. Something like the Oriental notion of "face," respect means more to a Cosa Nostra mobster than money. If he does not have the regard of his fellow members, he is nothing, even in his own eyes. An equally high value is placed on loyalty. It is not always honored, to be sure, but it nevertheless remains a powerful binding force within the organization. Indeed, the very human characteristics of respect and loyalty, together with the organization's dynastic structure, offer some clues to its remarkable durability. Son follows father, underboss follows boss, and the line continues over the decades.

Another element seems to be a sense of unity against a world viewed as hostile. The chaotic history of Sicily remains an uncon-

scious memory. There, amid poverty and foreign intrusion, survival and prosperity depended on one's own immediate group and one's own rules. Does the younger generation have any qualms about what it is doing? It would seem not. *The Godfather*, the Dartmouth-educated son of a New York boss gives his bride what is probably the typical rationale. Members of Cosa Nostra, he reasons, are no worse than any other Americans. "In my history course at Dartmouth, we did some background on all the Presidents, and they had fathers and grandfathers who were lucky they didn't get hanged."

Perhaps. They were not, however, likely to employ the sadistic methods that Cosa Nostra still finds useful. Despite the more businesslike image of the younger gang leaders, many mobsters are still animals in fedoras. If Sam Giancana moves, as he has, with Frank Sinatra on one level, his henchmen move on another. One of the most chilling conversations that the FBI has overheard involved two of Giancana's hoods telling a third, "Jackie," about the murder of one of their colleagues, a 350-pounder by the name of William Jackson.

James Torello: Jackson was hung up on that meat hook. He was so heavy he bent it. He was on that thing three days before he croaked.

Fiore Buccieri (giggling): Jackie, you shoulda seen the guy. Like an elephant, he was, and when Jimmy hit him with that electric prod . . .

Torello (excitedly): He was floppin' around on that hook, Jackie. We tossed water on him to give the prod a better charge, and he's screamin' . . .

Despite Cosa Nostra's obvious frightening strengths, new problems and challenges are coming at it from several sides. In the slums, for instance, its control of gambling and vice is being contested, sometimes successfully, by the blacks, Puerto Ricans and Mexican-Americans who want a share of the action. In Buffalo, the blacks at first worked a bargain with Magaddino by which they would control the numbers racket, giving him only a 10% tribute. Later, when he ran into trouble with the authorities, they stopped the 10% entirely. That was nothing compared to the trouble that Ruggiero Boiardo had in Newark. There Negroes not only took over the lottery but also shook down Boiardo's numbers men and occasionally took shots at them.

There are, in addition, internal disputes, like the messy slaying of New York Boss Albert Anastasia in 1957. Even though he has never been east of Flatbush, a Cosa Nostra man still looks upon himself as a Sicilian or a Neapolitan, distrusting the other. Nor is the Commission itself what it once was. Two places, vacated by death, have not been filled. Two of the commissioners, Philadelphia's Angelo Bruno and New York's Joe Colombo, command little respect; Detroit's Joe Zerilli rarely attends meetings. A former commissioner, New York's Joe Bonanno, was kicked out in 1964 and his family reassigned when he attempted to kill off some of the other bosses.

THE LAW'S DELAY

Where is the law? Why, despite some troubles, does Cosa Nostra survive and thrive? Beyond its own inherent strength and tradition is its ability to corrupt civil officials. Probably no other group in history has made such a fine art of corruption. Without the fix, Cosa Nostra would not last out the year. Nor are local cops the only ones who yield to temptation. Three days after a report on skimming in Las Vegas was sent to the U.S. Attorney General's office in 1963, a complete copy was in the hands of the criminals cited in the report. The conduit for that leak has never been found.

Even in the absence of official dishonesty, law enforcement has often proved inept. Most city and state police agencies are still not equipped to deal effectively with clever,

well-financed conspiracies that extend across city and state lines. The FBI is better trained, of course, but its special agents hardly constitute a national police force, and were never intended to do so. Until the beginning of the decade, federal authorities merely nodded while the mobsters nibbled away at the country. Besides, coordination among law-enforcement agencies at all levels is frequently weak or totally absent. Even when pressure is applied vigorously, resulting in arrests and convictions, LCN can quickly fill personnel gaps.

Not that prosecution is easy under the best of circumstances. The gangsters' well-paid legal corps takes full advantage of the Bill of Rights. The Mob's muscle often takes care of potential witnesses. It takes a brave citizen to call the police. Also, most of the evidence gathered by the FBI, until recently, was not admissible in court.

Much is changing. Though more vigilant observation might have detected it long before, a major revelation occurred in 1957, when New York state police happened upon a meeting of the Commission and its lieutenants at the estate of Joseph Barbara in upstate Apalachin. The authorities were able to find out who the mobsters were and, more important, that they were together. In 1962, Joe Valachi, the Cosa Nostra soldier-turned-informer, confirmed and explained what the FBI had been hearing from its bugs for months. Though he looked at the Mob from the bottom up, Valachi's remarkable memory nonetheless provided invaluable insights into its organization. From January 1961 to December 1968, the Government indicted 290 members of Cosa Nostra and obtained 147 convictions, with many cases still pending. Some of the bosses themselves have been jailed, while many have found their activities severely curtailed because of continuous scrutiny.

STRENGTHENING HAND

Most of the surveillance has come from electronic bugs and telephone taps, which have supplied something like 80% of the information the Government has on the Mob. While bugging is still the subject of considerable controversy—and can be a serious danger to civil liberties if misused—a law passed by Congress last year at least clarifies the Government's powers and gives the Justice Department broader jurisdiction. For the time being, electronic snooping seems to be a necessary, if risky weapon.

Federal funds are now available in increasing amounts to help city and state agencies prepare for the challenge. Two major bills now pending in Congress could have significant results. One would strengthen the hand of prosecutors and grand juries in mounting investigations and make involvement in organized crime generally—regardless of the specific violation—a federal offense. The second measure would invoke civil procedures, such as antitrust action, to attack organized crime behind its screen of bogus legitimacy.

Beyond new statutes and energetic reinforcement, the nation needs another, stronger weapon: public indignation. There is not nearly enough of that in the U.S. No other Western, industrial country in modern times has suffered criminal abuses on such a scale. America's porous, pluralistic and permissive society offers extraordinary opportunities, chances to hide and to advance, for the enterprising and imaginative criminal. But, most fundamentally, U.S. society helps the criminal by toleration (occasionally even admiration) and by providing a ready market for his services. Illicit gambling thrives because of the popular demand for it. Politicians of questionable integrity remain in office because the electorate allows it. Entrepreneurs who half-knowingly accept dirty money with the rationale that business is business are as corrupt as grafting politicians.

TOLERATING THE MOB

In large measure, the modern Mob lacks the traditional justification for crime—the

bitter spur of poverty. It also lacks the occasional, near-heroic dimension of defying law and the established order for the sake of rebellion. It is by and large a middle-class sort of Mob, more or less tolerated by the affluent. Among the public there is often a certain psychological hypocrisy. Rage is great over conspicuous criminal acts, but there is less anger over the far more harmful depredations that are the specialty of organized crime. Until there is a popular revolt, La Cosa Nostra will probably endure.

UNITED BY OATH AND BLOOD

Centuries before La Cosa Nostra was heard of in the U.S., the Mafia operated—even as it does today—as a brigand government in much of Sicily. Though many Italian immigrants had come to the U.S. to avoid just such oppression as the Mafia offers, a few among them formed a new Mafia in the new country. In the crowded "Little Italys" of the late 19th and early 20th centuries, the thugs found easy prey among people who had been taught to dread the terrorists' Black Hand.

Prohibition offered the transplanted *Mafiosi* the chance they could not have made for themselves. Only they had the organization that could capitalize on the potential of bootlegging. Only they lived among people who already operated home stills that could quickly be converted into commercial distilleries. With fantastic profits, little crooks became big crooks, and the peculiar society of petty outlaws became the all-powerful Cosa Nostra.

There was enough intraorganizational feuding to fill a graveyard. Often the battle lines were drawn between Sicilians and Neapolitans—a distinction that causes ill feeling even today. But Sicilians from one area also fought Sicilians from another area, going so far as to take Neapolitans as allies. A particularly bloody period in 1930-31 called the Castellammare War (the town of Castellammare del Golfo was home to one of the factions) killed about 60 gangsters. Thus the factions agreed to unite behind the Mob's modern founding father, Salvatore Maranzano.

A Castellammarese who borrowed his ideas from Julius Caesar's military command, Maranzano laid down the patterns that still, with minor modifications, hold today. To stop the killing, said Maranzano, the gangs that then existed would henceforth be recognized as families, each with its own territorial limits. Heading each family would be a boss, or *Capo*. Under him would be an underboss, or *Sottocapo*, and beneath the underboss would be any number of lieutenants, or *Caporegimes*, leading squads of soldiers, or "button men." One advantage of the scheme was the insulation it provided the men at the top. In the ordinary course of events, they would never put themselves within easy reach of the law.

The organization's code of conduct was partly Maranzano and partly Mafia *omertà*, a combination of such qualities as manliness, honor and willingness to keep secrets. Its requirements have never changed. The penalty for breaching the code: death. Except for the Chicago branch, which has always disdained the ornate, members are bound by an elaborate ceremony of medieval hocuspocus. Flanked by the boss and his lieutenants, the initiate and his sponsor may stand in front of a table on which are placed a gun and, on occasion, a knife. The boss picks up the gun and intones in the Sicilian dialect: "*Niatri representam La Cosa Nostra. Sta famigghia è La Cosa Nostra* [We represent La Cosa Nostra. This family is Our Thing]." The sponsor then pricks his trigger finger and the trigger finger of the new member, holding both together to symbolize the mixing of blood. After swearing to hold the family above his religion, his country, and his wife and children, the inductee finishes the ritual. A picture of a saint or a religious card is placed in his cupped hands and ig-

nited. As the paper burns, the inductee, together with his sponsor, proclaims: "If I ever violate this oath, may I burn as this paper."

Brilliant as Maranzano's plan was, it had one major flaw: Maranzano himself. Like his hero Caesar, Maranzano suffered from overweening ambition. Above the family bosses, there was, under his scheme, to be a Boss of All Bosses, a *Capo di Tutti Capi*, by the name of Salvatore Maranzano. When several of the family bosses found out that he was plotting to kill them, they worked up an assassination scheme. Five months after he took power, *Il Capo di Tutti Capi* was murdered. The same day, Sept. 10, 1931, 40 leaders allied with him were slain across the country.

With Maranzano's death, a kind of peace did settle over Cosa Nostra. There have been skirmishes and murders aplenty since then, but never anything like the Castellammarese War. In place of the *Capo di Tutti Capi*, the mobsters formed a Commission made up of nine to twelve family bosses to guide the organization and settle disputes. While its powers have never been precisely spelled out, the Commission seems to be roughly analogous to the governing body of a loose confederation. It must approve each family's choice of boss, and it can, if it wants to, remove a boss—usually by assassination.

Often, the Commission's chief function seems to be preservation of the balance of power, making sure that no one boss gains too much power. In Cosa Nostra's terms, as in nations', that is guns. Theoretically, at least, the 24 families have not been allowed to increase their numbers since the '30s. They vary greatly in size now, as they did then, from Carlo Gambirino's army of 1,000 in New York to James Lanza's tiny, ineffectual squad of twelve in San Francisco. Currently, several families are open to recruits, offering new opportunities for growth and power. United by oath and blood, Maranzano's organization may have as long a life as Caesar's.

MILITARY SPENDING

Mr. FANNIN. Mr. President, while Congress was in adjournment, one of the country's fine military reporters took a good look at a group which would weaken the Nation's defense in the name of peace.

I believe the article, written by Jerry Greene of the New York Daily News, is one of interest to all Members of Congress. It has a definite bearing on the conduct of the present business before the Senate.

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:

PENTAGON'S GREATEST PERIL IS IN CONGRESS (By Jerry Greene)

WASHINGTON, August 16.—The potency of a little-known new peace built around 82 members of Congress is going to force President Nixon to interrupt his vacation for reentry into the Senate brawl over \$20 billion in military spending.

The urgency of the situation won't permit the President to wait. He is getting the word this weekend that White House pressure is sorely needed now by establishment senators in defense against a carefully planned attack on the traditional committee system of moving legislation.

Backers of the military procurement authorization bill, now held over for final action after the congressional recess, believe that only presidential intervention behind the scenes can stave off a situation at the pentagon which could be ruinous to Nixon's own plans for reduction and reorganization of

national defenses. The Nixon program won't be ready until January.

The White House and establishment senators had, until this week, woefully underestimated the power and skill of the new Senate-House lobby now driving to lop great gobs of money off the Pentagon budget—and add the sums to social programs.

The lobby bears the improbable name of Members of Congress for Peace Through Law. Rep. F. Bradford Morse (R-Mass.) is the chairman; Sen. George S. McGovern (D-S.D.) is vice chairman. Morse tells us he has 23 senators and the remainder of his outfit are members of the House. The group has an office with three staff members in a Capitol Hill apartment and Morse said he has raised the \$35,000 per year expense fund through letters of solicitation to "a selected list."

Former Sen. Joseph S. Clark (D-Pa.) started this Peace Through Law combine as a luncheon gathering; Morse took over this year and got real energetic. He named five subcommittees, and these began preparing reports to rally legislative support for assorted objectives. We asked Morse what he was really after.

"Just looking for a better world," he said. "It's that simple."

It isn't that simple, of course. The combine is zeroing in on the operations of standing committees of Congress—and the established processes—with deadly effect.

The effectiveness can be gauged by the bitter lament of Sen. John C. Stennis (D-Miss.), chairman of the Armed Services Committee and of its preparedness subcommittee, in debate this week: "It is tragic to me to see all the work that has been done by this subcommittee slashed to pieces . . ."

COMMITTEE SEEKS \$3 BILLION DEFENSE CUT

What happened was that Morse named Sen. Mark O. Hatfield (R-Ore.) chairman of the Peace Through Law committee on military spending. The Hatfield committee spent a fast two months studying national defense and announced that \$3 billion should be cut from the \$20 billion authorization.

The Hatfield rump committee named nine targets in its report—Nixon's Safeguard ABM was only one of them—and these are the focal points in the drive to smash down the Stennis committee recommendations and force spending cuts, through amendments. Pending before the Senate at recess was an amendment to strike \$377 million for a new nuclear-powered aircraft carrier.

There isn't much question that the \$80 billion Pentagon budget needs a lot of water drained out of it. Nixon already had slashed first estimates; the House will knock off another \$5 billion through its Appropriations Committee. More billions will fall in Nixon's initial administration plan for fiscal 1971.

REVOLT OF THE ADMIRALS IS UPDATED

But this cutting will be done by experts and not in the slapdash emotional approach being used by the Morse-Hatfield lobby, which has shown scant evidence of thoughtful study based on the requirements of foreign policy. A thick report put out by the Hatfield committee last month was packed with unsubstantiated claims and ridiculous arguments tossed into the ash can during the absurd "revolt of the admirals" probed by the House 20 years ago. Only the names and the dates were changed, no doubt to protect the innocent.

Stennis and his committee, with years of experience and in full knowledge of the substantial changes the Nixon administration plans, are watching their efforts to retain balanced defenses go down the drain before a skillful operation. If the Morse-Hatfield drive is successful, Nixon will inherit a lopsided mess.

This is why presidential intervention is being requested and why it will be forthcoming, behind the scenes during the con-

gressional recess and openly afterward if this seems necessary.

EXPLOSIVE PRECEDENT IN THE MAKING

For the Congress, the emergence of this bipartisan lobby within the ranks to challenge old-line committees and traditional processes is an event of significance not to be ignored. If it can happen to the military budget, it can happen to any other appropriation. The burdensome Agriculture Department spending bill is a juicy target.

This is lobbying carried to its highest level. During the battle over the ABM there were 103 organizations around the country involved in lobbying against approval. But none had the prestige, and the weight, of the Peace Through Law organization inside Congress itself. And here the dissidents found voice where it could be counted when the roll was called.

The phenomenon is receiving closest study in the highest political quarters, as well it might. It's a slick gimmick.

FINANCING THE MAIL

Mr. MONDALE. Mr. President, the Winona, Minn., Daily News recently published a most timely editorial entitled "Financing the Mail." I believe that too much attention is being given to the issue of whether to convert the Post Office Department to a corporation. Not enough attention is being paid to the question of what services should be supported by general revenues rather than by postal fees.

The editorial includes some thoughtful and challenging suggestions about postal finance which I think every Senator should carefully consider.

I ask unanimous consent that the editorial be printed in the RECORD.

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

FINANCING THE MAIL

President Nixon's administration has proposed that the aged and plagued postal system be taken out of the cabinet and that a new government-owned, corporation-type postal service be established.

The nation's mail system is in a quagmire of poorer service to mail users, greatly increased costs, and staggering deficit financing. The way it is now organized, solutions to its problems seem virtually impossible.

It may be that the administration's program is the best approach to reorganization of the system itself, but even the current proposals fail to take in to consideration one of the most important matters which is ingrained into the whole problem, and that is:

How should the public service responsibility of the Post Office Department be defined?

There is a simple and reasonable answer to this question that seems to have escaped all those in authority. This simple and reasonable definition of public service costs is the key to the entire problem of postal financing, and if it were accepted in the revamping of the postal system it would go a long way toward simplifying the mind-boggling complexities now being evaluated.

The following costs should be labeled public service costs and charged to all citizens through regular taxation. None of these costs should be paid for through postal fees.

1. The cost of the rural free delivery system, since this is of prime benefit to the receiver of the mail.

2. The cost of door-to-door delivery of mail in towns and cities where this service is maintained, for the same reason.

3. The cost of building, maintaining and leasing post office buildings.

4. The cost of handling government franked mail.

5. The difference between actual cost and charges at special rates for the handling of the mail of religious and charitable institutions which qualify for special rates.

6. The cost of functions unrelated to normal post office responsibilities such as the cost of handling and selling duck stamps.

It seems reasonable that users of the mail should pay for the following in the form of postage and that charges for each class of mail should be based on the actual cost to the post office of handling each class:

1. The cost of handling and sorting mail from the time it enters the original post office until it leaves the post office in the destination community.

2. The cost of transportation of mail from the original post office to the destination post office.

The cost of postal management should be split between taxation and postal fees.

If postal finances were handled on this basis there would never be any need for talking in terms of a postal deficit. The public would pay for its benefit in having a federal postal system by paying the taxes necessary to pay for the parts of the postal system which are to its advantage. Mail users would pay the actual cost necessary to pay for the parts of the postal system that are to their advantage, and by making necessary rate adjustments from time to time, the postal system would forever operate on a break-even basis.

It would moreover be a much fairer system than that in use now which arbitrarily allocates cost-sharing among the various classes of mail without regard to what the costs are for each class.

Let the receiver of mail pay through taxation for the postal costs which are to his advantage and let the user pay actual processing costs for the services which benefit him.

Whether or not a corporation-type organization provides the management for the postal system, the public's interest in it cannot be divorced and it seems logical that the portion of costs which are purely public in nature should be financed by taxation.—
W. F. W.

DRAFT REFORM

Mr. PEARSON. Mr. President, our present means of selecting men for involuntary military service are both outdated and inequitable. The disruption of plans made by young men in today's world is a widespread result of the draft, with its practice of taking older men first and its 7-year period of eligibility. A related effect is the disparity among decisions of local draft boards across the country, decisions which may result in totally different futures for young men in similar circumstances.

Proposals in the Senate for reform of the present draft system have been complemented by those made by President Nixon. I am a cosponsor of proposed legislation introduced by the Senator from Pennsylvania (Mr. SCHWEIKER). The bill and the proposals of President Nixon on May 13 are in agreement on these points:

First. The present 7-year period of eligibility would be reduced to 1 year.

Second. The youngest eligible men would be called first, thus eliminating the present lengthy period of waiting and anxiety as a young man approaches the age of 26. These two proposals would modernize the draft system and make it more compatible with the present edu-

cational and social responsibilities faced by our young men.

Third. Selection would be made through a random system on a national basis rather than by local draft boards alone.

These areas of agreement imply the possibility of action on draft reform during this session of Congress. The President himself has recently noted the urgency surrounding this issue, and I wish to express my own view that draft reform deserves the highest priority even in the present rush of congressional business.

I believe we must ask whether reform of the draft system, which affects not only careers, but lives and the national security, does not have all the urgency of tax reform or welfare reform.

The draft call for October is 29,000 men. I believe it is the responsibility of Congress, along with its other duties, to insure that the selection of young men such as these is made with all possible equity and concern for the need of the individuals involved.

It has been argued that we must await the end of the war in Vietnam before going ahead with draft reform. This argument ignores the basic reason for reform, which is to make the system fair. Whether the war in Vietnam continues or not, this responsibility should be met by the Congress.

It has also been argued that proposals for a volunteer army might be weakened if the draft reform movement succeeds. Mr. President, there is no need to fear that fundamental reorganization of our military manpower system will be inhibited by reform of the Selective Service System itself. The latter System is one of involuntary service and it affects not only the young men of the present, but our national security and our commitments around the world. The young men of today deserve to see this System reformed. It is their lives and their dreams which are at stake and there can be no argument which denies them the right to the most equitable possible selection for military service.

Therefore, I urge that draft reform be brought to the attention of the Senate at the earliest possible date. The need for information and education on this issue and for its full and calm consideration by Congress requires that we move now to begin the legislative process that will lead to full and responsible draft reform this year.

WAGERING TAX AMENDMENTS

Mr. HRUSKA. Mr. President, at the recent annual convention of the American Bar Association in Dallas, Tex., the house of delegates endorsed S. 1624, the wagering tax amendments, and urged its speedy enactment. I introduced S. 1624 early in this session of Congress, and Representative Poff introduced a companion bill, H.R. 322, in the House of Representatives.

S. 1624 is designed to cure the defects in the wagering tax law created by two recent Supreme Court decisions. These two decisions, *Marchetti v. United States*, 390 U.S. 39 (1968), and *Grosso v. United States*, 390 U.S. 62 (1968), created seri-

ous problems in the administration's fight against organized crime. One of the most significant of these problems is that the Internal Revenue Service no longer has any criminal jurisdiction to investigate organized crime gambling enterprises. The IRS special agents are well schooled in the techniques used by the Mafia and this talent must be available to Attorney General Mitchell in his all-out effort against the syndicate.

President Nixon has referred to S. 1624 as "the most significant piece of crime legislation" now pending before Congress.

I thank the ABA for this endorsement and urge speedy enactment of the bill. Let us make available the total resources and facilities of the Federal Government against this evil organization.

I ask unanimous consent that the ABA resolution be printed in the RECORD.

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

Be it resolved that the American Bar Association approves in principle pending legislation represented by S. 1624 and H.R. 322, 91st Congress, cited as "Wagering Tax Amendments of 1969", and any legislation of similar purpose, designed to reinstate the federal excise tax of 10 per cent on wagers (Subsection 4401-2 of the Internal Revenue Code of 1954) and an appropriate occupational tax on persons engaged in gambling transactions (Subsection 4411-14 of the Internal Revenue Code of 1954); and

Be it further resolved, that the Section of Criminal Law and any other appropriate section or committee of the Association is authorized to urge the substance of the foregoing resolution upon the proper committees of Congress.

**ADDRESS BY GEORGE J. REED,
CHAIRMAN, U.S. BOARD OF PA-
ROLE**

Mr. HATFIELD. Mr. President, amid today's often repressive cries of "law and order" it is indeed refreshing to hear a thorough and well reasoned statement of the benefits of individual rehabilitation and procedural efficiency resulting from the coordinate efforts of the U.S. Board of Parole and the U.S. attorneys.

On July 30, 1969, George J. Reed, Chairman of the U.S. Board of Parole and past director of the Lane County Juvenile Department of Eugene, Oreg., presented a speech before the U.S. Attorneys' Conference. I am sure that this speech will be of great interest to my fellow Senators. I therefore ask unanimous consent that it be printed in the RECORD.

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

**THE COMMON INTERESTS OF THE U.S. ATTORNEY AND THE U.S. BOARD OF PAROLE BY
GEORGE J. REED, CHAIRMAN UNITED STATES
BOARD OF PAROLE**

The United States Board of Parole joins with you as United States Attorneys in our mutual responsibility and commitment to better control crime in 1969. Crime has become an increasingly serious problem on the home front. Today, we are witnessing criminal activity which, in its impact, is not limited to mere disruptions to the public's peace and dignity, but organized criminal activity which is corroding the very moral fiber of our Nation and causing major disruptions to our social and economic life. The

United States Board of Parole not only joins you in its commitment to better control crime, but in its desire to make an affirmative contribution toward improving the efficiency and effectiveness of America's Criminal Justice System.

During the past ninety days, since returning as Chairman of the Board, we are in the process of reviewing our Board procedures and Board rules to the end that an improved screening procedure on all applicants for parole will be followed prior to the Board entering a decision. Current parole research on a National level—and especially through the National Uniform Parole Reporting System will greatly aid us in improving the Parole Board's "batting average" success over that of recent years in parole decision making. Further, we are in the process of developing a Parole Hearing Examiner System. This will provide for the Board's Parole Hearing Examiners, who conduct the *initial institutional hearing* on less serious cases. This procedure will provide the Board Members sufficient time on all cases to "review, confer and deliberate" prior to entering a final Board order. We reaffirm our belief that the proper protection of society is our first responsibility, and that secondly, the rehabilitation of a given inmate is our goal in Parole. Because the Board's discretion is not reviewable by the courts, we are also developing in our new rules an appeals or review procedure where an inmate under certain special conditions may receive further review of previous Board Division Decisions by having a hearing before the entire Board sitting *En Banc*—as a full review body.

The United States Board of Parole recognizes its interrelationship upon each segment of the correctional process. This interdependence extends from the point of the offender's arrest, and if charged and convicted—through the presentence report of the U.S. Probation Officer, and if committed—through his institutional programming. If eventually paroled, supervision in the community is afforded by the Federal Probation Officer.

The Board is particularly mindful of, and appreciates, the role of the United States Attorney in effectively representing the Board before the Federal courts when the Parole Board's jurisdiction is questioned.

The nature of the offense is one of the important elements in the Board's criteria in making a parole decision. Information as to the nature and scope of the offense is supplied by your office. The Board would be extremely limited if its information regarding the offense was limited to the legal description of the crime. The legal description of the crime is designed and restricted to satisfy the substantive elements of the offense. These legal facts, do not, necessarily, describe the offender's total conduct or the extent to which he may have been involved in other criminal activities. Information regarding the crime, the offender's criminal activities and other facts and considerations enables the Board to make a determination as to the degree of the offender's culpability, the extent to which he should be held accountable and the degree to which he may, in your opinion, represent a present or future danger to the public. The same information serves the Board in its endeavor to gain a better understanding of the offender, his motivation, his social values, his controls and his potential for good or evil. The office of the United States Attorney is privy to all the facts of the pre-prosecution investigation and, in addition, is a witness to all disclosures made during the trial, when had. This information is exceedingly valuable to the efficient performance of the United States Board of Parole. The Board requests your thinking and recommendation on Form 792 in every case that comes under the jurisdiction of the Board.

Now that I have established the Board's commitment and interrelationship with the United States Attorneys, I would like to pro-

ceed and tell you about the function of the United States Board of Parole and describe its areas of responsibility.

Parole is not to be confused with clemency—a grant of a Pardon, reprieve or commutation by the Chief Executive of the United States—nor should parole be viewed as leniency but rather as an integral part of the administration of criminal justice. Parole is to be distinguished from probation, in that parole follows an institutional commitment and occurs as the result of a discretionary act by the releasing authority, namely, the Parole Board. Probation is the exercise of court's discretion by suspending the execution of sentence which has been imposed, or suspending the imposition of sentence and allowing the convicted individual to remain in the community under the supervision of a Probation Officer and subject to certain prescribed conditions of conduct.

Parole is a process of selectively releasing an offender from an institution prior to the completion of his maximum sentence subject to conditions specified by the releasing authority. It is a method whereby the public can be protected and the offender can be provided with continuing treatment and supervision by the field officers in the community.¹ Parole is a helping service rendered to the individual parolee, his family and community. Parole—as other segments of the correctional process—has the primary responsibility of providing the public with immediate protection, and the long-range protection of the community through reclamation of the offender. When these responsibilities have been discharged, both the offender and society benefit.

PAROLE'S HISTORICAL BACKGROUND

Parole did not develop from any particular source or experiment. Its origin, evolution and development are to be found in a variety of independent events and undertakings going back to the 18th Century. Among these are included the use of conditional pardon; apprenticeship by indenture; the exile and banishment of criminals from England—their transportation to America and Australia; the English and Irish experiences with their respective systems of "Ticket of Leave," and the diligent labors of American Prison Reformers during the Nineteenth Century.²

During the last seventy years, parole, by virtue of its development and universal acceptance in the United States, has become an integral and indispensable part of our system of criminal justice. In its early years, parole was closely identified with the reformatory movement in America and its development has been a natural adjunct to the philosophy of individualized justice and a positive motivation for the inmate to change his basic anti-social attitudes in the rehabilitative process.

THE FEDERAL PAROLE SYSTEM

The Federal Parole System was created in 1910 with the passage of an Act authorizing the parole of prisoners sentenced to a term of one year or more. The prisoner was eligible for parole upon expiration of one-third of his sentence and was eligible whether he was serving his Federal sentence in a state or Federal facility. The releasing provisions of the Act were administered by institutional parole boards which consisted of the warden and physician of the facility and the Superintendent of Prisons from the Department of Justice.

In 1930, Congress created an independent central Federal Board of Parole consisting of

¹ Parole in Principle and Practice, A Manual and Report, National Conference on Parole, National Probation and Parole Association, p. 65 (1957).

² Manual for Parole Officers, State of New York, Executive Department, Division of Parole p. 1 (1953)

three full-time members appointed by the Attorney General. The Board was based in Washington, D.C. and was authorized, by statute, to make final decisions relative to parole and revocation. Over the years a number of changes in the Board's structure followed and in 1950 the Federal Youth Corrections Act was enacted and companion legislation created the Youth Correction Division within the Board. The size of the Parole Board was increased to eight full-time Members, with three Members serving on the Youth Correction Division while the other five Members serve on the Adult Division of the Board. Thus, the United States Board of Parole now consists of eight full-time Members who are appointed by the President to staggered six-year terms. The Members, since 1950, have been appointed by the President subject to Senatorial confirmation. The Attorney General assigns the confirmed Members to the Adult Board and the Youth Division and designates the Chairman.

The Youth Division is an integral part within the United States Board of Parole. Its specific responsibility is to act as a body of specialists, working within the framework of the United States Board of Parole, joining with the United States District Courts, the Federal Bureau of Prisons and the United States Probation Service in providing a corrective service for the unique problems of youth who come within the purview of the Federal Juvenile Delinquency Act and the Youth Corrections Act.

PAROLE ELIGIBILITY

Life and general law sentences

Eligibility for parole is governed by the section of the United States Code under which the defendant is sentenced. A prisoner sentenced to a Life Term is eligible for parole after serving fifteen years. Under the general law, the maximum term is set by statute. The individual sentenced pursuant thereto is eligible for parole after serving one-third of the statutory term. If he applies for parole, he appears before the Board for his parole hearing.

Indeterminate adult sentences

The Federal Criminal Code's indeterminate adult sentences are codified under Section 4208(a) (1) and (a) (2). Under Section 4208 (a) (1), the sentencing court sets the minimum term but not to exceed one-third of the maximum term set by statute. Under the provisions of Section 4208(a) (2) the prisoner is eligible for parole consideration as of the date of his first hearing before the Board. This hearing is conducted after psychological testing and classification and usually occurs within sixty to ninety days after his institutional admission. Usually, at this time, the Board establishes a date of parole eligibility when the inmate may appear, at a later date, for parole consideration.

Youth Corrections Act commitments

Commitments under the Youth Corrections Act are indeterminate commitments. The maximum term is set by the Court pursuant to provisions of the Act. The youth offender is eligible for parole consideration as of the date of his first appearance before the Board. This initial appearance occurs after special institutional study and classification, usually within sixty to ninety days after institutional admission.

Federal Juvenile Delinquency Act commitments

The juvenile offender may be committed to a definite term but not to exceed his majority; or he may receive a minority commitment. The juvenile offender, whether committed for a term or for his minority, is eligible for parole on the date of his first appearance before the Board. As in the case of the youth offender, the juvenile appears after classification, usually within sixty to ninety days after institutional admission.

FUNCTIONS OF THE UNITED STATES BOARD OF PAROLE

The United States Board of Parole, by statute, is the final authority in the exercise of its informed discretion in matters of parole consideration.

Parole consideration

The United States Board of Parole is the releasing authority for all Federal offenders who have been incarcerated for violating the laws of the United States. These offenders are usually housed in institutions administered by the Federal Bureau of Prisons. The Board, or its Hearing Examiners, conducts parole hearings at the Federal institutions for all parole eligibles who are serving a sentence of a year and a day or more, and who are housed in Federal institutions.

The Board's long standing policy forbids parolees from acting as "informers" without prior Board approval, and then only for a good cause, because it is impossible for the Board to determine when a parolee is involved in illegal activity for a good cause or is merely continuing a pattern of law violation. In special cases where the National security is involved, or for other very good reasons, the Board may approve in advance such activity on the part of a parolee. There is one further point which should be made very clear at this time. While we urge your recommendations regarding the granting or denying of parole, the Board cannot, and will not, be bound to act favorably regarding parole by any commitment made by a third party. However, any inmate who cooperates with the Government to the end that justice is improved, may be assured that this will be one of the many important factors weighed by the Board in the consideration of granting or denying parole.

Revocation hearings

The caliber of the Parole Board's performance is often measured by the degree to which it exercises the "wisdom of Solomon, the courage of David, and the patience of Job." This is especially true in conducting revocation hearings. Parole, until recent years, had been considered a matter of *grace*, and not a *right*. Recent court decisions on parole have somewhat changed this concept.

Due process in a Federal parole or mandatory release revocation hearing, as defined by the *Hyser v. Reed* case, requires that fair notice as to the alleged violation be given along with a grant of a full opportunity to appear and be heard. Under Federal law, the alleged violator has the right to appear before the Board for his revocation hearing. Due process requires that he be allowed to make that appearance effective. It requires that certain fundamental rules of fairness be observed. Fair treatment forbids the disregard of these rules, and is not satisfied, though the result be just, if the procedure or substantive considerations were unfair or lacking. Due process requires an examination in depth of all merits and reasonable alternatives in each case. In addition to the responsibility of meeting the due process requirements, a revocation hearing places the Parole Board in the role of a catalyst to give impetus and direction to the individual to resume or renew his relationship with institutional programming or community parole services, to the end, that a more effective use might be made of this relationship and its available resources.

A line of Federal landmark decisions, regarding parole and mandatory release revocation proceedings, have crystallized, the above-general principles into the following specifics:

The Court of Appeals for the District of Columbia in construing a provision of the D.C. Code which is identical with the Federal statute held that the language granting the alleged violator the right to appear, "shall be given the opportunity to appear before the Board," meant an effective appearance which

necessarily meant the right to be represented by retained counsel (*Fleming v. Tate*, 81 U.S. App. D.C. 205 156 F.2d 848 (1946)). The Board of Parole has the duty to *advise* the alleged violator that he has the right to be represented by retained counsel at his revocation hearing. (*Moore v. Reid*, 100 U.S. App. D.C. 373, 246, F.2d 654 (1957)), (*Glenn v. Reed*, 110 U.S. App. D.C. 85, 289 F.2d 462 (April 7, 1961)); an alleged violator is not limited to the remedy of a habeas corpus proceeding in the jurisdiction of the prisoner's confinement, to determine his legal rights, but can petition for a declaratory judgment or a mandatory injunction as provided by the Administrative Procedure Act for a determination of his legal standing. (*Robbins v. Reed*, 106 U.S. App. D.C. 51, 269 F.2d (1959)); the alleged violator must be granted a hearing within a reasonable time after the warrant has been executed. (*United States v. Kenton*, 287 F.2d 534, 535-536 (C.A. 2 (1961)), Cert. denied, 368 U.S. 846 (1961)).

The alleged violator is entitled to have voluntary witnesses enter an appearance and testify on his behalf. (*Reed v. Butterworth*, 111 U.S. App. D.C. 365, 297 F. 2nd 776 (1961)). The landmark decision, *Hyser v. Reed* addressed itself to a multiplicity of questions. The case held that the alleged violator was not entitled to confront and cross-examine the Board's informants; that he was not entitled to examine confidential reports; that he was not entitled to appointed counsel, nor was he entitled to compulsory process to obtain witnesses. This case broke new ground in that it held that an alleged violator is entitled to have an expeditious hearing at or near the place of violation while the information is likely to be fresh, and the sources (witnesses) are available. (*Hyser v. Reed*, 115 U.S. App. D.C. 254, 318 F. 2nd 225 (en banc), Cert. denied sub non, *Jamison v. Chappell*, 375 U.S. 957 (1963)).

Local revocation hearings

Pursuant to the *Hyser v. Reed* doctrine in 1963, the United States Board of Parole modified its rules, and in the absence of a local conviction, grants local revocation hearings at the election of the alleged violator. Over the course of the last six fiscal years, the following number of *local revocation hearings instead of revocation hearings at the institution, have been conducted at or near the place of the alleged violation:*

1964	-----	6
1965	-----	31
1966	-----	23
1967	-----	38
1968	-----	83
1969	-----	

Labor-Management Reporting and Disclosure Act of 1959

As a result of the McClellan hearings on labor racketeering, the Labor-Management Reporting and Disclosure Act of 1959 was enacted to establish certain standards for labor unions and organizations of employers dealing with labor unions. One of the provisions of the Act establishes a *prohibition*, against individuals who have been convicted of *certain specific crimes*, from holding office for a period of five years after conviction, and if committed, for five years after release from confinement. The Act grants an opportunity to the disqualified individual to apply for an exemption order from its prohibitory features. The United States Board of Parole was designated, by statute, to process such applications, to conduct hearings to determine if the union officials holding such office would be in conflict with the best interest of the public, and to render a final judgment on the merits of each case. During the life of the 1959 Labor-Management Reporting and Disclosure Act, the Board of Parole has considered fifteen applications, and has granted three Certificates of Exemption.

CONCLUSION

In conclusion, the United States Board of Parole today feels that we have a greater responsibility than ever before, to improve our procedures, rules and techniques if we are to make our maximum contribution to reducing crime in America in 1969. To this end, we pledge you our best efforts and full cooperation.

Thank you.

SYSTEMS TECHNOLOGY APPLIED TO SOCIAL AND COMMUNITY PROBLEMS

Mr. NELSON. Mr. President, the Committee on Labor and Public Welfare has issued a report entitled "Systems Technology Applied to Community and Social Problems." That report, prepared by the Science Policy Research Division of the Legislative Reference Service in the Library of Congress, points to the use of systems analysis and computers to help solve some of the grave problems confronting our society today.

It is important to note that the Nation's massive space effort and defense system is developing tools and techniques that could offer important and significant contributions toward the solution of some of the volatile domestic problems of this country. Government officials at all levels are aware of this potential and have shown interest in using the systems approach to help provide a better environment and greater services to all people.

The Special Subcommittee on the Utilization of Scientific Manpower, which I chaired throughout 1966 and 1967, made a full examination of the potential of systems analysis to solve nondefense problems. From the hearings and from a response to detailed questionnaires sent to State and local government officials, the committee was able to learn how much the systems technology approach was already being used and to what effect.

There was no question that the use of the new techniques in any way substituted for political commitment in devoting the resources to meet the domestic needs. In a forward to the report, the Senator from Texas (Mr. YARBOROUGH), chairman of the Labor and Public Welfare Committee, emphasized the need for a more balanced approach. He noted:

Three years experience with Program Budgeting (PPBS) in Washington and extensive efforts to apply systems technology to domestic social programs has convinced most observers that the systems analysts were accurate when they assigned a more modest role to themselves. We now recognize that the key elements in domestic dilemmas are political, having to do with choice of direction and commitment of resources. And we know that the hard information, crucial to the effective functioning of systems techniques, is simply not available in relation to many of our domestic problems.

However, in those areas where vast amounts of detailed facts must be considered the full use of systems techniques should be made.

The committee report makes an analysis of Federal, State, and local issues where the innovative systems technology was used on such problems as environmental pollution, transportation plan-

ning, housing redevelopment, law enforcement, and health services. A review of past public legislation reflecting encouragement of research, development and utilization of new equipment, and new processes is presented. The activities of congressional committees and subcommittees in their examination of the benefits and limitations of systems technology are discussed, as well as the programs and projects of executive branch departments and agencies. An analysis of a series of hearings of the Senate Special Subcommittee on the Utilization of Scientific Manpower is featured with a study of the questionnaires sent in 1966 and 1968 to the Governors of all 50 States, the mayors of 22 large cities, and officials of certain regional development commissions. Examples of the use of systems, tools, and techniques sent in by State and local officials are included. Finally, questions are offered which may warrant further discussion and action by the Congress.

I wish to commend Robert L. Chartrand, specialist in information sciences for the Legislative Reference Service, who was the principal author and director of the study, and Mrs. Louise Becker, his research assistant, for their effort in preparing this report. It should serve as a reference work for anyone attempting to understand the role of systems technology in solving social problems.

I ask unanimous consent to have printed in the RECORD "Chapter 1, Summary and Conclusions," of the Senate report.

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

I. SUMMARY AND CONCLUSIONS

A. SUMMARY

The contemporary scene is filled with discussion and examples of the application of systems technology to various problem areas—environmental pollution control, transportation planning, housing redevelopment, health and welfare services, law enforcement and administration of justice, manpower and employment planning, and educational programs. In order to cope with these problems, new tools and techniques are being created and adapted; e.g., automatic data processing, simulation and modeling, critical path scheduling, and revamped planning-programming-budgeting methodology.

The U.S. Congress has perceived the seriousness of these interlocking social and community problems and the imperative need for effective policies and programs originating within the Federal Government. Congressional concern has led to an array of public laws to provide direct funding support, grants-in-aid, and technical assistance to State and local governments. In addition, legislation has supported private sector research and development which could lead to the creation of better devices and man-machine techniques for combatting societal problems.

The potential of systems technology for solving these nondefense, nonspace public problems was examined by the Senate Committee on Labor and Public Welfare. In 1965, the Special Subcommittee on the Utilization of Scientific Manpower had been created, under the chairmanship of Senator Gaylord Nelson, of Wisconsin. In order to acquire pertinent factual and interpretive information on the utility of systems technology in a new role, the special subcommittee held four series of hearings. In addition, questionnaires were sent to the 50 States, 22 large

cities, and selected regional development groups to survey the extent to which systems analysis and ADP were being employed.

The principal objective of the special subcommittee, as expressed in formal statements of purpose, news releases, discussions in the Congressional Record, and commentary relevant to key legislation being considered—i.e., S. 430 and S. 467—was that an overall strategy must be conceived. This would allow a marshaling of all necessary national resources to meet the nondefense, nonspace problems affecting the people and institutions of the United States. Systems tools and techniques in particular should be utilized to the fullest extent.

Four critical requirements for future action were identified

First, pertinent information must be acquired regarding those social and community problems where systems methodology and automatic data processing had proven useful, or where it was believed that such techniques and devices would have a high potential as corrective mechanisms. This type of information is fragmentary at best, and has never been collected and arranged so that the researcher and planner might use it. Cognizance also has been taken of the need for regular reporting of such program and project activity, with criteria and standards for the inclusion and formulating of the essential elements of information.

The second vital requirement is a careful review of the state of the art, to be performed in the light of civil sector requirements, both present and future. Experience has shown that many promising techniques, computer programs, and equipments cannot be produced within a reasonable price range, endure the conditions under which they might have to function, nor met the exigencies of some of the problem situations which prevail today. The time and costs required to create or convert technological components responsive to the special needs of the Nation must be measured carefully. Consideration also must be given to simply upgrading existing manual systems through better organization and revised operational procedures. The findings of this survey of equipment and techniques will be of high importance to those responsible for devising corrective programs. An advisory role by private sector representatives, as an evaluation of this sort is performed, would seem both proper and of substantive value.

The third requirement is for a widespread, sustained program of orientation and education for State and city officials, regional functionaries, Federal program managers, and selected leaders from the industrial and academic world. Not only must their technical literacy be improved, but a deeper understanding of the changing environment—with its impact on government and the people—must be instilled. Also, the utilization by State and local government of private resources—as well as the more apparent forms of Federal assistance—must be examined and encouraged. The responsibility for carrying out such educational endeavors does not reside in one place, but will require a well-thought-out, coordinated program on a nationwide basis.

The fourth and final requirement involves legislative action both at the Federal and State levels which can lead to strengthened research and development programs and the initiation of experimental ("pilot") projects designed to apply innovative man-machine techniques and various types of devices (analog measurement, computational, communications) to a selected problem. In many cases, public laws have encouraged the development and use of technology but with no actual provision for funding nor the rendering of technical assistance which might be critical to the continuance or success of a given undertaking. It is recognized that jurisdictional conflicts

may develop as plans emerge or that a promising project may be impaired due to a synchronous budgeting cycles.

Executive branch activity in promoting use of systems technology

The Federal Government has played a role in promoting the use of systems technology in connection with meeting the problems of our times—pollution, urban deterioration, transportation chaos, etc. This Department of Housing and Urban Development provides support to State-local or private sector projects in such diverse areas as the use of computers in housing design and construction, and employing systems analysis in water resource management planning. The Department of Health, Education, and Welfare, in its recent study "Toward a Social Report," emphasizes the need for "social indicators" so that programs for change may be measured for effectiveness. Developmental efforts range from air pollution control measures to planning for the utilization of computer technology in education. Information exchange also has been stressed by HEW; e.g., the MEDLARS (Medical Literature Analysis and Retrieval System) network. The Office of Economic Opportunity also has organized the collection, storage, retrieval, and utilization of Federal assistance information through a computer-oriented information center, and provides key information to its own and other executive branch decisionmakers. Heavy reliance on external consulting groups in the early days of the organization allowed OEO to perceive many social and community problems in a way which allowed counteractions to be mounted quickly.

The Department of Transportation has cooperated with HUD in the preparation of the study on "Tomorrow's Transportation: New Systems for the Future." DOT then took over direction of the nationwide effort. The establishment of national transportation objectives, based on cost-performance planning and drawing heavily on systems technology in their implementation, has caused DOT to consult regularly with all governmental echelons as well as the carriers and labor. The Department of Commerce long has had a charter to collect, maintain, and process demographic, economic, business, scientific, and environmental information. The Economic Development Administration pursues its function of long-range economic development and programing for areas and regions of persistent underemployment. The National Bureau of Standards (through the Institute for Applied Technology) has been among the first to employ computers and systems analysis in manpower planning. The Office of State Technical Services has undertaken to encourage State and local private and public groups to apply science and technology to resources preservation, business welfare, information exchange, and industrial development. Other executive branch organizations include the Bureau of the Budget, the National Science Foundation, the Department of the Interior, and the National Aeronautics and Space Administration.

Congressional committee activity regarding the role of systems technology

With the Congress committees and subcommittees have worked to delineate the issues in a given problem, prepare a course of investigation, schedule hearings through which to solicit advice from recognized experts in the field, and consider proposed legislation on the subject. The pressures of time and public demands for action are often a deterrent to thorough study.

During the past decade, the full potential of systems analysis, mathematical modeling, critical path scheduling, and computer technology has become better understood by congressional elements. Perhaps most importantly, electronic computers and systems

methodology have been demystified and the continuing control by the human being of all systems' decisions reaffirmed.

Two broad areas concerning the role of systems technology have received attention: the planning-programing-budgeting process, and specific problem-oriented system developmental activities. In the former case, the Joint Economic Committee (Subcommittee on Economy in Government) held a series of hearings on "The Planning-Programming-Budgeting System: Progress and Potentials." The PPBS approach was also studied by the Senate Special Subcommittee on the Utilization of Scientific Manpower and the Senate Committee on Government Operations (Subcommittee on National Security and International Operations). The latter group has issued seven committee prints dealing with various aspects of PPBS, ranging from "PPBS and Foreign Affairs" to "Budget Bureau Guidelines of 1968."

Extensive hearings on the "Federal Role in Urban Affairs" were held by the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations. Another pertinent action was the series of hearings on "Creative Federalism" covered by the Subcommittee on Intergovernmental Relations. The application of management science to social problems preoccupied the Subcommittee on Government Research during its hearings, which included one special seminar, on the Full Opportunity and Social Accounting Act (S. 843, 90th Cong., second sess.).

The Senate Select Committee on Small Business, concerned about the impact of technology on the Nation's economy, commissioned the preparation of two special studies by the Science Policy Research Division of the Legislative Reference Service (Library of Congress): "Policy Planning for Technology Transfer" and "Automatic Data Processing and the Small Businessman."

The Joint Economic Committee, aside from its scrutiny of the ways in which PPBS is impacting on Federal authorization-appropriations procedures, has been actively looking at employment and manpower problems in the cities, and through the Subcommittee on Urban Affairs has held hearings on "Urban America: Goals and Problems." The Subcommittee on Economic Progress published a compendium of papers on "Federal Programs for the Development of Human Resources" in 1968.

Environmental pollution has received concentrated attention by the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics. In addition to urging establishment of "systems analysis and management capability" within the Federal Government in order to effect pollution abatement, the subcommittee also has devoted itself to technology assessment, the purpose being to "enable decisions for the public good." In July 1968, a unique "Joint House-Senate Colloquium To Discuss National Policy for the Environment" was sponsored jointly by the House Committee on Science and Astronautics and the Senate Committee on Interior and Insular Affairs.

Another House group concerned about the role of the Federal Government in planning and implementing programs such as sewage treatment, transportation network planning, and pollution control has been the Subcommittee on Research and Technical Programs of the House Committee on Government Operations. In particular, this subcommittee has voiced concern about the small sums being set aside for research and development in these critical areas.

In some instances, hearings were held related to specific legislation; e.g., the hearings conducted by the Senate Special Subcommittee on the Utilization of Scientific Manpower to consider the grants-in-aid approach contained in the Scientific Manpower Utili-

zation Act (S. 430, 90th Cong., first sess.) and the establishment of a National Commission on Public Management (proposed in S. 467 and H.R. 20, 90th Cong., first sess.). The commission device allows the creation of a group which can focus exclusively on a specified problem area.

The Advisory Commission on Intergovernmental Relations has prepared such reports as "Urban and Rural America: Policies for Future Growth." A more recently established body, the National Commission on Urban Problems, has explored in depth the problems of the cities, and has utilized numerous university, industrial, and governmental agency consultants in preparing its final report, "Building the American City." Presidential action has created such groups as the President's Committee on Urban Housing, and Federal-private steps have placed in operation the Intergovernmental Task Force on Information Systems.

The effect of public laws in encouraging the use of systems technology

Legislation passed by recent Congresses in an effort to improve the standard of living throughout the Nation reflects the determination to see that all possible use is made of innovative tools and techniques. Sometimes the terminology will encourage the application of existing advances in technology (e.g., in housing construction); the establishment of information-handling systems using automatic data processing; or the research, development, and testing of "new and advanced technologies." Often the wording is oblique, or only intended to urge an action group to employ better planning methods or more sophisticated equipment. More recently, however, the encouragement is increasingly direct, and may specify that certain action ensue; for example, the duties of the Board of the newly founded Federal Judicial Center include studying and determining "ways in which automatic data processing and systems procedures may be applied to the administration of the courts of the United States."

An analysis of significant legislation featuring provisions for the encouragement of the use of advanced technology was prepared at the direction of the special subcommittee, and comprises one section of this report. Among the public laws resulting from action by recent Congresses, especially the 89th and 90th bodies, featured in this study are the following:

- Demonstration Cities and Metropolitan Development Act (Public Law 89-754).
- Housing and Urban Development Act (Public Law 90-448).
- Water Quality Act (Public Law 89-234).
- Clean Water Restoration Act (Public Law 89-753).
- Solid Waste Disposal Act (Public Law 89-272).
- Air Quality Act (Public Law 90-148).
- Highway Safety Act (Public Law 89-564).
- Urban Mass Transportation Act (Public Law 88-365).
- Law Enforcement Assistance Act (Public Law 89-197).
- Omnibus Crime Control and Safe Streets Act (Public Law 90-351).
- Elementary and Secondary Education Act (Public Law 89-10).
- Manpower Development and Training Act (Public Law 87-415).
- Economic opportunity amendments (Public Law 90-222).

In addition, special attention was given to that legislation which created new agencies responsible for dealing with the varied social and community problems.

Private sector activity in exploring the potential of systems technology

Corporate underwriting of R. & D. projects which show promise of developing new devices and man-machine interactive processes has been on the upswing, and numerous

universities have encouraged interdisciplinary studies and experiments with similar objectives in mind. One proven form of presenting new approaches and discussing alternative technical plans has been the conference, symposium, or seminar. The proliferation of these meetings is testimony to the desire for dialog between involved university, industrial, and government managers, planners, researchers, and implementers. The scope is reflected in the written products; in some instances a special volume such as "Science, Engineering, and the City" may be written as the result of a symposium on the interaction of technology with urban problems. A second form of record may be the publication of proceedings, as was done in the case of the "Conference on Science, Technology, and State Government," jointly sponsored by the National Science Foundation and the Southern Interstate Nuclear Board. A symposium may concentrate on a particular social ill (e.g., the IBM Scientific Symposium on Water and Air Resource Management). Yet another type of written expression may be a book, such as "The Year 2000," which gives evidence of the ongoing work of the Commission of the Year 2000 and also indicates the nature of continuing studies by the Hudson Institute.

As the plethora of public and private forums, writings, proposals, and action mechanisms is surveyed, a question which naturally arises is this: *Should there be a single point of coordination, either in a private entity or situated in a chosen governmental agency, so that a master plan of meetings, topics, and speakers might be created, thus utilizing more effectively the talents and time of the Nation's key personnel?*

In the past, most of the expertise has been applied to the problems of defense and space. President John F. Kennedy was well aware of this imbalance, and in his 1963 Economic Report reminded the Nation that: " * * * in the course of meeting specific challenges so brilliantly, we have paid a price by sharply limiting the scarce scientific and engineering resources available to the civilian sector of the economy."

For all of the exploratory and evaluative efforts exerted thus far by governmental and private sector groups to determine the benefits and limitations from applying systems technology to social and community problems, there still remains an acknowledged need for further, intensive study of the Nation's needs, its institutions and laws, the shifting patterns of living, and the role of systems technology in this ever-changing environment.

B. CONCLUSIONS

The extensive information comprising the basis for this report has been analyzed at the direction of the Senate Special Subcommittee on the Utilization of Scientific Manpower. The incentives for determining how, where, and when to substitute innovative tools and techniques for traditional forms of program planning, management, and operation are very real. The following conclusions suggest themselves as a result of the analysis and data compiled in the report.

1. The essential elements and interacting components of social and community problems must be monitored by some responsible public institution.

2. A comprehensive survey of activities featuring the use of systems tools and techniques must be conducted, and the results formatted and disseminated so that there is widespread cognizance of their nature and implications.

3. The state of the art of operations research, systems analysis, automatic data processing, and related techniques and equipment is swiftly advancing and must be reviewed regularly in the light of established programs and projected needs.

4. Information exchange mechanisms need

to be developed. These should be capable of providing, both on a regularly and ad hoc basis, salient narrative and statistical data on project findings, technical proposals placed before Federal and State agencies, literature citations, and equipment and software development and applications.

5. A master plan, under joint Federal-State sponsorship, for the orientation and education of key personnel regarding the potential of systems technology should be prepared. Participants in the training would include selected Federal Government personnel, State and local officials, and private sector representatives involved in urban planning and program performance.

6. A special evaluative capability at the Federal level to prepare, on a continuing basis, cost-benefit comparisons for proposed technological change is required. This would allow planners to be appraised in advance of the implications of their budgetary and program recommendations.

7. The Congress should consider authorizing and directing Federal departments and agencies to develop systems analysis and ADP capabilities specifically tailored to the requirements of the States and localities.

8. The Congress should determine the usefulness of a formal requirement that State and local governments utilize systems technology in implementing various programs—i.e., housing, highways, pollution control—where Federal funding is involved.

9. The Congress should explore the advantages and disadvantages of granting tax incentives for the electronics and communications industries and "think" groups who develop systems methodologies for the needs of State and local governments.

10. Federal agencies should make available to the States and municipalities their expertise and findings regarding systems technology and its applications to social and community problems, either by deliberate dissemination procedures or through a policy of active cooperation.

BRUGES NATO SEMINAR PIONEERS NIXON'S THIRD DIMENSION CONCEPT

Mr. MUNDT. Mr. President, last week at the College of Europe, in Bruges, Belgium, the free world's first seminar on public administration was inaugurated under the aegis of NATO with a modest supporting grant from the Ford Foundation. Thirty-four participants from 11 of the NATO countries were on hand for the opening of this significant new institute to better equip the middle-level administrators of these NATO countries to do more effectively the governmental tasks which they are assigned to do regularly.

Growing out of the recommendations made by the NATO Parliamentarians Committee on Education, Information, and Cultural Affairs which it is my honor to head as chairman—recommendations, I should add, which were made by our committee on 4 successive years and which were four times approved by the Plenary Sessions of our annual NATO Parliamentarian Conference—this initial Institute on Public Administration for NATO participants was finally funded in time to hold its initial sessions this summer. Joint action by the NATO Council, the Scientific Committee of NATO, and the Ford Foundation—to all of whom we are deeply grateful—made possible the appropriate funding of this year's NATO Summer Institute which it is expected will be repeated annually hereafter.

As chairman of the NATO Committee

on Education, Information, and Cultural Affairs, it was my pleasure last Thursday to address the opening luncheon of this institute along with Rector Henri Brugmans, of the College of Europe, who is the administrator of the institute. Our American Ambassador to NATO, Robert Ellsworth, and Mr. Kasim Gulek of Turkey, President of the North Atlantic Assembly, also addressed the opening luncheon.

I ask unanimous consent that the text of my address to the NATO Public Affairs Institute be printed at this point in my remarks.

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

LEGISLATORS AND ADMINISTRATORS: PARTNERS IN DEMOCRATIC GOVERNMENT

(Remarks made by Senator KARL E. MUNDT, Chairman, Committee on Education, Cultural Affairs and Information, North Atlantic Assembly, to the Seminar on Public Administration, College of Europe, Bruges, Belgium, Aug. 28, 1969)

Members and Friends of the First Seminar on Public Administration:

This occasion is a most happy one. A hope has become a reality. While it would perhaps seem to represent the culmination of only four years of intensive study, planning, and implementation, it actually embodies ideas much older.

Many of us long associated with democratic governments and ideals have appreciated the importance of the international exchange of ideas and the value of working and cooperating together as exemplified by this seminar, and many of us have actively, valiantly, and patiently sought for the seminar's establishment.

I would be remiss if on this occasion I did not recognize the seminar's loyal supporters. These include the former and present officers of the North Atlantic Assembly's Committee on Education, Cultural Affairs and Information, Lady Elliot, Heinz Pohler, and Jacob Aano, along with many other faithful committee members; our good North Atlantic Assembly Secretary-General Philippe Deshormes, Mike Palmer, his Director of Committees and Studies, Rector Brugmans of the College of Europe and his able staff, and my own assistant, Dr. O. W. Farber. Finally, and indispensably, has been the help, financial and otherwise, of Mr. Brosio, Secretary-General of NATO, and NATO Science Committee, and the Ford Foundation. To all these, this seminar is greatly indebted, as well as to our new friends, including U.S. Permanent Representative to NATO Robert Ellsworth and Professor Andre Molitor, who have assisted in the initiation of this project.

Why have we been so concerned about initiating this seminar? Three reasons deserve special mention:

(1) The seminar recognizes that the training of public servants is crucial to the development and maintenance of a democratic society. Indeed, the success or failure of government can depend upon the ability of political and administrative institutions to meet complex and urgent contemporary problems.

(2) NATO governments as leaders in the democratic way of life need to prove by example that democracies can effectively and efficiently meet modern problems at the same time protecting and preserving individual rights.

(3) NATO needs to demonstrate that while it will ever be a protective shield militarily, it also recognizes, as indicated by the NATO symbol itself, the importance of cultural development and bonds, that it has an obligation not only to the Atlantic community but to the world community as well.

This seminar, bringing together a great array of talent from all over the NATO shield will provide for a mutual exchange of ideas to improve government, and this cannot but promote international good will and understanding, as well as national competence. This seminar is a building block for peace as we seek all avenues in the drive to make our world a happier and safer place for all peoples.

In my own case this basic philosophy of bringing peoples together was expressed in the Smith-Mundt Act of 1948. Last year we celebrated the twentieth anniversary of this Act. In the twenty-year period, over 23,650 men and women prominent in foreign, public, professional and cultural life had been brought to the United States. We have much to learn from each other.

No one country has a corner on wisdom, no single population segment has an exclusive mandate to promote human welfare, no one profession has all-embracing overwhelming competence.

If there is one single lesson to be learned from the lunar landing it is the importance of cooperative effort in the attainment of a single, carefully determined goal.

The goals we seek in government are rarely simple and undisputed. To land men on the Moon in the Sea of Tranquility is clear cut and clean cut. To promote improved housing, transportation, or education requires explanation and definition.

Dr. Einstein once remarked that "Politics is more difficult than physics." He understated the problem. A famous sociologist declared, "It is easier to smash an atom than a prejudice."

There was a time, not too long ago, when men were wont to say, "That is as impossible as flying." But the impossible has happened. So too, perhaps some day we will be able to determine goals, evaluate alternatives, and implement decisions by primarily rational means.

At least this seminar is another example of what can be done. It is the result of goal determination and cooperative effort. I would hope that we may here now show how you can learn from each other, update your abilities, broaden your perspectives, and strengthen your faith in the democratic way of life.

As I have said, this seminar represents the genesis of an idea and illustrates the partnership of legislators and administrators, the subject of my remarks.

Back in 1965 at the annual meeting of the Committee on Cultural Affairs & Information of the NATO Parliamentarians, as the committee was then called, a resolution was passed recommending the creation of a study commission to give immediate attention to the feasibility of establishing an educational centre for the training of civil servants, economic and social administrators of any and all nations with particular attention to middle level administration and administrators, democratic administrative techniques and values, the creation of a moderate sized centre staffed by a faculty of high reputation and the close cooperation of NATO and OEC governments in this endeavor.

From the very beginning the Committee has been concerned with not only NATO governments and NATO administrators but with those of underdeveloped countries. It is our feeling that NATO's outreach should be expanded.

From this resolution of 1965 the idea of this seminar has been explored, refined, planned and now implemented. It has involved the expert testimony of directors of training in various NATO governments as well as the work of members of the parliament of the NATO governments as represented on the Committee on Education, Cultural Affairs and Information, some of whom are present here this noon.

In the meeting of our Committee on November 21, 1967, the Honorable Harlan

Cleveland, United States Ambassador to NATO, testified on behalf of the establishment of this seminar. In the course of his testimony Ambassador Cleveland stressed that this is the day and age in which it is very difficult to establish exact categories and draw dividing lines. He pointed out that there is a blurring of the distinction between that which is public and that which is private, suggesting that much of our industry now works with and for government and, by the same token, in governments like ours the individual agencies are in some sense also like practicing businesses.

Ambassador Cleveland also pointed out that there is a blurring in the line between that which is domestic and that which is foreign. It is increasingly difficult to tell with respect to a particular activity whether we are dealing with an international or a domestic problem. I think that this is one of the things that you men here in this seminar are going to discover—that many of your decisions seemingly wholly domestic are really international in character.

I would like to suggest a third blurring of lines—between legislative and administrative functions. I do not for a moment suggest that the responsibilities of legislator and administrator should be merged. But I am suggesting that the legislator needs to be increasingly aware of the problems and limitations of the administrator, just as the administrator needs to be increasingly aware of the problems and limitations of the legislator.

I would point out that together the legislator and the administrator are confronted by the common requirements of a democratic society—to serve people, to enable people to live happily and productively. This means providing conditions where housing is adequate, food supply is sufficient, education is universal, and security prevails. It means creating an environment where individual initiative and private endeavor can flourish. It means sustaining the rule of law embodying justice.

The need for a working partnership of legislators and administrators to achieve democratic goals has never been greater.

Why is this true? Because never in the history of the world have the *rapidity* and *scope* of change been so great.

We have been confronted by a *political* revolution resulting in ever increasing demands on government and greater popular participation by every population segment including youth and minority groups.

We have been engulfed by *economic* trends that have caused great migrations from farm to city, the rise of great urban centers, and the increase in leisure time.

We have had to contend with *psychological* and *social* change resulting in demands for equality and security.

We have been overwhelmed by a *technological* revolution that has carried man to the moon and brought into reality the prospect of such diverse possibilities as robot servants and weather control. To have status, research must be computerized, although to some of us old hands, a recent observation seems in point: "To err is human, to really foul things up requires a computer." (Bill Vaughan, Kansas City Star)

Fortunately to face these awesome developments have been some improvements in administrative techniques and understanding. We have made progress in scientific management. We do understand more about human relations. We do know more about budgeting.

This, in part, is what this seminar is about. It recognizes that:

(1) government cannot be neatly divided like a piece of pie. What you do as administrators affects what policy makers do and can do.

(2) every domestic decision can potentially

affect international relations, for nations and peoples watch each other. On how well democratic nations produce effectively and meet problems will depend the direction which uncommitted nations will take. And,

(3) the complexity of the modern world demands that technical and professional assistance provided by the administrator be reliable and trustworthy. The policy maker needs the very best in help whether the problem be urban or rural, international or domestic, lunar or subterranean.

This, then, is the final thrust of my remarks. The fate of democratic government will depend on how well individually and collectively democratic governments can face the myriad complex problems of this twentieth century world.

How satisfactorily can we adjust the problems of minority groups?

How adequately can we provide need and satisfactory housing?

How sufficiently can food supplies be produced and distributed?

How well clothed will the population be? Will liberty be retained and privacy secured?

How well does our opportunity system serve the economic requirements of our people?

Will peace, both domestic and international, be promoted and maintained?

These are our mutual challenges which create a new interdependence of legislator and administrator. We need new understanding of each others problems.

I come from the Great Plains area of the United States. The Dakotah Indians of South Dakota have a saying, "I will not criticize my neighbor until I have walked a mile in his moccasins." In the United States we have a program whereby a limited number of administrators spend a year in congressional offices. This is a step in the right direction. We need to see problems from the other fellow's point of view. Thus far there is no program whereby congressional staff members may serve in administrative offices. Perhaps this is a program which ought to be explored.

I am convinced that democratic governments can outproduce and outperform totalitarian states. We can do this while maintaining an open society with decisions openly made, responsible administrative system available to all, and a people secure in person and property. We can do this because we are concerned with both ends and means, with goals and organization, and we appreciate the importance of the legislator and administrator team.

Previously I referred to the "genesis" of this seminar. We need to look ahead. Building on this seminar, I would hope we might plan many other seminars. Perhaps we should select specific functional areas as subjects. Perhaps we should think in terms of year around programs. Certainly, we should think in terms of participants from all over the world. Eventually we need to think in terms of a permanent educational centre. The possibilities are limited only by our own vision. In this planning process, the evaluation and aid of this seminar's participants will be of crucial importance.

When Neil Armstrong stepped from the Eagle, he said, "That's one small step for a man, one giant leap for mankind." I would like to think that here in Bruges, in this project, with its recognition of the importance of administration on the one hand, and the need for NATO outreach on the other, we have taken, perhaps not a giant leap, but a real stride forward in the promotion of democratic ideals and institutions, and in the development of the mutual understandings so basic to enduring International Peace.

Mr. MUNDT. Mr. President, for the further information of Congress and the

country, I ask unanimous consent that the address by Rector Brugmans, of the College of Europe, be printed at this point in the RECORD.

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

OPENING REMARKS FOR THE ATLANTIC SEMINAR ON PUBLIC ADMINISTRATION BY RECTOR H. BRUGMANS

This morning, we inaugurate a new type of international seminar—the first, we hope, of a long and fruitful series of encounters between civil servants of the Atlantic nations.

In my capacity as Rector of this College I wish to say a few words at this occasion. Words of satisfaction and of gratitude towards all those who helped in organizing the course. But above all, let me grasp this opportunity to make it clear what we hope to achieve, why we consider this seminar essential, and how we intend to improve its techniques in years to come. In fact, an experiment such as this, always has the charm of anything new and original. But at the same time, it has to be considered a starting point for further analysis, so as to make these study seminars a standing feature in the Western world.

In particular, we count on the participants who are invited to have a general assembly at the end of the course and present us with their criticism, or, rather, with their constructive suggestions.

Nor is such an invitation to those I hesitate to call "students", the consequence of recent University revolts, in the U.S., in France and elsewhere. Since a good many years already, we in Bruges, have been faithful to such principles as: "Consult the Consumers" and "the Customer is King". In fact, this method has yielded excellent results during the seminars we have organized since seven years now, on behalf of a dozen European railway-companies, that want their "coming men" to be regularly recycled. Therefore, do tell us what you have appreciated especially in the program, which topics you would like us to develop more amply in the future and, by contrast, where, in your opinion, the emphasis might have been less considerable. In short, we invite you to have a "maneuver-analysis" before you leave this place.

Now that I have mentioned our railway-courses, which are comparable to yours in many respects, let me try to define a bit more precisely the benefit they have produced and which, we hope, this course will produce as well, be it in an altogether different field.

These benefits are three-fold.

First of all, scientific progress has been so rapid in recent years, that a civil servant, overburdened as he is with his day-to-day responsibilities, can hardly be expected to follow all new developments as they emerge. However, administrative science is not an abstract field of study, apart from administration itself. Quite the opposite: it aims at improving techniques and methods, as well as what one might call the "philosophy" of Administration. In certain countries, daring experiments have been achieved, but they have been ignored elsewhere. As intellectuals, we have to refresh and enlarge what we think we know—and we have to do some international pooling. In other words: we all have a great deal to learn about what happened in the Universities since we left ours—and we have to learn from each other.

Secondly, faithful newspaper-readers though we all are, let us confess that we sometimes feel confused, overwhelmed and bewildered by the world in which we live. Never before did so many events take place and never the techniques of information have been more massive. But never before, the citizen as a citizen had so much reason to feel frustrated. We therefore introduced in

our program a few discussions on such general subjects as "the European idea"; "the Atlantic sub-system" and "disarmament". Let me underline here that the word "discussion" reflects our aims better than "lectures".

Finally, the railway-course has yielded splendid results as far as the creation of a professional "esprit de corps" and the cohesion among colleagues is concerned. Never shall I forget how little some administrators who were supposed to serve the same company, did know in fact about the work that was done in the same building, sometimes even next door. Moreover, colleagues who dealt with the same problems but in different countries had to come to Bruges in order to meet and exchange their experiences. Consequently, a little telephone-call might be sufficient now, in order to solve service-matters, which previously would have required official letters, written in different languages and therefore full of potential misunderstandings. Surely, I do believe in the exactitude of science, but I also realize the unique value of human contacts. This is why we have adopted the community-principle for this course as for others. Living under the same roof and having a relaxed style of personal intercourse is one of the most important features in our enterprise. Let me, at the start, express the hope that all participants will constantly mix together, without forming those national or linguistic groups that are perhaps difficult to avoid during the first two or three days, but should disappear as quickly as possible. In Bruges, there is no inviting power—not even Belgium—and there are no "foreigners" nor "aliens". There are only colleagues.

At this point I might have sat down after having thanked those institutions and personalities who made the planning and setting-up of this course a pleasure. But, being a historian and hardly familiar with administrative science, I wish to abuse my privilege as a chairman in making a few general remarks. In fact, I have tried to learn from the preparatory discussions we had and from the papers which were circulated.

In Europe, contrary to what the situation is in the U.S., administrative science has never been as popular as it should. To some it seems to evoke immediately the association with administrative "law", and many lawyers tell the world that this was the duller section of their juridical studies.

Moreover, in this part of the world, and again in contrast to the American scene, "administration" is frequently considered to be equivalent to bureaucracy, slowness of execution and excessive formalism. A Gallup poll on the subject would probably show, that numerous Europeans have hardly evolved beyond this point made by Balzac, about four generations ago, in his novel *The Peasants*, where he describes the civil services in the following words: "Administration is a gentleman who resembles your obedient servant when he worked for the land registry office"—which means that all civil servants are equally ineffective—"a dignified man in a worn-out redingote who reads a newspaper behind a desk".

This image is of course primitive and obsolete. A more subtle and more dangerous vision can be found in more sophisticated contemporary public opinion, which still sticks to the fiction that "the Government decides, the Parliament controls and the Civil Service executes".

This concept might have been correct in the Nineteenth Century, when the State was still a relatively small body, and no doubt we all admire the ideal image of the impartial administrator, who tries to apply as honestly, nay, as competently as possible, the instructions given from above with which he politically may disagree. Today however, professional virtue is no longer enough. The problem is no longer one of loyalty, but of continuity. In a democracy, where the Gov-

ernment is bound to change, the Civil Service is likely to become the lasting element in the State, the guardian of what used to be called "the public good". Yet, such a notion of so-called "objectivity", embodied by the specialized bureaucracy, would lay the axe at the very roof of democracy. It would, in fact, pave the road for technocracy, and its supporters are likely to fall to the temptation of dictatorial government, which they would feel to be *their* government, much more than the unstable "partitocracy" they despise.

There, surely, lies one of the key-questions of administrative science, of political science in general and even of political practice in our time. Can solutions be found?

In any case, we will find none in looking backward, regretting the "good old days" when the problems debated in Parliament were relatively simple and the Civil Service could believe that it did not have to interfere in politics. Surely, our seminar has not adopted such an archaic approach. It realizes that modern Administration is and has to be *creative* in its own rights, and that the problems involved cannot be solved by putting a brake on an evolution which, in itself, is both inevitable and potentially beneficial. In our view, the help of modern science should be used to the utmost.

For example, when the "System Analysis" presented here tries to find out what the real issues are in such or such a case, and which approaches are imaginable, this means that the Civil Service becomes active in fields which formerly were considered the exclusive hunting-grounds of politicians. Also the "Planning-Programming-Budgeting System", if anything, goes far beyond the purely executive tasks of a faithful but neutral instrument in the hands of whatever Government a country has at a given moment.

However, does this mean that we are bound to face a world as predicted by Saint-Simon, who prophesied that "the administration of things" would replace the "government of men"?

Well, no! What struck me, as a layman, in reading some literature on the subject, is precisely the civic consciousness of the authors, who consider the factor of political choice—choice, that is, on the ground of values and priorities, which means: of convictions—is an indispensable ingredient of modern public life. Science, far from abolishing politics, makes it more enlightened, and Administration, far from making a statesman its mouthpiece, gives him the best possible tools. Only second rate politicians will abdicate before Science or Administration, and try to hide their mediocrities behind the authority of professors, civil servants and so-called experts.

At this point, let me hide behind the authority of Professors David Novick and E. S. Quade. This is what the former says in his paper on "Long-Range Planning through Program-Budgeting": "The goal is not to make the decision analytically, but to do what is possible to aid the judgment of the manager in whom the responsibilities for decision resides". And a few lines further: "He (the analyst) does not attempt to replace the decisionmaker rather his role is to provide information that will let the decisionmaker focus on the real issues and will sharpen the decisionmaker's judgment". Or, in the words of the latter: "The final program recommendation will thus remain in part a matter of faith and judgment". And, to quote another classical formulation from his same report: "What may be novel though, is that this sort of analysis is an attempt to look at the entire problem systematically, with emphasis on explicitness, on qualification and on the recognition of uncertainty".

No "brave new world" could be built on a conception which is both so ambitious and so humble! Political freedom in and through uncertainty, is safe here, since administrative science is not "exact" in the mathe-

matical, or rather Nineteenth Century-sense of the word.

However, what administrative science can and should eliminate, or at least actively combat, is unilateral lobbying and demagoguery, that shameful illness of politics. To illustrate what I mean, I may perhaps refer to a decision-making process which I was able to observe from close-by, long ago, in 1939, when I was a Socialdemocratic member of Parliament.

The issue then was, whether the Netherlands should build heavy or light material to reinforce its navy, in view of the Japanese threat against the East-Indies. At that moment, Socialist ministers had just recently joined the Cabinet—for the first time in the political history of the nation. Although very young in politics, I had to give my highly incompetent advice, since I happened to be a member of the navy committee. What were the strongest pressures to which we were submitted?

They came from three sides.

On the one hand, the majority of the naval establishment strongly supported the battleship-approach. However, a small group of younger officers, placed at the beginning of their career, seemed to prefer the individual command of a submarine, an M.T.B. or an M.G.B., rather than serve in the huge machine of a dreadnought. Nonetheless, the Ministry and the Admiralty supported the heavy material-view.

On the other hand, the Labour Party had an instinctive dislike of this proposal. A few years ago, the German S.P.D. had been bitterly criticized for having accepted the project of building the cruiser "Deutschland": it had even suffered a split at that occasion. Whether or not this was rational, our rank-and-file felt that, although national defense had become inevitable in the face of Hitler, Indonesia was another, a "colonial" matter, and, the "heavier" the project was, the more "militaristic".

Nor was this all. Different industries had calculated which scheme was likely to favour them most and I even found out, much to my surprise, that certain sections of the Labour-movement supported "their" Capitalists—in fact, the big depression of the early thirties was barely over and the fear of unemployment still very vivid indeed.

All this was understandable enough, either from the material or from the psychological point of view, and a politician could of course not ignore such pressures. However, a scientific approach to the question, a cold analysis of ends and means, would have brought in an entirely different reasoning, alien to the actual debate as it went on. That method would have concentrated on the only really decisive question: did we, in 1939, still have the opportunity to build battleships?

In fact, envisaging the problem as it was, merely as a controversy on the technicalities and practicabilities of defense, the only speculation that effectively mattered was, when the war with Japan could be expected. Those who opted for heavy material tacitly implied that peace, if not "for our time", then at least for several years, was a reasonable submission. They took for granted that there would be time enough for the construction of dreadnoughts, for the re-equipment of Surabaya as a naval basis and for the training of specialized officers-crews. A very daring hypothesis indeed, which was hardly ever mentioned by anybody!

To sum up: the political discussion in which I found myself involved was a highly confused one. It lacked objectivity, since all the positions advocated were equally biased, partial and even irresponsible. If "System Analysis" had existed, thirty years ago, I don't pretend it would have made the whole debate without substance, but there would have been less group-egoism, less amateurishness and a great deal more rational thinking.

With this souvenir in mind, I feel seminars like ours can and will greatly contribute to the intellectual purification of our democracies. For that reason, I do not simply consider the subject to be studied here as intellectually fascinating, but as essential for the moral and mental health of our Western life in freedom. Analysis, planning, programming, budgeting: all this is done in order to provoke and conduct organized change. And what else is democracy but just this: a way of adapting ourselves to changing conditions, through the methods of civilized reformism?

With your permission, I would like to make another general observation.

It concerns coordination in modern politics and the Civil Service. Prof. Novick refers to this problem at different occasions. It is surely fundamental, and again let me take an example.

With the European Community, all six governments involved are in favour of integration, at least "en principe". But it is well known that the different ministries pursue a different policy, even at the national level. Not only have national interests, aspirations, and prejudices to be harmonized, but it is no secret that in one of the countries at least, the Department of Agriculture is more progressive than the Foreign Office, the Ministry of Economic Affairs having again a line of its own.

Nor is this necessarily bad. In any case it is probably inevitable. But it seems only too obvious that such rivalries and tensions within one State further complicate the already so complicated task of those who want a United Europe to be brought about. The solution, it seems to me, is an objectivation of aims, such or such a national government really pursues, which means that the main targets have to be identified, after which secondary matters can be recognized as what they are: important, but not decisive. The enemy here is not only confusion, but political self-contradiction and finally paralysis.

The topic of coordination in contemporary public life might be a fascinating one for other courses in years to come.

Finally, let me express our gratitude and appreciation to those who took this initiative and made their contribution in order to have it succeed.

First of all, Senator Karl Mundt, who, with the help of his personal assistant Prof. Farier, from the University of South Dakota, first brought forward the concept—a very simple concept, like all sound ones—that, since the Atlantic nations have to face more or less the same problems, they better pool their intellectual resources in the field of Administration. Then, the Atlantic Assembly, where he expressed his thoughts and found such strong support that a resolution was unanimously passed, in order that this month-course should be prepared in Bruges. Thirdly, the Scientific Committee of that Assembly, and in particular its Chairman, Stortingman Jakob Aano. Furthermore, the Alliance itself, which decided to contribute its moral as well as its financial help. Its generosity is so much the more remarkable, since Military Affairs are not involved. Here I could not possibly by-pass Prof. Randers' role, since he supported the scheme with great competence and enthusiasm in his capacity as Assistant Secretary General for Scientific Affairs. Next on the list: the Ford Foundation which, as usual, wanted to be at the cradle of this baby, as a good and generous fairy. Last but not least, the national government of the N.A.T.O.-countries, without whose blessing and practical aid it would of course have been impossible to send so many civil servants here for not less than four weeks. Obviously, Senator Mundt's idea met with general sympathy, since it corresponded to a recognized need.

But institutions become active and fruitful only if and when their leading repre-

sentatives grasp the point and put their energy into the preparation. Five names emerge here, apart from those already mentioned.

Philippe Deshormes, Secretary-General of the Atlantic Assembly, who did a great deal of persuasion-work and asked two of his collaborators, Messrs. Palmer and Knight, not only to follow the efforts made, but to participate in the thinking and organization. Prof. André Molitor, our scientific advisor, who was with us from the very beginning, when the first exchange of ideas took place, a bit more than a year ago, in this very room. Dr. Ed. Pouillet, the Director of Studies, who teaches at Louvain-University, but, at the same time did so much to introduce P.P.B.S. into the practice of Belgian Administration. And all concerned will agree that nothing would have been achieved if we had not been lucky enough to mobilize the secretarial energy of M. Chabert on a full-time basis.

Without the comprehension and devotion of all these institutions and individuals, the scheme would have remained a bright idea—and the world is full of them, only a relatively small proportion being put into practice.

So we are thankful and confident. But at the same time somewhat nervous. What starts today is an adventure, and its inspiration is too noble, the sympathy met is too widespread, then that we could allow ourselves to fall. The field, I think, is well-prepared. But the operation has still to be carried out, which means that, in spite of all planning, programming and budgeting, there is always room for surprise, even disagreeable surprise. Plans, we know, are made in order to be changed in the course of action. But who could even change a plan that had not been made in advance?

In the name of the College of Europe, which is proud to welcome you here today, I simply say, as if to the sailors starting on a voyage of discovery: "Good luck to all of you, and here we go!"

Mr. MUNDT. Mr. President, on the occasion of the meeting of the North Atlantic Council held in Washington last April, President Richard Nixon delivered a memorable address devoted to the past accomplishments and the future potential of NATO. Unfortunately, President Nixon's address was not widely reported in the American press although it received considerable favorable publicity in other NATO countries.

During Mr. Nixon's address as he looked to the future, our President suggested that the time was here when NATO must begin initiating and emphasizing new cooperative projects and policies in order to fulfill its maximum service to both itself and the rest of the free world. President Nixon alluded to these new activities as the "third dimension" which must become a part of the NATO program.

Nixon said it was no longer enough for NATO to serve as a protective military shield against possible Communist aggression and as an organization to provide better economic and political cooperation and conditions for the members of the North American alliance but that as we look forward to the second 20 years we should also involve NATO in helping to meet the challenges involved in improving our social environments, the opportunities and happiness levels of our respective people, and in solving the problems related to better living conditions, better health, better education, better housing, et cetera, throughout our

NATO community and throughout the free world.

President Nixon put the whole new concept succinctly when he said here in Washington last April:

I believe we should build an alliance strong enough to deter those who might threaten war; close enough to provide for continuous and far-reaching consultation; trusting enough to accept a diversity of views; realistic enough to deal with the world as it is; flexible enough to explore new channels of constructive cooperation.

All of these objectives President Nixon grouped together as a part of the new "third dimension" to be attained by NATO.

Mr. President, the new Institute of Public Affairs at Bruges, Belgium, is four-square with the new challenges Mr. Nixon made to NATO last April. We now have in operation a mechanism by which public administrators of the NATO countries can learn from each other, can educate each other, and can inspire and challenge each other to advance toward higher levels of human understanding and of better living.

Moreover, and very importantly, our NATO Committee on Education, Information and Cultural Affairs from the very start 4 years ago has recommended the expansion of the Public Affairs Seminar or Institute to include participation at NATO's expense of public administrators invited from several of the underdeveloped or developing countries of the world especially those of Africa and Asia. We hope next year at the second annual NATO Public Affairs Institute to initiate this expanded circle of participation so that NATO can reach out beyond its own periphery to help other countries to evolve improved and more efficient administrative and governmental practices and policies.

We who have worked in NATO for many years welcome the enlightened new challenges proposed by President Nixon and firmly believe that the new program inaugurated by NATO at the College of Europe in Bruges, Belgium, is a forerunner and a demonstration of a more productive future for NATO as it truly measures up to its potentials in dealing with the "third dimension" of its expanded areas of opportunity.

Mr. President, I ask unanimous consent to have printed in the RECORD the address delivered by President Nixon to the North Atlantic Council in Washington on the occasion of its 20th anniversary meeting.

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

PRESIDENT NIXON'S ADDRESS TO THE COMMEMORATIVE SESSION OF THE NORTH ATLANTIC COUNCIL

WASHINGTON, April 10.—As we gather here today, we celebrate a momentous anniversary. We celebrate one of the great successes of the postwar world. Twenty years ago, a few dedicated men gathered here in Washington to cement an Atlantic partnership between the older nations of Europe and their offspring here in the New World—and in this room, the North Atlantic Treaty was signed. Some of the men who gathered then are here again today—and if they would stand, I think we all, with hindsight, would like to salute their foresight.

At this anniversary, we especially honor the memory of one of NATO's great champions: the general who commanded the armies that liberated Europe; the first Supreme Commander of the Forces of NATO; the American President who did so much to keep NATO strong and to give life to its principles—Dwight David Eisenhower.

His life demonstrated that there is a moral force in the world which can move men and nations. There is a spiritual force, lodged in very roots of man's being.

As for NATO, it is precisely because it has always been more than a military alliance that its strength has been greater than the strength of arms. This alliance represents a moral force which, if we marshal it, will enable our efforts. Dwight Eisenhower was a great humanist, and also a great realist. If he were with us today, he would have recognized that together, as men of the old world and of the new world, we must find ways of living in the real world.

As we know too well, that real world includes men driven by suspicion, men who would take advantage of their neighbors, men who confuse the pursuit of happiness with the pursuit of power.

It also is peopled with men of good will, men of peace and hope and vision.

No nation, and no community of nations, is made up entirely of one or the other. No part of the world has a monopoly on wisdom or virtue.

Those who think simply in terms of "good" nations and "bad" nations—of a world of staunch allies and sworn enemies—live in a world of their own. Imprisoned by stereotypes, they do not live in the real world.

On the other hand, those who believe that all it takes to submerge national self-interest is a little better communication; those who think that all that stands in the way of international brotherhood is stubborn leadership—they, too, live in a world of their own. Misled by wishful thinking, they do not live in the real world.

Two decades ago, the men who founded NATO faced the truth of their times; as a result, the western world prospers in freedom. We must follow their example by once again facing the truth—not of earlier times, but of our own.

Living in the real world of today means recognizing the sometimes differing interests of the western nations, while never losing sight of our great common purposes.

Living in the real world of today means understanding and unfreezing our old concepts of east versus west, while never losing sight of great ideological differences.

We can afford neither to blind our eyes with hatred, nor to distort our vision with rose-colored glasses. The real world is too much with us to permit either stereotyped reacting or wishful thinking to lay waste our powers.

Let us, then, count ourselves among the hopeful realists. In this same spirit of hopeful realism, let us look at NATO today.

We find it strong but challenged. We find disputes about its structure, political divisions among its members, reluctance to meet prescribed force quotas. Many people on both sides of the Atlantic find NATO anachronistic, something quaint and familiar and a bit old-fashioned.

As the alliance begins its third decade, therefore, there are certain fundamentals to be reaffirmed:

First: NATO is needed; and the American commitment to NATO will remain in force and remain strong. We in America continue to consider Europe's security as our own.

Second: having succeeded in its original purpose, the alliance must adapt to the conditions of success. With less of the original cement of fear, we must force new bonds to maintain our unity.

Third: when NATO was founded, the mere fact of cooperation among the western na-

tions was of tremendous significance, both symbolically and substantively. Now the symbol is not enough; we need substance. The alliance today will be judged by the content of its cooperation, not merely by its form.

Fourth: The allies have learned to concert their military forces; now, in the light of the vast military, economic and political changes of two decades, we must devise better means of harmonizing our policies.

Fifth: By its nature, ours is more than a military alliance; and the time has come to turn a part of our attention to those non-military areas in which we all could benefit from increased collaboration.

What does all this mean for the future of the Western alliance? To deal with the real world, we cannot respond to changing conditions merely by changing our words. We have to adapt our actions.

It is not enough to talk of flexible response, if at the same time we reduce our flexibility by cutting back on conventional forces.

It is not enough to talk of relaxing tension, unless we keep in mind that twenty years of tension were not caused by superficial misunderstandings. A change of mood is useful if it reflects some change of mind about political purpose.

It is not enough to talk of European security in the abstract; we must know the elements of insecurity and how to remove them. Conferences are useful if they deal with concrete issues, which means they must be carefully prepared.

It is not enough to talk of detente, unless at the same time we anticipate the need for giving it the genuine political content that would prevent detente from becoming delusion. To take one example, a number of America's Western partners have actively supported the idea of strategic arms control talks with the Soviet Union. I agree; when such talks are held, we shall work diligently for their success.

Within our alliance, however, we must recognize that this would imply a military relationship far different from the one that existed when NATO was founded. In plain words, the West does not have the massive nuclear predominance today that it once had, and any sort of broad-based arms agreement with the Soviets would codify the present balance.

How would progress toward arms control affect the nature of consultation within our alliance?

Up to now, our discussions have mainly had to do with tactics—ways and means of carrying out the provisions of a treaty drawn a generation ago. We have discussed clauses in proposed treaties; in the negotiations to come, we must go beyond these to the processes which these future treaties will set in motion. We must shake off our preoccupation with formal structure to bring into focus a common world view.

Of course there is a diversity of policies and interests among the Western nations; of course these differences must be respected. But in shaping the strategies of peace, these differences need not block the way—not if we break through to a new and deeper form of political consultation.

To be specific, the forthcoming arms talks will be a test of the ability of the Western nations to shape a common strategy. The United States fully intends to undertake deep and genuine consultation with its allies both before and during any negotiations directly affecting their interests. That is a pledge I shall honor—and I expect to consult at length on the implications of anything that might affect the pattern of East-West relations.

In passing that test together, this alliance will give new meaning to the principle of mutual consultation. To seize the moment that this opportunity presents, we would do well to create new machinery for Western political consultation, as well as to make

greater use of the machinery we already have:

First, I suggest that Deputy Foreign Ministers meet periodically for a high-level review of major, long-range problems before the alliance.

Second, I suggest creation of a special political planning group, not to duplicate the work now being done by the council or by the senior political advisors, but to address itself specifically and continually to the longer-range problems we face. This would by no means preclude efforts to develop a fuller European cooperation. On the contrary, we in the United States would welcome that cooperation. What ties us to Europe is not weakness or division among our partners, but community of interest with them.

Third, I strongly urge that we recreate a committee on the challenges of modern society, responsible to the Deputy Ministers, to explore ways in which the experience and resources of the Western nations could most effectively be marshalled toward improving the quality of life of our peoples. That new goal is provided for in article II of our treaty, but it has never been the center of our concerns. Let me put my proposal in the context of our times:

On my recent trip to Europe, I met with world leaders and private citizens alike. I was struck by the fact that our discussions were not limited to military or political matters. More often than not, our talks turned to those matters deeply relevant to our societies: The legitimate unrest of young people, the frustration of the gap between generations, the need for a new sense of idealism and purpose in coping with an automating world.

These were not subjects apart from the concerns of NATO; indeed, they went to the very heart of the real world we live in. We are not allies because we are bound by treaty; we bind ourselves by treaty because we are allied in meeting common purposes and common concerns.

For 20 years, our nations have provided for the military defense of Western Europe. For 20 years, we have held political consultations.

Now the alliance of the west needs a third dimension. It needs not only a strong military dimension to provide for the common defense; not only a more profound political dimension, to shape a strategy of peace; but it also needs a social dimension, to deal with our concern for the quality of life in this final third of the twentieth century.

This concern is manifested many ways: culturally and technologically, through the humanities and the sciences.

The western nations share common ideals, and a common heritage. We are all advanced societies, sharing the benefits and the gathering torments of a rapidly advancing industrial technology. The industrial nations share no challenge more urgent than that of bringing 20th-century man and his environment to terms with one another—of making the world fit for man, and helping man learn how to remain in harmony with his rapidly changing world.

We in the United States have much to learn from the experiences of our Atlantic allies in their handling of internal matters: the care of infant children in West Germany; the "New Towns" policy of Great Britain; the development of depressed areas programs in Italy; the great skill of the Dutch in dealing with high-density areas; the effectiveness of urban planning by local governments in Norway; and the experience of the French in metropolitan planning.

Having forged a working partnership, we all have a unique opportunity to pool our skills, our intellects and our inventiveness in finding new ways to use technology to enhance our environments, and not to destroy them.

The world of this committee would not be competitive with any being carried on by

other international agencies. Neither would it be our purpose to limit this cooperation and the benefits that flow from it to our own countries. Quite the opposite; our purpose would be to share both ideas and benefits, recognizing that these problems have no national or regional boundaries. This could become the most positive dimension of the alliance, opening creative new channels to all the rest of the world.

When I visited the North Atlantic Council in Brussels, I posed the question: "In today's world, what kind of an alliance shall we strive to build?"

Today, I have sketched out some of the approaches that I believe the Alliance should take.

I believe we must build an Alliance strong enough to deter those who might threaten war; close enough to provide for continuous and far-reaching consultation; trusting enough to accept a diversity of views; realistic enough to deal with the world as it is; flexible enough to explore new channels of constructive cooperation.

Addressing the North Atlantic Council ten years ago in this same room, President Eisenhower spoke of the need for unity. There is not much strength in one finger of a hand, he said. But, when five fingers are balled into a fist, you have a very considerable instrument of defense.

We need such an instrument of defense; the United States will bear its fair share in keeping NATO strong.

All of us are also ready, as conditions change, to turn that fist into a hand of friendship.

NATO means more than arms, troop levels, consultative bodies, treaty commitments. All of these are necessary. But what makes them relevant to the future is what the Alliance stands for. To discover what this western Alliance means today, we have to reach back not across two decades but through the centuries, to the very roots of the western experience. When we do, we find that we touch a set of elemental ideals, eloquent in their simplicity, majestic in their humanity; ideals of decency, and justice, and liberty, and respect for the rights of our fellow men. Simple, yes; and to us they seem obvious. But our forebears struggled for centuries to win them, and in our own lifetimes we have had to fight to defend them.

These ideals are what NATO was created to protect. It is to these, on this proud anniversary, that we are privileged to consecrate the Alliance anew. These ideals—and the firmness of our dedication to them—give NATO's concept its nobility, and NATO's backbone its steel.

DEATH OF MRS. MINNIE B. KENNEDY

Mr. THURMOND. Mr. President, South Carolina recently lost one of its most distinguished citizens—Mrs. Minnie B. Kennedy, who died in Aiken, S.C., August 9.

One of the first to urge adult education in South Carolina, she founded adult night classes in Aiken County in 1913 and continued as director of adult education until 1967. Her teaching career spanned 50 years and she was chairman of the Aiken County Board of Education for 24 years. In 1963, she was honored at a banquet by then Gov. Donald Russell and citizens from throughout Aiken County for having served 72 years as an educator. The Minnie B. Kennedy Junior High School in Aiken is named in her honor.

Mrs. Kennedy dreamed of countless boys and girls and men and women being educated, and she transferred that dream into a reality. She had the ex-

traordinary ability to make people believe in themselves and work toward their betterment. For the sterling qualities which she exhibited, she was loved by those she served. This love by others is perhaps the highest tribute to her.

Mrs. Kennedy is survived by a brother, a son, and a daughter. Her brother, Senator Edgar Brown, of Barnwell, is chairman of the finance committee of the State senate and president pro tempore of that body and is one of the most prominent political leaders in South Carolina. Her son, Dr. Finley A. Kennedy, a resident of Aiken, is one of the most distinguished medical doctors in South Carolina, and her daughter, Mrs. W. C. Wolfe, Jr., is an outstanding citizen of Orangeburg. In 1950, she was named South Carolina Mother of the Year.

Mr. President, she was a woman of high ideals and lofty character who will be greatly missed by the people of South Carolina, and I ask unanimous consent that the following articles be printed in the RECORD at the conclusion of my remarks: "Minnie Brown Kennedy," the Aiken Standard & Review, Aiken, S.C., August 13, 1969; "Aiken Educator, Minnie Kennedy Dies," the Aiken Standard & Review, Aiken, S.C., August 11, 1969; "The 1950 State Mother, Mrs. Kennedy, Dies," the State, Columbia, S.C., August 9, 1969; "Mrs. Kennedy Is Honored With Tribute," the State, Columbia, S.C., September 27, 1963; "Mrs. E. P. Kennedy," the Augusta Chronicle, Augusta, Ga., August 10, 1969.

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

[From the Aiken (S.C.) Standard & Review, Aug. 13, 1969]

MINNIE BROWN KENNEDY

Death last week claimed one of Aiken's most important citizens.

Mrs. Minnie Brown Kennedy was known to thousands of Aikenites and all who knew her held her in highest esteem and respect.

As an educator, she exercised an unexcelled influence over the lives of hundreds of young men and women, many of whom today occupy places of prominence in Aiken and over the country.

We mourn her departure from our midst. Her death is a community-wide loss. To the members of her family we extend our sympathies.

[From the Aiken (S.C.) Standard & Review, Aug. 11, 1969]

AIKEN EDUCATOR MINNIE KENNEDY DIES; RITES HELD

Mrs. Minnie Brown Kennedy, 93, widow of Edward P. Kennedy of Laurens Street, N.W., died in Aiken County Hospital Friday after a long illness.

Funeral services were held Saturday at 3 p.m. in St. John's United Methodist Church. The Rev. M. B. Hudnall officiated. He was assisted by the Rev. L. Porter Anderson. Burial was in Bethany Cemetery.

Survivors include a daughter, Mrs. W. C. Wolfe of Orangeburg. A second daughter, Mrs. M. H. McKnight of North Augusta, died in 1968; a son, Dr. Finley A. Kennedy of Aiken; a brother, Sen. Edgar Brown of Barnwell; three granddaughters, Mrs. Lenoard Yaun of Aiken, Mrs. Don Pennington of Nashville, Tenn., Mrs. Gary P. Hunter of Tacoma, Wash.; two grandsons, W. C. Wolfe III of Orangeburg and Mason H. McKnight of North Augusta.

A native of Aiken County, Mrs. Kennedy was a daughter of the late A. A. and Eliza-

beth Howard Brown. She was a member of St. John's Church.

In 1963 Mrs. Kennedy was honored at a banquet by South Carolina's Gov. Donald Russell and citizens of Aiken County for having served 72 years as an educator. At the time she was 87. She had started teaching at age 15, after having successfully stood a teachers examination.

Mrs. Kennedy was one of the first to urge adult education in South Carolina, and founded adult night classes in Aiken County in 1913. She continued as director of adult education until 1967.

A member of the Aiken County Board of Education for 27 years, she was board chairman for 24 years until her retirement in March 1963.

Her teaching career spanned 50 years, and she served in schools at Gloverville, Eureka, and China Springs. Aiken's Minnie B. Kennedy Junior High School is named for her.

Mrs. Kennedy was named South Carolina's Mother of the Year in 1950.

[From the Columbia (S.C.) State, Aug. 9, 1969]

THE 1950 STATE MOTHER Mrs. KENNEDY DIES

AIKEN.—Mrs. Minnie Brown Kennedy, state Mother of the Year in 1950 and sister of Sen. Edgar Brown of Barnwell, died Friday in the Aiken County hospital.

An educator in Aiken County since the turn of the century, Mrs. Kennedy started teaching when she was 15 years old after successfully completing a teacher's examination.

In 1963, she was honored at a banquet by former Gov. Donald S. Russell and citizens from throughout Aiken County for having served 72 years as an educator. Her actual teaching career covered 50 years. Aiken's Minnie B. Kennedy Junior High School was named for her.

Mrs. Kennedy was one of the first educators in the state to urge adult education and founded adult night classes in Aiken County in 1913. She continued as director of adult education in the county until 1967.

A member of the Aiken County board of education for 27 years, she served as chairman for 20 years until her retirement in 1963.

A native of Aiken County, she was a daughter of the late A. A. and Elizabeth Howard Brown.

Funeral services will be Saturday at 3 p.m. in St. Johns United Methodist Church.

Surviving are a daughter, Mrs. W. C. Wolfe Jr. of Orangeburg; a son, Dr. Finley A. Kennedy of Aiken; and a brother, Sen. Brown. George Funeral Home is in charge.

[From the Columbia (S.C.) State, Sept. 27, 1969]

Mrs. KENNEDY IS HONORED WITH TRIBUTE

(By Ernestine B. Law)

AIKEN.—Mrs. Minnie B. Kennedy was described by Gov. Donald Russell as "a woman who gave reality to a dream" when more than 350 persons gathered here Thursday night to pay tribute to an educator who has given more than 50 years of her life in service to Aiken County.

"No idea, no movement, no ideal can succeed unless there is behind it a driving force," Gov. Russell said. "Mrs. Kennedy translated into reality a dream in order that countless boys and girls and men and women might be educated. . . . I pay deserving tribute to one who has served so faithfully, so consistently and so long for such a worthwhile cause in South Carolina."

State officials, fellow teachers, former pupils and scores of townspeople joined to express appreciation to a woman who has served as a classroom teacher, founder of Aiken County's adult education center, and chairman of the County Board of Education for 20 years.

There was no speech making, but all who

arose to pay tribute to Mrs. Kennedy, the sister of State Sen. Edgar Brown of Barnwell, expressed the same feeling of sincere appreciation to a woman who spent her life in unselfish service for the young and old as expressed by the Rev. Max Christopher, who gave the invocation.

A life-long friend, Mrs. Annie B. King, publisher of the Aiken Standard and Review, presented Mrs. Kennedy a gift of sterling silver goblets on behalf of her friends—"sterling to simulate the pure qualities of your life and goblets to signify the overflowing of our love."

C. P. Marsh of the County Board of Education, presented Mrs. Kennedy a photograph of the Minnie B. Kennedy Junior High School which was built here last year and named in her honor.

[From the Augusta (Ga.) Chronicle, Aug. 10, 1969]

Mrs. E. P. KENNEDY

The death of Mrs. E. P. Kennedy of Aiken will possibly be sincerely mourned by more persons who were direct beneficiaries of her influence than could any other lady of her time in this area.

She was the mother and the sister of prominent people, yet the degree to which she was well and lovingly known did not depend on that circumstance. In her 93 years of life she had compiled her own individual record of service in an educational career which was distinctly outstanding. That career of 72 years included 50 years of teaching and 27 years on the Aiken County Board of Education, of which she was chairman for 20 years. She founded adult night classes in Aiken in 1913 and was director of adult education until 1967. Her achievement was recognized, in other ways, by the 1950 title of South Carolina Mother of the Year, and by the naming for her of Aiken's Minnie B. Kennedy Junior High School.

But no career of such impressiveness is possible without extraordinary qualities, and it is those qualities for which she will long be remembered. They were indicated in 1963 at a banquet in her honor when then-Gov. Donald Russell said she was "the kind of person who translates dreams into reality."

Gentle and quiet-spoken, Mrs. Kennedy had that ability to believe in people in such a way as to make them believe in themselves. Hundreds who had to drop out of school during the Depression were able later to get better jobs because she encouraged them to undertake adult study courses that led to high school diplomas or to job skills.

As civic leader Audley H. Ward said at the 1963 banquet, "It is a glorious achievement to have served thousands of people . . . to be so loved by the people you have served."

THE PESTICIDE PERIL—XLIV

Mr. NELSON. Mr. President, shortly after Congress adjourned in August, the U.S. Department of Agriculture announced that the use of certain pesticides would be restricted in the agency's Federal-State pesticide control programs.

It is encouraging that the Department is finally taking steps to put its own pesticide house in order. The Department has long been disappointingly lax in providing the national leadership in sensible pesticide use that Congress charged it with several decades ago.

The Agency's decision to delay action on pest control programs at airports is most unfortunate. There is ample evidence to support the setting of sanctions on airport pesticide programs as well as to move toward improving the restrictions on the use of persistent, toxic pesticides by the general public.

With volumes of scientific evidence on pesticide contamination already available, it is extremely difficult to justify further study and review. The Secretary of Agriculture should not withhold his Department's plan any longer to stop the use of DDT in aquatic areas and for aerial dusting. He should also release a specific timetable canceling the registration for all the uses of DDT except those absolutely necessary for the protection of human health.

Despite the recognized need to develop additional alternatives to DDT and other hard pesticides, the Department has failed to mount an all-out research effort in this area. A spokesman for the Agricultural Research Service has admitted to me that the Department's program for improved means of nonchemical pest control is presently underfunded by at least \$4 million. These funds could be used this year by the Department but were not included in the budget submitted to Congress. The research areas being shortchanged include biological control, hormonal techniques, natural plant resistance, and cultural control.

I ask unanimous consent that a Department news release outlining the Agency's action to be printed in the RECORD.

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

USDA CUTS BACK USE OF PERSISTENT PESTICIDES IN CONTROL PROGRAMS

WASHINGTON, August 15, 1969.—Acting Secretary of Agriculture J. Phil Campbell today announced that some persistent pesticides will be replaced by less persistent pesticides for certain uses in the Department's cooperative Federal-State pest control programs.

"These changes in the uses of persistent pesticides are in line with the Department of Agriculture's continuing concern for the quality of our environment, consistent with our responsibilities for the protection of crops and livestock, people and their homes from harmful, destructive pests," Acting Secretary Campbell said.

This action is being taken following an intensive use-by-use review of these programs in conjunction with a 30-day suspension of USDA pest control operations announced last month. The Federal Committee on Pest Control has reviewed and concurred in the program reductions in the use of persistent pesticides proposed by the Department. Its members have suggested a number of modifications in program plans, all of which were accepted by the Department of Agriculture.

Acting Secretary Campbell said that the July 9 suspension of Department pest control operations at military and civilian airports has been continued for another 30 days to allow time for complete interdepartmental review of these programs.

The private use of pesticides is not affected by either the original suspension order or any subsequent curtailment of certain uses in Federal control activities.

In regard to the Federal-State programs, the pesticides dieldrin and heptachlor will be replaced with chlordane in the Japanese beetle and European chafer control projects. In addition, the uses of dieldrin and DDT will be reduced in the White-fringed beetle program. For most uses, chlordane, a less toxic, less persistent, and narrower spectrum pesticide, will be substituted. Chlordane is generally considered to be less hazardous to wildlife than dieldrin or heptachlor.

Where regulatory action is required to protect interstate shipment of nursery stock, the use of dieldrin under carefully supervised programs will be permitted.

The Department will use toxaphene for range caterpillar control in New Mexico, if the caterpillar infestation develops there. Suspension of the use of endrin treated tree seeds by the Forest Service is being continued, pending further study.

"In examining our programs on a case-by-case basis, we have retained the uses of persistent pesticides only in those instances where there are no effective, less persistent alternatives," Mr. Campbell stated. "We must continue to use those chemicals which can provide effective as well as safe protection not only for important crops but also for home lawns and gardens."

Federal-State pest control programs are designed to prevent the spread of destructive pests from one area of the Nation into other non-infested areas. The Japanese beetle is presently found in 22 States east of the Mississippi River, with its westward advance halted at St. Louis, Mo. If allowed to spread, it could do extensive damage all across the country.

White-fringed beetle is found in Alabama, Florida, Georgia, Louisiana, Mississippi, Arkansas, North Carolina, and Virginia. If unchecked, this beetle could become established as far north as Philadelphia, Pennsylvania, and as far west as Oakland, Calif. This extremely destructive pest attacks all major field and garden crops.

Discovered in the United States in 1940, European chafer now infests one and a quarter million acres in six States: Connecticut, Massachusetts, New York, New Jersey, Ohio, and Pennsylvania. It damages lawns, gardens, golf courses in urban areas, and all grasses and small grain crops.

PREROGATIVES ESTABLISHED IN RELATION TO THE SOVEREIGNTY OF THE NATION-STATE ON HUMAN RIGHTS COVENANTS

Mr. PROXMIRE. Mr. President, from the very beginning of the inclusion of human rights concepts into the Charter of the United Nations, the United States has been diligently concerned with respect to the area of domestic versus international implementation of human rights covenants.

In April 1945, the United Nations Conference on International Organization was held in San Francisco. During the course of the conference the problem and concept of human rights was discussed extensively by the delegates. There was a great deal of interest among the nations present at San Francisco over human rights, but few came as well prepared as the United States to translate that interest into legal provisions in the charter. There developed a general concern among many governments—particularly the United States—over the degree to which the United Nations could exert these prerogatives in relation to the sovereignty of the nation-state. This concern led to the insertion in the charter of a "domestic jurisdiction" clause—article 2, paragraph 7—denying the organization authority to "intervene in matters which are essentially within the domestic jurisdiction of any state." Therefore, there existed at this time a very keen awareness and understanding of the limits to which the United Nations could impose itself on the nation-state.

The Universal Declaration of Human Rights was adopted by the U.N. General Assembly on December 10, 1948. The United States voted in the affirmative along with 47 other countries.

The atrocities of the Second World

War invoked our national conscience and undoubtedly played a key role in the adoption of the Universal Declaration. But our memories, unfortunately, are all too short. In the past 20 years, opponents of ratification have thrown up straw-man arguments against the Human Rights Conventions and these have carried the day.

Mr. President, it is time to clear the air. Let us ratify the Human Rights Conventions against Genocide, and for Political Rights of Women and Forced Labor without further delay. Atrocities still exist in the world today, and perhaps will continue to exist as long as there is credence to the theory of the dark side of man, but let us at least as a nation stir ourselves toward a greater standard of achievement.

THE EVERGLADES

Mr. NELSON. Mr. President, the national concern for the future of Everglades National Park is developing rapidly. I think it is increasingly clear that more and more Americans are realizing the grave dangers threatening this unique national resource, and are determined that adequate steps be taken to protect it before it is too late.

In recent weeks, some especially good articles have been done on the Everglades situation by national publications and columnists. These well-researched, well-written pieces are especially informative on the history and current status of the Everglades issue, and I ask unanimous consent that they be reprinted in the RECORD at this point.

The articles are by Robert Cahn, in the Christian Science Monitor; by Rowland Evans, Jr., and Robert Novak; by John D. MacDonald, in Life magazine; in the Living Wilderness, published by the Wilderness Society; in Look magazine; and in Time magazine.

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

[From the Christian Science Monitor, Aug. 12, 1969]

UDALL TEAM TO SCOUT EFFECT OF MIAMI JETPORT ON EVERGLADES

(By Robert Cahn)

WASHINGTON.—Pressure exerted by national conservation groups on Florida growth developments that threaten Everglades National Park appears to be having its first major effect.

As a result, one of the biggest Everglades problems—that of a major international airport planned near the park—may be heading toward a solution.

It is too early to count any chickens. But at least the Dade County (Miami area) Port Authority has pulled back temporarily.

ASSURANCE SOUGHT

The occasion for guarded optimism is the announcement by the Dade County Board of Commissioners, which also functions as the port authority, that the Overview consulting firm headed by former Interior Secretary Stewart L. Udall has been hired to prepare "a balanced plan of development which will mitigate or eliminate possible adverse effects" of the proposed airport.

And, more importantly, the commission has adopted a formal resolution not to expand the present training airport under construction until there has been assurance "that such facility would not irreversibly

harm the Everglades National Park" or the adjoining state conservation area.

Even if the airport problem could be worked out, possibly by the selection of another site, the survival of the park would still be threatened by lack of a guarantee of a sustained water supply, water pollution, poaching of alligators, and encroachment from development of private lands within the park boundary and outside the northwest boundary of the park.

FLIGHT-TRAINING RELIEF

The airport problem presents the most immediate threat, however. It comes from the action of the Dade County Port Authority in building a jet-training airport on a 39-square mile area just north of the park, without holding public hearings or making adequate studies of environmental effects on the park.

The first runway is scheduled for fall completion, and the jetport is planned to relieve the Miami International Airport of jet-training flights which now make up 35 percent of the airport's operation.

On April, a combination of national conservation organizations and other groups representing 3 million citizens formed an ad hoc coalition to fight the "jetport" and the announced intention of Dade County and Collier County officials to build on the site a massive international airport larger than the New York Kennedy complex.

"CONCERN" NOTED

The announcement by the Dade County commissioners is its biggest action in answer to these criticisms.

The press release issued in Miami noted that the recent action of the commissioners in authorizing the jetport "has caused concern that the jetport and possible development around it might have adverse effects upon the Everglades National Park." The release added that under the terms of the contract, the Udall group would study all issues in overall context with no strings or restrictions attached.

"We are not seeking a paper plan, but a balanced action program that can win acceptance by the citizens of Florida and the nation as a whole," the commission statement said. "The commission wants to make sure that the future transportation network will not impair the ecology of the park or the environment of the region."

FIRM'S FIRST CONTRACT

This is the first contract signed by the new Udall-led company. The former Interior Secretary, who became a leading national conservation figure, realizes his own reputation, and that of the company, will be at stake in the Everglades study.

In an interview here, Mr. Udall said he personally would direct the project and indicated that he does not intend to produce only a "paper" plan that could be buried on someone's desk.

"Part of our job will be to arrive at a solution and then try to get it implemented," Mr. Udall said. "We will work on the politics of the situation and on trying to obtain public understanding of the problem and the proposed solutions."

As a first phase, Mr. Udall has hired Dr. Frank Craighead, one of the leading authorities on Everglades ecology, to head a 90-day study on the problems. Working with Dr. Craighead will be two young men who worked in 1968 as White House Fellows at the Department of the Interior and the Department of Transportation, John McGinty and Gerhard L. Snyder.

After this study has been made, Overview will then bring in a task force of outstanding national experts to propose solutions to the problem.

ANOTHER SITE SUGGESTED

Although Mr. Udall would not discuss his present ideas for solving the problem, many conservationists hold that the only possible

acceptable solution is to find another site for the proposed large airport.

It is possible that ways can be found to mitigate the environmental harm from the jet-training airport, especially if it is not expanded. But the environmental effects of a major international airport on the site north of the park, with its transportation network, influx of satellite industry, and development of new towns, might mean the eventual ruin of the park.

In another recent Everglades development, the United States Department of Transportation (DOT) is being criticized for giving another \$163,000 for the jetport while the department is supposed to be conducting a study with the Department of the Interior on the jetport's potential harmful environmental effects. Under the Johnson administration, DOT gave \$500,000 toward jetport construction. The Volpe administration earlier this year approved a \$200,000 grant for research on high-speed ground transport between the proposed new airport and the nearby metropolitan areas of Miami and Tampa.

SPENDING FREEZE URGED

The latest DOT grant is for landing lights on the jetport runway.

Sen. Gaylord Nelson (D) of Wisconsin advocates a moratorium on all federal spending on the airport.

"It is incredible that the Department of Transportation has released \$163,000 in new lighting for the airport," Senator Nelson said. "Not only does this grant make a farce of the DOT-Interior study, but it further confirms the urgent need for the President's Environmental Quality Council to bring the Departments of Interior and Transportation and the Army Corps of Engineers to work out a solution to the jetport and for a water supply which will ensure that the Everglades National Park will not be destroyed."

COUNCIL LEADERSHIP ASKED

Senator Nelson has proposed to the Senate public-works subcommittee that Corps of Engineers appropriations for central and southern flood-control-district projects be suspended until a formal agreement can be made to guarantee the park's future water supply.

In a letter to Dr. Lee A. DuBridge, presidential science adviser and executive secretary of the Cabinet-level Environmental Quality Council, Senator Nelson urged that the council take the leadership in settling Everglades problems.

"I was pleased to see that in the May 29 press conference announcing the establishment of the council you took note of the President's deep interest in the preservation of the Everglades," the Senator said in his letter. "You also noted that through the council necessary action could be taken at the top levels of the government to resolve the tough environmental problems that come up. Everglades is just such a problem. It is a test of whether or not we are really committed in this country to protecting our environment."

IS NIXON A CONSERVATIONIST? WATCH DECISION ON NEW JETPORT

(By Rowland Evans Jr. and Robert Novak)

WASHINGTON.—President Nixon will soon give the first clear sign of his future course on politically explosive conservationist questions when he decides whether to protect the irreplaceable Everglades National Park in southern Florida from a huge new jetport.

The reason the President himself has to decide is a sharp backstage disagreement inside the administration. The Interior Department, surprisingly conservationist under Secretary Walter Hickel, not only opposes the jetport but is insisting privately that federal law prevents the Transportation Department from approving it. Secretary John Volpe's Transportation Department, favoring the jetport, vigorously disagrees. Thus, if the

jetport is to be blocked, it will be up to Nixon.

Immediately at stake is a priceless national resource. Sen. Gaylord Nelson of Wisconsin, a leading conservationist, charged during a Senate Interior Committee hearing that construction of the jetport would be "a disaster and the end of the Everglades as a unique wilderness."

But beyond the Everglades, the White House decision will be an unmistakable sign of its direction in the increasingly political issue of environmental control. While pleased by Hickel's new interest in these issues, conservationists in and out of Congress are watching the Everglades case as it reveals presidential policy.

The Interior Department joined the issue inside the administration on May 29 when it wrote a privately circulated legal opinion, contending that Section 4F of the Transportation Act bars Volpe from approving any project endangering a national park unless he can prove the project is essential and there is no alternative site. In the case of the Florida jetport, say Interior Department officials, no such proof has been offered.

But at the Transportation Department, 15 blocks away, the law is read differently. Volpe's lawyers say he has no legal authority to deny federal sanction to the jetport or refuse navigational guidance for it.

Thus, it is clear that the Transportation Department will not impede jetport development unless there is White House intervention. "If we get President Nixon on our side," an Interior Department official told us, "we might be able to stop this jetport. If we don't, we haven't got a chance."

Backing up the Transportation Department are major airlines who see the jetport as essential to ease overcrowded conditions at Miami Airport, 36 miles away. The jetport's first runway will open next month as a training facility for Miami-based pilots and crews with 150,000 annual training flights planned for the single runway.

If this were the extent of the jetport, conservationists would not be so apprehensive. But Interior Department officials are convinced that Dade County (Miami) envisions the biggest jetport in the world—the major airline terminus of the Southeast, capable of handling new jumbo jets and futuristic supersonic transports. The construction that would proliferate around such an airport would doom Everglades Park, polluting its waters and destroying its unique ecology.

Actually, a decision in favor of the jetport was made at the Transportation Department long before the Republicans took over. During the Johnson administration, the Federal Aviation Administration (FAA)—part of the Transportation Department—granted \$500,000 to the Dade County Port Authority to start the jetport.

Moreover, the Transportation Department's lame duck Democratic officials last December approved—but did not announce—an additional \$200,000 grant for research on high-speed ground transport from Miami and Tampa. Word leaked out only when Dade County officials announced a \$200,000 contract for the study to TRW Inc., the giant construction firm.

But the Transportation Department under Volpe shows no basic disagreement with those decisions. It has just approved another \$163,000 grant for landing lights on the existing single runway—thereby antagonizing Sens. Nelson and Henry M. Jackson of Washington, the Interior Committee chairman, who had criticized the earlier \$700,000 in grants made without studying their impact on the environment.

Nor are conservationists reassured by the fact the new Federal Aviation administrator, John H. Shaffer, was a TRW vice president when the company won the jetport study contract. Shaffer told us he had "no great responsibility" for the project at TRW but declined to say whether he would disqualify

himself on conflict-of-interest grounds in future FAA decisions about the jetport.

But Shaffer did sign the most recent \$163,000 grant, and the Transportation Department clearly means to forge ahead with the jetport. With the airlines and powerful Florida interests eagerly awaiting a multi-million dollar transportation complex, the conservationists must pin their last hopes on Nixon.

[From Life magazine]

THE EVERGLADES

(By John D. MacDonald)

In the beginning you do not see very much or hear very much, and you do not understand.

Then one afternoon there was no movement of the air. There was heat, sweat and a silence so vast that when I heard a mosquito near my ear, it was exactly like a night sound of long ago in Mexico, hearing a truck in its lowest gear whining down the mountains miles away. A thunderstorm moved toward me and toward the west. By the time it began to stir the air in hot gusty puffs, it was a startling indigo wall across the world, a constant rumbling, and I stood in strange golden yellow light waiting for it.

Cooler air then, and good wind, with each gust making its own shape as it came across the saw-grass pastures. At pink lightning banging down, and then the oncoming roar from far away of the smashing, drenching rain. When it ended, I could hear the same roar, receding, hurrying west. Incredible smell of a well-washed twilight, and 10 trillion frogs and toads and peepers welling into a deafening rain-chorus. Birds in that straight, no-nonsense flight pattern of heading for the rookery. Fragile insects flying. (How did they escape the smashing rain?) Some blooms closing, and leaves folding, and other blooms, spicier, opening on the hammocks and uplands where the tree frogs are.

Then I began to understand that it is not memorable fragments, but a complex unity, all of it a savage and symmetrical pattern of interwoven, interdependent lives, from gator to gnat, from bald cypress to microdot of green algae, from giant metallic dragonfly to spider-shaped invisibility of the redbug. It is a complexity which took eons to style and plan itself for this special place, climate, condition, through unending trial and error.

Now we are on the brink of destroying that complex unity. Experts in such matters—biologists, hydrologists, geologists—have all come to the same alarming conclusion: if we proceed with the plans to establish a commercial jetport squarely across the last natural watershed in south central Florida, we will kill what is left of the Everglades, kill the Everglades National Park, upset the water tables and the water supply in all south Florida, cripple the shrimp industry, stunt commercial and sports fishing, invite salt intrusion and possibly even alter the very climate of the Florida peninsula.

The jetport tract, all 39 square miles of it, is 45 miles west of Miami, about 55 miles east of Naples on the gulf, roughly a third of it in Dade County, the rest across the line to the west in Collier County. In late September of 1968, less than a week after the first parcels of land were acquired by condemnation proceedings, the Dade County Port Authority at Miami let a contract for a two-mile east-west jet training runway with taxi strips and aprons. The strip is completed. It is the first phase of the plan to build the world's largest jetport—big enough to enclose Los Angeles Airport, Dulles, Kennedy, San Francisco and a cluster of several smaller fields as well. Federal funding for this monster project could exceed half a billion dollars.

The commercial-political-financial establishments of Dade, Collier and Monroe counties are sweaty with the excitement of a new boom, huge profits, explosive growth. Every bit of this silent wilderness land around

the jetport site is privately owned, and much of it has already changed hands in heavy-risk commitments. One Miami real estate agent has assembled a package almost as big as the proposed jetport itself for a single corporate buyer. Collier County leaders have stated in Naples that they intend to make the jetport area the largest industrial center in Florida, and boosters are already talking about such projects as cutting a deep-water canal from the gulf to the jetport to barge in the jet fuel and construction materials, and getting the authorized extension of Interstate 75 from Tampa to Miami officially realigned to bisect the jetport, with a thousand-foot right-of-way from the gulf to the Atlantic.

The Everglades National Park is already in such fragile condition that only by the most careful planning could it be nurtured back to health and stability. So why save a sick park when it stands in the way of progress?

If it were merely that it is a unique 1.4 million-acre wonderland, visited by over a million people a year, merely an eerie, silent environment for gator, wood ibis and tree snail, one might be able to make some kind of a feeble case for the proposed jetport location. But over the last 40 years the U.S. Army Corps of Engineers has demonstrated for all of us what the death of the Everglades might mean.

The Engineers came clanking into the central Florida area in the late 1920s and built the Herbert Hoover Dike to tame Lake Okeechobee, arbitrarily lowered the water level of the lake by five feet, and later dug arrow-straight canals to help the gentle meandering rivers carry the fresh sweet rainwater more hastily into the sea.

Rainfall is the secret of the Everglades, of the park, of all south Florida. It averages 63 inches a year, falling mostly during the subtropical rainy season from gigantic thunderstorms grumbling and banging and drenching their crisscross pattern through the great river of saw grass, then trickling and seeping its way down the long gentle slope from the central lakes and rivers, through the saw-grass prairies with their island hammocks of cypress, live oak and palmetto, down to the semicircle of mangrove coast bordering Florida Bay and the gulf from Biscayne Bay to the Ten Thousand Islands. This slow movement effectively extends the nourishment of the rainy season into the dry season, and the only source of fresh water for south Florida is the rainfall.

The Engineers kept "improving" things, shutting the life-giving water into the sea when there was more water than the drained and filled cane lands, pasture lands, vegetable lands south of the dike system needed. But there are cycles of wet years and dry years, and during the dry years, the rain-deprived Glades began to parch and burn, because the Corps of Engineers had stolen its margin of safety.

The worst disaster came during the Second World War. By 1945 the Everglades was burning night and day, and the people on both coasts were choking in acrid smoke, watching water wells turn brackish, canals dry up, salt intruding into the soil at the rate of 1,000 feet a day as tides came up the canals; watching cattle die, and groves die, and tomatoes and sugarcane die. They demanded that somebody do something.

So a Water Control District System was established in Dade County, and by 1947 the Corps of Engineers began establishing a Flood Control District. A vast system of canals, dikes and gates was constructed in Florida's eastern watershed so that water could be diverted from the Everglades Park during dry spells, and excess water dumped on the park during wet spells. So now the park, as Art Marshall, a biologist with the Bureau of Sports Fisheries, puts it, "gets instant drought or instant flood."

The effect on the park has not been happy. Thanks to man's management and the work

of the Army Corps of Engineers, the other level has fluctuated from one bad extreme to the water and decimated the park's plant life and wildlife.

When the Glades die, not only is there destructive salt intrusion (from the ocean waters backing up into the park), but the exquisitely productive balance of the brackish estuaries in the mangrove hem of the wide skirt of the park is also upset. According to a University of Florida study, this skirt is "one of the richest breeding grounds for marine life on the continent."

Despite the obvious lessons of the immediate past, the Corps not long ago got around to "improving" the lovely meandering Kissimmee River flowing into Lake Okeechobee from the north. They straightened it, diked its marshy banks, turned it into a sandy-banked drainage ditch. Now heavy rains that took weeks to crest down into the lake can come racing down in a matter of days or hours, as if the Engineers sought to justify the flood control system by arranging for a higher incidence of floods. This enables them to shunt even more runoff water into the Glades and park when least needed, and run even more off into the Atlantic Ocean.

Now that the Corps of Engineers has turned the water supply system into the eastern watershed into a menace instead of a blessing, the only hope left for the Everglades Park is the western watershed, which up until now has retained a reasonably natural seepage-flow from Big Cypress Swamp north of the western end of the park. It has been survival insurance, to some limited extent.

The jumbo jetport will go right in the path of this ancient flow, and even if great care is taken within the jetport areas to keep that flow moving as naturally as possible, the urban growth and industrialization around the jetport would make such concern futile.

It is the entire complex that will finish off the park, mostly by dramatically altering the volume and the characteristics of the essential water flow. That southward flow will be used water, treated and released. It will leave so much nitrogen-compound nutrient from animal and human waste in the water that, according to Frank Nix, longtime hydrologist at the park, the explosive growth of undesirable algae would crowd out the natural algae, fundamental to the life support system of the Glades and the park.

In addition to water pollution, there will be soil pollution—the inevitable fallout from the unburned components of jet fuel, inefficiently consumed at low altitudes, and unburned fuel jettisoned in emergency situations.

Nor is jet noise compatible with that strange and unique flavor of the Everglades, with a silence so brooding and intense that the sudden slap-splash of a feeding fish is as startling as an explosion. What such noise might do to the reproduction rate of the wild birds, already diminished thanks to the ingestion of DDT in the food chain, is not yet known, but one could hardly expect it to be beneficial.

The Everglades and the national park cannot survive this final insult. The ramifications of the death of an entire ecological system have always been more grave, more far-reaching, more deadly to man himself than anyone realized until the process of decay was too far along to be reversed.

Conservation efforts, concerned with water tables and marine productivity as well as with the existence of one of the great national parks of the world, are met with the customary amused, patronizing derision typical of all such opposition.

William Burrows, writing in a big national travel magazine's recent special gee-whiz issue about air travel, makes the condescending observation that the proposed jetport in the Everglades "makes almost everyone happy except conservationists. The latter are afraid that planes winging over the

swamps may collide with wood storks and dump excess fuel on alligators, turkeys, wild hogs, and other animals."

Alan Stewart, director of the Port Authority, lumps all the bird life in the park into one species called "yellow-bellied sapsuckers" and calls the conservationists "butterfly chasers." Stewart says that cities always rise up around airports. "If the conservationists want to stop industrial and commercial development," he says, "they are going to have to save their pennies and buy up the land."

On the 23rd of last April, 19 national conservation organizations, including Audubon, Sierra, National Wildlife Federation and the Natural Area Council, demanded a construction halt at the jetport. A letter was sent to Department of Transportation Secretary Volpe urging that he stop the construction by cutting off federal funding.

At this point, the Senate Committee on Interior and Insular Affairs scheduled hearings on the potential environmental problems of the jetport. During these hearings, Transportation Secretary Volpe and Interior Secretary Hickel authorized a special study under Dr. Luna Leopold, senior scientist of the U.S. Geological Survey, directing a team of scientists to examine in detail the threat of harm to the park. The study team used a three-stage approach to the problem—possible damage by the jet training port alone, possible damage by the training port plus the passenger jetport, and possible damage by the jetport plus the urbanization-industrialization of the surrounding privately owned lands, where the surveyors are now so busily aligning their transit bubbles and driving their county stakes.

The report, which has now been completed and will soon be officially submitted to Volpe and Hickel, indicates that the present jet training port will cause progressive damage to the park, and if the passenger jetport is built, the destruction will be irreversible.

Meanwhile, the Dade County Board of Commissioners has hired former Interior Secretary Stewart Udall to prepare a plan for mitigating or eliminating adverse effects of the proposed jetport and to consider alternate sites. Conservationists hope that Udall's proposals will point to the same conclusion as Dr. Leopold's report—that the only solution for the jetport is not to build it at the present site.

This time the decision can be made before death occurs. The equation is simple, clear and elegant. Is this the place where, finally, we stop brutalizing our environment in the name of that sort of progress which makes things quite different—but never any better, and usually worse than we could have believed?

[From the Living Wilderness]

JETPORT AND THE EVERGLADES—LIFE OR RUNAWAY?

The Florida Dade County Port Authority's search for an airport site, as it first came to the attention of Miami newspaper readers in 1967, seemed to contemplate one of modest proportions—or so it would seem in the light of subsequent developments. The airport was said to be needed by commercial airlines for training jet pilots. However, the plan burgeoned in subsequent months. It grew into a project for a mammoth airport, intended to relieve congestion at Miami International Airport, to accommodate commercial operations, including supersonic transport.

One of the sites considered was Conservation Area 3A, just north of the Tamiami Trail (U.S. Route 41)—the northern boundary of the Everglades National Park. The Conservation Area site was eventually dropped from consideration when the Central and Southern Florida Flood Control District (FCFD) objected that siting an airport here was incompatible with the water conservation purpose of the area.

The site for the jetport eventually settled

upon an area 6 miles north of the Everglades National Park's 40-Mile Bend Ranger Station. The eastern boundary would be nearly common with the west boundary of Conservation Area 3A, and would lie almost midway between the two coasts, approximately 50 miles from Miami via the Tamiami Trail.

Not only has construction for a 39-square mile airport actually started, but a 10,000-foot airstrip approaches completion as this is written. It is scheduled to begin use in September 1969 as a jet training strip.

Reactions against the entire proposal have begun to take on force. The Superintendent of Everglades National Park had warned the Port Authority in March 1967 that intrusion and noise from overflights and close-by operation of jet aircraft could cause wildlife dislocations, abandonment of habitat, and consequent alteration of the Park for visitor use; intrusion and noise would be inimical to the wilderness of the Park that Congress specifically sought to perpetuate in the Act of 1934 which authorized the Park. The Park was established in 1947.

Continued efforts by the Park Superintendent, in communications with both the Dade County Port Authority and the Federal Aviation Agency, brought no satisfactory results.

Access to the airport brings up additional problems. Initially the Tamiami Trail was considered as an access route. Enlarging the Trail to four lanes had already been contemplated. However, a new access route appeared on a sketch map early in 1968. This new route, currently referred to as a transportation corridor, was expanded in the plans into a 1,000-foot right-of-way which would include extension of Interstate 75 from its present terminus in Tampa. Included in the route, currently referred to as a transportation system, power lines, pipe lines, and possibly water transportation facilities. The alignment of the transportation corridor would run one mile north of the Tamiami Trail, parallel with it, but converging with the Trail at 50-mile Bend.

There have been other variations of the planned access corridor, including one which would have bisected the jetport, after traversing the lower end of Conservation Area 3A, subdividing it with an additional pool. This plan was reconsidered—at least for the present—after strong objections, led by FCD's Chairman, Robert W. Padrick.

THE PROBLEMS

Apart from concern for the Everglades National Park, which is crucial, the jetport is controversial as a threat to the quality of the environment and natural beauty, and for its anticipated impact upon the ecology of the area. No apparent regional planning has been undertaken; no apparent effort to study the impact of the jetport and resulting urbanization on the environment, and on the present and resulting socio-economic structure, has been made.

The problem is complicated because of the lack of quantitative data with regard to certain specific questions. Nearly every aspect involves certain and undoubted environmental disturbance, whose consequences are generally predictable, but whose magnitude is not known. It is not possible to translate qualitative data, often speculative, into quantitative data with the precision required by the planners of highways and airports. Thus it is not possible to evaluate accommodations which may be made or considered for resolution of the problems.

Noise will affect the quality of the visitor's experience in the Conservation Areas, and even more so in the Park, which is expected to come in large part under the 1964 Wilderness Law. An ambient level of 20-40 decibels (db) may be tolerable; normal street levels of 50-90 db are incompatible with a wilderness experience. Noise from overflights (estimated at 250,000 training operations annually in late 1970, even before conventional flights begin), and noise emanat-

ing from the jetport, would obviously be even more unacceptable. A jet takeoff rates 150 db at close range, and about 117 db on the apron. By 1980, it is projected, there will be 900,000 operations; between one and two planes will land or take off every minute of every day of the year.

Few studies of the reactions of wildlife to noise have been made in the Park. Thus, it is not known to what extent jet noise will affect or disrupt animal habitats or reproduction processes. In 1968, public protests forced Miami International Airport to prohibit local training flights between 10 p.m. and 7 a.m. Of the new site, Federal Aviation Agency's Miami area manager said, "Nobody will be close enough to complain—except possibly, alligators." However one might interpret the reaction of alligators, it is certain that Park visitors will be vividly aware of the noise pollution, and the negation of a wilderness experience.

Water encompasses a large number of concerns: flow, quantity, and quality, among others.

Lower peninsular Florida is drained primarily by two drainageways: The Big Cypress Swamp and The Everglades. Big Cypress drains almost as a sheet with hardly any clearly defined watercourses, whereas The Everglades has its primary water course in the Shark River. The Everglades, above Tamiami Trail, is essentially fully controlled and managed within the conservation areas of the Central and Southern Florida Flood Control Project. These conservation areas, which lie directly under the take-off paths for aircraft using the proposed jetport, are shallow water storage basins from which Everglades National Park receives a vital part of its water needs.

Under agreement with the Corps of Engineers, management of the conservation areas rests with the State's Central and Southern Florida Flood Control District (FCD), and includes recreational uses. The Florida State Game and Fresh Water Fish Commission, by agreement with the FCD, manages fish, game, and related wildlife in Conservation Areas 2 and 3. Everglades National Park requires an annual minimum flow of 315,000 acre-feet from the project, of which 260,000 acre-feet is to be released at varying rates approximating natural flows and natural flow-time through the lower end of the FCD-managed Conservation Area 3A for flow into the Shark River.

West of Conservation Area 3A, directly under the landing paths of aircraft that will use the jetport, is the Big Cypress Swamp, a sparsely developed area which covers most of Collier County. The Big Cypress is the Park's second major overland flow source of water. Developers with national sales campaigns have subdivisions under construction in some of the swamp's westerly area. Drainage is generally south, and flow enters the Gulf of Mexico, roughly from Naples on the north to Lostmans River in Everglades National Park on the south. Minimum annual water requirements for the Park from Big Cypress Swamp have been estimated at 157,000 acre-feet. Thus, more than one-third of the Park's surface water supply comes from Big Cypress Swamp.

Natural drainage patterns and flow-volume-time relationships can be altered by colossal construction projects, such as the jetport and the interstate highway, and the resulting urbanization and industrial section of the surrounding lands. Because of the physical character of the land, which is covered by water most of the year, the total volume of water is not likely to be changed appreciably, if at all, by construction. As the surface area is not increased, evaporation would not increase, except that in dry periods, when the water table has dropped below land surface, borrow pits and canals (necessary for construction in this swampy area) will expose the water table and evaporation could be extensive. The estimated **evapotranspiration** losses in parts of

the Central and Southern Flood Control project area is as high as 80 per cent of the rainfall. Drainage canals increase the velocity of runoff without necessarily altering the volume of water. The essential factor in the maintenance of swamp and everglades is the exceedingly low velocity of the runoff. Moving the water faster enables the land to be drained more quickly, altering immediately the environment of the Big Cypress. Also, by moving this water faster, water arrives at the Park and at the estuaries earlier in time and in relatively greater volume, but the duration of water cover is shorter. This results in longer dry periods between the shorter wet periods. The consequence is also to alter environments.

With a projected population of as much as 1,500,000 people who will live and work in the satellite communities that will follow jetport and transportation developments, an additional 150 square miles are likely to be drained for urban and industrial uses. Culverts at regular intervals in the highways and under the runways, and a network of collecting canals designed to redistribute the water by overbank spilling, can simulate the natural flow except for the factor of time.

Designs that collect all the water at one or two places are not likely to meet natural conditions. Nearly all the water collected would have to be discharged across Park boundaries. The National Park Service would undoubtedly resist the pressure to issue permits for construction of ditches, canals, or other works in the Federally-owned area of the Park or the area over which it has unquestioned jurisdiction, but it may be another matter in those areas over which the United States jurisdiction is imperfect; further, the United States does not own sufficient land here to prevent entry. Peculiarities of the laws affecting Everglades National Park split the Park's jurisdiction in the most threatened area, and further provisions make it possible to put pressure on the Service to grant easements for canals draining the land adjacent to the Park.

Drainage works, by lowering the water table, drain the organic soils so that they dry, oxidize, burn, or are otherwise raised into the air as dust. Dust is a climatological influence; dust particles are nuclei around which suspended water droplets collect as fog and may on occasion affect airport use. Smoke from peat soil fires could have similar effects. To control dust and prevent fire, it may be necessary to plant and irrigate cover grasses or crops. Water for this purpose would most likely come from the Central and Southern Florida Flood Project, or directly from the ground water. In either case, both airport and subdivisions then become competitors with the Park for project water, and even for the ground water, because the shallow surface water and shallow aquifer are fractions of the same water body. Transpiration may be altered by the choice of cover crops. If a dust palliative is laid, crop water may be saved, but runoff will be greatly accelerated.

Pollution is most frequently associated with water; there is a tendency to overlook other media which carry pollution, such as air. Particulate matter, vapors, and odors are obnoxious pollutants whose sources would include exhaust and other wastes from aircraft landing or taking off, from automobiles and trucks on the new highways, from industrial and commercial processes developed in connection with the airport, and from services to the new residential/industrial communities. Air pollution may change the vegetation and restrict the range of wildlife. Noise pollution has already been discussed.

Water pollution poses a critical threat to the Park's survival. Aircraft, when landing, taxiing, and taking off, are relatively inefficient in their combustion of fuels, and the exhausts will carry great amounts of unburned hydrocarbons, oxides of nitrogen,

carbon monoxide, aldehydes, and so on. As the landings and takeoffs will be over the Big Cypress Swamp area west of the airport, and over the conservation area east of it, unburned jet fuel and other wastes will fall from the air and be deposited on the waters. As subdivisions develop, they will produce sewage which, even after treatment in plants of advanced designs, may still yield effluents greatly enriched in nitrates and phenols. These effluents will be added to the waters of the region. The airport and the industrial plants will also produce sewage and other wastes which will require sophisticated treatment to render the water relatively safe. As land surfaces are drained for subdivisions, substantial portions of this land will become lawns. Some land may become farms. Fertilizers are needed to nourish the thin peat-marl soils, and rapid water removal caused by the area's development will carry the highly enriched runoff into the Park. The developed areas and their environs will be subjected to massive insect control programs, adding insecticides to the air and ultimately to the water. Water control programs frequently require noxious weed controls and this will introduce herbicides into this water.

Assuming that the water meets minimum water quality standards for Type 1 waters in the State of Florida, it may nevertheless be unsatisfactory in the Park because it will be different from water in which the Park biota exist. For example, levels of dissolved oxygen, nitrogen, phenols, and other constituents which separately are deemed to be satisfactory for fish, may nevertheless be lethal to fish because of their damaging effects on the more delicate food web on which the fish depend.

While the water in the conservation areas is less likely to be contaminated with industrial wastes, it is likely to carry a large amount of jet exhaust wastes, as well as fertilizers, pesticides, and herbicides from the adjacent agricultural areas, which drain to the conservation areas.

If the water is found to be unacceptable for Park purposes, one may say it should be collected and discharged, wasted, directly to the Gulf of Mexico. Discharge to the conservation areas would be unacceptable since the water from these areas ultimately flows into the Park. In any event, water will be contaminated and the biological environment receiving this water will be altered.

If the contaminated water is rejected, the Park will not receive its vitally needed supply. The alternatives, therefore, may be either to accept the polluted waters and the consequent alteration of the ecosystems, or deny the Park water and, through dehydration, create another form of ecological alteration. If one presumes that the bypassed water will be collected and discharged to the Gulf of Mexico, a deficiency in the Park's water will result which would require that an additional 157,000 acre-feet per year be withdrawn from the flood control project to maintain the present ecosystem unaltered.

It is difficult to state in quantitative terms the magnitude of pollution that will be experienced or the level which can be tolerated. It is apparent that changes will occur. It has already been observed that biological changes occur with the replacement of one type of algae for another as a response to enriched waters. The resulting exchange is at variance with resident ecosystems.

Pesticide levels found in tissue of certain small fish examined from the Park are already alarmingly high. As pesticides are now being found in the Southern Florida air, one can expect the jet fuel fallout will effect an increase in DDT precipitation from the air, resulting in increased water pollution to the Park.

PLANNING REQUIREMENTS

Section 4(f) of the Transportation Act, as amended in 1968, prohibits the Secretary of Transportation from approving any transportation project, such as the proposed Miami

Jetport, which requires the use of publicly owned land from parks, recreation areas, or wildlife and waterfowl refuges of National or State significance unless:

- (1) there is no feasible alternative, and
- (2) the project includes all possible planning to minimize harm to the park, recreation area, or wildlife and waterfowl area.

The proposed Miami Jetport necessarily requires navigation easements over Conservation Area No. 3A (which is a State recreation area and refuge), and over Everglades National Park. It is, therefore, subject to the prohibitions of Section 4(f) of the Transportation Act, easements being—by legal definition—a use in, or over, the lands of another.

Although the jetport sponsors have carried on consultations with park, recreation, and wildlife agencies and interest, the feasibility of alternatives *has never been determined*, and the project *definitely has not included* all possible planning to minimize harm to the Park.

The Department of Transportation, in what is apparently a violation of the Transportation Act, has already approved the construction of the training runway, and has provided a large grant for a study of high-speed ground transportation to operate principally between Miami and the jetport.

The applicability of Section 4(f) to the jetport project has been brought to the attention of the Department of Transportation by the Bureau of Outdoor Recreation, the Department of the Interior's coordinating agency for Section 4(f) matters. To date, however, no satisfactory resolution of the problems has been achieved.

Interior agencies have been working closely on this problem. In addition to the Bureau of Outdoor Recreation and the National Park Service, whose interests are apparent, the Bureau of Sport Fisheries and Wildlife is concerned with the bird and game fish populations. Over 21 rare and endangered species of wildlife use this area as habitat for at least part of the year. The Bureau of Commercial Fisheries has an interest in the shrimp and commercial fisheries whose habitat includes estuaries dependent upon the quality and timely arrival of fresh water inflow from Big Cypress Swamp and Shark River.

In addition to these, agencies within the U.S. Public Health Service have expressed interest. The Central and Southern Florida Flood Control Project is being constructed by the Corps of Engineers and managed by the Central and Southern Florida Flood Control District, a State agency. The Department of Housing and Urban Development, although not immediately involved, could well have an interest if the rapid and massive development, as predicted, occurs.

The Bureau of Indian Affairs has an interest in the welfare of the Miccosukee Tribe, which occupies a strip of land along the Tamiami Trail in the Everglades National Park. The plight of the Miccosukee, as a consequence of the jetport and the access corridor, is especially tragic. They have, for the most part, been living in isolation on their native hammocks, although a number live along the Tamiami Trail in Everglades National Park, and have only recently organized under a Tribal Constitution. They will suffer displacement and drastic attrition of their pursuits. The airport is overrunning their Green Corn Hammock, where the traditional Green Corn ritual has been held for the purification of body and soul. Morally or legally, the rights of the Miccosukee to peaceful tenure are being trampled. The transportation corridor will eliminate the little bit of income they have derived from tourists on the Tamiami Trail. In general, the major developments in the area will disrupt their socio-economic life and may very well obliterate the group as an entity.

Emphatically, we must recognize that, for all the efforts at amelioration or accommodation that might be made, the proposed jet-

port may very well be incompatible with the preservation of the Everglades National Park, or with the preservation of the regional ecological environment which affects the survival of the Park. Feasible alternative sites for the jetport do exist. It follows that developing a jetport at an alternate site may well be the only acceptable solution.

[From Look magazine]

THE ASSAULT ON THE EVERGLADES: IS THERE STILL TIME TO STOP IT?

The ultimate fate of the Everglades National Park may not be apparent for years, even decades, but it is being decided right now. Preservationists are wrestling with developers over crucial questions of water management and land development. If the preservationists win, the Park may survive in a near-natural state, while the virulent growth of south Florida will be controlled. If the developers prevail, the Park will eventually die. The fight for this unique wild land at the southeastern extremity of America is of more than incidental importance to a prodigal nation growing poor in wilderness.

On the preservationists' map, the whole interior of south Florida is a shallow basin, barely above sea level. Through this basin during the wet season flows a river 50 miles across and only inches deep, seeping south and west through saw grass, cypress and mangrove, all the way from Lake Okeechobee to Florida Bay and the Gulf of Mexico. In its meanderings, the water accumulates a rich suspension of minute plant and animal life, essential to life in the Everglades National Park.

The developers—chambers of commerce, land speculators, agri-businessmen and the like—plot their moves on a different map of the same south Florida. Their map resembles the New York City subway system more than anything in nature, with surveyor-straight canals radiating from Lake Okeechobee. By diverting the natural flow of groundwater, short-cutting it to the sea, the canals make land speculators into alchemists, able to transmute river bottom into dry land and dry land into pure gold.

The natural profusion of life, disorderly, varied, self-sufficient, gives way to endless rows of pampered citrus trees, converging toward the flat horizon in unnatural regimental formation, less like living things than plastic plants set out by an obsessed geometrician; or to endless rows of cookie-cutter houses, each offering its owner a piece of paradise. Obviously, the same surface water that is the Everglades' lifeblood is nothing more than red ink to the developers, and the stage is set for the present conflict.

Actually, the Everglades began to lose out on the question of water rights as far back as the 1880's, when an enterprising visionary named Hamilton Disston saw farmland where there was endless swamp, and built the first drainage canals from Lake Okeechobee to the sea.

Canal building on a massive scale did not begin until much later, until the population of south Florida had grown to the point where the lake's occasional floods meant great loss of human life and property, and drainage canals were authorized as flood-control devices. By 1948, the year after a million and a half acres of south Florida had been secured for preservation as a national park, the natural flow of water to the Everglades was put in the hand of the Central and Southern Florida Flood Control Project.

From the start, the project was promised by the U.S. Army Corps of Engineers as protection to "assist in restoring and maintaining natural conditions within the National Park." The National Park Service accepted this and similar language from the Corps of Engineers and others as adequate assurance that the Park would get from the Project the same flow of water it used to get from nature.

The test came in 1962, when a levee across the Park's northern boundary was completed during the worst drought in Florida history. In order to assure water for irrigation in the agricultural areas north of the Park, the flow of water to the Everglades was stopped. In 1963, as the drought continued, the Everglades National Park received not one drop of water from the Project's levees. In 1964, another dry year, the Park was granted less than two percent of its minimum annual requirement.

The result was that the agricultural interests north of the Park survived the drought, while much of the life in the Park did not. Millions of animals died as the water table sank lower and lower, exposing the bottoms of ponds and waterways to harden and crack in the Florida sun. The Park Service dug wells to give some relief and collected uncounted thousands of animal corpses. Animals that survived failed to breed normally, or turned cannibal and ate their own offspring. In the estuarine fringes of the Park, salt water advanced inland, unimpeded by the pressure of fresh-water flow, altering the delicate chemistry of spawning grounds and rookeries.

The drought ended, and was followed by several seasons of abundant rainfall. Life revived in the Park, but only tentatively, as though its man-made agony had deprived life in the Everglades of its natural drive for abundance; as though life itself were anticipating the next dry spell, when man will again covet the Park's water.

Two things are certain for the future: there will be, sooner or later, another drought; and south Florida, glutinous for growth, ambitious for eminence among the megalopolises of the world, will make ever greater demands on the area's limited water resources. In view of these certainties, can the Everglades National Park survive?

Those who speak most forcefully for the Park's future—including the Sierra Club, the Audubon Society, the National Park Service, and many members of Congress—insist that there must be a formal agreement among the Park Service, the Flood Control District and the Corps of Engineers, establishing minimum water rights and schedules for the Park. According to their formula, the Park would share both water scarcity and water abundance with existing development in the area; but the Park would be protected against claims on its water supply by future development. In short, the Park would no longer be at the mercy of progress, south-Florida-style.

Neither the Corps of Engineers nor the Flood Control District has so far been willing to endorse such a formula. The Corps claims it lacks jurisdiction over the operation of the project, on which it has already spent \$170 million of the taxpayers' money, even though the Chief of Engineers' original plan included this power. Until a formal agreement is reached, the water table in the Everglades National Park will fluctuate according to the dictates of the Flood Control District authorities, whose interests may lie elsewhere.

Even while the question of the quantity of water for the Park remains unsettled, the quality of that water is threatened by the new Miami jetport, already under construction near the Park's northern border. The airport will eventually be five times as large as New York's Kennedy, with two six-mile runways to handle the biggest planes. The jetport's promoters confidently promise that a large city will grow up around the airport. Until now none of the many agencies involved seems to have given adequate thought to the pollution that the airport and its surrounding development will release into water headed for the Park.

In fact, statements by responsible county and airline officials seem to appropriate the National Park wilderness as a "sound screen" and a "buffer" for airport thunder.

The initial runway, a federally financed pilot-training facility, is nearly completed. At this late date, the county has responded to pressure from supporters of the Park, at least to the extent of commissioning an independent study of the effects of the airport on the environment, and possible alternative sites. Whatever the results of that study, there is no assurance that the county will be willing to abandon years of ambitious planning, even if that is the only thing that will save the Park.

[From Time magazine, Aug. 22, 1969]

JETS VERSUS EVERGLADES

A national park is an outdoor gallery of nature's wonders, complexities and harmonies. But unlike a museum, a park is not independent of its surroundings. Nowhere is this more apparent than in the Florida Everglades National Park, an aquatic wilderness of 1.4 million acres and one of America's last refuges of solitude. Precisely because it is linked to intricate webs of life around it, the park may now be doomed by the rising water needs of Florida's farms and cities, plus the construction of a mammoth jetport a few miles away. The result has made the Everglades a battleground between conservationists and developers—and a testing ground for U.S. environmental policies.

America's only subtropical national park is a multitude of habitats—inland pine sloughs vast saw grass savannahs, hardwood hammocks and coastal mangroves with myriad island and canals. It is a refuge of 22 endangered species, including the bald eagle, osprey, snowy egret, Florida panther and alligator. Each year, more than a million visitors peer from trails and catwalks at the antics of exotic herons, bitterns and roseate spoonbills. They are mystified by the an-hinga, a prehistoric bird that must spread and dry its wings after diving for fish, or drown from lack of natural-body-oil protection. On rare occasions, they glimpse the manatee—a huge sea cow that sailors once imagined to be a mermaid.

The fate of the Everglades is absolutely dependent on water. Each year, 153.5 billion gallons flow through the swamps as a strange kind of river, less than a foot deep and up to 50 miles wide. Changes in the water's quality, quantity and seasonal rhythms endanger the park's incredibly diverse plants and wildlife. And yet, for the past two decades, nearby flood-control projects have steadily dehydrated the glades by diverting water to crop land, commercial and industrial use. The Everglades, explains Park Superintendent Jack Raftery, "is a demonstration that no natural region can be divorced from its surroundings."

Since 1949, the Army Corps of Engineers has created 1,400 miles of canals in the Everglades area. The canals regularly divert billions of gallons of water into the Atlantic after irrigating crops just northeast of the park in Dade and Broward Counties. No reasonable conservationist would sacrifice those crops. But the Interior Department claims that during recent droughts, the water balance was needily struck in favor of agriculture, while thousands of fish, birds and animals died in the park. After long bureaucratic squabbling, the Army Corps of Engineers has agreed in principle to supply the Everglades with sufficient water, regardless of other future demands. But the agreement has not yet been carried out.

CRIPPLING BLOW

As if dehydration were not enough, the park ecosystem is now threatened by plans for an airport six miles from its northern border. Conservationists fear the effects of jet noise, exhaust fallout, fuel and oil spills. They also shudder at the prospect of helter-skelter development around the airport re-

sulting in pollution from sewage, insecticides and fertilizer runoff.

The plan of the Dade County Port Authority does indeed loom as the crippling blow. Paying private landowners an average price of only \$180 an acre, the Port Authority last year quietly began to acquire 39 square miles on the edge of Big Cypress Swamp, which supplies 38% of the park's water. As originally stated, the purpose was to build a "training" jetport for five airlines, whose landing fees will finance a \$10 million bond issue for the first runway, which Eastern Air Lines will open next month. Able to handle the new super jet due in 1970, the field will divert up to 200,000 training flights a year from congested Miami International Airport.

Superintendent Raftery thinks that the park can accommodate a training field, but not a commercial airport and a projected community of 1,000,000 people. By now, though, Dade County envisages more runways soon and by 1980, the nation's biggest commercial airport, covering more land than the entire city of Miami. Equally enthusiastic, the U.S. Transportation Department has granted \$700,000 to develop the first runway, and to look into high-speed ground transportation, such as a monorail train and air-cushion vehicles running between the jetport and Miami.

The Port Authority has proposed a 750-ft.-wide corridor from Miami to Naples, and highway planners are "dotting in" roads that would further upset the park's water cycle. When completed, the jetport itself would displace some 200 Mikasuki Indians, who were guaranteed a small area in which to continue their tribal ways and colorful rituals. Superintendent Raftery and an Interior lawyer also contend that a clause in the Transportation Act required a study of alternatives as well as proposals to prevent or minimize environmental damages. Raftery argues that Transportation ignored the clause. Instead, he says, the agency encouraged a project that may well cause "unalterable and irreparable damage."

To repair its image, the Dade County Port Authority recently hired former Interior Secretary Stewart L. Udall and his new environmental-consulting firm, Overview Group, to study the impact of an airport and seek alternatives. Udall says that he refused to take the job until the Port Authority promised to freeze jetport construction after the first runway, and showed itself sincerely open-minded on optional sites for a commercial terminal. "We are not going to justify a decision already made," said Udall. "We're hoping to establish planning parameters for the entire southern Florida environment." But Port Director Alan C. Stewart, an affable former flight controller, seems as closed-minded as ever. His job is "fostering aviation, not festering it." Aviation employs 70,000 people around Miami; the new airport would eventually create 60,000 new jobs and three times that in related employment. "I'm more interested in people than alligators," says Stewart. "This is the ideal place as far as aviation is concerned."

BASIC POLICY

Some officials feel that the jetport may violate the Federal Airport Act, which allows federal grants only to airports used by the public. The training jetport, at least, is no such thing. In addition, the soon-to-be-released results of a joint study by Interior and Transportation officials will show that ecological damage from an airport would be devastating. Senator Henry Jackson, Chairman of the Senate Interior Committee, will also soon release a report on the Everglades. It will recommend that Congress pass new legislation toward a national land-use policy, refusing federal grants to states that do not develop their own zoning and development guidelines to protect the environment. Jack-

son also feels that buffer zones should be considered to protect national parks.

Alternate airport sites are being studied on state property in Broward County to the north and Homestead Air Force Base to the southeast. But any solution will involve complicated tradeoffs. Furthermore, the division between federal agencies now appears so deep that final action will have to be taken by President Nixon. The Everglades decision may well set his Administration's basic policy toward environmental abuses. As Senator Gaylord Nelson, the Wisconsin Democrat, wrote in a recent letter to the White House: "It is a test of whether or not we are really committed in this country to protecting our environment."

DREW PEARSON: A GIANT OF THE FOURTH ESTATE

Mr. PROXIMIRE. Mr. President, one of the giants of journalism has passed from the scene. Drew Pearson, in my book, was one of the great journalists of his time. And he shall be missed.

Drew Pearson was a great journalist because he had unshakeable courage, persistence and a Quaker conscience—to use Chalmers Roberts' phrase—that did not permit him to wink at the peccadilloes of those in high places or to shrink from the tedious, unpleasant chore of exposing deep-seated corruption, dishonesty and immorality.

The textbooks tell us that in a democracy a free press is indispensable if the system is to be responsive to the popular will. Without the cleansing light of public exposure, our Nation ends up with a closed, often corrupt, system responsive only to the needs and demands of those who run it.

Because it is easier for the news media to cover this complex Capital by rewriting hand-outs than by probing beneath the official story as Drew Pearson always did, the gap between textbook theory and actual practice is wide. Drew Pearson devoted his career to bridging that gap.

I agree with Chalmers Roberts, who said in an article in the Washington Post yesterday:

For 38 years (Drew Pearson) did more than any man to keep the national capital honest.

Drew Pearson, in a crusade, was a rough adversary. His critics complained that he threw too many wild punches. But exposing dishonesty and corruption is a rough and tumble business and Marquis of Queensberry rules are really not appropriate. As Drew Pearson's defenders would say:

In a contest with a skunk, one does not observe the manners of the drawing room.

The editorial in this morning's Washington Post stated it very well:

He was robust, free-swinging, sometimes very wild. But he was also strong in a muscular, purposeful, principled way, with the courage to be his own man always, and never mind what people said or thought of him.

I ask unanimous consent that the Washington Post article by Chalmers Roberts and the editorial be printed in the RECORD at this point.

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

CRUSADING COLUMNIST DREW PEARSON DIES AT 71—AN APPRECIATION: MUCKRAKER WITH A QUAKER CONSCIENCE

(By Chalmers M. Roberts)

Drew Pearson was a muckraker with a Quaker conscience. In print he sounded fierce; in life he was gentle, even courtly. For 38 years he did more than any man to keep the national capital honest.

It was in 1931 amidst the Great Depression and the hapless Hoover administration that Mr. Pearson teamed with fellow reporter Robert S. Allen to write the book from which his subsequent columns took their name: *The Washington Merry-Go-Round*. The partnership lasted until Allen went off to World War II.

The pair of brash young men shook up the town. It then was the age of journalistic giants, or so it seemed to youngsters then breaking in: Mark Sullivan, David Lawrence, Raymond Clapper, Arthur Krock, Paul Mallon writing from Washington and Walter Lippmann, Dorothy Thompson, Heywood Broun and Westbrook Pegler writing from New York.

Pearson survived them all, in life or in print, save only Lawrence who is still at it. In the intervening years he manhandled Presidents and members of Congress, bureaucrats high and low. Some were forever disgraced by the Pearson expose; others cried "foul!" and on occasion Mr. Pearson apologized.

He could be sloppy with his facts and at times he was. But he had more guts than many a worried editor who ran to his lawyers and then cut the Pearson column or who gave in to political pressures to censor it.

Drew Pearson gloried in his feuds. To him "liar" from Franklin D. Roosevelt and "s.o.b." from Harry Truman were akin to encomiums. He relished denunciations from the protected floor of Senate and House.

Leo Rosten in a 1937 study of "The Washington Correspondents" traced the "Merry-Go-Round" success to a public appetite for the "inside" news that had been whetted by the stream of successful Broadway gossip columns. The Pearson and Allen book, wrote Rosten, "marked the beginning of a new era in news styles from the capital."

The very brashness of the column's approach offended the Establishment of the time, both political and press. Indeed, the sense of offense never wore off and to such can be attributed the failure to award Mr. Pearson the Pulitzer Prize for his expose of Sen. Thomas Dodd. It still is the dominant ethic that even as "gentlemen don't read other people's mail" they also don't make use of purloined documents.

Mr. Pearson did in the Dodd case and maybe in others, too. He was the recipient of endless tips from the disgruntled as well as from the righteously indignant. There were plenty of high level "leaks" as well. Whatever the source, Mr. Pearson could smell a story if there was even a whiff in the air. And nobody could be more dogged in pursuit.

Puncturing the balloons of the great and the famous was only the muckraking part of the Pearson story. The Quaker conscience simply would not let a Joseph McCarthy get away with it. The story of the American press in the McCarthy period is not one to be particularly proud of but Mr. Pearson never flagged in his pursuit of the senator.

The Quaker conscience also led Mr. Pearson into all sorts of ventures in hopes of improving the state of the world. There were "Friendship Trains" and "Freedom Balloons" and interviews with Nikita Khrushchev. He had a soft spot in his heart for Yugoslavia, where he had gone as a young man. He was, in short, dabbling in East-West detente long before it became fashionable and the epithet of "Communist" was hurled at him for his pains.

Drew Pearson early became a Washington institution. He loved it but he was never stuck up about it. And he had a glorious sense

of humor which must have kept him going through some dark hours. He joked about the manure on his farm because he knew that a lot of people felt that was his verbal stock in trade.

Long ago after his column was transferred from Cissy Patterson's old Times Herald to The Washington Post it came to rest on one of the comic pages. Last December The Post decided to move the column to the page opposite the editorial page where so many others appear.

It was not a happy decision because the Pearson column was too long to fit the available space. It went back to the comic page after Mr. Pearson wrote this letter to The Post:

"I know that a columnist is not supposed to have anything to say about the location of his column in the paper. But having been relegated to Siberia some 25 years ago, I've come to like Siberia. If I had a vote I would vote against leaving my old position of semi-exile."

In a profession in which both practitioners and reputations come and go, very few men, in or out of any such "exile," have had the kind of effect Drew Pearson had on so many millions of readers for so long.

DREW PEARSON

In the practice of his profession, Drew Pearson had the conscience of a Quaker and the touch of a stevedore. He was robust, free-swinging, sometimes very wild. But he was also strong in a muscular, purposeful, principled way, with the courage to be his own man always, and never mind what people said or thought of him. Rough and tough in public, in private he had the air of a gentleman farmer, which he was, and the manner of a gentleman man, which he also was. Shy, self-effacing, detached, he was a moralist who was proud to be a muckraker in the strict dictionary sense—one who searches out and exposes publicly real or apparent misconduct of prominent individuals. Somewhere in these unlikely combinations lies the key to his extraordinary career as the most successful, in many ways the most effective, and certainly the most controversial journalist of his time.

He was controversial because his technique was scatter-shot, so that while he was often brilliantly or brutally on target, he sometimes hit the wrong target or missed altogether; it almost seemed as if this was conscious strategy, this readiness to risk being wrong now and again as the necessary price for being, more often, right. It was uniquely his own style and while his profession never had the grace or the guts to give him the big awards, tribute was paid in other ways; when Mr. Pearson printed the stories that others were too fastidious to be the first to print, the others suddenly had no compunction about printing them. It was also a style that exposed him to any number of lawsuits and any number of epithets and no end of criticism that he was careless with the facts; but it had the singular merit that when it paid off, it paid off big. And it also paid off, more often than not, on the side of good, which was something he saw in simple, moral terms; he was for honesty and against corruption, for the disadvantaged against the self-interest of the power elite, for peace and against war.

It is not necessary to chronicle here all his triumphs any more than it is necessary to catalogue the occasions where his fierce convictions and unique techniques may have combined to put him in the wrong. The simple truth is that he was more effective in his way than any man in his profession over the nearly 40 years that he was practicing it, and that at the time of his death at the age of 71, when other men might have begun to ease off a bit, he was still on top, with nearly twice the readership of his closest competitor. So his success was immense, and so was his impact on his profession and on the Capital. Most of the time he had the

right targets and the right causes, and he brought to his crusades a powerful, innovative and relentless force.

HOW MANY GUNS, HOW MUCH BUTTER?

Mr. PROXMIRE. Mr. President, not too long ago it was commonplace to hear that this Nation could afford both guns and butter—that we could provide for our defense, meet our world commitments and take care of pressing national problems. Now it has become fashionable to take the opposite view—we can have either guns or butter, but not both.

As a recent editorial that appeared in the Milwaukee Journal makes clear, each of these positions is a bit too simplistic. The question is not "Guns or butter?" but "How many guns, how much butter?" It is a question of emphasis.

All of us who are fortunate enough to represent our States in the U.S. Senate have to decide how much time we should spend on committee matters, constituent problems, trips to the State, Senate roll-calls, and so forth. We cannot spend as much time on each activity as we would like because there just are not enough hours in the day.

The same is true of our national and international problems. It would be reassuring to be able to spend so much on national defense that we could sleep secure in the knowledge that we could never be threatened by any adversary at any time or any place. How much would this cost? \$150 billion a year? \$300 billion a year? Even more? That is a question we will never be able to answer because we will never have sufficient resources at our disposal.

So here again we must decide how we should spend, in money, on the many problems, national and international, that confront the Nation. The Journal editorial comes down on the side of domestic problems, in these words:

The emphasis in this effort clearly should be on domestic matters, not defense. The United States can pour billions more into defense but it will never have national security, in the full meaning of that phrase, until the problems of the American people themselves are approached with renewed commitment and a higher sense of urgency by the Federal government.

That is what the debate we have been having over the last few weeks over defense spending is all about. Can we afford even the wasteful military expenditure or do we need to place national needs higher on our list of priorities? I believe that the Journal editorial contributes to that debate. Consequently I ask unanimous consent that it be printed in the RECORD at this point:

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

NATIONAL PRIORITIES

The long discussed federal "peace dividend," dismissed with such poetic brutality Monday by presidential adviser Daniel P. Moynihan ("it tends to become evanescent like the morning clouds"), has reappeared again.

Other administration officials insisted Tuesday that Moynihan had exaggerated and that there will, after all, be some room in the budget after Vietnam for new domestic pro-

grams. The crucial question, of course, is how much.

The war is costing close to \$30 billion a year. Taking into account the likely restoration of military programs that have been cut or reduced, price increases and the costs of civilian reconstruction in Vietnam, economists figure that only about half of the \$30 billion is apt to be "saved." And most of this could be offset by expiration of the 10% federal surtax and restoration of certain major funds cut by congress.

There is still an annual "kitty" of almost \$13 billion arising from larger tax receipts generated by a steadily growing economy. But at least half of this will be absorbed by increased costs of existing government services—social security, medicare, etc. This leaves about \$6 billion, presuming, of course, that the surtax is allowed to expire and the economy remains strong. But the Pentagon already is staking claims for additional funds for new weapons systems, for new air and sea lift facilities, for strategic forces and a host of allegedly essential items. An anti-ballistic-missile system (ABM) that will cost at least an estimated \$11 billion, and development of a system of multiple independently targetable re-entry vehicles (MIRV) that will eventually cost at least \$17 billion, are already underway. Yet domestic problems—pollution, transportation, adequate housing—have grown to almost intolerable proportions. It will require huge increases in federal funding to tackle them adequately.

In the final analysis, the question of a "peace dividend," how much it will be and where it should be spent, is a political one. And it turns basically on the establishment of national priorities, which, as Moynihan emphasized, the Nixon administration is now trying to organize.

The emphasis in this effort clearly should be on domestic matters, not defense. The United States can pour billions more into defense but it will never have national security, in the full meaning of that phrase, until the problems of the American people themselves are approached with renewed commitment and a higher sense of urgency by the federal government.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 281, S. 2546, a bill to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities of Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selective Reserve of each Reserve component of the Armed Forces, and for other purposes.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, under the previous order, the able Senator from Mississippi, Mr. STENNIS, was to be recognized for 1 hour immediately following the conclusion of morning business.

I ask unanimous consent that, prior to the recognition of the Senator from Mississippi, there be a brief quorum call.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD of West Virginia. 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. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding the previous order giving recognition to the Senator from Mississippi, the able Senator from Arkansas, Mr. FULBRIGHT, be permitted to proceed for 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE REVISED TAX LAW AND TAX-EXEMPT SECURITIES—AMENDMENT TO H.R. 13270

AMENDMENT NO. 141

Mr. FULBRIGHT. Mr. President, the tax reform bill (H.R. 13270) is now pending before the Finance Committee and hearings are scheduled during the period September 4 through October 3. I submit for reference to the Finance Committee an amendment to H.R. 13270, and ask unanimous consent that the amendment be printed at this point in the RECORD.

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

The amendment submitted by Mr. FULBRIGHT was referred to the Committee on Finance, as follows:

Under "Limitation on Tax Preferences; Exclusion of Interest on Outstanding Governmental Obligations," on page 167, line 1, strike out "obligations" and insert "obligations issued on or after July 12, 1969".

On page 175 strike out subparagraph (B) beginning on line 21 and ending on line 2, page 176.

On page 176, line 3, redesignate subparagraph "(C)" as "(B)".

On page 176, line 20, redesignate subparagraph "(D)" as "(C)".

On page 175, lines 18 and 19, strike out "as modified in subparagraphs (B), (C), and (D)," and insert "as modified in subparagraphs (B) and (C)."

Mr. FULBRIGHT. Mr. President, the purpose of my amendment is to correct an inequity in the bill. This inequity arises under provisions of the bill designed to limit to 50 percent that portion of income which may be excluded from taxation as a result of various legal exemptions and special deductions. This is a worthy purpose, and I support it. However, H.R. 13270, as presently worded, treats unfairly those taxpayers who have

purchased State and local bonds in the expectation that income from these bonds would be tax exempt.

Although the revised tax law would be prospective as it affects future income, it would be retroactive as it affects the value and marketability of capital assets represented by the tax-exempt bonds. To change public policy regarding taxation of income from securities purchased after the change may be wise and fair. But to change the rules affecting income from securities purchased prior to the change is certainly not fair, and in my opinion is not wise.

I have no desire to perpetuate rules which provide an unlimited tax shelter for our most wealthy citizens. But the transition to new rules and new public policy should not break faith with anyone who has relied upon and followed the law no matter what may have been the motives of the individuals involved.

My amendment would apply provisions of the bill, which limit the use of tax preferences, only to income from State and local bonds issued on or after July 12, 1969. This date would make such provisions consistent with another section of the bill dealing with tax-exempt interest. This other section provides that income from bonds issued prior to July 12, 1969, need not be taken into consideration when allocating itemized non-business deductions between taxable and tax-free income. I believe that treatment of this interest income should be prospective entirely, and my amendment would have this result.

Mr. President, I submit this amendment to indicate my minimum reservation with respect to the proposed indirect taxation of income from State and local bonds. I am aware of the constitutional question inherent in this proposal. I hope that the constitutional issue is thoroughly illuminated in the hearings. After further consideration I may be persuaded that a more comprehensive amendment is needed, but at this time I submit this one for the consideration of the committee.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call not be taken out of the time allotted to the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HUGHES in the chair). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senator from Mississippi is recognized for a period not to exceed 1 hour.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield 3 minutes to the Senator from South Carolina (Mr. THURMOND), without losing my right to the floor.

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

AIKEN, S.C., PONY LEAGUE ALL-STAR TEAM

Mr. THURMOND. Mr. President, it is my honor to be a resident of Aiken, S.C., a resort city with industrial satellites, which has distinguished itself in many ways over the years, but most recently by producing the Aiken Pony League All-Stars.

These young men recently competed in the Pony League World Series championships played at Washington, Pa., and, as in past competitions, conducted themselves in a way which reflects great credit upon themselves, their coaches, their parents, and others who have participated in this excellent program.

On their arrival back in Aiken on August 26, the town rolled out the red carpet in the form of the city fire trucks and gave these youngsters the kind of welcome they so richly deserved. The band played, and the city fathers and the average citizens who make the town go were present to extend their heart and hand to these athletes.

Their coach, Aiken attorney Henderson Johnson, a self-made man himself, told how well the boys had conducted themselves while at the championship, representing South Carolina and the Southeast.

Members of the team included Willie Bell, Barry Johnson, Paul Rideout, Charlie Smith, Phil Luton, Pete Sampson, Paul Martin, Jack Curry, Cam Perkins, Jerome Bell, Jeff Roberts, Steve Dufour, Bo Neeley, Chip Livingston, Richard Chesser, and Tom Hurley. Their manager was Earl Tate.

Mr. President, we in Aiken and South Carolina are proud of this group. They exemplify everything that is good about America. They accepted adult coaching and leadership, they made personal sacrifices to achieve outstanding performance, they conducted themselves with honor on and off the ball field, and they set an example we grownups could well emulate.

Editor Samuel Cothran of the local newspaper, the Aiken Standard and Review, published an editorial on his front page on August 26, 1969. It was an excellent editorial, and certainly expressed the feelings of the people of the Aiken community. I ask unanimous consent that the editorial, entitled "Welcome Home, Champs," be printed in the RECORD at the conclusion of my remarks.

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

WELCOME HOME, CHAMPS

Aiken's Pony League All-Star team will return home this afternoon to a tumultuous welcome by hometown supporters, and we can hardly imagine a greeting that would be warm enough for them.

They represented Aiken—and the remainder of South Carolina—in splendid fashion in their bid for the Pony League World Series championship played at Washington, Pa. As a team, they're champions. As individuals, they have exemplified the very best of American young manhood.

Vastly more important than their wonderful showing in the series is the contribution they have made to Aiken's spirit. They never did let up. They kept trying constantly. They were never satisfied merely

to be in uniform. They started every game with the determination to do their best.

They are first-rate youngsters. The contribution we believe they have made to Aiken's spirit is incalculable. They have demonstrated their determination to be far better than mediocre.

Yes, they are indeed first-rate youngsters, and they have shown Aikenites they won't settle for anything less than their best. That's something for all of us to ponder.

Welcome home, champs.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. STENNIS. Mr. President, the pending bill is the military authorization bill and the question now pending before the Senate is the amendment proposed by the Senator from Wisconsin (Mr. PROXMIRE) which would strike from the bill the authorization funds for the C-5A aircraft, run B, 23 units.

Mr. President, before I address myself to that particular amendment, I think it is fitting today, as the Senate returns from the recess, that I should discuss the probable effect of the pending amendments to the military authorization bill on our future national defense policy. That is what I shall do primarily in this hour.

Senators need not believe that these amendments are merely moves by their authors to delay for a short time the development of modern weapons, or that to support the amendments is merely to save some money. As a practical matter, the amendments that relate to modern future weapons cut the bone and muscle out of our 1975 military capability.

That is the issue which is really before the Senate with reference to these weaponry amendments. Mr. President, boil it down, say what you will, it goes to the very bone and muscle of our 1975 military capability.

Under my special responsibility to the

Senate and to the people, I do not hesitate to say, although I regret to say, that if these weaponry amendments are passed and the error not corrected, the safety of the American people will be placed in jeopardy. For instance, if we take the F-15 fighter plane out, we shall have an obsolete Air Force in 1975 or before. Take the F-14 fighter out of the bill, and we shall have no effective modern naval air arm by 1975, or before; further, we shall have no affirmative naval power by 1975 except strategic nuclear forces and attack submarines. Take proposed new tanks out of the bill and by 1975 we shall have an Army robbed of its modern tank power which is necessary to destroy the enemy Army or cut off their supplies from the rear.

Thus, in military strength we will be a second rate nation by 1975 and this fact shall become well known long before that time. I shall develop these facts on a weapon-by-weapon basis in my remarks today, and more in detail in other remarks on the amendments as they come before the Senate, as will other Members of the Senate.

I wish to make clear that I do not challenge the motives of the authors of the amendments; I do seriously challenge their judgment.

The collective impact of these amendments is primarily an attack on our ability to defend ourselves. I am not happy about some of our commitments and want them changed to some degree, but I know the line of defense of my country lies somewhere beyond our shorelines. I know it is the height of folly to start cutting off future modern weapons in this deadly age when modernity of weapons is the first letter in the alphabet of effective defenses.

Mr. President, I remember that when the Korean war started I sat in the chair which is now behind me. I remember that empty, sickening feeling that we all had when we learned the news that the Mig fighters being used against us in Korea would outfight, outclimb, outspeed, and outdo our very best Air Force fighters.

All those clauses in the amendments about the General Accounting Office—and I speak with great deference with regard to that Office and its very able Comptroller General and the staff—making determinations about the value of alternatives and accurate judgments on the weapons of the future, their cost reliability, are absurd. The General Accounting Office does not have the facilities or personnel to make superior judgments in this field even though they are a very superior organization in their own field.

Further, it is a fact of life that we have binding moral commitments with many nations that we cannot ignore or neglect. To do so would be to repudiate our word solemnly given. I strongly favor renegotiating many of those agreements but I do not favor running out on our promises as to a single one.

However, entirely apart from our formal commitments—and I emphasize this point—let us look at the hard facts and realities that confront us as a major nation.

Let us look to the south at that vast Latin American area of the world, here in our hemisphere.

Certainly, the protection for this area is our obligation as well as our own defense. They are our neighbors, at our very doorstep. Commitments or not, we are not going to let any foreign power set up shop there in any way that is detrimental to our own welfare. To be certain we can continue to perform this mission, the most modern weapons are necessary. It is necessary that it be known that we have them.

Look to the Mediterranean area. Our formidable modern naval fleet there is a stabilizing influence not only for Western Europe but also for the entire Middle East. No other nation in the free world has a naval fleet that can do that job. The extent of our land-based troops in Western Europe may be a proper subject of debate, but only a few would dispute the necessity of the continued presence of our naval fleet in the Mediterranean, with added forces readily available. That fleet is not a fleet unless it is up front in modern weaponry and has at least some of the most up to date that technology can provide.

Of course, this requires attack carriers and all that goes to make up a carrier fleet. This is not a contest between naval air power and ground air power. The political facts of life are different as to these kinds of power.

I recall visiting French Morocco when we were building four vast airbases there in 1953, and I was told then by an American citizen with no official connections that we would not be able to use them. In my alarm I asked why, and he replied because French Morocco would get its independence and require us to get out, and our agreement with France would become null and void. That is exactly what happened only 3 years after we finished the bases.

I remember a trip to Tripoli where we had a valuable airbase. We have all read this week that the Government there has fallen, which may mean we will not be allowed to stay.

I was on the subcommittee handling military construction that voted hundreds of millions of dollars over many years for construction of airbases in France; we are all aware of the fact that we are no longer permitted to use those bases.

I might say, in that case, that Congress was 2 or 3 years ahead of the executive branch in stopping construction funds for those bases in France because it felt that the United States would not be allowed to continue to use them. It is on the sea, and on the sea alone, that we are assured of the right to operate.

Consider the vast Pacific area with the exposure of Hawaii, one of the States of the Union. Certainly, we have more than a passing obligation to the Philippines, to Indonesia, and to the other free nations of the area. We should have modifications of our obligations to Japan, but we certainly cannot ignore the solemn promises that we made to that country, when we insisted that they write into their basic law a great limitation on their own military strength.

Of course, we are still in actual war in South Vietnam, an unpopular war, but few advocate that we turn and leave, except on honorable terms.

I emphasize that the foregoing facts of

life are based not only on treaties, but are based on commonsense and the preservation of the American people, as well as upholding our honor as a nation. To do these things requires formidable military power with modern weapons. All this costs a great deal of money. Certainly it does. We must hold this cost down in every way possible, and that is exactly what the Committee on Armed Services proposes actively to do. I will not be a party to dismantling our military power, nor to letting it grow weak and ineffective.

At this point, I should like to comment on the recent announcement by Secretary Laird regarding expenditure reductions in this fiscal year which might total as much as \$3 billion. A very pertinent question, Mr. President, is whether the items in this bill will be affected by the proposed expenditures.

I asked him that direct question and Secretary Laird has written on this matter in a letter which emphasizes the following points, and I know this is of interest to Senators and those who read the RECORD, as well as to the press:

First, that the funds requested in this bill for procurement and research and development are tied to the long-range readiness of our forces and accordingly are in the highest priority within the Department of Defense budget.

Second, that contrary to supporting any further cuts in the bill, the Department of Defense considers these committee cuts sufficiently serious that they have made a reclama to the House Committee on Armed Services for the restoration of \$968.8 million. The letter states:

This reclama was submitted with full consideration of possible expenditure reductions which might be levied on the Department of Defense for fiscal year 1970 and thus is further evidence of the priority of these programs.

Mr. President, let there be no doubt—no question—about the \$3 billion reduction, that he will turn around and take some of the items out of the procurement program.

Third, the decisions made to date with reference to the first \$1.5 billion of the expenditure reductions do not contemplate reductions in procurement and R.D.T. & E. beyond those recommended by the Senate Committee on Armed Services.

It is not anticipated that the remaining \$1.5 billion in cuts would come from procurement although the Secretary cannot give an iron-clad assurance in view of the overall uncertainty of the Defense budget which, as you know, Mr. President, totals some \$77 billion of which only about \$20 billion is authorized for procurement and research and development.

I have no doubt that the Secretary must leave himself some leeway there. He does not know how much money will be finally appropriated, in the first place, by Congress. Congress has received his double assurance of what he is planning to do, the way he looks upon this bill, and the necessity for these modern weapons that I am talking about. I have quoted the substance of his letter, the whole of which I shall place in the RECORD, if the Senate permits, at the end of my remarks.

Mr. President, I would observe to the Senate that the largest immediate saving in expenditures occur from reductions in personnel and operations and maintenance. Even aside from the high priority of the procurement items, the long lead nature of the funding would permit only a slight reduction in expenditures for fiscal year 1970 even if the programs were drastically reduced.

I made that point the first day we debated this bill. I have made it several times since. I keep repeating it because it is hard for a Senator who is not on the committee to grasp the fact, especially after hearing these large figures about costly weapons systems, that 60 cents out of every military dollar, after all, goes for personnel and operations and maintenance. It goes to the operation of the bases, the buying of food, necessities, medicines, operations of all kinds in military matters. That is where a great part of these billions of dollars we want to save goes; and I think we are going to save. We are making fine headway, splendid headway, in this very budget, and I think that will continue. It can well get to the point where complaints will be heard here about these reductions. Let us just be a little patient now and get the whole picture and see where the money is spent and try to let each one, at least, try to bear a share of the reduction.

I have said that after the shooting war is over we can reduce our military personnel to about what it was before the beginning of the buildup for the war in Vietnam. If we do that, we have a chance to save \$10 billion right there. It cannot be all done in 1 year, because those reductions cannot be made in 1 year. But that is where a great change can be brought about.

PERSONAL SUPPORT OF PENDING REDUCTIONS

Mr. President, I will momentarily divert to state that I am in complete support of Secretary Laird's recent announcement that expenditures for this fiscal year may be reduced as much as \$3 billion. I would add that in terms of the revised defense appropriations bill of \$77.5 billion, which is in the form of new obligational authority, the \$3 billion reduction will probably cause a reduction in obligational authority of between \$5 and \$6 billion before its final enactment.

As the Senate knows, these cuts will involve reductions of more than 100,000 military personnel and 50,000 civilians. The Navy has already announced that 72,000 military personnel will be reduced during this current fiscal year. I am of the firm belief that the Armed Forces as quickly as feasible should return, as I have said, at least to the pre-Vietnam strength of 2.8 million as compared to the present strength of 3.6 million.

That is no idle dream. I have conferred with men like General Wheeler, Chairman of the Joint Chiefs of Staff. He gave us a very frank and complete answer. He said yes, he thought reductions could be brought to that level, in time.

As I have said, about 60 percent of our Defense appropriation dollar is spent on military personnel and operations and maintenance.

In substance, I believe we must have the weapons of the highest quality with whatever personnel are needed to man and support them. At the same time, I think that reductions can be made safely in the size of the Armed Forces.

BILL NOT EXCESSIVE

I again remind the Senate, Mr. President, that it would be difficult to characterize this procurement bill as excessive. The \$20 billion recommended by the bill is slightly over \$3 billion less than that recommended in the Clifford hardware budget and almost \$2 billion less than recommended in the revised Nixon budget. In the opinion of the committee, it represents the minimum necessary to maintain a sound weapons procurement program. For the Navy and the Air Force the number of aircraft being procured is the smallest number in any year at any time since the end of World War II. This is an impressive fact.

For the past several weeks the Senate has been debating the justification for authorizing funds for our most important weapon systems. Amendments have been introduced which would eliminate or substantially retard vital programs, such as the C-5A, MBT-70, AMSA, and the nuclear carrier. It is my understanding that additional amendments may be proposed to reduce or cancel the F-14 and F-15 programs.

Mr. President, it should be clearly understood by all that these programs are the most important new weapon systems currently being developed. They are to protect our national security interests in the early and mid-1970's. Their existence goes to the very heart of our capability of fighting either a conventional or nuclear war in the future.

What the Senate is doing today is attempting to analyze the justification for each individual weapon system in isolation. No one is examining the impact that these individual actions will have on our overall defense posture if these amendments are adopted. I believe it is critically important that we discuss and understand why these various weapon systems are needed. We must have in being the weapons necessary to protect and defend, at all events and in any war, the people of our country. As a part of our defense plan, we have commitments with over 40 friendly allied nations around the world. These commitments were not entered into lightly. As a matter of fact, the U.S. Senate, in pursuance of its treaty-approval responsibilities, consented to these mutual defense arrangements. Therefore, the major issue that should be faced up to by the Senate is whether the United States in the mid-1970's should have the capability of carrying out its treaty obligations with these 40-plus nations. I believe it exceedingly unwise if we take actions on this floor which will by indirect action abrogate or substantially reduce our military capability to carry out our treaty responsibilities. If the Senate believes that we have overcommitted ourselves, then we must intensively review this issue. It should be examined thoroughly. Extensive hearings and deliberation would be required before the Senate should reach

a decision as to whether the United States should or should not seek to modify its treaty commitments.

If the Congress eliminates the fund authorizations for these major weapon systems programs, we are radically and dramatically reducing the capability of our military establishment to defend our people and carry out our national policy.

In the 1950's it was the national defense policy of our Nation to rely on massive nuclear retaliation. In pursuance of this policy, we built large numbers of B-47 and B-52 bombers, Minuteman and Polaris ICBM's in order to carry out this policy of massive nuclear retaliation.

Subsequently, we began to realize that the United States should have more than one response to aggression in the world. The results of a nuclear holocaust were too devastating to imagine. It was, therefore, decided that the United States should have sufficient conventional military forces to cope with aggression without necessarily being forced to resort to nuclear weapons. They would only be used as a last resort. I feel this policy is and has been a very wise one. We certainly should have more than one alternative. So far the new administration, to my knowledge, has not changed the national policy of the past 8 or more years.

I said here in the debate on the antiballistic missile that I thought the great chances were that we would not have a nuclear war, unless by accident. I say again chances are we will not have a nuclear war, except by accident. Of course, no one can be certain, and we have to prepare for it. I think that, under the possibility of such a holocaust, we must do what is necessary to protect ourselves otherwise by so-called conventional weapons. If we have no way of protecting ourselves except by starting a nuclear war, then we will be at the mercy of the consequences of such a war.

Mr. President, we must believe that what we have outlined in this bill is not just a whim or a wish. This military equipment request starts out as a recommendation, and it has to have the recommendation of the Joint Chiefs of Staff. Those chiefs and their staffs are the men most intimately knowledgeable on the subject, expressly chosen for the purpose of analyzing the needs, based on our self-defense needs and on our national policies. Using their expert judgment, they translate the requirements into specific individual weapon systems. In addition, they determine how many of each type of weapon system is required in order to carry out this responsibility. I want to stress that most of these new weapon systems will not be operational until the early or mid-1970's. It takes several years to develop and introduce a new weapon system into the inventory. It has been proven over and over again that we cannot buy time with money.

It is hard for us to realize that it takes 5 or 6 or 7 years to really produce and get into full operation these involved weapons. I want to emphasize here, as part of the picture, the very serious lack of preparedness on the part of this Nation before World War I, World War II,

and the Korean war. All the Members, I am sure, remember this all too well. I certainly do not want to see any repetition of a lack of preparedness on any future D-Day.

Fortunately, time was on our side. In the future no one can predict that we will have the time necessary to produce the necessary weapon systems to protect our national security interests. We must have them on hand. I think we had a remarkable demonstration of this relative to the small nations last year, when Israel and Egypt had that short-lived clash. Yet, the actions proposed by several distinguished Members of this body will have the direct effect of canceling or delaying the delivery of new, needed weapon systems. It will force our Military Establishment to rely on existing weapon systems many of which will most assuredly be obsolete by the early or mid-1970's.

I cannot believe that the U.S. Senate would be willing for our Nation to be second best to the Russians in the years ahead. Yet, this is the key and inescapable issue that we are confronted with. We are not willing to be second best.

Is the Congress willing for the U.S. military forces to continue to operate in the early and mid-1970's with obsolescent equipment? This is the real issue involved in these weapons amendments. We must recognize it and face up to it, and vote on these key issues, up or down.

I would like to provide my distinguished colleagues with a few brief illustrations. I expect to say a great deal more about each one later. Take for example the F-14, the new Navy air superiority aircraft or the F-15, the new air superiority weapon system for the Air Force.

The F-14, for the Navy, Mr. President, is a replacement. It is a replacement for much older planes, because we remember the fate of the Navy version of the TFX. That was one that did not work out; all those years of time were taken up, until we started last year in laying the groundwork for this F-14.

That would be the Navy's top fighter plane used on the carriers. As I have stated, the F-15 pertains to the Air Force. These weapon systems for which funds are authorized this year will not be operational until the 1973-75 time frame. The real issue before the Senate is this: Is the U.S. Senate willing for the Navy and the Air Force to rely on the existing F-4 air superiority aircraft in the mid-1970's and beyond? The F-4 is and has been an excellent aircraft, used by both the Navy and the Air Force, and highly successful.

However, every Member should know that it was developed on technology available in 1954-55. Every knowledgeable expert recognizes that today it is only equal at best to the Soviet Mig-21 aircraft—of which the Soviet Union has thousands. Mr. President, this is not just someone's wish. We have the unmistakable history of the high success of the F-4, and it will still serve some useful purposes. But to subscribe to the idea of this plane, having a 1954-55 technology only, being our front line of naval power in 1974 and 1975, is for us to close

our eyes to advancements in technology and the facts of history.

Of much more importance is the fact the Soviet Union has flown several more modern types of fighters than the Mig-21; namely, the Foxbat, the Flagon, the Fiddler, and the Flogger. I have put these in here by name, for those who might be interested.

Everyone recognizes that the Soviet Union has made dramatic progress in aircraft technology. I am not trying to frighten anyone about what the Soviets can do, but I remember when I got off the plane on my only trip to Moscow, at midnight, and walked around the plane; the first thing I saw was this transcontinental jet passenger liner just ready to take off, and we were a long way then from having any that far advanced here in the United States, if Senators are impressed by that argument. As for me, it does not take just the drama of a sputnik. I was permanently impressed by that sight.

I do not believe anyone will question the fact that by 1975 Russia will have an impressive array of sophisticated fighter aircraft far more capable than the Mig-21. Every informed expert agrees that by 1975 the F-4 most assuredly will be an inferior aircraft. I have not heard any dissent from that. Not any. It will be incapable of successful air-to-air combat with the Soviet Union or any other Soviet bloc nation which the Soviet Union provides with these modern aircraft. I would like to assure my distinguished colleagues in the Senate that if they are willing for our pilots to fly inferior F-4 aircraft in 1975—incapable of successful air-to-air combat against the Soviet aircraft—then we should not authorize the F-14 or F-15 aircraft. I know that is not their feeling and that is why I urge their wholehearted support for these vital programs.

I emphasize again that big empty sickness and guilty feeling that those of us who were here in 1950 and early 1951 felt when the Korean war, initiated by that small nation, showed us those superior Soviet planes that put our pilots and our forces at such disadvantage.

Mr. President, this brings us to the real issue. We must face these issues today. It will be far too late in 1975, or for that matter in 1972 or 1973, to "beat our breasts" and loudly proclaim that no one knew the drastic consequences of the actions that may be taken today, by taking these modern instruments out of this bill. I want to repeat that we cannot buy time with money. It takes up to 8 years to develop and produce a new highly sophisticated weapon system. There are no shortcuts. I would like, therefore, for the members of the Senate to ask themselves and to search their own consciences as to whether they are willing to accept these risks. There ought to be some soul searching and conscience searching here, by men who know they know what they are talking about, before the ax of delay, much less of extension, is laid on the necks of these weapons.

Certain well-intentioned people have stated there will be no conventional war with the Soviet Union. I also earnestly

hope there will be no conventional war with the Soviet Union, or any other nation for that matter. However, my earnest belief and hope does not provide me with the luxury of eliminating or substantially reducing our Military Establishment. The world that we live in today confronts us with far more hard-hitting realities. We cannot base our national security on well-intentioned and earnest beliefs or opinions. Well-intentioned people have been proven wrong in the past, and in some things we cannot afford to take chances.

Some people will say that cutting out "this" particular weapon system or "that" particular weapon system will not lessen or reduce our existing or future capability to carry out our national policy interests. I must disagree completely. I have already mentioned the F-14 and F-15 aircraft programs as being absolutely essential to replace the F-4 fighter aircraft.

Mr. President, I do not want my distinguished colleagues to feel that I am overemphasizing or overstating the drastic consequences of the actions that will follow if the Senate approves the amendments to this bill. I would like to review very briefly some other major weapon systems which are the subject of amendments.

MBT-70 TANK

I come now to the MBT-70 tank. Mr. President, this matter is not currently before the Senate. I do not know whether it will be before the Senate again. I am sure the authors of the amendment are going to abide by the agreement, but I do not know. I think it will probably go to conference in this bill, and will be before us again also in the appropriation bill.

The key fighting element of our ground forces on a battlefield is its tanks. It is not rifles, trucks, armored personnel carriers, Sheridan vehicles, and so forth. Make no mistake, the most powerful weapon on a battlefield is a modern lethal tank. This is a matter of history as proven by the ground forces of the United States, Germany, and Russia during World War II. It is an inescapable fact. Here again, the Soviets have already introduced a new series of tanks—the T-62—so that by 1975 they will be able to outperform our M-60 tank face to face on a battlefield. The key issue therefore is: Should the United States rely on the M-60 indefinitely by canceling the MBT-70, which is to be operational by the 1974-75 time frame? I say most definitely not. In addition, the Soviets will have far greater quantities of tanks than will the United States. If we cancel funds for the MBT-70, it will be the inevitable result. If we do not develop a new tank, the only recourse is to rely on the existing M-60 tank now in use.

I have said before that I am not happy about the progress made by the Army and the Department of Defense in trying to deal with the complex problem of producing the very fine high quality tank that will be available by 1975. I want them to move faster and do a better job. And I believe they can.

If this provision remains in the bill, our committee will certainly push on the

matter. And I think that Secretary Laird will do likewise.

Some people have stated that we do not need a new tank because we will never have a conventional war with the Soviet Union. Once again, I most earnestly hope they are right. However, I cannot in good conscience base our national security on such a premise. History has proven too often that strong nations do not go to war because aggressor nations are afraid to challenge them.

If the Senate decides that canceling the MBT-70 tank program is wise, what justification is there to modernize other areas of Army equipment used on the battlefield? This reasoning will ultimately lead us to the conclusion that a second class or inferior military force in Europe or anywhere else is sufficient because there never will be a conventional war.

The people in Europe also felt that they were headed for a long period of peaceful detente with the Soviet Union prior to the invasion of Czechoslovakia by Russia. However, that agreement went up in smoke.

Mr. President, I will return to the discussion of the tank later in the debate. I want now to cover briefly the pending amendment which deals with the C-5A.

C-5A—DELETION OF \$533 MILLION

Preliminarily, I make the following points on this C-5A amendment.

First, I hold no brief for the C-5A total package procurement contract with its repricing formula and other complexities. This contract, among other things, leaves some of the obligations of the Government and the company in a state of uncertainty.

I do not think that it is a good contract for the Government. And I do not think it is a good contract for the contractor. I was tried out on too large a scale without its workability having been tested with smaller contracts.

Moneywise, it cost more than was calculated. But it is not a matter of excess profits. All agree that the contractor has not made money out of it.

The Air Force says the contractor lost money, but the contractor does not claim that he lost as much as the Air Force claims he did. That is because they do not figure some of those clauses correctly.

I do not like the contract. I would not have approved it. I think that time has proven it is bad. However, that is not really the question before us. That contract was made years ago.

Second, I have heard no criticism of the aircraft with relation to its performance or its need in meeting the requirement. I see a Senator present in the Chamber who is far better qualified to speak on the matter than I am.

I have earnestly sought since January for one word of substantial criticism of this aircraft.

The Senator from Wisconsin does not happen to be present now. However, the inquiry of the Senator from Wisconsin about this matter has been good. The Senator has worked hard on this.

I felt in terms of military preparedness that we had long since passed that stage. The question is whether we are going to

have this aircraft. I thought that we would have it if it was right. And I have not found anyone who would come forward with any substantial criticism of it.

It is true that the wing cracked. It nearly always happens in testing. I understand that they have attempted to see where it would crack. This crack occurred well over the expected limits. That matter has to be taken care of by the company.

I know that the Senator from Arizona and perhaps others have flown the C-5A. I will let them speak for themselves.

I was pleased with what they said about the plane. I expressly asked the Senator from Arizona to see the plane. I also asked the Senator from Colorado to see the plane. The Senator from Colorado said that he was glad to do so. However, something came up and he could not go.

I attended an air show at Dulles. It was the first time I have ever been to a big air show. I went out there to go through the C-5A. All I could see was the outside. However, other Senators will speak here who know what is inside the plane and what is in the motor.

It is true that in terms of cost it will be cheaper to operate, even including its production cost, by 25 percent than its nearest counterpart, the C-141.

Fourth, it will carry all of the heavy equipment for an Army division. It will not carry it all in one load. There will have to be many loads. However, all of the equipment of an Army division can be carried in this aircraft. No other aircraft can accomplish this mission since the C-141, our largest present operational jet transport, can carry only about 65 percent of infantry division vehicle types and 71 percent of armored division vehicle types. Other essential items such as tanks, bridge launchers, and helicopters cannot be transported by air until the C-5A becomes operational.

For the benefit of those who are interested, the C-5A is about ready to come off the assembly line. The prototypes we have seen represent the first five. However, those that are going into use are about ready to come off the assembly line.

The C-5A therefore provides the total for maximum mobility which is an essential element of all our military planning and strategy.

Fifth, with respect to the fourth squadron which would be the 23 aircraft deleted by this amendment, the Secretary of Defense without reservation urges this additional squadron as essential to meet our mobility requirement. As an example, if we have only three squadrons of C-5A's—they are the three we will have if we do not put any more in the bill—18 days would be required to move the equipment of an armored division from Fort Leonard Wood to Germany. Four squadrons could do the job in 12 days.

I am just illustrating now the enormous capacity of these machines.

Sixth, if the fourth squadron of C-5A are not built the Air Force will be forced at excessive cost to extend the use of the present cargo planes which are nearing the end of their useful lives. This will be

the effect, as I see it, of the amendment if the program should be canceled, if these 23 planes are not included.

EFFECT OF AMENDMENT IF PROGRAM IS CANCELED

Mr. President, the amendment can only have two possible interpretations—either it is intended to cause a cancellation of the C-5A program or, on the other hand, only a delay.

Let me first indicate the likely results if this amendment causes a cancellation of the present program. First, Government funds will be exhausted before the first of the year, and the contractor will then be confronted with whether he will continue the program under his own financing even though he is legally liable to deliver the 58 aircraft under run A. If the contractor should default on run A, the Air Force indicates it is possible that the number of planes to be received will be somewhere between 10 and 20 rather than 58. In the meantime, well over \$2 billion in Government funds will have been expended on this program for which we will have little to show.

I am not waiving any rights we might have against the contractor, but my point is that we would not have the planes coming off the line. We would spend all this money, some of it unfortunately, but we would perhaps have just between 10 and 20 planes.

EFFECT OF AMENDMENT IF PROGRAM IS DELAYED

Mr. President, if the amendment is intended to delay the program and money is appropriated next year to continue with the fourth squadron, there will be two very bad results. First, the additional cost of run B would be on the order of from \$400 to \$550 million due to the disruption of the production program and other factors involved in a new start in the production system. Secondly, there would be a production gap between run A and run B of approximately 18 months.

The issue, therefore, is whether the Senate wishes either to kill the C-5A program or to delay it. I ask what possible benefit can accrue from either of these actions.

Mr. President, some misinformation has come to the Senator from Wisconsin, and I think now is a good time to take up that matter.

I say to the Senator from Wisconsin that I have before me a copy of the RECORD of August 13, 1969, page 23763. That is the last day the Senate was in session before the recess. The Senator from Wisconsin very honestly made this statement, on page 23763.

I recently asked Philip N. Whittaker, the Assistant Secretary of the Air Force, Installations and Logistics, to brief me on the military requirement for the 23 additional aircraft or for the 120 aircraft.

That was a question of whether these 23 planes shall be added and shall we go all the way then up to the 120.

Mr. Whittaker replied that the military requirement is based on classified information. I can well understand the Air Force's reluctance to discuss the military requirement publicly. I have learned that the most recent study by the Office of Systems Analysis into the C-5A program concludes that the 23 follow-on aircraft cannot be justified on either military or economic grounds.

Mr. President, if it cannot be justified on either military or economic grounds, it should not be allowed. It should be stricken from the bill. I checked back on this. The Senator from Wisconsin did not say that Mr. Whittaker said this, but there is a possible inference that the idea came from Mr. Whittaker or that he told the Senator that. I checked back to be certain, and Mr. Whittaker said he did not make such a statement. I have here a letter on that point, and this is not a disclosure of anything.

I have asked the Secretary of Defense about this matter, and the Senator from Wisconsin has asked about it, very properly. In his letter of September 2, addressed to the Senator from Wisconsin, with a copy to me—and he so indicated in the letter—Secretary Laird said this:

Furthermore, I asked the Assistant Secretary of Defense for Systems Analysis to conduct a review of the C-5A, and this searching evaluation raises doubts about the need for the fifth and sixth squadrons.

There is nothing in the bill about the fifth and sixth squadrons. The only thing in this bill is the fourth squadron, 23 planes. So the Secretary said that it raised some doubt about the need for the fifth and sixth squadrons.

However, after a critical examination of this issue, he firmly recommends—

He is talking about the gentleman from Systems Analysis—and supports a fourth squadron.

That is the one that is in the bill.

The FY 1970 budget includes only the fourth squadron.

That is the end of the quotation from the letter.

MR. PROXMIRE. Mr. President, will the Senator yield?

Mr. STENNIS. Yes, I think I should yield to the Senator at this point, and I was going to offer to do so. I do wish to make one further point, if I may.

I checked into this matter to the best of my ability, and I take the letter of the Secretary of Defense at full face value. I cannot find anything on this subject in any of the reports of this Systems Analysis group that conflicts with what the Secretary has said. Instead, it confirms what he said, just as he stated in the letter.

So I do not have any doubt about what the facts are as to the fourth squadron. That is all that is in the bill. The fifth squadron, as I have pointed out over and over, is a matter for future determination.

First, it is a matter between the Secretary of Defense and his staff to make a decision and to make a recommendation to us. Then it will be up to us to consider that recommendation and to make one on the floor of the Senate.

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I say to the distinguished Senator from Mississippi that I still stand by what I said on August 13. I said:

The most recent study by the Office of Systems Analysis into the C5A program concludes that the 23 follow-on aircraft cannot be justified on either military or economic grounds.

I discussed this with the Secretary of Defense this morning by telephone. He sent Colonel Furlong and a William Barody to my office with the memorandums about which I am talking.

He disclosed to me that these memorandums are classified. I requested that I not be given the classified information, because I do not believe in getting it unless it is absolutely essential, but that his representatives give me an oral description.

They said that there are two studies, one dated November 7, 1968, and one dated in June of 1969. The June 1969 study was a major memorandum and the November 1968 study was a more informal study. Both of these studies—and I reiterate "both of these studies"—indicated that further purchases of the C-5A could not be justified. The studies showed that.

However, I think I can reconcile my position with that statement and the letter from the Secretary of Defense that concluded that what the study showed they should not accept because they felt the first study, which indicated the number of hours the C-5A would have to fly would be 15 hours a day, was unrealistic.

With respect to the second study, they felt all assumptions made were extremely optimistic and would require prepositioning of supplies, which was unlikely in their view, and availability of other aircraft, which was unlikely in their view.

But they said that on a strict cost basis, both studies showed it would be uneconomical to purchase the C-5A.

One other qualification is involved. Colonel Furlong said that it could be and would be economically feasible to purchase the C-5A if you did not discount the cost of the C-5A. But, of course, every kind of investment has to be discounted. The Defense Department discounts investments at 10 percent, which is the proper rate. Failure to discount an investment gives a false result, because such failure assumes that a dollar invested today will not yield a return and of course we know every investment must yield a return or it will not be made. The proper return in private industry is 12 percent. That means the future benefits from an investment in private industry must be discounted at a 12-percent rate. The higher the discount the lesser the present value of the future benefit. So the 10-percent discount when used by Defense would quite fully state the value of the future benefits that would come from the investment in the C-5A, and on this basis the study shows the C-5A is not cost effective. It will not be worth what it costs.

Mr. President, if you discount the cost of the C-5A, Defense says it cannot be economically justified in this study, but they reject this study.

I hope that clarifies the situation for the Senator. To repeat, the studies show that from an economic cost standpoint, it would be unwise to buy further C-5A's. However, the studies have been rejected on the grounds that they were made on

unrealistic assumptions. In other words, they didn't like the conclusion their own Defense studies came to.

Mr. STENNIS. I wish to ask the Senator by whom the studies were rejected.

Mr. PROXMIRE. They were rejected by the Secretary of Defense, to begin with, and I presume by the people who advise him.

Mr. STENNIS. Does not his letter say that he asks the Assistant Secretary of Defense for Systems Analysis to review all this matter and that after this critical examination he firmly recommends and supports the fourth squadron?

Mr. PROXMIRE. That is correct. The Assistant Secretary of Defense also rejected these studies. He felt the assumptions were not sufficiently realistic to justify purchasing the C-5A although the study itself indicates that this purchase could not be economically justified. To me this is shorthand for saying the facts don't justify this purchase but we are going to make it anyway.

The PRESIDING OFFICER (Mr. GURNEY in the chair). The time of the Senator from Mississippi has expired.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may be recognized for an additional 15 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. STENNIS. I wish to make this observation to the Senator and to the Senate. Here is the Secretary's letter. It relates what he did. He says that he and the Secretary recommend this fourth squadron. I am handicapped a little here about some classified information. I looked at this analysis with my own eyes and I read from it. It stated just what the Secretary said it stated with respect to the fourth squadron. I confine my remarks to the fourth squadron. I wish the Senator would look at it. I say this with all friendliness. One has to look at some of this classified material, whether he uses it or not, in order to have a rounded picture of this matter. I do not like it myself. I am afraid I will forget sometimes what is classified. There is no hold-back on the facts in this matter.

Mr. PROXMIRE. The classified information contained in this study is not necessary to know what the conclusion is. I asked them to give me the conclusion. There was no question. Both Mr. Barody, who worked for the Secretary of Defense, and Colonel Furlong, who worked on the matter, agreed that the study showed the purchase of the C-5A was not feasible. I asked, "Are you talking about the fourth squadron, 23 additional planes?" He said, "Yes." He said he was talking about that—that or any other further C-5A purchase.

He has a right to accept or reject these reports. He is not an automaton; but the report showed that on the basis of the report it was not an economic buy.

Mr. STENNIS. Did the Senator read the report?

Mr. PROXMIRE. I accepted the word of two people in the Department. I did not read it. Sometimes being in possession of classified information can bring nothing but grief.

Mr. STENNIS. Is the Senator talking assume that the fourth squadron was already about the June 11 study? a part of the Pentagon's inventory.

Mr. PROXMIRE. They said both the November 1968 study and the June 1969 study came to the same conclusion for different reasons. The first one because of the hours involved. It was a question that if you could use these planes 15 hours a day, three squadrons would be enough. There was not a question, if one accepts that assumption, that three squadrons would be enough.

Mr. STENNIS. I saw the memorandum about the use of the planes. That was a comment by one individual and we want comments by many individuals. I have my own staff give me the pros and cons about matters I am not familiar with.

The November item was a statement by one person only. I am told by people who know that that was based on an unrealistic number of hours per day that these planes could be used. I believe in burning the midnight oil. Those who know say that that was unrealistic. It could not be worked out. There has to be a certain number in the shop, and so forth; and that was not a practical conclusion.

Mr. PROXMIRE. The second study, was much more substantial, did not relate to the number of hours per plane, but related to the availability of other equipment.

This is the heart of the amendment. I think the Senator has struck at the heart of the matter. All of this indicates why the amendment should be agreed to. The amendment would provide we would hold up further production on the C-5A until we have a satisfactory study by the GAO to give us the information we should have. That is the least the Senate should have under the circumstances.

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

Mr. STENNIS. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I am very interested in this colloquy because I read the comments in the Washington Post of August 31 about the C-5A limitations, and so forth.

The surprising thing to me, when I hear top secret papers discussed here, is that most of that information was contained in the Washington Post article. The question comes to my mind as to who leaks these things to the Washington Post. The distinguished Senator from Wisconsin refuses to read top secret information, but on the other hand, everyone who subscribes to the Washington Post can read it.

Mr. PROXMIRE. I do not refuse to read top secret information under any circumstances. However, when it is not essential and I do not have to see it and when the conclusion will serve the purpose, I try to avoid it because as few people as possible should have access to that information.

Mr. GOLDWATER. I agree. But somebody in the Pentagon makes it easy for the Washington Post to get what it wants, and I have a good idea who it is.

One of the points in the June paper is:

According to those in a position to know, Systems Analysis was directed this spring to

do about those 17 commitments, we cannot chop down this authorization bill the way we seem to be going.

Mr. PROXMIRE. After 3 or 4 weeks, the ships become five, six, seven times less expensive than the airlift.

Mr. GOLDWATER. I agree with that. To be able to write off equipment that fast is the way to do it. I only wish in private business that we could write it off that fast because that would bring the cost down. But I do not look upon this airplane as one we should buy to fill a contingency need, to fill a need just as the 141's came in and replaced the 119's, and the 124's replaced the C-47's. This will replace the 133's. The 130's have been transferred to TAC.

The comment is that it is simply not true. The Secretary of Defense directed Systems Analysis to make a complete review of the C-5A program. The conclusion from this critical review was that four C-5A squadrons were adequate to meet our deployment objectives but raised doubts about the need for the fifth and sixth squadrons.

We are not talking about five or six. That is up to the Secretary of Defense to talk about next year. In order to keep the record clear, we need four squadrons. I intend to address myself to that at length when the floor is available. We need the fourth squadron to back up what the distinguished chairman has been talking about. When we get into trying to justify plane hours and use, we can run the gamut. All we need is a slide rule and bad eyes. Only 70 percent of aircraft are available at any one time to fly. To get the figures that the three squadrons get at, we would have to assume 100 percent of the MAC fleet was available to fly all the time, 15 hours a day. Well, there is no airline or air force in the world that can reach those figures. So the figures have to be arrived at realistically, I think. When we do, we find that the three squadrons will not support the MAC requirement.

Mr. PROXMIRE. I do not rely on that number of hours which we can get if there is need for it. The GAO tells us that commercial airlines do fly substantially more than 15 hours per day.

Mr. GOLDWATER. No. I can tell the Senator that they do not. They wish they could.

Mr. PROXMIRE. This is a peculiar kind of need. This is a need for an emergency deployment for a period of 10 days to 2 weeks, all of a sudden, when we go on a crash basis. It is not as if we have to have something for 2 or 3 or 4 years continuously. It is for an immediate response to some kind of emergency situation. This is the only time when we need really the C-5's that urgently. The rest of the period we can rely on other forms of transportation. We are sending 97 percent of our supplies to Vietnam by ship, as the Senator from Arizona knows. Thus, it is not during a prolonged period when we need this. We do not have to worry about keeping 75 or 85 percent of our planes in operation for a long period of time. Only in terms of a sudden response do we need the C-5A.

Mr. GOLDWATER. I could not disagree more with the Senator from Wisconsin. We would be foolish to buy equipment just for a certain type of use. This will be a year-round, year-after-year, use. It will be used to replace in part shipping. I intend to introduce some rather startling figures into the record to show that it can beat some shipping, beat trucking, and beat some railroading. It is not just what it will do in a sudden crisis, say in Korea, or South Vietnam, or some other place where I might remind the Senator from Wisconsin we have 17 commitments to go to war. Until we know what we intend

Mr. PROXMIRE. After 3 or 4 weeks, the ships become five, six, seven times less expensive than the airlift.

Mr. PROXMIRE. The Air Force documentation to support the C-5A says, No. 1, that C-114's will carry 65 percent of the equipment needed by a division by airlift, and only 35 percent will be carried by the C-5A, that the period of time when they will need it and it would be urgent—would be brief—that they can use it over a longer period but it is far more expensive than to use ships. I would be delighted for the Senator from Arizona to show the lower costs of an airlift over shipping.

Mr. GOLDWATER. The fourth squadron with C-5A's plus what we have in 141's will replace, in my opinion, enough aircraft and crews to almost pay for the project itself.

Mr. STENNIS. Mr. President, I thank the Senator. I do not want to cut off this colloquy, but I really do not want to hold the floor much longer.

Mr. President, how much of my allotted time do I have remaining?

The PRESIDING OFFICER. Seven more minutes remain to the Senator from Mississippi.

Mr. STENNIS. One more word here with reference to the point the Senator from Wisconsin and I were discussing. I am satisfied from my reading of the document that is classified—and we are talking about the same document because it all happened today—that the analysis systems people recommend the full squadron that is in the bill. There is no question about it, just as Secretary Laird says here in his letter.

For the information of the Senate, even though the letter is addressed to the Senator from Wisconsin, if it is agreeable to him, I ask unanimous consent to have it printed in the RECORD.

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

THE SECRETARY OF DEFENSE,
Washington, D.C., September 2, 1969.
HON. WILLIAM W. PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR BILL: Thank you for your letter of September 2nd concerning two documents relating to the C-5A prepared in the Office of the Assistant Secretary of Defense for Systems Analysis. I hope I can clarify any misunderstanding concerning the work of the Office of the Assistant Secretary of Defense for Systems Analysis and the Assistant Secretary's recommendations to me in connection with the C-5A program.

The job of the Systems Analysis staff is to make critical appraisals of defense programs.

In their review and evaluation they examine both sides of an issue, but especially the critical side, since others will emphasize the positive aspects of an issue. This is an essential function of significant assistance to me. But, critical studies are not the only basis on which decisions are made. They are part of the wide variety of information I need to draw conclusions and make judgments on defense programs. However, if internal, critical studies prepared by the Systems Analysis staff continue to be given public expression and used as the source for attacking DoD programs, their valuable contribution to the defense decision-making process will be significantly reduced.

Furthermore, I asked the Assistant Secretary of Defense for System Analysis to conduct a review of the C-5A, and this searching evaluation raised doubts about the need for the fifth and sixth squadrons. However, after a critical examination of this issue, he firmly recommends and supports a fourth squadron. The FY 1970 budget includes only the fourth squadron.

With respect to providing unclassified versions of the Major Program Memorandum and other internal working papers, these usually lengthy documents are prepared only in classified form for the internal use of the Department of Defense components involved in the decision-making process. The reason this particular MPM is classified is that it contains defense contingency planning details.

Since Senator Stennis has expressed an interest in this subject, I am sending him a copy of this letter.

Sincerely,

MEL LAIRD.

Mr. PROXMIRE. Mr. President, will the Senator from Mississippi yield at that point for an observation?

Mr. STENNIS. I yield.

Mr. PROXMIRE. I also note that the two representatives of the Defense Department indicated that, conclusions in the article in the Washington Post on the C-5A written by Bernard Nossiter last Sunday were correct and accurate. There is no question about that. Of course, the conclusions of that article were that the C-5A fourth squadron is not economically justified. In several ways they indicated that was the case. If the Senator from Mississippi (Mr. STENNIS) feels that the actual report itself—I am not sure he is making that point—said that we should go ahead with the fourth squadron, then I cannot see any other alternative than to secure from the Secretary of Defense that report and have it made available to all Members of the Senate; and perhaps we can have another secret session and close the doors and discuss the report, including the classified information in the report, if that is the position of the Senator.

If, on the other hand, he concludes, whatever the report shows, that the Assistant Secretary of Defense, the Secretary of Defense, and others feel that the C-5A should be purchased, but the report does not recommend it, then I do not see any necessity for having this report made available further.

Mr. STENNIS. Well, I have said about all that I can say about it. I have talked to the Secretary. The Senator from Arizona was present at that conversation. I asked him to be there. He was here on the floor. I asked him to go out there with me.

Mr. President, I rest the matter here about the Secretary's recommendation. It is based on the conclusions of the report as to the capability of the planes along with others, that they would do the job. That was a major conclusion on their part.

CARRIER—DELETION OF \$377 MILLION

Mr. President, let me address the amendment deleting all funds for the aircraft carrier. For more than two decades the attack carrier has been the foundation of conventional U.S. sea-power. They provide the sea-based tactical air-power which we have considered for many years to be essential to our national security.

We cannot overlook the fact that overseas land bases of the Air Force have declined from 105 in 1967 to 35 in 1968 and even many of the existing bases could be denied to us due to rapidly changing political conditions.

One issue we may as well face is the question of whether we desire to have tactical aviation in the Mediterranean and in some parts of the Western Pacific. If so, it must be carrier based.

The carrier in the bill will replace an Essex class which today cannot accommodate certain new aircraft, including the F-4 Phantom II, A-6 Intruder, E-2 Hawkeye.

This amendment can only have one of two meanings. First, that no further carrier should be built with the result that carrier force will disappear through age and obsolescence. The other possible interpretation is that a delay is intended.

A delay carries the following consequences:

First, \$132.9 million in lead funds for this carrier have already been obligated. Approximately \$40 million have already been expended. Termination costs of the lead contractor would be about \$45 million.

Second, the additional construction cost of 1 year has been estimated by the Navy to be \$100 million.

The leadtime items for this carrier are right now in the process of being acquired, and we are up to the point of the laying of the keel at this point, if that term applies.

Third, a little understood feature of this amendment is that no funds authorized or appropriated in this or any other act may be used for the production of CVAN-69, and thus the amendment would prohibit the expenditure of any further fiscal year 1969 funds, even though these funds have been obligated. The amendment, in short, would require a termination of these contracts for long leadtime items.

Nuclear propulsion is Admiral Rickover's business, and I have asked Admiral Rickover to give me his assessment of what such termination would mean to the nuclear carrier program from the standpoint of our ability to obtain the nuclear propulsion components. Admiral Rickover tells me that the impact would be far greater than meets the eye. There is an enormous backlog of demand from private utilities that are buying nuclear reactors for electric power generation, and Admiral Rickover assures me that the part of the heavy industry

which is devoted to producing nuclear reactors for naval propulsion would be snapped up by private industry the instant it became available. If we then, after studying the requirement for nuclear carriers, decided that we must go forward with the modernization of this vital element in the Navy force structure, there would be long delays while industry made room in its production lines for the required propulsion components.

Much—indeed, most—of the fiscal year 1968 and 1969 funds which have been put into long leadtime items would be wasted since a program restored with fiscal year 1971 or later year funds might very well have to be placed with different contractors. The partially fabricated parts could be stored, but probably could not be used by different contractors, and it would mean starting all over again.

This is the kind of disruption, Mr. President, that is caused by on-again off-again, stop-and-go indecision in funding and producing weapons. The Navy has estimated that the time delay in completing CVAN-69 for introduction into the fleet would be a minimum of 1 year, probably longer, in addition to the added cost occasioned by the disruption in production plans and the waste of fiscal year 1968 and 1969 funds in the amount of approximately \$100 million.

I ask, Mr. President, is it in the national interest to accept either of the alternatives posed by this amendment? The answer is an emphatic "No."

This is one of the three carriers of the so-called *Nimitz* class, modern in every way. They are all replacements, and they will all, of course, be able to take care of all the weaponry and all the planes that we have of the most modern kind, and those of the foreseeable future. I do not think it makes any difference whether we are talking about 12 carriers or 15 carriers. That is not the issue. I am talking about attack carriers now. The issue is whether we need the carrier type—the ultramodern, nuclear-powered, ultimate type carrier that can meet all situations and take care of all planes now or in the foreseeable future.

I do not believe any Member of the Senate questions the seriousness of the Soviet threat. I do not believe they question the tremendous and rapid Soviet progress in improving its military capability. Russia is making rapid strides in producing both attack and Polaris-type nuclear submarines. They have made rapid strides in producing new air superiority fighter aircraft. They are building new cruisers. They are deploying rapidly substantial numbers of new intercontinental ballistic missiles. They are continuing to modernize their ground forces. Yet in the light of these recognized facts of Soviet military progress, we continue to say that the Soviet Union wants peace. I earnestly hope it does. However, the hard, cold evidence is that they are building a gigantic military machine. The only question that no one can answer is—what are the Soviet's intentions relative to using that gigantic military machine? We must be prepared for all eventualities. It is our responsibility, knowing the details about the Soviet threat and its vast military capa-

bilities, that we cannot in a moment of emotion or economic stress ignore these vital facts. I want to say most respectfully that if these amendments are acted upon affirmatively by the Senate, that they are tantamount to a partial unilateral disarmament. It is my purpose today that all the members fully appreciate the significance of what is involved in the proposed amendments—that we must face up to the key facts and issues I have discussed and not permit ourselves to examine one or another weapon system in isolation and ignore the key role it plays in our overall defense picture.

Mr. President, I have held the floor a long while. There will be other discussions. This is a bill being discussed not by just the chairman of the committee. Other Senators who are highly qualified will debate different items further. I am going to discuss them somewhat, too.

CONCLUSION

I want to mention one additional factor, and then I will be glad to yield the floor or yield for questions. As every Member of the Senate knows, this country relies on the young men of America to carry out our military responsibilities. I do not want this Senate to be in the position of saying to these young men who are drafted from our homes or are otherwise in the service, that "This Government is imposing on you, at the risk of your lives, the obligation of meeting our military obligations, but at the same time you may have weapons that are insufficient in number and inferior in quality."

I know no Senator wants to do that. No Senator wants to do that. I believe, with all the sincerity of my knowledge and purpose, that these amendments bring us right up to that line. I am certain they do. We do not know in what field or in what year or when or why we may have a conflict, but we do know that we must be prepared, and we are the only ones, under our system of government, that can provide that preparedness.

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

Mr. STENNIS. I yield to the Senator from Colorado.

Mr. DOMINICK. I congratulate the Senator from Mississippi on an extremely fine presentation of a complex and difficult bill. It seems to me—and I am sure it does to the Senator from Mississippi, from his comments—that a great number of people believe that a great portion of military spending is wasted money. What we are dealing with is not wasted money or expenditures; we are dealing with the security of the country. When we are dealing with that, it seems to me, as the Senator from Mississippi has just finished saying, we had better have the best weaponry we can have in order to maintain that security.

In addition, if the Senator from Mississippi will allow me, I have in my hand an article written by Kenneth Crawford in Newsweek for August 25 and a very fine editorial from the Washington Evening Star of August 25 on that subject, which I ask unanimous consent to have incorporated in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. No.

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

THE 7-MONTH ITCH

(By Kenneth Crawford)

After seven months in authority, the 91st Congress and President Nixon are resting. It would be ungracious and even a little unfair to ask: resting from what?

Mr. Nixon, having made two trips abroad, started withdrawal of troops from Vietnam, enunciated the Guam doctrine of sanitized involvement in world affairs and announced a policy called "the New Federalism," which includes innovative substitution of training-work-family support for the present welfare system and Federal revenue-sharing with the states, has justified his California semi-vacation.

Congress, too, has done something, though not as much, to earn its three-week respite. The Senate, after much angry debate, has refused by a two-vote margin to turn down the President's request for deployment of an anti-ballistic-missile defense system. The House has passed an admirable tax reform and relief bill but one that would reduce government income too substantially. Both branches have extended the temporary 10 per cent surtax, but the Senate has refused to go along with the House on other anti-inflation measures.

Yet the first seven months were less notable for any of these achievements than for "the revolt against the Pentagon." This was the phenomenon that toned the period. The sound and fury of it were deafening. It was the itch politicians and the media spent their energies scratching. It was what the ABM debate in the Senate was about. Its shibboleth, "restore civilian control of the military," was so pervasive that nobody bothered to ask how something that had never been lost could be restored. It was as faddish as miniskirts and mutton-chop sideburns.

POLITICAL PAYDIRT

Denunciation of the "military-industrial complex" looked like political paydirt, and members of Congress, especially those sitting in shaky seats, hastened to dig it. Disillusionment with Vietnam, the high cost of sophisticated military hardware and the inflation resulting in part from paying the bills for it made the digging easy. Opponents of ABM in the Senate came so close to winning and were so universally applauded for the effort that they almost all became overnight military experts. They were soon proposing to cut authorizations for an aircraft carrier, for a new tank, for experimentation and various other purposes out of the Pentagon's plans for future contingencies.

Congress, of course, has the power and the duty to control and police the military. It has always done so with more or less vigor. Its military-affairs committees are not without expertise. Harry Truman made the reputation that ultimately landed him in the Presidency by overseeing military contracts during the second world war. Sen. Henry Jackson was probably more responsible than anyone else for the ABM victory. Should the wheel turn toward public approval of this and other defensive devices, as it could, Jackson might become the Democrats' best bet for a 1972 Presidential comeback.

NEAR-HYSTERIA

Sense of proportion has been lost in the current near-hysteria. It has happened before. On the eve of the second world war, the House came within a vote of suspending the draft. After that war, public demand to "bring the boys home" was so insistent that the armed forces were all but disbanded. Secretary of Defense Louis Johnson was a hero one day for presiding over their dissolution and a scapegoat the next for the na-

tion's lack of preparedness to fight the war in Korea. Conditions can change attitudes with the speed of light.

The Senate-based campaign against the Pentagon would be excessive in easier times and is especially so with the world as tense as it is now. The recent resumption of enemy attacks in Vietnam and immovability of Communist negotiators in Paris seem to be the answer to Averell Harriman's theory that what we need to do is set a pacific example in order to stop the fighting. The Soviets are outbuilding us in strategic weapons and catching up in naval power, displayed in the Mediterranean and even in the Caribbean. Potentially contagious crises persist in the Middle East and along the Sino-Soviet frontiers and Moscow is delaying arms-control talks.

But we are advised not to be timid about reducing armaments. After all, China is a distant threat and the new Soviet leaders are reasonable fellows. Those who give this advice would do well to read testimony by Anatoly Kuznetsov, the recently defected Soviet author, on the stability of the present Soviet leadership.

HERE WE GO AGAIN

As the pressure mounts this year for ever-deeper slashes in defense spending, it may be worth recalling that the United States has been led down this primrose path before.

When Woodrow Wilson scrapped his campaign slogans and took this country into World War I our armed forces, after long years of fiscal starvation, were of the skeleton variety. With war once declared, of course, a tremendous buildup began, and when the Kaiser finally threw in the sponge the United States had acquired a very respectable military establishment.

But it was speedily junked, since World War I had been "the war to end wars," and most of our people were naive enough to believe it.

Some 20 years later, as we were being drawn irresistibly into World War II, the price of unpreparedness had to be paid once again. Franklin Roosevelt had seen what was coming, and had made some tentative moves to prepare for it. But he soon backed off in the face of the know-nothings in Congress and the unwillingness of the American people to pay the price of being ready. Thus, when Pearl Harbor blasted us out of our slumber, we repeated the same frantic—and needlessly expensive—drive to build an army, navy and air force upon which our national life depended.

One would think that we might have learned something from this second unhappy experience. But not at all. After the enemy had been crushed in 1945 there was a great rush to "bring the boys home" and to dismantle with reckless haste what then was the world's most powerful military machine.

Five years later we paid the price of this sort of rashness all over again. On the eve of the Korean war our defense budget had been cut to around \$12 billion. We were lulled by the cozy assurances that it was the fat, not the muscle, which was being pared out of the budget. And of course we were unready when the North Koreans struck; for the third time in living memory billions of dollars were wasted on hasty military spending to compensate for our earlier neglect.

Are we going to stumble blindly down the same old path all over again in 1969? It looks like it. The wise men on Capitol Hill, who have led us astray so often in former years, are sharpening their knives. When they return in September they will be hacking away at defense spending. The watchword is "economy at any price." The Nixon administration, and Defense Secretary Laird in particular, seem to be beating a strategic retreat.

Laird now proposes an additional \$3-billion cut in the defense budget for fiscal year 1970. He says he would rather make his own

cuts at this time than to be forced to make deeper cuts later by Congress, deeper cuts which he says would result in a "chaotic" situation. But the Defense Secretary, in announcing his intention, warned not once but three times that even his own cuts will impair our military readiness "and reduce our capability to meet our current defense commitments." This at a time when the Soviet Union is spending substantially more money on its military establishment and significantly increasing its worldwide military power.

To put this matter in some perspective, our defense budget, even after the Laird cuts, would be \$77 billion. That is a great deal of money. But it is not enough in a dangerous world if it means that the United States in terms of military power is going to become a second-best nation, unable to meet its commitments and incapable of insuring its own security.

Secretary Laird and President Nixon must have an informed opinion as to whether or not this is so. If they think it is so, then it seems to us that instead of retreating they should take their case over the head of Congress to the American people. They will find plenty of ammunition in the dismal record of the past 50 years.

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

Mr. STENNIS. I yield.

Mr. THURMOND. Mr. President, the distinguished Senator from Mississippi and chairman of the Senate Armed Services Committee, Mr. STENNIS, has just made an excellent defense of the 1970 fiscal year military authorization bill, as reported to the Senate by his committee.

As a member of that committee, it pleases me to hear the chairman "tell it like it is." This business of cutting one program and then another must be viewed as a whole, and the only conclusion which can be reached is that this country will be a second-rate power in the mid-1970's and 1980's if we drop programs like the nuclear aircraft carrier, the C-5A, the MBT-70, the F-14, and the F-15. As the Senator from Mississippi stated, this bill has already been cut \$3 billion, and to cut further would seriously impair our ability to fulfill the commitments which the Senate has endorsed in approving treaties and agreements with over 40 nations.

Mr. President, the Armed Services Committee chairman has also said something that needed to be said badly. That is, and I wish to quote directly from his excellent statement:

If these amendments are acted upon affirmatively by the Senate, they are tantamount to a partial unilateral disarmament.

It is my feeling the Members of the Senate do not realize how serious this matter has become. The distinguished Senator from Mississippi has rendered a vital service to the Senate and his country by the delivery of his thorough and persuasive remarks here today.

Mr. STENNIS. I thank the Senator very kindly for his very warm words and his strong words in support of the bill.

Mr. President, I ask unanimous consent to insert at this point the letter of August 30 from Secretary Laird on the reduction in defense expenditures.

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

THE SECRETARY OF DEFENSE,
Washington, D.C., August 30, 1969.

HON. JOHN C. STENNIS,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On August 21, 1969, I announced that it was necessary for the Department of Defense to proceed with the identification and implementation of further FY 1970 expenditure reductions of up to \$3 billion. As we discussed prior to my announcement, the necessity for initiating actions now is based on three factors:

1. Congressional action in imposing a limitation on Federal expenditures for the Fiscal Year which ends June 30, 1970. This expenditure limitation, which was passed by the Congress, was agreed to by the President.

2. The anticipated budget cuts by the Congress, and

3. The economic needs in our country, especially the inflationary pressures that currently exist and which the President is determined to bring under control.

I emphasized, however, that these reductions were to be effected with the least possible impact upon our readiness and our present and long range requirements.

Funds requested in the FY 1970 procurement and RDT&E authorization are directly tied to the long range readiness of our forces. They relate to the major equipments for the Armed Forces and the RDT&E necessary to support modernization and improvement of major Defense weapons. Accordingly, they are in the category of the highest priority programs within the Department of Defense budget.

The programs covered by the \$20,060 million authorizations approved by the Senate Armed Services Committee represent valid and high priority equipment and research requirements of the Department of Defense and are fully supported by the Department. Additionally, in its review of the Senate Armed Services Committee action, the Department of Defense has made a reclama to the House Armed Services Committee for the restoration of \$968.8 million. This reclama was submitted with full consideration of possible expenditure reductions which might be levied on the Department of Defense for FY 1970, and, thus, is further evidence of the priority of these programs.

Decisions made to date to reach the first \$1.5 billion of expenditure reductions do not contemplate reductions in procurement and RDT&E beyond those specifically recommended by the Senate Armed Services Committee. It must be recognized, however, that final decisions on the Defense budget must await Congressional action. Therefore, I cannot assure that further reductions to the budget will not be necessary in the future in order to meet the constraints of expenditure limitations imposed upon the Department of Defense.

Sincerely,

MEL LAIRD.

Mr. HATFIELD. Mr. President, since July 7 the Senate has been considering the defense authorization bill, which seeks authority for the expenditure of about \$20 billion for the procurement of various weapons systems and other items requested by the Department of Defense.

This \$20 billion represents about one-fourth of the Department of Defense budget, but includes those items which would comprise a major portion of future defense budgets: missiles, the ABM system, naval vessels, submarines, combat vehicles, strategic bombers, tactical fighters, various other aircraft, and so on, in addition to funds for research and development.

The fundamental question raised by

this bill is what portion of our resources should we devote to national defense. Our task is to decide how large our defense budget shall be, both for the fiscal year 1970 and those that follow.

At present the official budget of our Government indicates that 41 percent of all governmental outlays are directed to defense expenditures. No function of the Government absorbs portions of the budget that in any way approximates the funds spent for this purpose.

However, in actuality, expenditures for defense account for a far greater portion of tax revenues than is indicated by the figure of 41 percent. Money utilized by the Government can be separated into two categories—those funds which the Government actually owns, having collected them through taxes—individual and corporate income taxes, excise taxes, and so forth—and those funds which the Government administers as a trustee, such as social security payments, unemployment compensation, civil service retirement contributions, and other trust funds. The unified budget concept, used since January 1968, includes expenditures of all these funds as Government outlays, dividing them according to various functions. But if our desire is to determine what portion of funds actually owned by the Government is spent for defense—which is the question at hand—then calculations must change, excluding those funds the Government administers as a trustee. By so doing, we discover that defense spending amounts to about 53 percent of all dollars owned by our Government.

Yet even this figure only includes the costs of fighting present wars and providing a preparedness for the future. It does not include Government revenues that are currently spent to pay the continuing costs of past wars. Veterans payments, for instance, amount to more than 5 percent present expenditures of Government revenues. Further, the payment of interest on the national debt, which is directly related to the costs of past wars, accounts for about 10.5 percent of these funds.

Therefore, more than two-thirds of all Government revenues are spent paying for past wars, present conflicts, and our future military preparedness. In other words, out of every \$100 of tax money paid to the Federal Government, approximately \$67 is exhausted by these means; that leaves on the same basis \$4.04 for education, \$2.50 for all programs of international assistance, \$1.84 for community housing and development, \$1.26 for the preservation and utilization of our natural resources, \$8.63 for health—including \$6.70 for medicare and medicaid—\$5.97 for commerce and transportation, \$3.45 for agriculture, \$2.63 for our exploration of space, and \$1 for other social services.

Out of all the money paid out by the Government, certain expenditures are fixed, and cannot be readily reduced or eliminated. Veterans payments, Federal Government salaries, various educational funds, money for our national parks, and many others are all examples. There remains a portion of Government outlays that can be readily controlled and al-

tered. Last March, the Joint Economic Committee reported that 80 percent of these "relatively controllable Federal outlays" are spent on national defense.

The truth is that our Government is dominated by defense spending. This is the consuming factor controlling our Government's financial resources. It is the primary agent which shapes our national budget. Government spending is largely defense spending. The impact of all funds spent for other purposes is insignificant when compared to the pervasive influence of the billions we devote for military purposes.

Where is the fundamental responsibility for determining the level of defense spending? How does our Constitution allocate these powers? Let me quote from article I, section 8 of the Constitution:

The Congress shall have the power to . . . provide for the common defense. . . . To raise and support armies. . . . To provide and maintain a navy. . . .

To provide for organizing, arming, and disciplining the militia.

No other function of Congress is mentioned as often or given as much emphasis as its responsibility to approve and control the provisions for our defense and the functioning of the country's militia.

In its wisdom, the Constitution recognizes that the responsibility for military expenditures must rest fundamentally with Congress, and thus with the people.

In recent years, however, that wisdom has been neglected. After Congress' declaration of war at the outset of World War II, it was necessary and proper for the military to assume direction of the massive war effort. The responsibility to plan strategy, provide for our armaments, and determine our defense policy were all military responsibilities executed by the Chief Executive and our Nation's military leadership. But the momentum and the power of the military established during the war continued after peace, and Congress failed to successfully reassert its proper peacetime constitutional responsibility. Spurred by the ideology of the cold war, the military, supported by the executive branch, continued to essentially control the determination of our defense policy and the accompanying armaments and manpower requirements. The Congress, in general agreement with the view of the world presented by our military leaders, began to merely ratify their budgets and policies with little or no comprehensive questioning.

Fundamentally, we have reached the point today where the basic determination of the defense policies and expenditures of our country are no longer exercised by Congress.

Let me emphasize strongly that criticism cannot be focused on any particular committee of Congress for this situation. Rather, the criticism must be directed to Congress as a whole.

It is not our military establishment that should be held responsible for the present level of defense spending—rather, it is we—Congress—that must assume this obligation. If there is any

guilt for excessive or unwise military spending, that guilt is ours.

I get a little weary hearing about the military-industrial complex in discussions that seem to pervade our country today. This oversimplification is that somehow the military and industrial forces of this country have united in some sinister conspiracy against the Nation.

I believe that if we are going to talk about any complex, we should talk about the military-industrial-educational-political complex. They are all hand in hand. But today I want to emphasize that it is a question of the constitutional responsibility of Congress.

If we are to reassert our constitutional responsibility for truly determining and controlling defense policy and spending, a whole new attitude must be fostered.

We must realize that Congress—not the Pentagon—must decide what kind of defense budget our country requires.

Congress—not the Pentagon—must decide what are the fundamental threats to our national security.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. HATFIELD. I yield.

Mr. MURPHY. The Senator earlier referred by percentages to the funds that are spent by the Government. He stated that it seemed that the percentage for military expenditures, past, present, and future, was very high. Would the Senator suggest, that, by the same yardstick, we in Congress should say that this percentage and no more shall be spent? Would that be implied by the Senator's logic?

Mr. HATFIELD. No, I would not imply that we set any kind of inflexible, firm percentages on a \$100 base, or any other base one might wish to use, as a judgment or measurement.

I am saying today that these funds and these expenditures have not been given the same kind of careful scrutiny by Congress as are given the expenditures by other agencies dealing with other programs or with national resources.

We have required a certain benefit-cost ratio for a dam or a reclamation project, and we have held to that. The Bureau of Reclamation has not been able to come back to a succeeding Congress and say, "We are sorry, but we underestimated by 200 percent the amount required for this project."

Time after time, we have seen with respect to military projects, that the amount would become a myth by the time of production. I say that we should require the same care when it comes to expenditures of the taxpayers' dollars.

Mr. MURPHY. Is it not true that a great many of the examples took place within the last 6 or 7 years and did not happen under the present administration?

The lessons we are talking about now and the problems with which we are faced are problems which came into being because of the so-called cost-effectiveness programs which were instituted before. I think it is quite important that that be understood.

Mr. HATFIELD. I would not disagree with the Senator on that point.

Mr. MURPHY. I suggest, as a new member of the Armed Services Committee, that I was most gratified in my experience this year. I found the committee, under the championship of the Senator from Mississippi (Mr. STENNIS), to be made up of many Senators who are highly knowledgeable in the area. I refer to the Senator from Arizona (Mr. GOLDWATER) and to many other Senators who have long experience. The Senator from Maine (Mrs. SMITH) has been on the committee for many years and is as knowledgeable, I am sure, as any other Senator.

I was amazed at the care and the caution used in the committee approach. I liken this to my experience on the committee having to do with social welfare, the so-called Poverty Committee, where we could not get information. I did not find that to be true on the Armed Services Committee. I found that the witnesses came in with direct answers, and where there were mistakes, they agreed that mistakes had been made. Sometimes the mistakes were the result of bad practices that were allowed to creep in.

I speak only for the purpose of assuring the Senator from Oregon that there were not any slipshod meetings and that in everything that went on in the meetings, Senators were very careful and cautious. We went over the matter item by item very carefully and had long discussions.

There had to be reasons for the inclusion of items in the bill. The entire purpose of the debate and the basis of the debate, which is on the authorization for military procurement for the year 1970, has gotten far afield in our discussion.

I think the discussion is healthy; it is proper and good. At the same time, we must not lose sight of the fact that this is the pending business and that the manner in which the procurement is approached may be the subject of extensive future debates. I can see that many improvements can be made. However, great care and caution were exercised.

We are living in peculiar times, of course, because of the expanded military engagement in Vietnam which no one really wanted or foresaw. As the Senator knows, I have been complaining for at least 3 years about the manner in which this engagement has been carried on. I have said that we should have had this matter wrapped up and should have been out of there 2 or 2½ years ago.

The members of the committee are greatly concerned, as is the Senator from Oregon. These matters are not just handled in the dark of the evening. There are many long and careful and deliberative meetings with good answers being furnished by the military. I am not so much worried about the situation as are other Senators.

The Senator from Oregon says that he is not worried about the so-called military-industrial complex. It is something that one does not wrap up in a quick term like that.

I have watched the matter develop for

20 years. I know something about the benefits that flow from such programs. Benefits also flow from the space program.

Someone might say, "We have placed a man on the moon. So what?" Many fallout benefits for mankind will come about through our space program.

I wanted the Senator from Oregon to know that we on the committee have worked quite hard. I am sure the Senator has noticed that while the amount contained in most other appropriations has increased, the military expenditures have not increased very much over the last several years. As a matter of fact, I think that we were able this year to cut the amount by \$3 billion. So we are making some headway.

I did not want the picture to seem as dark as the distinguished Senator from Oregon is painting it.

Mr. HATFIELD. Mr. President, I thank the Senator from California. First of all, I express my appreciation for his statement. I would remind him that my comments thus far were to place the whole subject in context, using the period since World War II. In fact, I began the context within which I am placing the subject at the beginning of World War II. In my comments today, I make some direct references to the outstanding work of the Armed Services Committee, of which the Senator from California is a member.

I commend the actions of the committee. I am not faulting the committee or the members of the committee. In fact, the Senator's comment about being a freshman member of the committee reminds me of a conversation I had in the Chamber earlier today with the Senator from Arizona (Mr. GOLDWATER), who remarked about the tremendous change in the whole approach of the Armed Services Committee between the time when he served on the committee earlier, and the approach today. There is a new awareness and determination, I think, on the part of all Senators to become more involved in questioning and understanding our military budget. We no longer merely will ratify requests that evidently have developed during an earlier war because of the exigencies and demands of the war. There is a desire to shift that kind of pattern. It has been evident that the committee has been doing that in this session.

I am not implying a lack of work or a lack of determination to understand the program and defend it on the part of the committee.

The committee has done this and has made far greater cuts than those proposed in the military spending committee report, which I shall discuss later in my comments.

Mr. MURPHY. Mr. President, it may not be possible for me to remain in the Chamber, but I would like to have a copy of the military spending report. May I ask the basis of the report? Is it an adjunct to the Armed Services Committee, or is it a suggested pattern for the Armed Services Committee?

Mr. HATFIELD. Mr. President, I shall develop that whole pattern and the cause and the reason for this committee action in approximately two more pages of my remarks.

Mr. MURPHY. The action of which committee?

Mr. HATFIELD. The military spending committee that I am talking about.

Mr. MURPHY. What committee is that?

Mr. HATFIELD. Mr. President, again, I shall give the background description of that matter very briefly.

Mr. MURPHY. Is that an official committee of Congress?

Mr. HATFIELD. It is an ad hoc committee.

Mr. MURPHY. It is not an official committee?

Mr. HATFIELD. It is not.

Mr. MURPHY. I just did not understand the Senator. I thought sometimes that I could not discover where the Armed Services Committee finished and where the Foreign Affairs Committee began during some of the discussion and some of the filibuster that have taken place. I was wondering if a new committee had come into being that I had not been told about.

Mr. HATFIELD. I would refer that problem to the chairman of the Armed Services Committee and the chairman of the Foreign Relations Committee to adjudicate.

Mr. MURPHY. I do not want it adjudicated. I would like to have explained to me where the dividing line is. I think that lately there has been some overlapping.

Mr. HATFIELD. I am sure there has been, because the chief instrument of foreign affairs and foreign policy, as determined by the Nation, is implemented through our military organization; consequently, there is a relationship between foreign affairs and defense.

Mr. MURPHY. I thought a good part of our foreign affairs was handled through foreign aid.

Mr. HATFIELD. There is another instrument.

Mr. MURPHY. I shall be here when that one starts, also.

I thank the Senator.

Mr. HATFIELD. I shall be happy to give the Senator a copy of my speech.

Mr. President, Congress, not the Pentagon, must judge the condition in our world and determine defense policies that are an appropriate response.

Congress, not the Pentagon, must decide whether we shall have the capacity to simultaneously wage two and a half, or three and a half, or one and a half or no war in different parts of the world.

Congress, not the Pentagon, must decide the size of our militia and where they should be placed throughout the world.

And Congress, not the Pentagon, must determine the need for new weapons—new tanks, bombers, aircraft carriers, fighters, missiles, submarines, and other arms.

The Chief Executive, of course, has a role in the shaping of these policies. And the advice and counsel of our military leadership is essential for balanced judgments in these matters. But the Constitution gives fundamental responsibility for determining our defense posture to Congress. The military is then charged with the responsibility to carry out this policy and fulfill its requirements in the

most effective and efficient manner possible. I have every confidence that they welcome and will always dutifully fulfill this pledge.

Congressional responsibility for national defense is a massive and arduous task. Its implementation will require innovative thinking and new structures to facilitate our knowledge and judgment. It is abundantly clear that Congress must embark on a new course by determining that it is they—all the Members of Congress—who must decide what our defense policy should be, what is required to fulfill it, and how much this will cost.

Faced with these imperatives of congressional responsibility, several Members of Congress have been searching for new ways to improve their understanding of defense policy and spending. Last spring, a small group of Senators and Representatives met together to form the Military Spending Committee of a group known as the Members of Congress for Peace Through Law. This informal organization is a grouping of about 80 Senators and Representatives who have met together for several years discussing issues of mutual concern. As a member of the MCPL, I had consented to serve as chairman of our military spending committee.

Our committee, composed of Senators MCGOVERN, MATHIAS, EAGLETON, and GOODELL, and 10 Representatives in addition to myself, decided that our first step should be to improve our knowledge of those specific areas of the defense budget which seemed open to the greatest question. In viewing the entire budget, we came to the conclusion that several specific items seemed to be lacking in justification. By submitting certain of these items to careful scrutiny, we believed that some contribution could be made to Congress' consideration of defense spending. Limited by time and resources, however, we could only focus our attention on a few areas; we readily admitted that our review would not be as comprehensive as we would like.

During the course of the study, we consulted with various experts in matters of defense spending, including the following: Mr. William Kaufman, former consultant to the Department of Defense during Secretary McNamara's tenure and now at MIT and Brookings Institution; Mr. Charles Schultz, former Director of the Bureau of the Budget; Mr. George Rathjens, formerly with the Institute for Defense Analysis and now at MIT; Mr. Robert Benson, formerly in the Department of Defense and author of "How the Pentagon Can Save \$9 Billion," which appeared in the Washington Monthly; and Mr. Henry Myers, formerly with the Arms Control and Disarmament Agency of the Government and now on the staff of the Members of Congress for Peace Through Law.

The procedure the committee adopted, however, was for particular members to assume responsibility for in-depth knowledge about individual items in the defense budget. In the course of several meetings, we shared our findings about various items we were studying and came to general agreement in each case about the course of action we recommended.

Through this procedure we drafted a report which, after various revisions, was adopted. This report on military spending was then submitted to the full membership of Members of Congress for Peace Through Law and copies were then sent to each Member of Congress for his consideration. On July 9, the report was released to the public at a press conference.

These were the items which our committee chose to study: the proposed advanced manned strategic aircraft—AMSA—our continental air defense program, the anti-ballistic-missile system, the Navy's attack aircraft carriers, the proposed F-14 aircraft, the chemical and biological warfare program, the new main battle tank, the level of our military manpower, the manned orbiting laboratory—MOL—the MIRV program for our strategic missiles, and procurement procedures.

Since a deferral of the MIRV program, unlike other items studied, was being pursued as an arms control issue, the committee decided to deal with this separately and gave its support to those efforts in the House and Senate aimed at forestalling MIRV testing and procurement until the progress of the forthcoming SALT talks can be assessed. Also, the committee agreed upon the recommendation to terminate the manned orbiting laboratory program, but the Defense Department announced that it was taking precisely this action shortly before our report was prepared in final form. Thus, these two items were not discussed in the report.

In general, the recommendations made by the committee are of a very modest nature. Our recommendations consistently point to the need for further study and review of the programs in question before authorizing the full amount of the requested funds. In most cases we did not advocate the total termination of any programs, but rather called for reducing or deferring certain expenditures until their justification could be carefully analyzed.

The modest nature of our proposals is best demonstrated by the instances of agreement between certain recommendations of the committee and actions subsequently taken by either the Department of Defense or the Senate Armed Services Committee.

In addition to the Pentagon's termination of the MOL program, the Department of Defense also accepted amendments dealing with chemical and biological warfare that were even more specific and stringent than the recommendations of the report. Further, the chairman of the Armed Services Committee has stated that following the Vietnam conflict, we can reduce our military manpower by 1 million men, for a savings of \$10 billion. This is only slightly less than the report's recommendation for a reduction of 1.2 million men. Secretary Laird has already announced manpower reductions which are steps in this direction.

If all the recommendations of the Report on Military Spending were implemented, it would result in a saving of about \$3 billion from the fiscal year 1970

budget. Of course, the committee does not believe that is any kind of a ceiling for possible cuts from defense spending. Most members, in fact, are convinced that far more substantial cuts can be justified, and fully support proposed reductions in the areas not mentioned in the report that have been made by the Senate Armed Services Committee and Secretary Laird.

Though our committee's proposed cuts represent only a modest fraction of this year's defense budget, over a period of 5 years, these cuts alone could result in a total saving of between \$15 and \$30 billion.

In each of the areas considered by our committee, we found that questions concerning the justification of these expenditures had not been answered to our satisfaction. Let me briefly summarize the areas covered by the report in order to illustrate the considerations which have caused us to oppose the requested level of funding.

The bill before us includes authorization of \$90.2 million for the advanced manned strategic bomber. The total costs of these bombers could run anywhere between \$8 and \$23 billion, depending upon the eventual unit costs of each plane and the number that are procured. Our committee remains unconvinced of the need for this weapons system. Underlying the proposal is the assumption that we need a triple deterrent—bombers, land-based missiles, and sea-based missiles—to preserve our security against any possible nuclear strike. We believe this assumption should not go unexamined. There are serious doubts that in this age of missiles, bombers remain a necessary component of our strategic forces.

Even if one does conclude that bombers have some useful strategic role, questions remain about the need for a new bomber such as the AMSA. We have a present force of B-52's and B-58's, and are acquiring FB-111's. This current force is able to deliver enormous megatons of bombs upon targets in the Soviet Union even against their extensive air defense system. Why is it that these planes, when equipped with such technological innovations as SRAMS—short range attack missiles—and SCADS—subsonic cruise armed decoy—cannot effectively perform any strategic mission of bombers against even greatly improved defenses?

The Senator from South Dakota, Mr. McGOVERN, along with the Senator from New York, Mr. GOODELL, and the Senator from Wisconsin, Mr. PROXMIRE, and myself, are offering an amendment which would limit the funds authorized for the AMSA to \$20 million. In his August 13 speech on the floor, Senator McGOVERN outlined in great detail the questions and considerations which would justify withholding the full amount of the requested authorization. We are not proposing the immediate termination of the AMSA program; we are simply suggesting that full approval of requested funds would begin the commitment to an expenditure of several billion dollars for a system which is likely to be strategically unnecessary and not required for the defense of our country.

On August 11 the Senator from Ari-

zona, Mr. GOLDWATER, had printed in the RECORD papers he had prepared which raised criticisms of our committee's report. I appreciate the Senator's interest and of course welcome the exchange of knowledge and judgment in these matters. Regarding the AMSA program, Senator GOLDWATER submitted a paper that dealt in significant detail with our report's findings and recommendations. Rather than replying to all of these specific criticisms in these remarks, I ask unanimous consent that following my remarks, the entire "Report on Military Spending" be printed in the RECORD, that the criticisms submitted by Senator GOLDWATER appear after each appropriate section of the report, and that the reply to that criticism prepared by our committee then appear.

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

(See exhibit 1.)

Mr. HATFIELD. Mr. President, the funds requested by the Department of Defense for continental air defense also seemed lacking in sufficient justification. The Armed Services Committee, as I stated, took action which closely paralleled our report's recommendation in this area; in fact, in some ways the committee's actions even went beyond our general suggestions. Funds for Sam-D missiles were eliminated; authorization for the AWAC's radar was reduced from \$60 million to \$15 million; and funds for the CONUS air defense interceptor were reduced from \$18.5 million to \$2.5 million. More importantly, the Armed Services Committee directed the Secretary of Defense to study, review, and analyze the bomber defense system to determine whether it was possible to phase down existing portions of these facilities. The committee suggested this might be possible "if the present and future threat is as limited as portrayed by the National Intelligence Estimate." In our judgment, this action by the Armed Services Committee is not only highly commendable, deserving the full support of the Congress, but sets a pattern for action that would be highly advisable with several other of the programs that are being questioned.

I shall now turn to the matter of aircraft carriers. In this case, I want to draw careful attention to the issues that have been raised and reply to criticism presented both in the paper submitted by Senator GOLDWATER and in other various speeches, publications, and discussions during the past weeks.

Our study revealed many unanswered questions concerning these impressive but costly ships. What, for example, is the basis for the number of carrier task forces the Navy claims is essential? What are the situations in which it is more cost-effective to use sea-based rather than land-based tactical aircraft? Does the vulnerability of carriers mean that they will not play a significant role in conflicts with adversaries who have access to sophisticated weapons? Why is it that the United States is the only nation which continues to construct carriers? Why does the Soviet Union not possess even one aircraft carrier, other than that which carries helicopters, in spite of

expensive efforts to increase its sea-power? In view of these unresolved issues my colleagues and I believe that, pending a thorough review, it is prudent to defer construction of the proposed nuclear carrier CVAN-69.

This is the intent of an amendment offered by the Senator from New Jersey (Mr. CASE) and the Senator from Minnesota (Mr. MONDALE), who have taken admirable leadership in analyzing the role and usefulness of aircraft carriers.

This recommendation is a very modest one. Our report does not claim that there is no need for carriers, nor even that the size of the fleet should be reduced. We do say that there was sufficient doubt about the utility of carriers to justify an in-depth study of the question, postponing further carrier construction until its completion.

The critics assert that many of our carriers are excessively aged and that regardless of the number of ships, replacements are needed. It is asserted that many potential targets are out of range of land-based aircraft and that in many cases carrier aircraft will be required to supplement those based on land. The critics argue that carrier-based air attacks are essentially as cost effective as those launched from land bases. Finally, the critics of our study assert that carriers are not unduly vulnerable to enemy action.

I would first note that we have not seen calculations showing carrier-based attacks in Vietnam to be essentially as cost-effective as those launched from land bases. We have not seen calculations which compare the relative effectiveness of carriers in fulfilling a surge role as compared to that in a static situation such as off the coast of Vietnam. The outcome of such calculations of course has a significant bearing on the number of carriers we operate. If carriers are to be used primarily in the surge role, fewer will be required than if we plan to use them in lieu of land bases.

In regard to targets being out of range of land-based aircraft, we ask what these targets might be? The critics of our study point out that carriers assumed important roles in World War II, Korea, Vietnam, and Cuba. I have already raised questions about the cost-effectiveness of Vietnam carrier-based operations. As far as World War II is concerned, I believe we have seen the last great sea battle, where attack carriers played a significant role. While there may be amphibious operations in the future, I doubt that these justify a continued carrier construction program. Those who expect World War II-like combined operations should be specific. They should give some indication of the role for carriers and the number required in a given scenario; they should indicate whether these need be modern carriers; and whether they believe the carriers would be invulnerable in the situations they envision.

The proponents of carriers argue that Soviet cruise missiles have a range of only 400 miles and because the carrier aircraft have a range of 600 miles that these missiles need not be a particular cause of concern. If this is the case the Navy should be able to present the evidence that it is so. That is, the Navy

should have data which shows that it is possible to keep sufficient surveillance over 50,000 square miles of ocean to keep surface ships or submarines from getting within cruise missile range of the carrier.

The carrier proponents imply that carriers are able to recover quickly from the bomb, torpedo, or missile damage. They say that in Vietnam 300 aircraft were destroyed and 2,800 damaged while on the ground. But several carrier aircraft have been lost in accidents and carrier fires off of Vietnam. Since there were many more aircraft operating from the land bases than from carriers, is it not more relevant to present these losses in terms of percentages of operating aircraft? The carrier proponents suggest that shortly after the Enterprise and Forrestal fires these carriers would have been able to resume operations. But the fact is that in both cases the ships were withdrawn for extensive repairs. The Washington Post, reporting on the Enterprise fire, stated that quick and heroic action saved the world's largest ship—January 16, 1969.

With regard to vulnerability I think it may be useful to point out the concern expressed by the Armed Services Committee about the possibility that the Polaris submarine might become vulnerable to Soviet attack submarines. Presenting the rationale for the Safeguard ABM system, the committee said:

Obviously we cannot assume that our Polaris system will be the first weapon in history to remain invulnerable.

If the committee can be this concerned about the vulnerability of submarines, it would seem that they should be much more concerned about the vulnerability of attack carriers.

Aircraft carrier proponents emphasize that we can expect to be denied access to airfields and therefore we will have to rely upon carriers. It is claimed that of 126 overseas bases not on U.S. owned territory 81 were abandoned in the period between 1954 and 1967—and that most of these were given up as the result of foreign political action. I would like a list of these bases, the use to which they had been put and the specific reason for our having left them.

In addition I for one am not so sure that we should have the capability to become involved in unlimited military interventions throughout the world. We can, after all, maintain our influence, and a healthier influence at that, by demonstrating greater concern for the economic well-being of the nations we feel strongly about. It does not make much sense to talk about our coming to the aid of nations who are not willing to make airfields available to us.

In raising questions concerning the role of attack carriers we asked the contingencies which might be expected in the next 10 to 15 years requiring their use. A determination of the size of the carrier force requires assumptions about the future. If the Navy has made assumptions we should know what they are. Only then can we make a meaningful judgment concerning the proportion of our resources which should be devoted to carrier construction and operations.

We have fixed resources and these should be allocated in a way which, in our judgment, most enhances our net well being.

I will make brief comments on the other items covered in our report. These include the F-14, main battle tank, the chemical and biological warfare program, military manpower levels, and procurement costs. With regard to the F-14 we are talking about an aircraft which will cost at least \$8 million each. The eventual cost of just procuring the desired number of F-14's might total between \$5 billion and \$10 billion.

The first question we raised concerned whether the F-14/Phoenix system contributed substantially to our military posture.

Second, we asked whether the F-14/Phoenix was the most economical means of achieving the desired improvement in our capabilities. There seems to be considerable dispute over this point. Navy analysts assert:

The weapon system will shoot down long-range multiple-raid targets, aircraft and missiles, and can engage enemy escort fighters in close-in combat.

It is also suggested that the F-14 will have "adequate range to escort attack aircraft to their maximum mission ranges." But there are those who dispute our ability to design an aircraft which performs so many missions. I will mention but one statement from an acknowledged authority on tactical airpower. He is Gen. G. P. Disosway, formerly head of the U.S. Air Force Tactical Air Command, who said:

If you could build an airplane which would do everything it would be wonderful. You just cannot do it in this modern day.

And yet it seems that we are attempting to build an aircraft which is supposed to do very much, if not everything.

Who is right on this issue? Are we to believe those who assert that the F-14 will perform according to its present specifications? Or are we to take the word of those who claim its performance objectives will not be met without a substantial increase in cost? I do not profess to know the answer to this question. But I do strongly believe that considerably more information should be furnished us before we provide funds for this costly program.

I am submitting for the RECORD a more detailed answer to the criticisms expressed in Senator GOLDWATER's presentation.

Our report recommended that authorization of additional funds for the MBT-70 should be postponed pending review of the assumptions upon which the development and procurement decisions were based. The review of the assumptions upon which these were founded was also to include an examination of the cost-effectiveness of the MBT-70 in light of currently projected costs.

On August 8, the thrust of this amendment was accepted without a vote. It was agreed that the Senate Armed Services Committee would ask the General Accounting Office to study two questions. The first concerned the reason why research and development costs had risen considerably, and the second was to de-

termine whether there were feasible alternatives to the development of the MBT-70. We are presently awaiting the outcome of this study.

Senator EAGLETON, the leading cosponsor of this amendment will later discuss the comments submitted by the Senator from Arizona.

The Senate passed by a 91-to-0 vote a highly significant amendment affecting the chemical and biological warfare program. I will not go into our committee's consideration of this issue in any detail.

The amendment is very specific and will bring this program before the public view. Public scrutiny will certainly help to insure that whatever chemical and biological warfare activities we fund are indeed essential to the national security.

With regard to manpower, our study recommended that following termination of the Vietnam war, force levels be cut back by 800,000. This is the number of men involved in that conflict. In addition it was recommended that force levels be reduced by 200,000 in fiscal year 1970 and by an additional 200,000 in fiscal year 1971. The total reduction of 1,200,000 would represent a return to the statutory ceiling limiting the force size which had been set at 2.3 million in 1950.

This recommendation was based on our belief that our commitments could be fulfilled with fewer men in uniform.

As I stated, our recommendation is comparable to statements of the distinguished Chairman of the Armed Services Committee, who has said that a million men should be released from the Armed Forces following the end of the Vietnam war.

Senators COOK and BAYH will offer an amendment proposing that manpower levels be reduced by an amount equal to the reduction in personnel serving in Vietnam. I and many other Senators intend to fully support this measure.

The Subcommittee on Economy in Government of the Joint Economic Committee, presided over by Senator PROXMIRE, has in the past year conducted an in-depth study of military procurement policies and practices. Our committee on military spending believes that the recommendations of Senator PROXMIRE's committee can serve as guidelines for positive reform in military procurement procedures. We included these recommendations in our report.

On August 7, the Senator from Pennsylvania, Mr. SCHWEIKER, and several other Senators proposed an amendment which contained a requirement for the Department of Defense to make quarterly reports through the Comptroller General to the Congress on all major weapons systems contracts. This amendment passed by a vote of 47 to 46. This action, as well as other amendments proposed by Senator PROXMIRE, are hopeful steps to insure that procurement procedures will not be the guardian of excessive increases in contract costs at the expense of the taxpayer.

Recently, the administration has stated that there will be little or no substantial peace dividend after the Vietnam war. In 1965, before the major costs of this war, our defense budget was ap-

proximately \$50 billion. From 1961 to 1965 the defense expenditures remained fairly consistently in this range: 1961—\$47.4 billion; 1962—\$51.1 billion; 1963—\$52.3 billion; 1964—\$53.6 billion; 1965—\$49.6 billion. By 1968, the defense spending had risen to over \$80 billion, primarily as a result of the war. This expenditure of an additional \$30 billion—1 out of every 5 tax dollars—has had a devastating effect on our Nation; it has severely weakened our economy, retarded our educational progress, accelerated the deterioration of our cities, frustrated attempts to protect the quality of our environment, and belied the promises to improve the plight of our country's impoverished and destitute citizens.

At the National Governors' Conference last Monday evening, President Nixon addressed himself to the future availability of our resources. He said:

It is painfully clear that many hard choices will have to be made. . . . There should be no illusion that what some call the "peace and growth dividend" will automatically solve our national problems or release us from the need to establish priorities.

Those words must be taken with utter seriousness by Congress as well as by the administration.

Establishing those priorities must begin by halting the devastation caused to our country by an \$80 billion defense budget.

If defense spending remains at the same level, it will have the same disastrous effect on our Nation, regardless of whether the Vietnam war ends or not. Of course there will be no peace dividend if peace in Vietnam is not followed by a reduction of defense expenditures. But if the Congress continues to uncritically ratify pending and future Department of Defense requests, we will likely be deprived of any savings resulting from an end to the war.

The costs of our country's national needs have steadily risen in the past 5 years; it will take billions to make our cities truly livable; an estimated \$12-\$15 billion will be required in the years ahead to safeguard our air from serious pollution; cleaning our streams, lakes, bays, and rivers will cost more than \$25 billion. Yet the resources to meet these needs have been severely reduced by our involvement in Vietnam.

The only plausible choice for the welfare and security of our country is for future defense expenditures to be reduced by sums that approximate the cost of the war. A post-Vietnam defense budget should reflect the fact that expenditures required for Vietnam are no longer necessary. It seems perfectly plausible that such a budget can be reduced by about \$20-\$25 billion, still accounting for continuing inflation.

But to effect such a budget, it is essential to begin now with a comprehensive review of those weapons systems of potentially great cost and questionable justification. From this point, our critique must turn to the projected contingencies and situations which would require the utilization of our military capability. It is these assumptions which are at the basis of our conventional, general purpose military capability and our man-

power level. If our future foreign policy is truly to avoid any more Vietnams, then we should question expenditures which are designed to maintain an interventionist defense posture.

Our committee on military spending intends to examine these issues in the future. We do not have definitive answers to these extremely complex matters; yet we believe that congressional responsibility must focus on the determination of those defense policies which are the bedrock of the future structure of our defense budget.

Let me add that some have criticized current efforts to reduce defense spending on the grounds that we must first review our commitments throughout the world before hampering our ability to keep them. We agree with the urgent need to assess the role we have assumed in the world, calculating its effect on defense spending. But prior to this process, it is entirely possible to make the reductions advocated by pending amendments without in any way hindering our ability to keep our commitments. This is partially why the present recommendations are of a modest character. It should be obvious, for instance, that deferring the construction of the new nuclear attack carrier will in no way inhibit our ability to fulfill the SEATO or NATO commitment in the future.

Defense capabilities are directly related to the capacity of one's adversary. We are all well aware of the Soviets' aggressive efforts to improve their military capability. None of us is advocating any irresponsible course of unilateral disarmament. The steps we propose—as well as those taken by the Armed Services Committee and Secretary Laird—are done out of the conviction that our strategic deterrent must remain secure and our preparedness must match the role and responsibility we choose to assume in our relations with other nations.

A responsible assessment of the Soviet threat must not be done in a vacuum, however. It must always be taken in perspective with our own capabilities.

Secretary Laird, for instance, in announcing his intention to cut \$3 billion from the defense budget, stated that the Soviet navy now has 125 naval vessels deployed in the high seas. What was left unsaid was that we have about 313 vessels currently deployed at sea.

The budget submitted to Congress for fiscal year 1970 indicates that since 1961, excluding forces added for Vietnam, our military strength has been augmented by increases of 185 percent in the number of nuclear weapons in the strategic alert force, 140 percent in the total payload capability of all our fighter and attack aircraft, 66 percent in combat-ready divisions, 326 percent in our fleet of nuclear powered ships, and 900 percent in the ability of our helicopters to deploy land forces.

Our defense posture has remained steadfastly superior; our military security is not in jeopardy. But the sinew of our Nation is.

A recent Gallup poll indicated that 52 percent of the population now believe that military spending is too excessive.

The people of our Nation are understanding our plight. They desire new policies. If our democratic system is to prove viable, it must implement the popular will. That requires the Congress to aggressively implement its constitutional responsibility for the policies of our country's defense and the consequent expenditures.

In March, 1950, the late Senator from Ohio, Robert A. Taft, speaking of increased military appropriations, stated:

I do not know how long this program is going to continue. My impression is that we shall have new weapons and new kinds of airplanes, and that we are embarked on expenditures of this kind for ten, fifteen, or twenty years, as one of the generals stated; and if that is so, I think it means an end of progress and the end of the freedom of the people of the United States. . . . We simply cannot keep the country in readiness to fight an all-out war unless we are willing to turn our country into a garrison state and abandon all the ideals of freedom upon which this nation has been erected. It is impossible to have such a thing in this world as absolute security. I think we should appoint a commission to survey military policy of the United States, to sit down with the military authorities and find out what we are trying to do and to determine what is the proper scope of military activity in the United States.

Nearly 20 years have passed since those very prophetic words of Senator Taft. I think Senator Taft's warnings and predictions seem all too true. The destiny of our Nation hinges on our ability to provide for the common defense in a manner allowing us to promote the general welfare, insure domestic tranquillity, secure the blessings of liberty to ourselves and our posterity, establish justice, and form a more perfect Union.

Senator PROXMIRE. Mr. President, will the Senator from Oregon yield?

Mr. HATFIELD. I yield.

Mr. PROXMIRE. I congratulate the Senator on an outstanding, thoughtful, perceptive, and helpful speech. The Senator has been the leader in the Peace Through Law studies, which I think should impress the Senate and the country deeply.

The remarkable thing about his speech and about the recommendations made by the Peace Through Law group is their moderation and thoughtfulness.

I ask the Senator if he would not agree with the observation that the charge that the amendments that have been submitted would make the United States a second-rate power just cannot stand scrutiny; that they would in no way reduce the fundamental military power of the United States. Is that the conviction of the Senator from Oregon?

Mr. HATFIELD. I would say definitely that the intention and purpose of the committee, and of the individuals of the committee, as well as the words that have been put together to phrase our thoughts and express our views, had one thing in mind: to build a stronger America, recognizing as President Eisenhower observed, that the true security of the Nation is founded upon its moral and economic strength as well as its military weapons. It is our concern that there are weakening influences in this country today; there are needs which

are going unmet; and that this weakens the Nation, because the Nation is really its people. Therefore, we strove in this effort to strengthen our economy by our objectives, without any intention to weaken ourselves militarily or to create a second-rate power militarily or not to protect our people from outside attack. But we were deeply concerned with the internal needs, and with the need to strengthen our people from within, as well as to protect them from without.

Mr. PROXMIRE. Is it not also true that if these amendments were adopted and if further reductions were made in the military appropriation bill that will come before the Senate, so that if a total cut of \$10 billion were made, it would still leave us with a military budget of \$70 billion, and that that, even recognizing that we have a great commitment in that budget for Vietnam, would in no way put us in the situation in which we found ourselves after World War I, when we virtually dismantled our military force, or after World War II, when we cut it back to an \$11 or \$12 billion operation? We still would have the most formidable military force on the face of the earth, based upon anything I have seen or observed. Would that be the conclusion of the Senator from Oregon?

Mr. HATFIELD. That would be the view we shared within the committee. We considered the kind of cut which we justified—\$3 or \$3.5 billion—to be very conservative. We were interested to note that Secretary Laird's proposal of \$3 billion does not seem to conflict with the proposals made by the committee; so, if we put them together, there could be a cut of \$6.5 billion.

Others who have talked about increasing the cuts to \$10 billion, including those in the defense agencies or others related to it, have indicated their first priority of maintaining America's strength in the world, including our military strength, and not to do anything that would impinge upon our ability to maintain a military leadership role.

Mr. PROXMIRE. The recommendations by Robert Benson, who was a former Department of Defense comptroller, that we cut military appropriations by \$9 billion, and the finding of the Congressional Quarterly, based upon interviews with Pentagon experts, that we could cut \$10.8 billion from the military budget, recognizing that we still have the Vietnam obligation, were based on opinions of military experts rather than those of persons having no military experience, or persons hostile to our military efforts.

So the Senator's suggestion, it seems to me, is a very modest scalpel applied to the military operation, rather than a sledgehammer or anything that would really decrease our overall military strength in any significant way.

I congratulate the Senator from Oregon on the quality of his efforts.

Mr. HATFIELD. I thank the Senator from Wisconsin.

Mr. EAGLETON. Mr. President, will the Senator from Oregon yield?

Mr. HATFIELD. I yield.

Mr. EAGLETON. I, too, wish to join the Senator from Wisconsin (Mr. Prox-

MIRE) in complimenting the Senator from Oregon on what I think is a typically judicious, restrained, and measured presentation of this highly complicated, detailed, and complex matter. Having worked with him as a member of the Committee of Members of Congress for Peace Through Law, I am privy to some of the work and the background that went into the preparation of that report.

I, too, wish to emphasize that which he has emphasized in his remarks, namely, the moderate—and I underscore the word "moderate"—nature of the recommendations.

In my view, and I think in the view of others, based on close scrutiny, it was not a bomb-throwing report. It certainly did not call for unilateral disarmament, but rather, it cautiously approached a limited number of areas in which savings could be made.

I ask the Senator from Oregon: Do my words reflect his view of the really cautious approach that was exercised by this committee?

Mr. HATFIELD. That was the way in which we presented our study. As the Senator from Missouri knows, he having served in a distinguished role on this committee, we sat down to begin our discussions as to how we were going to move on the whole subject of analyzing military spending. At that time we perhaps had a far bigger figure at least tucked away in the backs of our minds. Then, as we got into the day-to-day activity of collecting data and discussing the problems and the issue, and getting the statistics together, and when we came out at the end of our report with about \$3 billion, we were a little surprised that the figure was so small. All of the study and development of the report represented what we wanted to do: to prepare a report which was authentic, accurate enough to be defended thoroughly, and moderate enough not to scare people into thinking that we were a group of left-wing radicals which was going to dismantle the military or attack the Military Establishment in some way. We wished to establish a responsible and completely justified posture from the data and the recommendations, and from all of our procedures involved in the report.

This military spending report is the result of our work. I think it surprised everyone. At the press conference, the press kept repeating that the total figure did not seem very significant, after all the time and effort spent; but we emphasized that it was a moderate, conservative figure. I think that is the character of the report. As the Senator from Missouri stated, it is not a bomb threat or a radical kind of report, attempting to demolish the adversary, particularly when the adversary is our own Military Establishment. That is not the proposal at all.

Mr. EAGLETON. I was not in the Chamber at the outset of the Senator's prepared speech, and so have not had a chance to review the earlier portions of it, but did he state early in his remarks, or has he extemporaneously explained, the nature or manner in which this report was prepared; that is, by individual

Members of the House of Representatives and individual Senators each assuming a certain topic, a certain project, a certain item, and that the Member or Senator and his staff, as thoroughly as possible, prepared materials on that one item, and that then the material was correlated into one final report?

The point I am trying to make, and I think it is important, is that I, for example, as a member of that committee, and I think the Senator from Oregon as chairman thereof, did not look upon the MCPL report as the Magna Charta or the last word or the penultimate document on military preparedness.

Perhaps, as in the case of any report prepared under such collective circumstances, it will prove to have some typographical errors and some statistical inaccuracies, and for those we are apologetic. If there are a few errors in it, as I trust there are, we shall be glad to have them pointed out to us and the record set straight; but in a preparation of a report of this kind, I trust the Senator from Oregon knows better than anyone that it would be impossible to have it so completely polished as to be absolutely perfect. Does the Senator agree?

Mr. HATFIELD. Yes, but I would state further that the figures used were from authoritative sources. We had full cooperation from the various divisions of the Pentagon and our military organizations, who furnished statistics and data to us. There was no intent to manufacture data or statistics to prove a point that we wanted to prove before reaching conclusions. We went about it in such a way as to develop data and statistics from authoritative sources and from what expertise we could obtain in each field.

The Senator from Missouri headed the study of the MBT-70. He knows from his own experience the number of hours he spent and the kind of sources he tapped to get the data and material. He knows that we had the fullest cooperation from our military people as well as from other agencies of the Government; and that our effort was to supplement the activity of the Armed Services Committee, not to compete with it. We certainly did not try to prove that it had not been alert to its responsibilities, or to impinge upon its legal status as a standing committee. We were purely an ad hoc committee that submitted an independent report on what we felt would be helpful to all Members of Congress.

Mr. EAGLETON. This will be my final question, if I may ask it, since the Senator from Oregon has brought up the MBT-70, though not to rerun that matter, which took several hours on one day. Would the Senator from Oregon be interested in hearing my rebuttal on that one item, as an illustrative example, in brief form, to the rebuttal, as placed in the RECORD on August 11, of the distinguished Senator from Arizona (Mr. GOLDWATER)? I observe that the Senator from Arizona is present, and thus will have an ample opportunity to re-rebut, if that be necessary.

Would the Senator deem that to be appropriate, so far as tying up the loose ends with respect to this one item is concerned, for example?

As stated, the Senator from Arizona

entered a rebuttal of the MCPL report on August 11. I limit myself to that one portion of his rebuttal with respect to the MB-70 tanks, because my staff and I authored that portion of the MCPL report.

The rebuttal of the Senator from Arizona stated:

The issue that is raised really is whether we should have any tanks at all.

I responded to that by saying that the way the Senator from Arizona has put it, it is not the central issue. The tank may remain a useful weapon for some time to come, but in view of changes in modern warfare, the real question is whether we need a new supertank at a greatly increased cost. I believe that was made perfectly clear in the almost 4 hours of debate.

The rebuttal plays with semantics when it cryptically states:

They (the Russians) are now re-equipping their armored units with the T-62, a tank of much later design than our present M60A1.

I think the record unquestionably shows that the T-62 is not superior to the M-60A1. In fact, ask most tankers which tank they would rather have.

As to the figures given in the report, they are only as good as the figures available. The \$43.3 million figure was supplied by the Pentagon in an interview and the \$24.5 million was supplied by the Armed Services Committee. I might add that the \$25.4 or \$24.5 is not a line item, but rather is a part of a broad lump category labeled "production-based support."

The rebuttal of the Senator from Arizona is correct in citing the figure of \$277 million for U.S. research and development costs alone. That was a misprint, and I apologize.

I think, however, that the last paragraph of the rebuttal summarizes the problems in rationally evaluating and discussing the procurement of weapons systems. It states:

There is every prospect that if no monkey wrenches are thrown in the works, that the United States will succeed in putting in the field, for use by its troops anywhere in the world, a tank that is far superior to any tank ever seen before.

That is fine—but it does not answer the main question. Is the MBT-70 really needed and can the cost be justified?

To me, that is the so-called \$64 question. I do not think, with all due respect, that the rebuttal of the Senator from Arizona answers that question to my satisfaction.

Mr. CASE. Mr. President, I second everything that has been said by the Senator. Beyond commending the Senator from Oregon for his leadership in this effort, I point out, again seconding what has been said, that the moderate tone of the report and of the presentations, I think, greatly strengthens their persuasiveness and lead. If I might say so, to a much more useful debate than often occurs on matters of this kind.

In this connection, the responses of the Senator from Mississippi, the chairman of the committee, and the Senator from Arizona, an active member on our side of the aisle in opposition to some of the suggestions we have been making, but not to all of them, have been in the same vein, and the quiet and considerate effort

that has been made by all who have participated actively in this debate will, in my judgment, lead to the right decisions being made on the Senate floor for our country as a whole.

It is a privilege for the Senator from New Jersey to be associated with those who, like the Senator from Oregon, are proponents of all or the major portion of the amendments and with those who, like the Senator from Arizona, are in opposition.

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

Mr. HATFIELD. I yield the floor.

Mr. GOLDWATER obtained the floor.

Mr. HART. Mr. President, I would like the Senator from Oregon to yield to me for a moment.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. GOLDWATER. Mr. President, I yield to the Senator from Michigan for a question.

Mr. HART. Mr. President, I thank the Senator from Arizona for yielding. I shall be brief.

I commend the able Senator from Oregon for what I think is a thoughtful discussion, and, in my book, a carefully balanced one. I feel that the organization of the ad hoc committee of the Members of the Senate and House operating under the title of "Members of Congress for Peace Through Law" is a constructive and a wise effort.

I hope that our studies and recommendations presented in this case in the form of amendments will be adopted. Certainly, we were sincere in our efforts.

The one thing that I feel the Senator from Oregon has been most helpful in doing is to remind us again that in doing this we are doing what the Constitution charges us with doing. We are not blindly attacking the Pentagon. The military is an honorable career. I hope that it is always regarded by all of us as an honorable career.

The duty of Members of Congress includes responding to section 8 of article I of the Constitution. We are clearly told in this section that we have the obligation of raising money. We have the obligation to pay the debts. And we have the obligation to provide for the common defense and general welfare of the United States. We have the obligation to pay the bills for what we undertake to do on behalf of the United States. That is our job. And in reviewing in detail the requests of the Pentagon and in seeking to balance what they claim is essential for the national defense against the equally developed claim that we respond to the general welfare of the United States, we are doing what we should do.

That is true whether we support the expenditure of every nickel of the authorized request or whether we find ourselves in support of only half the amendments as we seek to reduce the amount. We share a common obligation. And though we are divided on a particular proposal, we are acting in response to the charge laid on us by the Constitution. For the first time in the brief time I have been a Member of the Senate, I think we are doing a more effective job. We are responding more fully to our duty.

I want to conclude not just because

the Senator from Arizona was the one who yielded the time to me, but because I believe it, by saying that the Armed Services Committee of the Senate should find all of us in its debt. The efforts made by the members of that committee to insure that we do have available the information on which prudent judgments can be made have been excellent. I only regret that it may sound out of the mouths of those of us who offer amendments to revise downward the recommendations of that committee that we are critical. We are not. We are appreciative. We, at least in some part, have an awareness that we never had before of the enormous difficulty that is presented to that committee as it seeks to balance the competing claims for our wealth. I do not want to be identified as one who is other than appreciative of the efforts of the Armed Services Committee.

I thank the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I thank the Senator from Michigan for his kind remarks.

Before I begin what I rose to address myself to, I should like to congratulate the Senator from Oregon for a well prepared and well presented speech. I look forward to the replies to my criticisms, and I, in turn, will go over those together with several things in the paper he has presented today and will supply additional ones. I hope we do not end in a long debate by long distance by doing this, but I think the Senator has provided some good food for thought.

Mr. HATFIELD. Mr. President, will the Senator from Arizona yield for a final remark?

Mr. GOLDWATER. I yield.

Mr. HATFIELD. In closing, I submit as exhibit 1 the Military Spending Report of the Members of Congress for Peace Through Law; the rebuttal submitted by the distinguished Senator from Arizona; and comments on the rebuttal prepared by MCPL members.

EXHIBIT 1

REPORT ON MILITARY SPENDING

(By the Members of Congress for Peace Through Law, Committee on Military Spending, July 2, 1969)

PREFACE

Intensified public and Congressional concern over the level and impact of defense expenditures, which account for 80 percent of relatively controllable federal outlays, has become manifest in recent months. In conferences and committee hearings, Members of Congress and private citizens have questioned the dominance of defense spending in relation to our national priorities. There is widespread consensus on the need for more comprehensive scrutiny of the defense budget by both Congress and the executive branch. Various proposals which merit thorough consideration have been advanced to facilitate such review of military expenditures.

As members of the Military Spending Committee of Members of Congress for Peace Through Law, we have cooperated during the past two months in a study of various aspects of defense expenditures. It is our conviction that such a bipartisan cooperative effort can substantially improve Congressional knowledge and judgment in this area.

Our examination of the utility and necessity of requested defense funding has been based upon a high regard for fiscal responsibility and upon a deep interest in the proper allocation of our nation's resources. We have concluded that significant reductions can

be made without in any way jeopardizing our national security. While we may not be in complete agreement on all points in the discussion, we are unanimous in our recommendations for adjustments in defense programs and for cuts in the FY 1970 DOD budget.

The budget reductions advocated in this report total approximately \$3 billion for FY 1970. Implicit in these cuts are five year cumulative savings of from \$15 to \$30 billion, exclusive of savings from troop reductions, and up to \$100 billion if the Vietnam war is terminated and the recommended troop reductions are implemented.

Our recommended cuts represent a very small fraction of the \$80 billion defense budget. These modest recommendations reflect the limited nature of the study which included only topics the committee believed it could examine with competency in the available time. We do not suggest that these are the only cuts which can be made. The committee recognizes that other studies on military spending have been conducted, and recommends that those findings be given careful consideration. We believe that many additional proposed expenditures should be carefully scrutinized. More extensive study is likely to demonstrate that substantially greater cuts are consistent with the national security.

It should be emphasized that we have urged retrenchment of research and development in only very few cases. The principal cause of excessive spending is not the effort to maintain our technological superiority. It is the United States tendency, impelled by military and industrial pressures, toward excessive and improvident policies for procurement, deployment and force levels. In fact, since defense spending to procure and deploy unneeded weapons today reduces the amount of federal money available for basic research and scientific education, our excessive defense budget may well pose a threat to our future technological position and thus to our national security.

In judging an expenditure unnecessary, we have concluded that some or all of the following considerations hold true in each case: (1) it is directed against a very remote and unlikely contingency; (2) it is for a system which is unlikely to perform according to specifications; (3) there are less costly means of achieving the same end; and (4) the utility of the system is insufficient—in light of present strategic and international conditions—to justify the cost.

While the cuts recommended here are justified primarily in this manner, it is also vital to recognize that implicit in our recommendations is a more general criticism of our high level of military spending. An overly ambitious view of our global responsibilities has contributed to the present imbalance in our federal budget. Continuing study of military spending should include realistic assessment of our role in the world community.

To demonstrate the feasibility of substantially greater reductions will require a much larger effort. Such an expanded inquiry would investigate other questionable but more complex areas of defense spending and would consider changes in the assumptions underlying our present general purpose force levels (e.g., troops, tactical aircraft, aircraft carriers, transport, etc.). These levels imply a requirement that the United States be able to wage simultaneous major wars in Asia and Europe and a minor war elsewhere. Since the major part of DOD expenditures is for support of conventional forces, greater budget cuts could be achieved by changing the primary assumptions upon which force levels are based.

This study, then, is only an introductory effort. We believe that the recommended adjustment should be made to the current DoD budget for FY 1970. It is also our conviction that continuing study of military spending is essential. Toward these ends, we

invite the consideration and support of other Members of Congress.

Senator Mark O Hatfield, Chairman, MCPL Military Spending Committee.

Senator Thomas F. Eagleton.

Senator Charles E. Goodell.

Senator Charles McC. Mathias, Jr.

Senator George McGovern.

Congressman Brock Adams.

Congressman George E. Brown, Jr.

Congressman Jeffrey Cohelan.

Congressman John Conyers, Jr.

Congressman Donald M. Fraser.

Congressman Gilbert Gude.

Congressman Richard D. McCarthy.

Congressman Abner J. Mikva.

Congressman F. Bradford Morse.

Congressman Henry S. Reuss.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

MILITARY SPENDING

Mr. GOLDWATER. Mr. President, on July 2, 1969, a report entitled "Report on Military Spending," prepared by Members of Congress for Peace Through Law Committee on Military Spending, was put into the hands of the Members of the Senate. Because a number of our most distinguished Members are also members of this committee, I approached the Senator from Oregon (Mr. HATFIELD), who is the chairman of this particular committee, telling him that I had found in the publication statements that I considered to be inaccurate. I suggested that at some time when we could obtain the floor, I would go through them, item by item, and he could respond as he desired. With recess only 2 days away, and, having failed rather miserably to obtain the floor during the protracted and prolonged discussion on the ABM, the tank, and other matters, and, wanting to get these corrections in the Record before the recess, I am taking this means of introducing them, together with this introductory statement.

I would want to make it abundantly clear at the outset that I find no fault with any group assembling themselves for the purpose of studying expenditures in the military field, or any field, and I sincerely hope that when we get into the vast and seemingly uncontrolled expenditures of Health, Education and Welfare, Agriculture, and other bureaus, committees will be formed to investigate that spending thoroughly.

The areas of this report that I feel to be inconsistent with facts are in the fields of AMSA, the F-14 program, the main battle tank M-70, on which we have already concluded action on the floor, continental air defense, attack aircraft carriers, and, of course, Safeguard ABM which we have already disposed of. There are other rather minor areas, but because we will not be going into these during the discussion of the bill now before us, I will do away with any comments on them.

I ask unanimous consent that the papers which I have had prepared answering these discrepancies be printed in the Record.

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

(NOTE.—Following the sections on AMSA (Section I) Continental Air Defense (Section II), Attack Aircraft Carriers (Section IV), the F-14 (Section V), and the Main Battle Tank (Section VI) we have inserted the appropriate section from Senator Goldwater's August 11, 1969 submission. Our comments on Senator Goldwater's paper follow the AMSA and F-14 sections. The body of the speech addresses the criticism of our aircraft carrier paper. Following Section IX we have inserted the concluding paragraphs of Senator Goldwater's submission. Senator Eagleton's response to Senator Goldwater's submission on the MBT-70 appears in the remarks made during the colloquy following Senator Hatfield's speech.)

[Continuation of the "Report on Military Spending"]

MANNED ORBITING LABORATORY

Study of the Manned Orbiting Laboratory had been included as part of this project until June 10, 1969, when the Department of Defense announced termination of the MOL program. According to Deputy Secretary of Defense, David Packard, "The primary factors in the decision to cancel the MOL project included (1) the continuing urgency of reducing federal defense spending and (2) advances in automated techniques for unmanned satellite systems."

ADVANCED MANNED STRATEGIC AIRCRAFT (AMSA)

Summary

AMSA is the proposed strategic bomber replacement for the B-52, which has been out of production since 1962, and for the new FB-111, which is regarded by Air Force spokesmen as only an interim solution to the bomber problem. It is expected to have a top speed of Mach 2.5 and a range of 6,100 nautical miles with one refueling. It would weigh 370,000 to 380,000 pounds and would carry a payload of approximately 50,000 pounds including both bombs and nuclear-tipped air-to-ground missiles. It would be capable of supersonic flight at both high and low altitudes. Of the three mission profiles formulated as a common base for contract design submission, the one most remote from the capabilities of the B-52 and of those once planned for the B-70 has the bomb run beginning at 1666 nautical miles from target at 200 feet and a speed of Mach 0.85.

The number planned for order is 263, at per unit costs estimated by the Air Force at between \$20 and \$30 million, plus a total of \$2 billion for research and development. Senator Proxmire has received estimates as high as \$80 million per plane, so the possible cost range runs from \$8 to \$23 billion for the total program. To date about \$140 million has been spent. Former DoD Secretary Clifford recommended a fiscal 1970 increase of about \$56 million over fiscal 1969 to advance the long lead time avionics and propulsion systems, and Secretary Laird added another \$23 million to shorten the competitive design phase and begin full scale engineering development, aimed at advancing the initial operational capability by one year, to 1977. Thus the total now planned for 1970 is \$100.2 million.

Recommendations

Because of the lack of a demonstrated need for a new manned bomber, funding for AMSA should be reduced to \$20 million in fiscal 1970, a level approximating amounts spent in prior years. This would result in savings of \$80 million in fiscal 1970. If deployment is not subsequently undertaken, savings of \$2 to \$3 billion would be realized in fiscal 1971 through 1975. Essentially this recommendation means that development of AMSA should proceed slowly while the alternatives outlined in this paper are being examined.

Rationale and discussion

A. The Case for AMSA

The Air Force has been pressing for a new strategic aircraft throughout the 1960's, particularly since Secretary McNamara's decision against production of the B-70, a high altitude Mach 3 bomber upon which \$1.5 billion in development funds were spent prior to its abandonment. Basic arguments advanced in support of maintaining a substantial bomber force are: (1) the U.S. arsenal must contain a "mixed force" consisting of both bombers and missiles in order to insure against missile unreliability or improvements in Soviet missile defense systems; (2) bombers are more flexible than missiles; (3) bomber forces require the enemy to mix his defense efforts, thereby complicating his damage limitation problem and requiring him to divert resources from ABM programs;

and (4) bombers have a useful role in conventional warfare situations whereas missiles do not, as exemplified by the use of B-52s in Vietnam. It is then asserted that a new bomber, AMSA, is required because the B-52 fleet is aging and because it is likely to become increasingly vulnerable to bomber defenses.

B. The Case Against a New Bomber

1. *The strategic role of bombers is for the most part being fulfilled by other weapons which are more cost-effective.*

Prior to development of long range ballistic missiles a progression of bombers—the B-36, the B-47 and finally the B-52—had the burden of deterring attack upon the United States. The country had to have a bomber force large enough and with a high enough probability of penetration to assure any attacker that he would be destroyed in return.

The deployment of large numbers of intercontinental and sea based ballistic missiles has automatically placed bombers in a secondary strategic role. For most purposes the debate over the relative merits of manned aircraft versus unmanned missiles has been clearly won by the latter. Their deployment in hardened silos and under the sea gives them an extremely high capability of surviving a first strike and remaining available for retaliation. Their speed allows a quick reaction and, particularly with the development of penetration aids, makes effective defense an enormously complex problem. Obviously no sane adversary would decide to strike the United States, inviting quick and complete destruction in return from our missiles, simply because we could not obliterate him with bombers as well.

The cost-effectiveness case was summed up in a 1966 analysis presented by then Defense Secretary McNamara, which compared missiles with bombers for purposes of insuring the country's assured destruction capability. He pointed out that even if there were any meaningful interference with our missile forces, increases in their numbers would be less costly than acquiring additional B-52s with gravity bombs, up to the point where the expected missile attrition rate exceeds 50 percent of those deployed. Moreover, this study was based on a relatively low-cost bomber alternative. Missile effectiveness would have had to fall below 30 percent before the FB-111/SRAM aircraft would have been economically justified for insurance purposes. Since AMSA's costs are expected to exceed those of either the B-52 or the FB-111 the ratio of missile effectiveness would presumably have to be lower still before the new aircraft would be worthwhile. On the other side of the equation, it is significant that Secretary McNamara's calculation was based on single-warhead ICBMs and SLBN's; MIRV-equipped missiles, if their deployment on both sides cannot be prevented by arms control agreements designed to avoid the need for any new insurance forces, would no doubt further increase the cost-effectiveness of missiles over bombers.

There is no indication that our missile force will ever become so unreliable that insurance with bombers will emerge as an attractive alternative. Neither has there been any suggestion that bombers might once again be called upon to carry the main burden of deterrence. Hence, the case for any bomber must rest on the question of whether the proposed expenditure is warranted by AMSA's utility in a secondary role, carrying out missions which missiles cannot fulfill.

2. *The so-called flexibility of bombers is largely illusory.*

It is suggested that in the context of real or threatened nuclear conflict bombers can do essentially three things that missiles cannot.

First, they can be airborne and still out of range of enemy defenses prior to an actual decision to attack or counterattack. Whereas

the choice with missiles is to fire or not to fire, the bomber offers a range of options; it can go part way and hold, or go part way and turn around.

It is, however, quite difficult to imagine a setting in which this ability would be particularly useful. One probable role of bombers, for example, would have them in the air as a "show of force" in order to warn an enemy without attacking him. Yet it seems doubtful that bombers, slower and less capable than missiles of actually getting through to their targets, can frighten an enemy more than the mere existence of massive ICBM and SLBM forces capable of striking targets within minutes. For purposes of both deterrence and retaliation, the important ability is not to be in the air but to reach an assigned target.

Second, it is suggested that bombers can be retargeted after launch. If a need for retargeting were to arise, however, the question of relative speed would be of decisive importance. At some point in a strategic mission a bomber must be committed. After that point it can no longer receive retargeting orders; it is out of communication. Because of its much greater speed, an ICBM or SLBM could be retargeted before launch but, in terms of time, after the latest point at which a bomber's mission could be changed, and could still reach the new target before the bomber. The existing U.S. missile force contains substantial reserves for this purpose.

Third, the bomber can carry out missions of armed reconnaissance. It is suggested that this capability would be useful for the purpose of damage limitation, after a nuclear exchange in which hard targets were attacked first and weapons were reserved for later attacks upon population and industry. Bombers would cruise over enemy territory seeking to destroy remaining missiles before they could be launched.

The occurrence of such a scenario is extremely improbable, because if the Soviet Union believed after such an exchange that the United States could attack its remaining forces on the ground it would probably launch those forces before they could be hit. The concept of limited nuclear war has few adherents, and the development of hard target capability helps assure that nuclear war, if it comes, will be total. Moreover, it is questionable whether a bomber would be able to determine which Soviet missile silos were empty and, even if it could, whether this would be the most cost-effective means of attacking withheld missiles.

In most cases, therefore, the flexibility of bombers has little practical meaning. To a large degree it is a counterpart of a characteristic in which bombers compare unfavorably with missiles—the fact that they are slower, which means that the decision to launch must be made sooner.

As outlined more fully below, it must also be noted that if capabilities along these lines are desirable, they are already possessed in substantial measure by existing aircraft.

3. *Existing aircraft require the enemy to mix his defenses as much as would be the case if AMSA were added.*

One should not assume that the choice is between AMSA and no substantial strategic bomber force, as is implied in many arguments advanced in support of the program. On the contrary, it is entirely possible to accept the continuing utility of intercontinental strategic bombers while still rejecting AMSA as too costly in terms of its contributions to the capabilities of the U.S. bomber force. AMSA has, in fact, been described as a combination of the payload and range capabilities of the B-52 and the speed and versatility of the FB-111.

Our four squadrons of FB-111s will have an estimated speed of Mach 2.2 and a range capable of reaching at least 70 percent of the Strategic Air Command's targets. According to testimony by Secretary McNamara, its

range exceeds that of the B-52C-Fs, which is 6000 miles. It is equipped to fly at low levels at high speeds, thus possessing the basic new capabilities represented as most important in AMSA. The 255 B-52Gs and Hs currently in service, meanwhile, have ranges in excess of 10,000 nautical miles, can fly at altitudes in the 60,000 foot range, and can deliver large payloads. The combination of the two can do most of what AMSA would do.

The number of FB-111s to be purchased, reduced from the 14 combat squadrons planned in 1968, could not strike simultaneously at all targets the aircraft is capable of reaching. Nor is it suggested that all B-52s would reach their targets. But the goal of requiring the enemy to mix his defenses does not require large numbers. Since they will not know the targets to be hit by the FB-111, they will have to at least defend all those it is capable of reaching.

Any nation bent on neutralizing our strategic air forces must therefore develop air defenses capable of countering AMSA regardless of whether or not it is built.

4. Changing mission and penetration aids further enhance utility of existing strategic bombers.

Because existing and future air defenses are likely to be concentrated around target areas, missile launching or "stand-off" activity, as opposed to gravity bombing, is emerging as a primary mission of strategic aircraft. The Hound Dog missile carried by B-52Gs and Hs, with a 600 mile range, a Mach 2.0 cruising speed and a four-megaton warhead, exemplifies this phenomenon. The small, lightweight SRAM (short-range attack missile) is expected to follow, although it is currently experiencing development difficulties. SRAM could be fired some 100 miles from target beyond enemy bomber defenses, and its small size and low weight would allow saturation with large numbers. It can be carried by both the B-52 and the FB-111. This role reduces the need for the low level-high speed flight capabilities of AMSA, and makes the alternative of relying on B-52s and FB-111s even more attractive. Their adequacy is enhanced still further by the development of the Subsonic Cruise Armed Decoy (SCAD), a nuclear-armed pilotless aircraft carrying a radar reflective mechanism to make it look like a large bomber on enemy radar screens. Along with other electronic countermeasures, it can substantially increase the ability of existing aircraft to penetrate Soviet defenses.

5. Conventional warfare roles of bombers do not require elaborate, high performance aircraft.

One aspect of the flexibility attributed to AMSA is the fact that it can react to threats which do not call for a nuclear response. The operation of B-52s in Vietnam is cited as clear evidence that the day of conventional bombing is not over.

It is first clear, however, that bombing targets such as those in Vietnam, without sophisticated air defenses, does not require the costly high performance capabilities which AMSA would have. American forces have dropped a total of 1 million tons of bombs during the Vietnam conflict without losing a single B-52 as a result of enemy action. It has obviously performed no less effectively than would a much more advanced aircraft. Even its forerunners long since retired would probably have been as qualified for such missions.

On the other hand, conventional bombing against sophisticated adversaries will require aircraft of much higher performance than a plane designed primarily for strategic missions can achieve. Whatever feasibility strategic bombers have against advanced defenses is due to the tremendous nuclear destructive power they can carry. With conventional bombs the probable loss rates would be intolerable because the damage done to targets would be slight in compari-

son to the costs. In the future we can expect that the performance of aircraft designed primarily for long-distance missions will continue to compare unfavorably with the capabilities of defensive interceptors and surface to air missiles, requiring that whatever conventional bombing is done be carried out by tactical aircraft.

6. The B-52 age problem can be solved through steps much more simple and much less expensive than AMSA.

A recent issue of Aerospace Technology quotes DOD officials as saying that the B-52 age question is not so much when the airplane will wear out as it is whether it will remain operationally suitable and capable of operating in the right speed and altitude regimes—a subject to which the bulk of this paper has been addressed.

There have also been expressions of concern about the physical age of the existing fleet. The last was produced at Boeing's Wichita plant in October of 1962, and the Air Force does not believe that the G and H models presently in the force will last beyond the late 1970's.

The huge investment proposed for AMSA is, however, obviously not justified if it is to be made solely for the purpose of having physically newer aircraft. It would be worthwhile, instead, to consider further modifications of B-52's to extend their operational lifetime, a process that could be carried out at a tiny fraction of AMSA's cost. Depending on their scope, continuing modifications of the B-52 could extend its life well into and perhaps beyond the operational time frame envisioned for the new aircraft. Another approach, also less costly than AMSA, would be to reopen B-52 production lines. The 1962 purchase involved costs of about \$10 million per aircraft, and current-dollar estimates would still be substantially under the Air Force's most optimistic projections for AMSA.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

COMMENTS ON DISCUSSION OF AMSA IN THE REPORT ON MILITARY SPENDING SUMMARY

"The number planned for order is 263, at per unit costs estimated by the Air Force at between \$20 and \$30 million, plus a total of \$2 billion for research and development. Senator Proxmire has received estimates as high as \$80 million per plane. . . ."

The number planned for order is not 263. We have made no commitment, nor do we now have any plans to buy a specific force size of AMSA airplanes. How many aircraft will actually be procured will be based on future information regarding the threat, costs, etc. The Air Force estimates the production, airplanes (including initial spares, tech data, and support equipment) will cost about \$25M to \$30M when bought in quantities in excess of 200 airplanes. Sen. Proxmire's figure of \$80M unit cost is not substantiated by any estimates made by DOD or knowledgeable civilian companies.

RECOMMENDATIONS

"Because of the lack of a demonstrated need for a new manned bomber, funding for AMSA should be reduced to \$20 million in fiscal 1970, a level approximating amounts spent in prior years. . . ."

For obvious reasons, the demonstration of need must consist of evaluation of the enemy threat and U.S. capabilities and judgments arising therefrom rather than a tangible demonstration. To the extent that such an approach permits, the DOD has demonstrated the need to undertake the development of a new bomber. To conclude that there is no need now to start development of an advanced bomber, one would have to believe the following: (1) The Soviets will cease to improve their air defenses, thereby making

our present penetration aids sufficient, (2) The Soviets will not degrade through offensive or defensive action our missile capability. (3) We will not want to use a bomber in conventional conflicts where the enemy has deployed air defenses. (4) It will be economical to prolong the operational and structural life of the B-52 into the 1980's.

All indications today oppose acceptance of the foregoing points. The most significant area of uncertainty is not in the need to start development, but in the number of bombers that may eventually be needed. Fortunately, this latter decision need not and should not be made now.

A level of expenditure of \$20M per year will not reduce the development lead time of this system. If we maintain this expenditure level until the need becomes reality (i.e., a discovered ineffectiveness in our strategic forces) we will still be about 8 years away from having the system in operationally significant numbers. In that case we would have two alternatives: (1) Attempt to adapt "off-the-shelf" systems to fill the gap or (2) Accept the added risk that our reduced effectiveness will continue to deter.

RATIONALE AND DISCUSSION

A. The case for AMSA

"The Air Force has been pressing for a new strategic aircraft throughout the 1960's, particularly since Secretary McNamara's decision against production of the B-70. . . ."

The Air Force has actually been examining replacements for the B-52 since 1956. WS-125A (the nuclear powered bomber) and WS-110A (later the B-70) were active then. In 1959, an argument voiced against WS-125A was that its low level speed of Mach 0.9 would not be militarily useful in the 1970s. Likewise, one of the reasons for cancelling the B-70 was its alleged inability to penetrate effectively at Mach 3.0 at high altitude. In spite of this, it is now argued by bomber opponents that the B-52 which flies at Mach 0.55 at low altitude and Mach 0.8 at high altitude will be adequate for the foreseeable future.

We believe modernization of our forces is essential if strategic forces are to portray a credible deterrent to an enemy who continues to devote a large portion of his total resources in both offensive and defensive weapons systems.

Initiation of the development of the AMSA at this time will place us in a better position to modernize our aging bomber forces in order to maintain our deterrent posture.

If the AMSA were started in FY 1970 the earliest date that we would have operationally significant numbers in the inventory would be FY 1977. At that time the newest B-52 would be 14 years old.

B. The case against a new bomber

"The strategic role of bombers is for the most part being fulfilled by other weapons which are more cost effective."

It is important to maintain a deterrent posture with a mixture of all three elements of our strategic force—bombers, land based missiles and sea based missiles.

In general, we are not trading off bombers versus missiles to arrive at a single system for our strategic deterrent. To do so is a high risk approach allowing an enemy to focus his resources against that system.

The forces are considered to complement each other in providing us with both an effective deterrent force and a war fighting capability across a broad range of possible conflict situations.

While the pre-launch survivability of missiles appears to be high today, the absence of a bomber in our forces would allow the enemy to concentrate his efforts on attaining good missile accuracy and effective Anti Submarine Warfare (ASW). There is no reason to think that he isn't working hard on these

items at present. If successful, and without bombers, the U.S. deterrence would be severely weakened.

To say without qualification that AMSA costs are higher than B-52 and FB-111 costs is misleading. On a single aircraft basis the proposed AMSA is calculated to be several times more effective than the B-52 and would be even more effective relative to the FB-111. In other words, a much smaller AMSA force could do the same job as a larger force of B-52's and/or FB-111's. AMSA development and investment costs would be amortized about 8-10 years after deployment of the first wing. Beyond that, the operating and maintenance (O&M) costs of the smaller equal effectiveness AMSA force would be less.

The statement that MIRV increases the relative cost-effectiveness of missiles over bombers is valid only if the enemy does not also employ MIRV. If the enemy is given credit for a reasonable accurate MIRV he can substantially reduce the pre-launch survivability of U.S. land based missiles or cause increased expenditures to harden them, thereby reducing their cost-effectiveness.

Bombers and missiles are not considered nor proposed as alternative to one another. While it is true that we should not allow our missiles to become unreliable, neither should we permit our bombers to become so. If the enemy is even partially successful in his efforts to offensively or defensively counter our missiles, it would very well be more cost-effective for us to place more reliance on bombers. Just because the reverse is true today is not adequate reason for stating it will always be so. In view of this, the case for the bomber rests on the fact that because of the great differences between missiles and bombers, the two types of systems complement each other. It should be noted that if the enemy believed bombers were not effective he would not be significantly improving his air defenses.

"The so-called flexibility of bombers is largely illusory."

The rationale expressed presupposes that the enemy has a counter to bombers and no counter to missiles. We should not base our future deterrence on such an assumption. We should insure, to the best of our ability, that he cannot effectively counter either weapon system. In attempting to evaluate the best way to convey our intentions to an enemy during a time of crisis there are probably as many opinions as there are "experts". Certainly, however, visible preparation for combat has proven to be effective. In past crises we have, at various times, called up reserves, deployed naval, air and ground forces, generated our bombers, and in the Cuban crisis, placed a significant number of bombers in the air. Why did we do these things if the "show of force" concept is not valid?

With satellite communications a bomber weapon can be retargeted or withheld up to the point of weapon release which may not be only seconds away from detonation.

It is implied that we need only a capability to hit soft targets, i.e., urban-industrial complexes. This is synonymous with the "deterrent only" concept which ignores the question of war outcome if deterrence should fail. This concept, if adhered to, simultaneously increases the risk of the failure of our deterrent by prejudging that the enemy leader will never accept the loss of a certain percent of his population in order to attain his goal of world domination.

The conclusion that bomber flexibility has "little practical meaning", is based on a narrow understanding of what is meant by flexibility. By way of illustration, the B-29 in its lifetime was used for delivering high explosives, nuclear weapons, fire bombs, aerial mines, and psychological warfare materials. It attacked cities, industry, troops, airfields and bridges. It was used for weather and

photographic reconnaissance. Such utility, while not readily amenable to cost-effectiveness analyses, is real none-the-less, and is not possessed by ballistic missile. The manned aircraft still remains the most versatile system yet devised for delivering munitions. The fact that the aircraft has long range and carries large payloads does not negate this truism.

"Existing aircraft require the enemy to mix his defenses as much as would be the case if AMSE were added."

To mention in the same sentence the FB-111 speed of Mach 2.2 and range to reach 70% of the targets leaves the impression that it can do both simultaneously. The fact is that the supersonic range of the FB-111 is much less than the AMSA supersonic range and would not complicate the enemies defense problem against supersonic penetration nearly as much. What is not mentioned is that it is entirely within the enemy capability to reduce FB-111 target coverage by a factor of 4 or to force the FB-111 to slow down to B-52 speeds to maintain 70% coverage.

Although the data given for the B-52G&H is essentially correct, it fails to mention that the B-52 maximum low-level speed is less than 2/3 that of the AMSA's low-level cruise speed and that the B-52 radar signature is on the order of 100 times that estimated for the AMSA.

The technique used here is to argue that the combination of good points of two different systems results in the same effectiveness as a single system having all the same attributes. This is fallacious for the simple reason that the FB-111 and the B-52 both have certain shortcomings which AMSA would not have and which can be exploited by the enemy to degrade individual effectiveness of the FB-111 and B-52. The high speed of the FB-111 does not reduce the vulnerability of the slower, larger radar signature B-52 nor does the long range and large payload of the B-52 permit the FB-111 to attack deep targets at high speed while carrying adequate penetration aids against advanced defenses.

The conclusion is false for the reasons stated above, AMSA does, in fact, combine the best features of the FB-111 and B-52, but equally important, it avoids the shortcomings of both. Such a system obviously imposes a greater strain on defenses than the FB-111/B-52 combination.

"Changing mission and penetration aids further enhance utility of existing strategic bombers."

It is agreed that new penetration aids will enhance the effectiveness of existing bombers. However, as defenses improve, a greater portion of the effective payload must be devoted to such aids. The AMSA with its higher speed would be exposed to the defenses for a shorter time; for a given level of protection its EMC requirements are less than the B-52 because of smaller radar signature; its lower penetration altitude reduces detectability by ground radars; and its greater payload capability means more targets killed per aircraft for any given level of defense.

The latest model B-52 "H" model, represents about the maximum growth attainable within the constraints of the basic B-52 design. While we would be able to use new weapons or penetration aids on the aircraft against an improving threat, we have reached the point where a sounder investment is to acquire a new bomber rather than to keep modifying the old. Additionally, certain improvements such as to provide for B-52 self-sufficiency for wide dispersal to improve pre-launch survivability involve large costs and excessive fleet downtime.

"Conventional warfare roles of bombers do not require elaborate, high performance aircraft."

It is incorrectly assumed that aircraft de-

signed for the strategic mission should not or could not have high performance and are, therefore, not effective in conventional conflict. Using current technology, there is no basis for this "assumption. The proposed AMSA would have high performance and this performance would pay off in lower attrition than the B-52 in all types of conflicts. The argument contained herein contradicts in fact, a point made earlier about the value of the FB-111's speed. This combination of speed and very low altitude capability makes the F-111 our best conventional fighter bomber.

The assertion made regarding losses and effectiveness in conventional conflicts is refuted by careful analysis. First, with 10 times the payload of our fighter-bombers the AMSA would, with all other things being equal, have to fly only one-tenth as many sorties for a given level of damage. However, other things are not equal—in fact they tend to favor the high performance bomber. An advanced bomber can bomb more accurately and does not have to dive down the defensive gun barrels. A single large bomber is adequate for most targets and gains the element of surprise that multiple smaller aircraft do not have. The bomber's capability for better night and poor weather navigation and bombing is more readily attainable since it can carry the better avionics required. The AMSA could fly supersonically to deep interdiction targets with its large payload—something our current fighters cannot do. SAMs and interceptors equipped with non-nuclear armament can be countered with the combination of supersonic speed and ECM and SCRAM. The relative effectiveness of larger bombers can be further improved by the ability to carry larger conventional munitions. The greatest advantage would be a stand-off capability that permits the bomber to avoid defenses in the target area while accurately delivering large conventional warheads as Walleye and Condor there is a weapon size limitation imposed by the size of the aircraft itself.

In short, studies, plus our experience in Southeast Asia, have demonstrated that large, high performance bombers can provide cost effective augmentation of our general purpose forces in nonnuclear conflicts.

"The B-52 age problem can be solved through steps much more simple and much less expensive than AMSA."

It is true that the B-52 structure can be reinforced or replaced as it wears out. To say that this is more economical than acquiring a new aircraft is conjecture. First, we still cannot predict, as well as we would like, how aircraft structure will respond to usage. The problem here is that by the time we detect a structural fatigue it may be too late to acquire a replacement aircraft on a timely basis. Therefore, to avoid catastrophic failure we replace or "beef up" the affected structure. The problem is compounded by the fact that the uncertainties in forecasting the type and extent of wear out are accompanied by large uncertainties in the magnitude of the costs that may be required to keep old systems viable. We do know, however, that as age increases so does the risk of incurring large modification costs.

Second, regardless of B-52 structural life, the fact that AMSA carries a larger offensive payload and would suffer less attrition than the B-52 means that considerably fewer AMSAs can do the same job as the B-52s. It is expected that after about 8 to 10 years of operating this smaller size, but equally effective, AMSA force the savings in O&M costs will equal the development and production costs of the new bomber.

The question of reopening the B-52 production line is academic in the face of the above economical replacement argument for a newer, more efficient bomber. Nevertheless, today's production costs of the B-52 would not necessarily be substantially less than the

AMSA taking advantage of technology advances since the B-52 was developed. The reasons for this are as follows: (a) B-52 production tooling is non-existent, (b) new production would start at the top of the learning curve, (c) B-52 and AMSA avionics weights are similar, so avionics production costs would also be similar, (d) the eight engines on the B-52 would cost approximately the same as the four engines on AMSA. If the B-52 were equipped with four of the larger C-5 type engines, the engine costs would favor the AMSA, (e) airframe costs are based on empty airframe weight and since the B-52 airframe weight is approximately twice that of AMSA and since both are made of essentially the same materials. AMSA airframe costs should be no higher than B-52 airframe costs. In view of the foregoing it can be concluded that new B-52s could not be produced substantially cheaper than a new, smaller bomber, as is alleged in the report.

RESPONSE TO SENATOR GOLDWATER'S COMMENTS ON AMSA SECTION—MCPL MILITARY SPENDING REPORT

(1) The paper prepared for Senator Goldwater disputes the figure of 263 aircraft for planning purposes. This was supplied by DOD in response to a request by the Library of Congress. Obviously the number can always be reduced or increased—or the entire program can be cancelled—at any stage of development. It is, however, quite difficult to understand why the figure 263 is used in making program cost estimates if it is not in some way indicative of Air Force intentions.

(2) The Goldwater paper lists four assumptions which it says must be accepted to conclude that we need not start now on an advanced bomber, as follows: First, that the Soviets will cease to improve their air defenses, thereby making our present penetration aids sufficient; second, that the Soviets will not degrade through offensive or defensive action our missile capability; third, that we will not want to use a bomber in conventional conflicts where the enemy has deployed air defenses; and fourth, that it will be economical to prolong the operational and structural life of the B-52 into the 1980's.

This approach implies that the burden of proof is upon those who oppose the expenditure. It should instead rest on the proponents, and in any case the list of assumptions must be much longer.

In relation to the first point, proponents of AMSA should offer at least some evidence that the Soviet Union is moving in directions which threaten to end the ability of existing bombers to penetrate defenses. This should include steps to counter low level flight, of which both the B-52s and Hs and the FB-11 are capable; to distinguish between real aircraft and nuclear-tipped decoy missiles such as SCAD with radar reflective devices; and to effectively counter stand-off missiles such as HoundDog and SRAM, along with other penetration aids which might be developed. They should show as well that such defense would be capable of eliminating some 3,000 tactical aircraft capable of and equipped to fly nuclear missions against a large proportion of the Soviet population, in some cases with abandonment of the aircraft but not loss of the pilot. In addition, they should show that the capabilities of AMSA would be so superior to those of existing bombers that they would render useless defenses which are effective against the B-52 and the FB-111.

If all of these contentions were made out it would, of course, still be necessary to show that deterrence requires bombers notwithstanding the existence of enormous destructive capacity in submarine and land based ballistic missiles. Quite obviously no coun-

try will be the less deterred if we can destroy him two ways—with ICBMs and SLBMs—simply because we cannot destroy him with bombers as well.

On the second assumption, proponents should show some perceivable danger that the Soviet Union does threaten to simultaneously eliminate or seriously degrade our ICBM and SLBM capability. Beyond this, they must show that these systems could be overcome notwithstanding internal improvements in their protection and in their offensive capabilities. To forego acceleration of the AMSA program certainly does not mean freezing the state of the art in other areas.

To build AMSA on such grounds requires us to believe, for example, that the Safeguard antiballistic missile system in which the Administration has expressed such confidence will fail miserably. To require a belief that our Polaris submarines will be neutralized at the same time. It requires us to believe that the Soviets will develop an ABM system which can intercept not only large numbers of individual warheads but much larger numbers of smaller warheads on MRVs or MIRVs, at the same time distinguishing between warheads and chaff. It requires an assumption that they can overcome other missile technology not yet developed or disclosed. It requires a belief that they would have such confidence in these systems that they would be willing to risk nuclear annihilation on their perfect performance. Finally, it requires a belief that the manned bomber is the best available method of insuring against these eventualities, and that existing manned bombers are inadequate.

The third point, intimating that we will want to use bombers in conventional warfare situations where the enemy has deployed air defenses, raises an extremely disputable presumption. Against air defenses sophisticated enough to make the B-52 and the FB-111 ineffective it is doubtful whether we want to use UMSA—designed primarily for long-range strategic missions—notwithstanding its improved capabilities. While AMSA would have advantages not presently in existence in the bomber force, it is doubtful that it could penetrate defenses and elude interceptors better than the thousands of tactical aircraft built and maintained for those purposes. On the other hand, the costly high performance abilities contemplated for AMSA would be largely wasted in conventional wars against enemies which do not have significant defenses. The Vietnamese experience exemplifies the relationship which is likely to continue—not a single B-52 has been lost as a result of hostile action, so it has certainly been adequate over South Vietnam; it has not been used over North Vietnam, presumably because losses would be too high as opposed to those taken by tactical aircraft presumably will also have to be improved, it seems quite probable that similar choices would be made.

Quite clearly the value of AMSA in conventional war is a "fall out" benefit. It cannot stand on these grounds alone if the need is not established in terms of the ability needed to wage nuclear war.

On the fourth point—the economy of prolonging the operational and structural life of the B-52—it should, of course, first be established that with a missile deterrent we nevertheless need a bomber deterrent. If so, there is substantial evidence that the life of the B-52 G and H models could be extended well into the AMSA operational time frame, depending in part upon the treatment they receive during that time, at less cost than building and maintaining AMSA. But existing B-52s are not the only alternative to AMSA in any case. One route would be to produce new B-52s, with structural improvements to enhance their ability to withstand the duress of low altitude operation.

(3) The paper prepared for Senator Gold-

water suggests that the low level speed of Mach 0.9 of the WS-125 (the nuclear powered bomber) was one reason for halting its development, and that the high level Mach 3.0 high altitude speed of the B-70 would have been inadequate for penetration. It follows from this, according to the paper, that reliance on the B-52—with Mach 0.55 at low altitude and Mach 0.8 at high altitude—is questionable.

This assertion ignores the development of penetration aids, including SRAM and SCAD, as well as the use of external missile forces to create air corridors. Stand-off missile launching allows our bombers, whatever their capabilities, to remain out of range of terminal defenses. The principal defensive problem created by low level flight is detection, and the avoidance of enemy radars—unless a reliable look-down capability is developed—does not require high speed.

(4) The paper asserts that "it is important to maintain a deterrent posture with a mixture of all three elements of our strategic force—bombers, land based missiles and sea based missiles."

The need to do this, it is said, is based upon the fact that "... the absence of a bomber in our forces would allow the enemy to concentrate his efforts on attaining good missile accuracy and effective Anti Submarine Warfare (ASW)." In other words, bombers require the enemy to mix his defenses.

But the B-52, the FB-111 and such tactical aircraft as the F-111, the F-4 and the Navy A-6 and A-7, do have the capability to penetrate existing Soviet air defenses. If the Soviets do, indeed, seek to eliminate the United States deterrent they will have to counter the basic abilities of AMSA regardless of whether or not it is built.

It is also important to recognize that while we are stimulating a diversion of Soviet funds from ASW, ABM and counterforce capabilities, we are also spending large sums of our own in the process. Requiring the enemy to mix his defenses requires that we mix our offense, diverting technical and financial resources that might otherwise be spent to counter potential Soviet ASW, ABM and counterforce developments.

(5) The paper argues that AMSA's costs are not necessarily less than those of the B-52 and the FB-111 because a much smaller force could do the same job as a larger force of B-52s and FB-111s. This would be a valid assertion if we were without a bomber force and were deciding whether to purchase AMSA or something else. However, the costs of the B-52 and of at least four squadrons of the FB-111 have already been incurred.

(6) The original MCPL paper cited a 1966 study by Secretary of Defense McNamara indicating that for purposes of insuring missile forces the acquisition of additional missiles would be more cost-effective than bombers up to missile attrition rates of 50 percent for B-52 G and H forces and 30 percent for the FB-111/SRAM. It suggested that the development of MRVs and the high cost of AMSA would further increase the cost effectiveness of missiles over bombers for insurance purposes.

The response suggests that this would be the case only if the enemy does not also employ MIRV, presumably for the purpose of attacking hardened missile sites. It suggests that if the enemy "is even partially successful in his efforts to offensively or defensively counter our missiles, it would very well be more cost-effective for us to place more reliance on bombers. Just because the reverse is true today is not adequate reason for stating it will always be so."

Neglected in this analysis is the fact that bombers are much more vulnerable on the ground than are missiles. Soviet MIRV deployment, particularly aboard Polaris-type submarines, could threaten bombers more

than missiles, perhaps requiring that they be airborne at all times at enormous cost and consequently low cost effectiveness. It is also possible to imagine strategies through which the Soviet Union could neutralize air alert and airborne bombers, such as by stimulating a false emergency which would result in their launch and then waiting until they were back on land and unable to immediately get back in the air before launching a serious attack.

(7) The paper prepared for Senator Goldwater asserts that "if the enemy believed bombers were not effective he would not be significantly improving his air defenses." By the same token, if the enemy believed bombers were necessary in a missile area, it seems likely that he would have a significant bomber force of his own. The Soviet Union has roughly 155 intercontinental bombers, both types of which are distinctly inferior to the American B-52. The essential question is, of course, not whether bombers are effective, but whether they are necessary in terms of our policies relating to nuclear war.

(8) On the flexibility of bombers, the Goldwater paper asserts that "visible preparation for combat has proven to be effective." It argues that we have placed bombers in the air at various times in the past, and asks, "Why did we do these things if the 'show of force' concept is not valid." Presumably we did these things because they were available and someone thought they might have some effect on Soviet actions. It is impossible to say that they did have an effect—that placing strategic bombers in the air during the Cuban missile crisis, for example, did anything to cause the Soviet Union to back down that could not be accomplished by their certain knowledge that if warranted President Kennedy could have sent hundreds of nuclear weapons to Soviet targets within a matter of minutes.

(9) The paper asserts that with satellite communication "a bomber weapon can be retargeted or withheld up to the point of weapon release which may not be only seconds away from detonation." This is cited as an example of the bomber's flexibility.

Through satellites missiles can be retargeted or withheld up to the point of launch, only minutes away from their detonation, and they would probably still be able to beat redirected bombers to most new targets. Moreover, in the context of nuclear war, with American bombers flying over Soviet airspace, it seems unlikely that an ability to be recalled or retargeted would be of much value. In all probability Soviet offensive weapons would have already been launched, as developed more fully below.

(10) The paper argues that the MCPL study implies "that we need only a capability to hit soft targets, i.e., urban-industrial complexes. This is synonymous with the 'deterrent only' concept which ignores the question of war outcome if deterrence should fail."

The scenario suggested is that there might be a nuclear exchange in which, after a Soviet attack against our retaliatory forces, our bombers would cruise over Soviet territory seeking out missiles withheld for a second round attack against our cities. It is first questionable whether the bomber's powers of observation would be great enough to locate withheld weapons. Even if they could, however, such a capability on our part would certainly assure, if it is not already assured, that any nuclear exchange will be fought to completion. If the Soviet Union knew that we were capable of eliminating the threat of their second round attack—thereby leaving them without a deterrent—there is no reason to expect that they would obligingly continue to hold their anti-city weapons until our bombers could locate and destroy them.

(11) The response contests the assertion

in the MCPL paper that existing aircraft require the enemy to mix his defenses as much as would be the case if AMSA were added, notwithstanding the description of AMSA as a combination of the high speed, low-level flight capabilities of the FB-111 and the range and payload capabilities of the B-52. It is said that this conclusion is inaccurate because the AMSA, while combining the best features of both, would not have the weaknesses of either. These weaknesses, it is said, could be exploited to degrade individual effectiveness.

It is important in this context to recognize the specific character of the enemy's defensive problem if he is determined to neutralize the American bomber force. He must be able to detect and intercept at both high and low altitudes, at both supersonic and subsonic speeds. He will not need all of these capabilities to counter either the FB-111 or the B-52. He will need them all if he expects to counter them both. AMSA might, as the Goldwater paper suggests, put a "greater strain" on defenses in terms of their extent, but it would not require significantly greater technological capability. The B-52/FB-111 combination is, of course, made still more potent by penetration aids.

(12) The response argues that AMSA would be useful in conventional war situations, and lists a number of areas where it apparently compares favorably with fighter-bombers for such roles. This initially suggests the question why we construct and maintain fighter-bombers at all if AMSA could perform their missions better. The reason is that while a high performance aircraft has attributes, it also has liabilities. If it can carry ten times the payload of a fighter-bomber, for example, it would probably have only about one-tenth the targeting flexibility. While a single bomber in place of numerous smaller aircraft may have a better chance of escaping detection, it also poses a much less complicated defensive problem once detection is made. The loss upon interception is, of course, much greater. It is also interesting to note that the Goldwater paper describes the "stand-off capability that permits bombers to avoid defenses in the target area" as their "greatest advantage" in this area, while dismissing without any meaningful analysis the idea that stand-off capability in the nuclear role contributes greatly to the adequacy of existing bombers.

(13) The paper asserts the expectation that "after about 8 to 10 years of operating, this smaller size, but equally effective, AMSA force the savings in O&M costs will equal the development and production costs of the new bomber." This misleads to the conclusion that we can have AMSA for nothing more than we would otherwise spend on strategic bombers, because it neglects the O&M costs of AMSA itself, expected to equal production costs for each 10-year period of operation. In light of past experiences with vast cost overruns on defense contracts, it must also be noted that such firm cost calculations are extremely dubious at best.

(14) Finally, the Goldwater paper argues that should production lines be opened for new B-52s, the costs would not be substantially less than those for production of AMSA. But this cost comparison is based upon a set of assumptions which may be quite invalid. It contemplates incorporation of technological advances developed since B-52 production lines were closed in 1962—a costly option which may or may not be necessary in whole or in part. It argues that the experience gained in production of B-52s before would not affect the learning curve. It suggests that the cost of avionics is determined by weight rather than by factors such as complexity and sophistication. Moreover, it neglects the figure of at least \$2 billion which must go into further research and development before AMSA could be produced.

[Continuation of the "Report on Military Spending"]

CONTINENTAL AIR DEFENSE

Summary

The current air defense system consists of the SAGE-BUIC command and control system (radars, computers, communications, etc.). Nike-Hercules and Bomarc surface-to-air missiles, and over 700 interceptor aircraft. R&D work is now going forward on AWACS (an improved, air-borne radar and control system), upgrading of the interceptor force, and SAM-D, a new surface-to-air missile. Funds requested for FY 1970 total approximately \$2.2 billion.

Recommendations

Based on the modest extent of the Soviet threat and the fact that virtually the same level of protection can be provided with a less elaborate system, it is recommended that funding be cut for the current system by 10 to 20 percent. If possible, R&D should be stretched out for follow-on "improvements" to the system. This would yield savings of from \$200 to \$400 million in FY 1970 and perhaps \$0.5 to \$2 billion over the next five year period.

Rationale and discussion

A. The Soviet Bomber Threat Is a Modest One

There are about 150 Soviet intercontinental heavy bombers compared to 646 for the United States. The Soviet heavy bombers (the *Bison* and the *Bear*) were first deployed in 1956, and they are substantially inferior to the U.S. B-52 forces. The B-52's are faster, their maximum unrefueled range is 12,500 miles as opposed to the 6000-8000 mile range of Soviet bombers, and the possible B-52 bomb load is 75,000 pounds as opposed to 20,000-40,000 pounds for the Soviet bombers.

The Soviets also have about 750 medium bombers (the *Badger* and the *Blinder*), but they can reach the U.S. only with very extensive refueling or in one-way Kamikaze-type attacks.

According to testimony by Dr. John Foster, Director of Defense Research and Engineering, before the House Armed Services Committee on April 30, 1969, "there is no evidence of any follow-on heavy bomber development" by the Soviets and the Soviet SST "is very unlikely to be converted to a supersonic bomber."

B. The Limited Strategic Role of Bombers in an Age of Missiles Does Not Justify an Elaborate and Expensive Air Defense System

In a strategic nuclear war, there are two main targets: offensive and defensive forces, and cities.

Because of the timing problem, the role of bombers as a counter-force weapon is extremely limited. It would take Soviet bombers some 8 hours to reach U.S. missile sites, and by that time most of the targets would be empty silos. It is true that some missiles might be withheld from an initial U.S. retaliatory salvo, but the Soviet bombers would not be a serious threat to them since it would be very difficult for the Soviets to distinguish expediently between empty and loaded silos.

Soviet bombers might also strike at U.S. bomber bases and Polaris submarine stations to prevent them from being used to prepare a second round of nuclear strikes. After an all-out nuclear exchange, however, this "second round" capability has only marginal strategic importance.

Bombers have a somewhat greater role as a counter-population weapon. In a first strike, for example, the Soviets might concentrate their missiles on U.S. missile silos and airfields, leaving to bombers the task of striking cities. In this type of attack, how-

ever, the Soviets would certainly target some of their missiles at U.S. air defense radar sites, ground control structures and surface-to-air missile sites in order to clear the way for their bombers.

Thus there is an element of futility in trying to protect cities against bomber attack when the bomber defense system is vulnerable to missiles.

More importantly, however, the defense of cities against the fairly remote contingency of a bomber attack has little significance in strategic terms, as long as we are unable to protect them against the more likely contingency of a missile attack.

As former Secretary of Defense Clifford said, on page 58 of the 1969 posture statement: "No air defense system can provide a significant 'Damage Limiting' capability against the Soviet Union unless accompanied by a strong, effective ABM defense."

A further testimony to the general ineffectiveness of bomber defense in the missile age is the high confidence of the Strategic Air Command that a substantial fraction of its present bombers will penetrate to targets in the Soviet Union in spite of the enormous sums spent by the Soviets on defense against bomber attack.

C. The same level of protection can be maintained with a "thinner" air defense system.

The present U.S. air defense system would be very ineffective if faced with a large-scale Soviet attack. Again quoting from the April 30, 1969 testimony of Pentagon Research Director Dr. John Foster:

"Our current air defense system permits an intercept only a few hundred miles from the North American Defense perimeter. More important, we have essentially no capability against low-altitude attackers. Finally, the ground control structure is vulnerable to destruction by ballistic missiles or submarine-launched cruise missiles."

Nevertheless, the system does limit the effectiveness of Soviet bombers by forcing them to come in at low altitude (which reduces their range) and to use stand-off missiles (which decreases their bomb payload). The system also serves to protect the U.S. from attacks by so-called *n*th countries, such as Cuba, or from harassment tactics by any unfriendly country.

However, many Pentagon officials will acknowledge that a thinner, scaled-down, air defense system would force the Soviets to use the same tactics, and would also provide adequate protection against *n*th country attacks and harassment.

Thus, the system could retain approximately the same level of effectiveness (or ineffectiveness) if these components were thinned out:

1. The radar and tracking stations of the Distant Early Warning (DEW) Line around the Arctic Circle.

2. The Semi-Automatic Ground Environment (SAGE) command and control system, consisting of radars and computers at 13 primary locations in the U.S. Eleven of these locations are being combined with Back-Up Interceptor Control (BUIC) stations, which are somewhat simpler versions of SAGE. BUIC was begun in 1965 as a back-up or "redundancy" system on the theory that the SAGE centers would probably be knocked out by missiles in a Soviet attack. Why the BUIC stations would not also be knocked out remains unclear.

3. Nike Hercules, Hawk, and Bomarc surface-to-air missiles. The first two are terminal defense missiles. There are approximately 100 Nike Hercules sites, mostly around cities, and a few Hawk sites in southern Florida, installed at the time of the Cuban missile crisis. The Bomarc is a longer-range area defense missile. There are 188 of them de-

ployed in six squadrons, mostly in the northeastern states.

4. Forty-one interceptor squadrons, consisting of 771 F-89, F-101, F-102, F-104, and F-106 aircraft. All of these interceptors are supersonic except for the 20 to 30 F-89's.

The Department of Defense has begun to phase down some elements of the air defense system on its own, closing a number of radar sites and nearly 50 Nike Hercules sites in the last few years. However, imposing a 10-20 percent cut on air defense funding would force an even harder look at the system.

D. The Planned Improvements in the Air Defense System Will Not be Needed Unless the Soviet Union Substantially Expands Its Bomber Force or Begins Work on a Follow-On Supersonic Bomber

The following improvements in the air defense system are in what DoD calls the "Advanced Development" state (work on hardware development for use in experimental tests aimed at determining military usefulness, specific applications, and costs):

1. Airborne Warning and Control System (AWACS). This is an improved radar and control system which will be installed in large cargo planes and will not be vulnerable to missile attack, unlike the current ground radars. In theory, it will also be able to pick up bombers coming in at low altitudes, which our current radars cannot do.

2. Upgrading of manned interceptors. This will involve installing a new "look-down" fire control system and a new missile system on the present F-106 interceptors, giving them a capability against low-altitude bombers. The Air Force is pushing instead for the F-12, a new high-speed (and high cost) manned interceptor.

3. SAM-D. This is a new surface-to-air missile to replace Nike Hercules and Hawk.

The Soviets have made no effort to expand their modest heavy bomber force in the last decade, and show no sign of doing so in the future, despite the widely recognized weaknesses in our air defense system. The Soviets evidently do not attach great importance to the bomber component of their nuclear striking force.

The rough, *de facto* stability which has emerged in this area might well continue for some time if each side is willing to accept it. If the balance is significantly disturbed, however, a costly upward spiral could be touched off that in the end would leave each side poorer, but no more secure.

The improvements we plan in our air defense system could well call forth the very threat they are designed to protect against; i.e., a new Soviet bomber. After all, one of the arguments used to justify a new manned bomber in this country (the AMSA) is that it will be required if the Soviets significantly improve their air defenses. It is only reasonable to suppose that the Russians will react in the same way to an improvement of our air defenses.

A case can be made for continued research and development work on air defense improvements as a hedge against the possibility of a new Soviet bomber or a large expansion of their present force. However, this R & D work should be directed toward cutting down lead times, and no steps should be taken toward production or deployment as long as the Soviet bomber threat remains at its current low level. The lead time on these air defense improvements is less than that on a new Soviet bomber, so the risk in delaying production and deployment is not great.

E. Substantial Savings Are Possible

1. *Fiscal year 1970.* Estimates of the annual cost of maintaining the current air defense system vary. The official DoD estimate is \$1.34 billion per year, but Pentagon sources

have put the annual cost as high as \$2.2 billion. A 10 percent cut would save \$134 million, using the low estimate.

The FY 1970 budget request for R & D funds for air defense improvements is (total obligational authority):

- a. AWACS—\$60 million
- b. Interceptor improvement—\$18.5 million
- c. SAM-D—\$75 million

It may be possible to make small cuts in these programs for FY 1970 is the approach recommended in Section D (above) is adopted.

2. *Five year savings.* Thinning down the current air defense system could save anywhere from \$670 million to \$2.2 billion over a five year period, depending on which cost estimates are used and how large a cut is decided upon. Very large future expenditures would of course be avoided if the planned improvements to the air defense system are ultimately not deployed.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

CONTINENTAL AIR DEFENSE

1. Our Air Defense system does include more than 700 interceptor aircraft. The precise number is more than this but the report fails to point out that only less than half are in the regular force and the remainder in the Air National Guard. Likewise, the report omits the fact that the current program is being phased down and at the end of FY 1975 the total interceptor force will consist only of substantially less aircraft.

2. The report also fails to give any consideration to the fact that much of our air defense system, including ground environment, has already been phased down to amortize the cost of the proposed modernization, and that additional thinning out is programmed.

3. The actual inventory of Soviet heavy bombers is greater than the 150 stated in the report. However, since it is thought that a number of these will be used as tankers, the number used in a strike role would be about 150.

4. The Hatfield paper overstates both the numbers and the capabilities of U.S. heavy bombers. At the end of FY 1968 there were less than 500 heavy bombers (B-52s) in the active inventory. In addition, we have about less than 100 B-58 *medium* bombers. The 646 bombers referred to in the Hatfield paper apparently include aircraft in storage.

5. As for capabilities, *Only the B-52H can even approach* the performance capabilities indicated by the report and then only after one in-flight refueling. There is just no way that even the B-52H can go 12,500 miles unrefueled with a bomb load of 75,000 pounds. *Less than one-fourth* of our bomber force are B-52H aircraft.

6. The report recommends a reduction of 10% to 20% in the funding for the current air defense system and a "thinner" system. The money involved here is primarily for operation and maintenance, military pay, etc., and will be in the "big" appropriation bill, not the authorization bill. The report recommends "small cuts" in the R&D requests for AWACS, interceptor improvement and SAM-D. The Committee on Armed Services went much further—reducing AWACS from \$60 million to \$15 million; interceptor improvement from \$18.5 million to \$2.5 million; and eliminating the \$75 million request for SAM-D altogether.

7. Thus it does not appear that there will be an issue on Continental Air Defense between the Armed Services Committee and the Hatfield group. This paper does not point out, however, the factual errors in this section of the Hatfield report.

[Continuation of the "Report on Military Spending"]

ABM DEPLOYMENT*

Summary

The Administration has put forth the argument that if Soviet strategic capabilities continue to increase at the present rate, the United States deterrent may, by 1975, become vulnerable to a pre-emptive attack. In response to this possibility it is proposed that the Safeguard ABM system be primarily deployed for the purpose of protecting land-based intercontinental ballistic missiles and strategic bombers.

The purpose of the initial deployment is to provide limited protection to two Minuteman wings (350 missiles) and to obtain operational experience with the system. Later deployment will be for these purposes: to provide protection for additional Minuteman wings; to increase the survivability of the retaliatory bomber force; and to provide protection of heavily populated areas from unsophisticated attacks.

The ABM funding request for FY 1970 includes \$490.6 million for Sentinel/Safeguard deployment, \$400.9 million for Sentinel/Safeguard research and development, and \$144 million for research and development related to other ABM systems. The total request for deployment, research and development is \$1,035 million. The eventual cost will probably exceed \$10 billion.

Recommendations

On the ground that there is no need to initiate ABM deployment at this time, the committee recommends deletion from the FY 1970 budget all authorization funds for Sentinel/Safeguard deployment and that a total of \$350 million be authorized for the total ABM Research and Development program.

If Safeguard is not deployed, nearly \$700 million can be cut from the proposed FY 1970 budget. The decision not to deploy Safeguard implies a five year savings of more than \$10 billion.

Rationale and discussion

Arguments for Safeguard are not convincing:

A. The Administration has not presented plausible evidence to support the conclusion that the Soviets intend, or would be able, to take steps to bring into question the viability of the U.S. deterrent by 1975.

B. Should the Soviets attempt to develop a meaningful threat to the U.S. deterrent, the evidence will become clear in time to permit ample countermeasures to be taken before the threat materializes.

C. If the Soviet threat does emerge it is far from clear that Safeguard is the optimum response. Experts have testified before Congressional Committees that more effective ABM systems than Safeguard may be designed for the purpose of protecting fixed land-based missiles. Furthermore, before deciding to deploy an ABM system, it would be necessary to compare its utility with other alternative methods for maintaining the credibility of our deterrent. There is little public evidence to indicate that such comparisons have been made.

D. There is doubt that Safeguard or any ABM system would perform according to its design specifications.

E. Even if Safeguard did perform in accordance with its specifications, it would be too easily overwhelmed by attacks designed to defeat it.

*This presentation summarizes the extensive literature on ABM, particularly as it applies to the Safeguard system. Recommended readings are the very comprehensive discussions of Jeremy Stone in the May, 1969, *Ripon Forum*, and the articles in "ABM—An Evaluation of the Decision to Deploy an Anti-Ballistic Missile System," edited by Chayes and Wiesner, Harper and Row, 1969.

ATTACK AIRCRAFT CARRIERS

Summary

The United States Navy operates 15 attack carriers. At present, one is nuclear and 14 are conventionally powered. Construction on a second nuclear carrier (CVAN-68) began in 1968, for planned accession to the fleet in 1972. A third nuclear carrier (CVAN-69) is to be completed with funds from the FY 1970 budget. A fourth nuclear carrier, CVAN-70, has been authorized and is expected to join the fleet in 1976. As each nuclear carrier enters the fleet, a conventionally powered vessel will be transferred to the anti-submarine warfare forces or retired.

The capital cost of a nuclear carrier, its escort vessels, logistic support and aircraft for fleet defense totals about \$1.3 billion. Since only 1 out of 3 attack carriers and its support is on station at any one time, the total investment for each carrier on station is almost \$4 billion.

Recommendations

Congress should withhold authorization of \$377 million for construction of the nuclear attack carrier, CVAN-69. Construction should be delayed for 12 months pending Congressional review of (1) the role of carriers in plausible contingencies including the number required and their relative effectiveness, (2) the vulnerability of carriers to hostile action, (3) the one-for-one replacement policy, and (4) foreign policy implications of the carrier force.

Rationale and discussion

A. The Costs are Far Exceeding Planned Estimates

The current size of the U.S. Attack Carrier fleet is 15 ships: 8 *Forrestal* class carriers, 3 *Midway* class carriers, 3 *Hancock* class carriers, and 1 nuclear-powered carrier, the *Enterprise*.

The last conventional carrier, the *John F. Kennedy*, entered the fleet in September, 1968.

In the Spring of 1968, construction began on the nuclear-powered CVAN-68 (*Nimitz*), with a projected completion date of FY 1972 and an estimated cost of \$536 million. As now proposed, the funding for CVAN-69 is to be completed with a \$377 million appropriation from the FY 1970 budget, bringing the total cost to an estimated \$510 million, including \$133 million already assigned and partly spent from earlier budgets for long lead-time items. (The difference in costs between CVAN-68 and CVAN-69 reflects the fact that the latter is being built on the same contract and design plans as the former.)

It is understood, however, that Navy official estimates of the cost of CVAN-69 have since been raised to \$540 million and that unofficial estimates are for an amount over \$600 million. Sources in the Pentagon indicate that a final cost of over \$700 million is not unlikely. A part of the long lead-time procurement for CVAN-69 has been accomplished, but the keel has not been laid.

CVAN-69 is scheduled to enter the fleet in FY 1974. CVAN-70 has been authorized and is programmed for FY 1971 funds; it would join the fleet in FY 1976. Current procurement costs of the rest of a carrier task force, without which a carrier is never deployed, are estimated as follows:

Escorts:	Millions
6 DXG (conventionally powered guided missile destroyers).....	\$405
Logistics ships	400

The investment cost of a nuclear attack carrier task force, therefore, in current dollars and assuming no cost overruns is:

CVAN (million).....	\$510
6 DXG (million).....	405
Logistics (million).....	400

Total (billion)..... 1.315

To this amount should be added the cost of the approximately 23% of a carrier's aircraft, usually earmarked for task force defense and thus not available for tactical missions. The average Naval Airwing of 75 A6's, A7's, and F4's costs \$175 million (conservative estimate). Hence $\$175 \times 23\% = \$36+$ million.

$\$1.315 \text{ billion} + \$36 \text{ million} = \$1.351 \text{ billion}$.

This figure, \$1.351 billion, is the present investment cost of a nuclear attack aircraft carrier task force with its defensive aircraft.

However, since an aircraft carrier is on-station only 1/2 of the time, to get one carrier on-station 12 months of the year, three task forces have to be purchased. The multiplier is 3.0 for ships and 2.39 for aircraft.

$\$1.315 \text{ billion} \times 3 = \3.945 billion
 $\$36 \text{ million} \times 2.39 = \86 million
 $\$3.945 \text{ billion} + \$0.086 \text{ billion} = \4.031 billion .

Thus, the investment cost in hardware reaches \$4.031 billion to keep an aircraft carrier on-station 12 months per year. This does not include the construction costs of carrier bases. (The Naval base at Rota cost \$120 million to build, and is operated about half for carriers and half for submarines.)

This does not include any operating costs for carrier task forces.

This does not include the purchase of any aircraft, bombs, or ammunition that would be required to perform the tactical air mission assigned to the carrier.

This figure, \$4.031 billion, does not include any of the rent we pay annually to foreign nations for naval basing rights.

In short, it costs over \$4 billion to put a floating, mobile airfield in the Mediterranean or the Pacific, without taking into consideration costs of tactical aircraft, bases, or operations.

B. Number of Carriers Set in 1921

The Pentagon has never defended adequately the size of the carrier force to the Congress. The present number of carrier task forces is 15. Since 1921, except during war time, the Navy has had 15 capital ships. Before World War II, these capital ships were battleships; after the war, they were carriers. As late as 1964, the long-range plans of the Pentagon called for a cutback to 12 or 13 ships after 1970.

The Navy currently operates carriers at 5 stations. Since there are 2 non-deployed carriers for every one deployed, a total of 15 carriers are required by present policy and doctrine. But neither the need for 5 stations nor the 33% time on-station factor have been adequately defended before the Congress.

Thus, there are straight-forward efficiency questions to be raised about present carrier operations. Polaris forces have a significantly larger time on-station factor. The on-station time of a carrier task force is 33%; of its crew, 33%; of the airplanes and aircrews, 43%.

One-year operating costs of a task force are estimated as follows:

	Millions
CVAN	\$ 43
Escorts (conventional).....	35
Logistics	36
Total	114

$\$114 \text{ million} \times 3 = \342 million .
 Add to this the operating costs of 23% of the air wing times 2.39, and the per task force operating costs of bases and rent for foreign bases. The sum of all the above is the annual operating cost of keeping a flight deck on-station for 12 months. (The total was not available for this study.)

C. Scenarios for Carrier Use Are Unconvincing
 Carrier aircraft typically provide tactical air support to troops, or tactical bombing in areas where operations were not expected or areas inaccessible from permanent land

bases. Additionally, carriers are claimed to be independent of bases in foreign countries, and to be less vulnerable to attack by enemy forces. Carriers also have value in showing the flag around the world.

It is generally conceded that carriers have a role only in limited war. In large scale conflicts (and even in certain lesser conflicts), with technically sophisticated adversaries, carriers will be exceedingly vulnerable to attack. In determining the number and type of carriers required, a number of important questions arise: How many limited wars might be fought in the next 20 years which will require American tactical aircraft before airfields can be prepared for use by military aircraft? How many wars will be fought in areas where airfields cannot be made available within range of targets? How many situations will there be where the opponents will not use or have available sufficient anti-carrier weapons to make the use of carriers too risky? Such considerations undermine the case for maintaining current carrier policies. There are few countries the U.S. plans to defend which will not provide basing rights. Since carriers exist, they are and will be used. But the need for 15 carriers has not been justified.

D. Several Alternatives Exist

What are the alternatives to the purchase of \$4 billion dollars worth of equipment to provide one floating airfield? There are several which are less expensive.

1. *Present U.S. bases.* Though of limited use for tactical air operations, fixed bases can be operated at a fraction of carrier operating costs, and should be used whenever possible.

2. *Foreign bases, airports, and inactive U.S. bases.* The Air Force is developing kits which could be pre-positioned in major theaters and would turn available runways into military airfields. Cost of three air bases—needed to accommodate one wing of aircraft—total \$245 million capital investment and \$39.5 million annual operating expenses.

3. *New base construction.* This was done in South Vietnam at a fraction of the cost of carrier construction. The cost of operating aircraft from carriers, moreover, is significantly greater than from land. In sum, the size of our carrier forces should be determined by the areas in which we might become involved where there are no adequate air bases and none can be constructed.

E. Carriers Are Extremely Vulnerable

The statement has already been made that carriers would have to be deployed only when the carrier air defenses were sure to have air superiority. It has also been mentioned that 23% of a carrier's air wing would have to be held back for defense. Carriers are very difficult to defend.

Threats to carriers are many: from submarines, ship-to-ship missiles, enemy aircraft, air- and land-based missiles, and accidents. To counter these threats are the anti-submarine warfare (ASW) capability in the carrier task force, the carrier's aircraft (and their airborne missiles), ship-mounted missiles, electronic warfare devices, accident prevention procedures, and the carriers' mobility.

But despite this impressive (and expensive) defensive capability, the vulnerability of carriers is generally felt by Pentagon planners to be great. ASW is a difficult proposition. The Navy apparently has no defense against the Russian STYX anti-ship missile (there is even an apocryphal story that the U.S. Navy resisted the development of a similar missile for the U.S. because it would show how vulnerable the carriers were). Also, since a carrier is a floating fuel and ammunition dump, the smallest accidents can lead to very great losses as was the case with the *Enterprise* fire and other tragedies.

F. Replacement Policy Should Be Reviewed

The size of the carrier fleet (15) has been maintained through the adherence to a schedule of construction and deployment

that calls for a new carrier to be built to replace each carrier removed from the fleet.

This procedure requires closest scrutiny in the light of the facts that (1) the cost of new nuclear powered CVANs is twice as great as the cost of new conventionally powered CVAs, (2) the capability of new CVANs and CVAs is significantly greater than that of the carriers which they are replacing (hence, with each new carrier the total carrier capability increases), and (3) the continuation of the present replacement policy assumes that the threat which the U.S. is trying to meet with such a force is increasing. On the contrary, however, the U.S. is much more secure in terms of available worldwide land bases than was the case in 1950.

G. Foreign Policy Implications

In the late 1940's and early 1950's, the Pentagon emphasized the role of carriers in strategic bombing. Now the rationale focuses on tactical utility. A major issue, then, is the cost and effectiveness of land as compared to sea-based tactical aviation. The emphasis on the tactical role of carriers, moreover, suggests important foreign policy implications inherent in our willingness to continue deploying them in the present quantities. The current carrier complement implies that we expect to fight in unanticipated localities. It implies a willingness to go anywhere to assert military pressure in the stance of "world policemen". Whether or not we wish to continue in this direction is a matter for Congress to decide, and should not be the indirect result of Pentagon decisions to deploy.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

ATTACK AIRCRAFT CARRIERS

The Committee chooses to attack United States aircraft carriers by questioning their number, role effectiveness, and vulnerability. Then they propose to withhold the authorization for a new nuclear attack carrier.

This carrier is needed now, no matter what particular number may be accepted as a proper amount. We are now operating five carriers that are over twenty three years old. Three carriers of the Essex Class are twenty-five years old and fought in World War II. In the present fleet, even with this new carrier, five of our carriers will be 30 or more years old by 1975.

These oldest carriers (of the three ESSEX Class) cannot be further modified to fit them to carry modern aircraft. They are hard run veterans of World War II that have served their time. They cannot be made to grow any more. They are already experiencing twice the landing accident rate found in our new and larger dock carriers such as the Forrestal Class.

Unless it is our intention to condemn our pilots to go into combat with less than modern aircraft, flying from inadequate carrier bases, we must continue the replacement program of which this ship is one.

The Committee in attacking these carriers comes up with some figures which are not recognizable by responsible and knowledgeable people. For instance, it says that the Navy keeps only five of its 15 attack carriers on station, that the other ten are non-deployed, and then constructs figures indicating that for each carrier on station it costs \$4 billion as an investment.

In the first place, for the duration of the Vietnam war the Navy has been operating sixteen carriers in the attack role. Next, as a general rule, only one carrier in each ocean is annually laid up for overhaul. One in the Pacific and one in the Atlantic. The others are available for operations. For most of the Vietnam operation the Navy has maintained five carriers in the Western Pacific alone. In addition, there are the carriers operating in the Mediterranean, the Atlantic, the Caribbean, and the Hawaiian and Eastern Pacific areas.

This fantasy of idle, unemployed status for two-thirds of the ships involved in carrier

task forces must certainly be an eye opener to the men on them, and their families, as they spend their long days and nights at sea in the Navy as it really is.

Of course this whole approach of one deployed task force with two not available for operations is in complete disregard with the facts of the actual record in operations. For instance, in World War II, 85 per cent of the time of all carriers was spent in the forward operating area. Some ships spent as long as two years without ever returning to ports in the United States.

The Committee makes an assertion that ever since 1921 the Navy has had a magic figure of 15 capital ships, except during war. And that before World War II the prescribed number of capital ships was filled with battleships, and since then by carriers. No one in the business knows what the Committee has reference to here. Just before the Korean War the active carriers had fallen to only seven. The number permitted by recommendation of the Secretary of Defense for inclusion in the budget has seldom been as many as the Navy has recommended as necessary to support declared national policy.

The Committee once again proceeds to beat the old dead horse of carrier vulnerability as a justification for reducing their number and, holding up the authorization for this carrier. This argument is so threadbare that it can only be made by those who do not know the history of the carrier in war. No attack carrier built during World War II or since has been lost to enemy action or any other cause. They have been in the most violent and sustained combat, air, submarine and kamikaze. The carriers built since World War II are even tougher, and harder to sink. The accidental fire and explosions on the *Enterprise* show how tough they are. A number of bombs and rockets exploded on her deck. She could have resumed air operations as soon as the debris was pushed off the after-end of the flight deck.

The record of land bases indicates that they are more vulnerable than carriers. 300 aircraft have been lost, and 2800 damaged while on the ground in Southeast Asia. In the early part of the Korean War all our land bases on the Korean Peninsula were captured by the enemy.

At the end of the Korean War the U.S. had 126 major land bases overseas and not on U.S.-owned territory. By 1967 we have abandoned the use of 81 of these installations built and maintained at such great cost, almost all because of foreign political action. Carriers are not vulnerable to changes in the political winds.

The Committee asks, in attacking the need for carriers, how many wars might be fought in the next 20 years which will require American tactical aircraft before land bases can be prepared. It is a good question for the man with the crystal ball. On the record to date, the probabilities are great that this will be true of most wars. It was true in World War II, it was true in Korea, it was true in Vietnam. Even in the Cuban missile crisis there were not enough U.S. land bases in range to base the required tactical aircraft.

The Committee asks how many wars will be fought in areas where airfields cannot be made available within range of targets. Again a question for the man with the crystal ball. And again, on the record, and the plain facts of geography, the probabilities are great that this will be true of most wars. And it is a simple fact that almost any target in the world is in range of aircraft from attack carriers. At the present time most of the world is not in range of U.S. land based tactical air from bases under our control. Political action around the world has reduced, and promises to reduce even more, the land bases we can use.

Even if land bases are made available swiftly, in most cases it is a matter of months before necessary full, maintenance, aircraft control, air defense facilities can be

made ready for sustained operations. And as in the past, these preparations would depend upon naval convoys and carrier aircraft while being made ready.

The Committee asks how many situations will there be where the opponents may have sufficient anti-carrier weapons to make the use of carriers too risky. Again who can say the answer to that and know he is right. In a way it is a nonsense question. If there are such anti-carrier weapons, they would be even more effective against U.S. sea-going forces without carriers. Reducing carriers would make our use of the seas to support the land bases the Committee imagines as available a far more costly undertaking, and perhaps make it impossible.

Perhaps the Committee is referring to the Soviet Styx ship launched missile. The carrier is the most effective counter weapon to the Styx since it is the only U.S. naval weapon which outranges it. Consideration of the Styx shows the carrier as an absolute necessity to defend all U.S. sea-going traffic, and at the least risk to our forces.

[Continuation of the "Report on Military Spending"]

THE NAVY F-14 PROGRAM
Summary

The F-14 is a new multi-mission carrier-based fighter currently under development for the Navy by Grumman. It is to replace the Navy's present F-4 Phantoms as a general air superiority fighter/escort in the mid-1970's. Carrying the Phoenix missile, it is to perform the fleet air defense mission of the now defunct F-111B against Soviet bombers and cruise missiles. It is also to have an air to ground attack capability.

The A model of the F-14, using engines, avionics and Phoenix developed for the F-111B is planned to be operational in 1973. The B model, using advanced technology engines, is planned to be operational in 1975. The C model, using advanced avionics, is planned to be operational in the late 1970's.

The F-14, as presently conceived, is an enormously complex and expensive weapons system. The Navy presently estimates the "unit flyaway cost" of the plane at less than \$8 million. A conservative estimate of the total "systems cost" of the F-14 over a ten year period would be \$15 billion.

Recommendation

Congress should not authorize \$275 million in procurement funds requested for the F-14A in the FY 1970 budget pending Congressional review of attack aircraft carriers, and the requirement for a new carrier based aircraft and the Phoenix missile system.

Rationale and discussion

A. Current Status of Program

1. *From F-111 B to F-14.* In 1968, Congress decreed the demise of the Navy F-111B and authorized instead development of a new multi-mission Navy fighter, the F-14. The principal mission of the F-111B was to be fleet air defense (FAD). It was to carry six long-range air-to-air Phoenix missiles and sophisticated avionics. Loitering at some distance from the fleet, the F-111B was to counter supersonic enemy bombers armed with long-range air-to-surface missiles, and hopefully, to defend against surface-launched cruise missiles as well. The F-111B program encountered numerous delays and rapid cost increases. Weight and size problems arose in connection with heavy components such as engines, sophisticated avionics and the Phoenix, as well as with the airframe, which was designed also to meet Air Force requirements for the F-111A. There were also difficulties in mating engine to air frame.

The F-14 is the outgrowth of an "unsolicited Grumman proposal" of the last 1967, together with an extensive Navy Fighter Study of early 1968, a pending Navy proposal for a

new mid-1970's fighter (VFAX) and the demise of the F-111B. The F-14 is to have several possible missions. It is to replace the Navy's F-4 Phantoms as a mid-1970's and 80's air superiority fighter and escort—a role which seems to have superseded the fleet air defense role in importance since 1968 Navy testimony before Congressional committees; it is to perform the fleet air defense mission of the F-111B; and it is to have an air-to-ground attack capability.

2. *The F-14 A.* Grumman received the contract for development of the first version of the F-14, the F-14 A, in February, 1969. The F-14 A is to be a swing-wing, supersonic aircraft using the F-111 B's engines and AWG-9 avionics (airborne missile control system, including radars and computers). The avionics are to be redesigned for tandem seating, and for fire control of the existing Sparrow and Sidewinder air-to-air missiles as well as the Phoenix (still in development). The F-14 A airframe will use titanium for weight saving, and will be optimized, to the extent other missions permit, for maneuverability in "dogfight" situations. The F-14 A is to have the capability of carrying one or more weapons systems in varying mixes—internal cannon, Phoenix, Sparrow, Sidewinder, conventional air-to-ground ordnance—depending on which threats materialize and which missions seem most important in any given situation.

Present plans reportedly call for procurement of fewer than 100 F-14 A's, for test, evaluation, training, and deployment. The target date for initial deployment with the fleet is mid-1973.

3. *The F-14 B and C.* Both the F-14 B and C are to use the airframe developed for the F-14 A. Both are to use advanced technology engines (higher thrust and lower weight than F-111/F-14 A engines) which are under joint development with the Air Force for possible use in AMSA and a proposed F-15 fighter. Target date for operational "B" engines is sometime in 1975. F-14 A's are to be retrofitted with "B" engines, supposedly at minimum cost since the F-14 A airframe has been designed with the new engines in mind. The late 1970's F-14 C is to incorporate advanced avionics.

4. *Costs.* At present, unit "flyaway costs" of the F-14 are being estimated by Navy officials at something under \$8 million. This estimate assumes a production run of some 460 aircraft in the A and B versions of the F-14, and the absence of unexpected technical problems and delays. Other estimates within the Administration are reportedly \$2 to \$3 million higher. The cost of procuring the Phoenix missile (currently estimated at some \$219,000 per missile) as well as the cost of other missiles and ordnance, and probably, part of the cost of the avionics for the Phoenix (current cost for each Phoenix avionics unit: about \$2 million) are not included in the "flyaway cost."

If the F-14 program goes according to plan, the Navy plans to replace most of its F-4's (Phantoms) with the plane, which means that the eventual "buy" of the F-14 could go as high as 1000. Estimates of the ten-year "systems" cost for the F-14 (R & D, procurement, spare parts, support, training, and maintenance) are classified, but are reportedly below unofficial estimates ranging from \$20 billion to over \$30 billion.

B. The Argument for a New Carrier Based Aircraft: Mid-70's Role

Because an essential role of the plane is air defense for carriers, the case for the F-14 begins with the case for carrier task forces. The Navy contends that carriers can play a vital role in a sustained conventional war with the Soviet Union or Communist China, in limited wars such as the Korean War or the current conflict in Vietnam, in show-of-force or deterrence situations in various areas of tension and confrontation, and perhaps

even in tactical nuclear engagements. It is assumed that carrier forces can be effectively defended in these situations now, but that by the mid-1970's, present carrier-based airborne weapon systems and aircraft will be outclassed in both fleet defense and in fighter and attack roles by sophisticated Soviet capabilities.

C. Critique of Argument: The Soviet Contingency Is Unlikely

1. A full-scale, sustained conventional war with the Soviet Union seems an unlikely contingency today and for the foreseeable future.

2. If, however, we assume that such a contingency is possible, that it will not rapidly escalate to nuclear war or will not be stopped short of the brink after a few days; if we also assume that the Soviet Union will have the full range of sophisticated capabilities predicted for the 1970's—a large fleet of sophisticated attack submarines, a large force of long-range and medium-range supersonic bombers armed with stand-off missiles, a fleet of surface vessels armed with cruise missiles and following the U.S. fleet around—then carrier task forces appear exceedingly vulnerable with or without the F-14. Even if the fleet is provided with the widest range of defense capabilities, it is probable that a full-scale Soviet attack on a carrier task force would be successful and not prohibitively costly.

3. If, on the other hand, we assume a full-scale encounter with the Soviet Union but less than the full range of Soviet capabilities that have been predicted for the 70's, the need for the F-14 is still open to doubt. In particular, some critics have questioned the need for a new fighter to meet a future Soviet bomber threat.

Chairman Mahon of the House Appropriations Committee commented thus during the 1968 hearings:

"The bomber threat against the fleet, as you know, has been predicted by Navy officials for some time. It has not, of course, developed to date."

In a late 1968 report on the U.S. tactical air power program by the Senate Armed Services Preparedness Investigating Subcommittee, the following points on the bomber threat are made:

"The F-111 B was designed primarily for fleet air defense against Soviet supersonic bombers. But that threat is either limited or does not exist; and therefore, we believe the Navy should re-examine the prime requirements for the VF-1 (F-14 A) as to its most important role, in the light of the most predictable threat to the fleet. We are concerned about the assignment of four missions to this single aircraft with potential degradation in its capacity to perform the primary mission."

D. Present Capabilities Suffice for Show of Force and Deterrence Contingencies

1. For show-of-force and deterrence in tension spots—the roles carrier task forces may be best suited for in the future—the Navy's existing defensive capabilities and aircraft can probably do the job. The alternative to building any new Navy fighter is to rely on the presently deployed advanced Phantom F-4 J's for the missions assigned to the F-14, and to produce more as necessary (the production line is scheduled now to close in 1972) with very substantial savings. Also, there are electronic counter-measures and point defense systems presently deployed or planned for the fleet for additional deterrence of potential threats to the fleet.

2. The Navy argues that maximum deterrent effect should be sought through a mix of several of the most advanced defensive capabilities—airborne, surface-based missile defense, and electronic counter measures. But it is probable, that as far as the Soviet Union is concerned, deterrence will be achieved as much by Soviet reluctance to

directly engage U.S. armed forces, as by the deployment of the most advanced fleet air defense capabilities. The possibility of escalation to nuclear war is what counts most.

3. For show-of-force roles which do not directly involve the Soviet Union, it is also questionable whether the F-14 is necessary. The F-4 Phantom has been described as the "best fighter in the free world today." The F-4 J model is equipped with Sparrow and Sidewinder air-to-air missiles. Its range and the capabilities of its avionics are not as great as those planned for the F-14. But in dogfights in the exceptionally hostile air environment over North Vietnam, the Phantoms have proved a match for high performance Soviet MIG-21's.

F. Other Contingencies Also Are Problematical

Other contingencies in which it is contended that new advanced carrier-based aircraft may be essential include a full-scale conventional war with Red China; initial "surge operations" at the outbreak of a limited war; prolonged operations during a limited war; skirmishes off the coasts of small hostile countries; and show of force situations against Soviet allies, given aircraft more advanced than the MIG-21.

The contingency of a full-scaled conventional war with Red China seems almost as improbable as the comparable Soviet contingency. And even against Red China, carrier task forces—with or without the F-14—might be vulnerable, particularly when sailing near any part of the Asian land mass under Red Chinese control.

In most foreseeable sustained limited war operations, land-based aircraft can or should be relied upon. In limited war operations which might require carrier based aircraft and in "surge operations" and skirmishes, the argument for the F-14 rests on the assumption that prospective new Soviet missiles, aircraft, and other capabilities may be made available in quantity to smaller hostile countries. But this possibility, comparable to the Red China contingency, does not justify proceeding now with the F-14 program in all its present complexity and expense.

G. The F-14 Program Can Be Delayed for 1 Year While It Is Reviewed by Congress

On the basis of the discussion above, any risks incurred by a delay of one year in the F-14 program appear fully acceptable.

APPENDIX

A. Questions Concerning the F-14 Program with Phoenix Missile as Now Envisioned

1. Why a multi-mission plane?

By building the F-14 as presently designed the Navy may be spending large sums for the latest in engines, avionics, weaponry and airframe all in one plane that will perform its two principal missions—fleet air defense and air superiority—satisfactorily but at the expense of the highest possible performance of either one. For example, in order to get a better all-around air superiority fighter, the F-14's fleet air defense capabilities will be less than those of the F-111 B. It will not be able to loiter for as great a period of time or as far from the fleet as the F-111 B; nor will it carry as many as six Phoenix missiles. Nevertheless, for a reduced fleet air defense capability, deployment of the Phoenix is still being planned.

The Phoenix missile is an enormously complicated and expensive weapons system which is still under development. Even though equipped with the latest in devices to ensure that it will reach its targets, there is the possibility that the technology of effective counter-measures may render it obsolete shortly after deployment. Moreover, each Phoenix weighs approximately 1,000 pounds. Even though the F-14 need not carry a full compliment of Phoenix, or any at all in the performance of certain missions, the airframe has to be designed to carry it and gains in

weight thereby. Similarly, the sophisticated avionics for the Phoenix and other weapons systems adds weight.

The Navy argues that the F-14 airframe has been designed for high maneuverability in "dogfight" situations when the plane is not carrying the Phoenix, and that the capabilities of the Sparrow and Sidewinder are significantly increased by the F-14's avionics. It also argues that for an acceptable increase in costs and in degradation of the "dog-fighter" capability, it gets a plane capable of meeting a wide spectrum of possible threats.

Taking into account the most likely contingencies for the fleet and alternative defense systems, however, the argument for a multi-mission fighter—particularly one designed to carry the Phoenix for fleet air defense—loses much of its force.

Navy pilots have reportedly expressed reservations about the complexity and weight of the weapons systems and avionics planned for the F-14. If, after Congressional review, a decision to go ahead with the F-14 is made, consideration should be given to building a smaller, less costly fighter. Such an aircraft could be less laden with heavy avionics—giving a premium to high maneuverability for "dogfights" and other air superiority missions.

As for the Phoenix, if it is decided that the system is sufficiently reliable, and that plausible threats justify costs for deployment, consideration should be given to adapting an existing aircraft to carry the system. Navy officials say they have studied this alternative, particularly in connection with the A-6, and that substantial modifications of the aircraft and costs would be involved, as well as problems of compatibility in performance of the aircraft and the missile. These conclusions should be re-examined if the case for dropping the Phoenix capability from the F-14 is accepted.

2. Why build any F-14 A's? Why not wait for the F-14 B?

Some critics of the F-14 program, both within and outside the Administration argue strongly that the F-14 A will be only marginally superior to the fleet's present Phantoms because it will use the heavy engines, avionics, and Phoenix missile from the F-111 B. They suggest that the F-14 airframe development should be stretched out until the advanced technology "B" engines become available eighteen months to two years from now for development with the airframe, and that plans to procure any F-14's with present engines should be cancelled. The higher-thrust and lighter-weight engines being developed for the F-14 B appear to promise significantly higher performance for this model even if it carries the Phoenix and presently planned avionics.

Navy officials argue that the F-14 A is needed as a hedge against possible threats and any slippage in "B" engine development and that a two year stretch-out in the program will be costly and entail delays in necessary R. & D. for the whole F-14 program.

The desirability of proceeding with development and procurement of the F-14 A as presently planned should be explored in the Congressional review recommended in this paper. This review itself will entail some stretch-out in the A program, and might entail a postponement in the present target date of mid-1973 for deployment of F-14 A's. But the F-14 B, the model the Navy is most anxious to acquire as the air superiority fighter of the future, will become operational in 1975.

B. Possible Savings

The FY 1970 budget request for the F-14 breaks down as follows in total obligatory authority: \$275 million for procurement of six test and evaluation models of the F-14 A and long lead-time items and spare parts; \$175 million in R. & D. for work on the F-14 A; \$50 million in R. & D. for the Navy's share

of development costs of the "B" engine and for F-14 C avionics; \$18 million in R. & D. for the Phoenix.

Estimated savings on the F-14 A: \$275 million in FY 1970 if the proposal in this paper is adopted; perhaps \$1 to \$2 billion over the next five years if the decision is taken not to procure any A models of the F-14. However, if an increased number of F-14 B's are procured to fill in for the "A" models, these savings might in the long term amount only to those realized on the "A" engine and miscellaneous development costs peculiar to the F-14 A.

Estimated savings from dropping the Phoenix system from the F-14 and perhaps some electronics for a less complex and less costly F-14: No reliable estimate available. The savings should be substantial.

Estimated savings if the whole F-14 program is cancelled, at the very least, perhaps \$10 billion if account is taken that additional Phantoms or other aircraft would be procured instead.

[FROM THE CONGRESSIONAL RECORD,
Aug 11, 1969]

F-14 PROGRAM

(Extract from the "Report on Military Spending" by the "Members of Congress for Peace Through Law/Committee on Military Spending")

[Annotated] Summary

The F-14 is a new multi-mission carrier-based fighter currently under development for the Navy by Grumman. It is to replace the Navy's present F-4 Phantom as a general air superiority fighter/escort in the mid-1970's. Carrying the Phoenix missile, it is to perform the fleet air defense mission of the now defunct F-111B against Soviet bombers and cruise missiles. It is also to have an air to ground attack capability.

The A model of the F-14, using engines, avionics and Phoenix developed for the F-111B, is planned to be operational in 1973. The B model, using advanced technology engines, is planned to be operational in 1975. The C model, using advanced avionics, is planned to be operational in the late 1970's.

Comment

The F-14 will provide air superiority for the fleet and for friendly land forces. It is designed, of course, for fleet air defense carrying 6 Phoenix missiles and for air-to-surface attack carrying conventional ordnance, both without degradation of fighter performance. This is accomplished by palletizing Phoenix and other ordnance equipment which is carried only when desired. The F-14A and F-14B will have an air-to-ground capability with accuracies comparable to the A-7E.

When the F-14 is performing in either the fleet air defense or the air-to-surface attack configuration, it can return to its primary air superiority role immediately upon release of ordnance not required.

The F-14 will fill the fleet air defense need for which the F-111B was designed. It will replace the F-4 as an air superiority fighter and in escort roles.

A low risk development program was conceived for the F-14 to provide improved air-to-air capabilities in the earliest time frame. Improved versions of the existing Phoenix/AWG-9 missile control system and TF-30-P412 engines will be installed in the F-14A, to be operational in April 1973. The F-14A will meet the fleet air defense need and provide fighter performance considerably superior to the F-4 Phantom. An advanced technology engine under development in a Joint Navy/Air Force program will have 40% more thrust and weigh 25% less than the TF-30-P412. This advanced engine will be incorporated in the F-14 for operational use in December 1973. Designated F-14B, it will have maneuverability and weapon system

performance superior to the threat expected through the 1970's.

Summary

The F-14 as presently conceived, is an enormously complex and expensive weapons system. The Navy presently estimates the "unit flyaway cost" of the plane at less than \$8 million. A conservative estimate of the total "system cost" of the F-14 over a ten year period would be \$15 billion.

Comment

The F-14 will be a versatile and effective weapons system designed specifically to counter the projected threat. The most recent F-14 price-out, using carefully detailed component costs, places unit flyaway cost at \$8.06M. Escalation at 4% per annum, compounded, had been applied in arriving at the F-14 price-out.

Total "system costs" are not valid unless the aircraft, the quantities and the support costs are specified. Navy estimates of the cost of production and support of 716 F-14A/B aircraft is \$7,634M (escalated dollars).

Recommendation

Congress should not authorize \$275 million in procurement funds requested for the F-14A in the FY 1970 budget pending Congressional review of attack aircraft carriers and the requirement for a new carrier based aircraft and the Phoenix Missile System.

Comment

The recommendation with respect to the F-14 program does not constitute a savings. The effect of the recommendation would be deferral of the cost of replacing existing aircraft.

A new fighter is required. The replacement of the F-4 for fleet air defense has already been deferred too long.

The Phoenix missile is essential for shooting down or diverting missile carrying aircraft before they reach missile launch range. The Phoenix missile system is also essential in the antimissile role.

False economies can be realized from disapproving programed systems and their associated funding. The Defense Department requests money for military equipment only because the equipment is judged essential to protect the U.S. and to deter aggression as directed by the President.

The recommendation states that the F-14 program should be deferred pending Congressional review of the attack carrier construction program. Should a decision be made not to construct a new carrier, it is unlikely that the carriers already in the force would be discarded. Of the carriers in the force today, 12 are scheduled to have F-14s in their air wings. The rationale supporting the F-14 on capability grounds applies, of course, to these 12 carriers as well as to new carriers.

Congress should authorize \$175M in RDT&E funds and \$275M in procurement funds requested for the F-14A in the FY 1970 budget so that the Navy can proceed with the orderly fighter development program it now has, devoid of overruns caused by deferrals, stretchouts, more study, schedule changes and all other delays.

RATIONALE AND DISCUSSION

A. Current status of program

1. *From F-111B to F-14.* In 1968, Congress decreed the demise of the Navy F-111B and authorized development of a new multi-mission Navy fighter, the F-14. The principal mission of the F-111B was to be fleet air defense (FAD). It was to carry six long-range air-to-air Phoenix missiles and sophisticated avionics. Loitering at some distances from the fleet, the F-111B was to counter supersonic enemy bombers armed with long-range air-to-surface missiles, and hopefully, to defend against surface-launched cruise missile as well. The F-111B program encountered numerous delays and rapid cost increases. Weight

and size problems arose in connection with heavy components such as engines, sophisticated avionics and the Phoenix, as well as with the airframe, which was designed also to meet Air Force requirements for the F-111A. There were also difficulties in making engine to air frame.

The F-14 is the outgrowth of an "unsolicited Grumman proposal" of late 1967, together with an extensive Navy Fighter Study of early 1968, a pending Navy proposal for a new mid-1970's fighter (VFAX) and the demise of the F-111B. The F-14 is to have several possible missions. It is to replace the Navy's F-4 Phantoms as a mid-1970's and 80's air superiority fighter and escort—a role which seems to have superseded the fleet air defense role in importance since 1968 Navy testimony before Congressional committees; it is to perform the fleet air defense mission of the F-111B; and it is to have an air-to-ground attack capability.

Comment

The F-111B was to be a fleet air defense (FAD) interceptor carrying 6 long-range Phoenix missiles. It was to have been a partial replacement of the F-4 inventory. To complete the F-4 replacement, a new fighter was required for the air superiority and escort role. In 1968, the Congress canceled further funding of the F-111B and authorized development of a new Navy fighter, the F-14. Increasing weight and size spelled the demise of the F-111B. The engines and the fire control system (AWG-9/PHOENIX) have been reduced in weight during the development cycle. The F-14A version of the AWG-9 will weigh 580 pounds less than the original F-111B AWG-9 specification weight (a reduction of 29%).

The F-14 is the result of a Navy competition among five contractors. From inception, the F-14 was designed as an air superiority fighter around four Sparrow missiles and a 20 mm gun. The F-14 is an optimized combination of speed, acceleration, maneuverability and radius of action; it includes a weapons control system with multiple weapon options.

The F-14 will have three missions: air superiority, task force/area defense, and air-to-surface attack. It will replace the F-4 in the air superiority and escort role in the mid-1970's. Possessing a carefully designed overload capability to carry six long-range Phoenix missiles, it will provide far better fleet and area defense than the F-111B would have provided. The versatile AWG-9 in the F-14 also will generate solutions to provide a very accurate air-to-surface attack capability.

Recommendation

2. *The F-14A.* Grumman received the contract for development of the first version of the F-14, the F-14A, in February 1969. The F-14A is to be a swing wing, supersonic aircraft using the F-11B's engines and AWG-9 avionics (airborne missile control system, including radars and computers). The avionics are to be redesigned for tandem seating, and for fire control of the existing Sparrow and Sidewinder air-to-air missiles as well as the Phoenix (still in development). The F-14A airframe will use titanium for weight saving, and will be optimized, to the extent other missions permit, for maneuverability in "dogfight" situations. The F-14A is to have the capability of carrying one or more weapons systems in varying mixes—internal cannon, Phoenix, Sparrow, Sidewinder, conventional air-to-ground ordnance—depending on which threats materialize and which missions seem most important in any given situation.

Present plans reportedly call for procurement of fewer than 100 F-14A's, for test, evaluation, training, and deployment. The target date for initial deployment with the fleet is mid-1973.

Comment

The F-14A is a low risk development utilizing the already proven TF-30-P412 engine and AWG-9 weapons control system.

The AWG-9 has been reconfigured for compatibility with the F-14 airframe. It will include provisions for Sparrow, an advanced short range missile (Agile), Sidewinder and a 20mm gun. Although Phoenix has not yet been used operationally, 19 of 26 planned R&D missiles have been fired with unprecedented success. These include hits by one missile fired at a range of 78 miles, two missiles fired simultaneously at two targets with 10 miles separation and one missile fired in the active mode for the close-in situation.

The F-14A airframe uses 22% titanium for weight saving; it is optimized for maneuverability in "dogfight" situations. The F-14A will have the capability of carrying one or more weapons systems in varying mixes—internal 20mm cannon, Phoenix, Sparrow, Sidewinder, Agile, and conventional air-to-ground ordnance.

Not more than sixty-seven F-14As will be procured. Initial deployment with the fleet will take place in April 1973.

Recommendation

3. *The F-14B and C.* Both the F-14B and C are to use the airframe developed for the F-14A. Both are to use advanced technology engines (higher thrust and lower weight than F-111/F-14A engines) which are under joint development with the Air Force for possible use in AMSA and a proposed F-15 fighter. Target date for operational "B" engines is sometime in 1975. F-14A's are to be retrofitted with "B" engines, supposedly at minimum cost since the F-14A airframe has been designed with the new engines in mind. The late 1970's F-14C is to incorporate advanced avionics.

Comment

The F-14B, in addition to using the F-14A airframe unchanged, will have the high thrust version of the advanced technology engine under joint development with the Air Force for the F-14/F-15. The same engine duct will be used for both the F-14A and F-14B. The F-14B is expected to be operational in December 1973.

Recommendation

4. *Costs.* At present, unit "flyaway costs" of the F-14 are being estimated by Navy officials at something under \$8 million. This estimate assumes a production run of some 460 aircraft in the A and B versions of the F-14, and the absence of unexpected technical problems and delays. Other estimates within the Administration are reportedly \$2 to \$3 million higher. The cost of procuring the PHOENIX missile (currently estimated at some \$219,000 per missile) as well as the cost of other missiles and ordnance, and probably, part of the cost of the avionics for the PHOENIX (current cost for each PHOENIX avionics unit: about \$2.0 million) are not included in the "flyaway cost."

If the F-14 program goes according to plan, the Navy plans to replace most of its F-4s (Phantoms) with the plane, which means that the eventual "buy" of the F-14 ten-year "systems" cost for the F-14 (R&D, procurement, spare parts, support, training, and maintenance) are classified, but are reportedly below unofficial estimates ranging from \$20 billion to over \$30 billion.

Comment

Present F-14 unit flyaway cost based upon a recent piece-by-piece priceout is \$8.06M. The \$8.06M takes into account inflationary factors estimated at 4% per year compounded. This estimate is based upon production of 716 aircraft and includes production costs of both the F-14A and F-14B. Other cost estimates must have used pricing techniques based upon incorrect weights,

erroneous titanium content for the F-14, as well as a "dollars per pound" approach to electronics costs. The results are seriously in error.

The Phoenix Missile Control System (AN/AWG-9) is included in flyaway costs. Expendable weapons are not in flyaway costs.

The current cost for each Phoenix avionics unit is about \$1.3M vice the \$2M stated. Also, it is important to note that 91% of planned Phoenix RDT&E funding has already been expended.

It is not possible to comment on the estimate of ten year systems cost without knowing how and on what basis the computation was made.

B. The argument for a new carrier-based aircraft: Mid-70's role

Because an essential role of the plane is air defense for carriers, the case for the F-14 begins with the case for carrier task forces. The Navy contends that carriers can play a vital role in a sustained conventional war with the Soviet Union or Communist China, in limited wars such as the Korean War or the current conflict in Vietnam, in show-of-force or deterrence situations in various areas of tension and confrontation, and perhaps even in tactical nuclear engagements. It is assumed that carrier forces can be effectively defended in these situations now, but that by the mid-1970's, present carrier-based airborne weapon systems and aircraft will be outclassed in both fleet defense and in fighter and attack roles by sophisticated Soviet capabilities.

Comment

Aircraft carriers can and do perform essential functions for the United States. Defense Department planning includes aircraft carriers in roles ranging from a show-of-force through all levels of conventional warfare to nuclear war, if that is ever needed. The effectiveness of carriers in many diverse roles is a matter of record. For this effectiveness to continue, carriers must be equipped with aircraft adequate to the tasks.

The projected threat that will confront the U.S. in the 1970-80's currently includes four new Soviet fighter aircraft each with performance greater than that of the F-4J. A new U.S. fighter to meet this threat is already very late.

The F-14 is designed and will have growth potential to provide adequate carrier fighter capability through the 1970-80 time period. The F-14 Phoenix system in addition to its fighter capabilities, will provide a significant capability to counter the Soviet cruise missile threat.

C. Critique of argument: The Soviet contingency is unlikely

1. A full-scale, sustained conventional war with the Soviet Union seems an unlikely contingency today and for the foreseeable future.

Comment

A full-scale conventional war with the Soviets may seem improbable to many people. But this belief, to be valid, rests on continuing U.S. strength.

Recommendation

2. If, however, we assume that such a contingency is possible, that it will not rapidly escalate to nuclear war or will not be stopped short of the brink after a few days; if we also assume that the Soviet Union will have the full range of sophisticated capabilities predicted for the 1970's—a large fleet of sophisticated attack submarines, a large force of long-range and medium-range supersonic bombers armed with stand-off missiles, a fleet of surface vessels armed with cruise missiles and following the U.S. fleet around—then carrier task forces appear exceedingly vulnerable with or without the F-14. Even if the fleet is provided with the widest range of defense capabilities, it is probable that a full-scale Soviet attack on a carrier task

force would be successful and not prohibitively costly.

Comment

The attack carrier is and has been a tough target. No attack carrier built during or after World War II has been lost to enemy action or to any cause. Some of these carriers, still in service, fought through the air and kamikaze attacks of World War II. The newer attack carriers have extensive protection above and below the waterline. Armored flight decks, honey-comb internal structure, and many protective features have made our attack carriers the toughest ships on the seas.

The result of a Soviet attack on a carrier task force is primarily a function of the combat capability of the task force. The inherent capabilities of the long-range, multi-shot F-14/Phoenix system is superior by an order of magnitude to the F-4J/SPARROW system. The F-14 Phoenix system augmented by the new technology surface-to-air missile systems will seriously attrite any Soviet attack.

Recommendation

3. If, on the other hand, we assume a full-scale encounter with the Soviet Union but less than the full range of Soviet capabilities that have been predicted for the 70's, the need for the F-14 is still open to doubt. In particular, some critics have questioned the need for a new fighter to meet a future Soviet bomber threat.

Chairman Mahon of the House Appropriations Committee commented thus during the 1968 hearings:

"The bomber threat against the fleet, as you know, has been predicted by Navy officials for some time. It has not, of course, developed to date."

In a late 1968 report on the U.S. tactical air power program by the Senate Armed Services Preparedness Investigating Subcommittee, the following points on the bomber threat are made:

"The F-111B was designed primarily for fleet air defense against Soviet supersonic bombers. But that threat is either limited or does not exist; and therefore, we believe the Navy should re-examine the prime requirements for the VFX-1 (F-14A) as to its most important role, in the light of the most predictable threat to the fleet. We are concerned about the assignment of four missions to this single aircraft with potential degradation in its capacity to perform the primary mission."

Comment

From time to time, missile carrying Soviet bombers fly over or near units of the U.S. fleet. Although detected early and intercepted, these overflights make clear this threat does exist. New Foxbat, Fiddler and Flagon fighters have long-range escort capabilities with advanced avionics and missiles, adding to the threat.

The F-14, designed for air superiority, is the weapon system that can shoot down long-range multiple-raid targets, aircraft and missiles, and can engage enemy escort fighters in close-in combat. Computer technology and weight reducing microminiaturization of avionics, properly balanced with airframe and engine design, have removed performance degradation in this multi-mission fighter. In the F-14, one percent of the aircraft's weight makes it possible to use Phoenix, Sparrow, Sidewinder, Agile, a gun and air-to-surface weapons. A significant amount of that weight is in removable pallets not carried in the "dogfight" configuration.

D. Present capabilities suffice for show of force and deterrence contingencies

1. For show-of-force and deterrence in tension spots—the roles carrier task forces may be best suited for in the future—the Navy's existing defensive capabilities and aircraft can probably do the job. The alter-

native to building any new Navy fighter is to rely on the presently deployed advanced Phantom F-4 J's for the missions assigned to the F-14, and to produce more as necessary (the production line is scheduled now to close in 1972) with very substantial savings. Also, there are electronic countermeasures and point defense systems presently deployed or planned for the fleet for additional deterrence of potential threats to the fleet.

Comment

The mobility of sea-based tactical air makes it a valuable instrument of U.S. policy. Navy mobile striking power can be effectively applied at all levels of warfare—from deterrence to nuclear attack. A strong Navy in control at sea will deter the enemy. The F-14 is essential to effective deterrence.

The F-4 designed in 1954 became operational in 1961. Since that date the Soviets have built and flown 8 new fighters. The F-4 cannot be improved further without major redesign amounting to a new airplane and costing many millions of dollars. It still would be inferior to operational Soviet fighter aircraft.

Credible deterrence requires balanced offensive and defensive capabilities.

Recommendation

2. The Navy argues that maximum, deterrent effect should be sought through a mix of several of the most advanced defensive capabilities—airborne, surface-based missile defense, and electronic countermeasures. But it is probable, that as far as the Soviet Union is concerned, deterrence will be achieved as much by Soviet reluctance to directly engage U.S. armed forces, as by the deployment of the most advanced fleet air defense capabilities. The possibility of escalation to nuclear war is what counts most.

Comment

Continuing reluctance of the Soviet Union to engage U.S. armed forces rests on respect for U.S. military power.

Escalation to nuclear war becomes far more probable if effective general purpose forces are not maintained. Naval forces are essential to effective general purpose forces. Since no one in the U.S. wants to use nuclear weapons, the choice really is stay strong militarily or let the initiative and course of history pass to the Communists.

Recommendation

3. For show-of-force roles which do not directly involve the Soviet Union, it is also questionable whether the F-14 is necessary. The F-4 Phantom has been described as the "best fighter in the free world today." The F-4 J model is equipped with Sparrow and Sidewinder air-to-air missiles. Its range and the capabilities of its avionics are not as great as those planned for the F-14. But in dogfights in the exceptionally hostile air environment over North Vietnam, the Phantoms have proved a match for high performance Soviet MIG-21's.

Comment

The F-4 is our best U.S. fighter employed in Southeast Asia. Its performance in aerial combat has been marginal. Designed as an interceptor, and equipped with an avionics/weapons system to destroy high altitude bombers, the F-4 has been used as an air superiority fighter. It was not designed for this role.

The ratio of MIG-21s downed by F-4s to F-4s downed by MIG-21s diminished from April 1966 to August 1967. Since August 1967 the F-4 has a 1:1 kill ratio against the older MIG-21's. In a confrontation with late model MIG-21s and particularly with the newer USSR fighters, the F-4J would be totally inadequate.

F. Other contingencies also are problematical

(1) Other contingencies in which it is contended that new advanced carrier-based air-

craft may be essential include a full-scale conventional war with Red China; initial "surge operations" at the outbreak of a limited war; prolonged operations during a limited war; skirmishes off the coasts of small hostile countries; and show of force situations against Soviet allies, given aircraft more advanced than the Mig-21.

Comment

Regardless of the intensity of conflict or how alliances or military aid programs may work out, having the air combat superior F-14 will make U.S. posture more viable.

(2) The contingency of a full-scaled conventional war with Red China seems almost as improbable as the comparable Soviet contingency. And even against Red China, carrier task forces—with or without the F-14—might be vulnerable, particularly when sailing near any part of the Asian land mass under Red Chinese control.

Comment

That any full-scale war continues to remain improbable is due mainly to this nation's deterrent capabilities. If we unilaterally reduce our military effectiveness, the options and prospects of our adversaries increase while ours diminish.

Our carrier task forces are not now vulnerable to Red China forces. The F-14 with a 500 mile escort radius of action would significantly add to our ability to deal with a Red China confrontation.

(3) In most foreseeable sustained limited war operations, land-based aircraft can or should be relied upon. In limited war operations which might require carrier based aircraft and in "surge operations" and skirmishes, the argument for the F-14 rests on the assumption that prospective new Soviet missiles, aircraft, and other capabilities may be made available in quantity to smaller hostile countries. But this possibility, comparable to the Red China contingency, does not justify proceeding now with the F-14 program in all its present complexity and expense.

Assuming a limited war, (U.S. and USSR not in direct conflict) 85% of the land area of the world and 95% of its population are within 600 miles of sea-based tactical air. This 85% portion contains 56.5 million square miles. A single carrier task force could respond to a contingency in any one of the 56.5 million square miles. In addition, the carrier covers 100% of the sea area. There is no way to estimate the number of air bases required to equal the carrier's capability, even if local governments would allow air bases to be constructed and maintained during peacetime. Carrier task forces can be gathered and applied promptly. Land bases take time to construct and get into effective operation. Carrier task forces buy time for this process and frequently provide the umbrella which makes it possible.

Experience indicates that it requires the best weapon systems to counter the enemy even in "limited war operations."

That the Soviets operate an active program to provide arms assistance to potentially hostile countries further justifies proceeding with the F-14 program as presently conceived.

G. The F-14 program can be delayed for 1 year while it is reviewed by Congress

On the basis of the discussion above, any risks incurred by a delay of one year in the F-14 program appear fully acceptable.

Comment

Delaying one year would increase costs in the F-14 program by \$100M, besides delaying the availability of an advanced fighter capable of countering Soviet fighters now entering operational service. Foregoing the F-14A to await the F-14B, would increase costs \$340M. Fleet introduction of an advanced fighter would be delayed two years.

The F-14 design and construction are far along. First flight will take place in 17 months. The requested FY-70 funds are necessary to produce the aircraft required for an efficient, economical program.

Recommendation

APPENDIX

A. Questions concerning the F-14 program with Phoenix missile as now envisioned

1. Why a multi-mission plane?

(a) By building the F-14 as presently designed the Navy may be spending large sums for the latest in engines, avionics, weaponry and airframe all in one plane that will perform its two principal missions—fleet air defense and air superiority—satisfactorily but at the expense of the highest possible performance of either one. For example, in order to get a better all-around air superiority fighter, the F-14's fleet air defense capabilities will be less than those of the F-111B. It will not be able to loiter for as great a period of time or as far from the fleet as the F-111B; nor will it carry as many as six Phoenix missiles. Nevertheless, for a reduced fleet air defense capability, deployment of the Phoenix is still being planned.

Comment

The F-14 is designed as an air superiority fighter. The engines and airframe have been selected for optimum maneuvering performance. The versatile AWG-9 weapons control system will control Phoenix, Sparrow, Sidewinder or Agile air-to-air missiles, generate sighting data for the 20mm gun, and provide air-to-surface weapons delivery solutions. Such a wide variety of ordnance makes it possible to readily adapt the F-14 to air superiority, to fleet air defense or to air-to-surface missions.

The F-14A at combat weight (gun and four Sparrows) will have a thrust-to-weight ratio of .84. The F-14 with the advanced technology engines will have a thrust-to-weight ratio of 1.16. Acceleration from 8M to 1.8M will take 1.27 minutes. Aircraft weight penalties are avoided by palletizing equipment for fleet air defense and air-to-surface missions. The added weight is carried only on these missions. Phoenix and air-to-surface ordnance are carried as an overload. An insignificant penalty in maneuvering performance (.5 to 1.0g) is accepted while the ordnance is aboard the aircraft. However, the full F-14 maneuvering performance returns when the missiles or ordnance are fired. This design approach enables an F-14 loaded with 6 Phoenix to remain on combat air patrol longer than the F-111B; yet it does not carry the airframe weight penalty that was in the F-111B design.

(b) The Phoenix missile is an enormously complicated and expensive weapons system which is still under development. Even though equipped with the latest in devices to ensure that it will reach its targets, there is the possibility that the technology of effective counter-measures may render it obsolete shortly after deployment. Moreover, each Phoenix weighs approximately 1000 pounds. Even though the F-14 need not carry a full complement of Phoenix, or any at all in the performance of certain missions, the airframe has to be designed to carry it and gains in weight thereby. Similarly, the sophisticated avionics for the Phoenix and other weapons systems adds weight.

Comment

The Phoenix missile is designed to operate in an electronic countermeasures (ECM) environment. Its multiple guidance phases and multiple control frequencies make it effective against all predicted ECM techniques. The maneuvering performance of the F-14 with six Phoenix is degraded by 0.5 g. Full maneuvering performance, however, is regained as the missiles are fired at their targets.

Recommendation

(c) The Navy argues that the F-14 airframe has been designed for high maneuverability in "dogfight" situations when the plane is not carrying the Phoenix, and that the capabilities of the Sparrow and Sidewinder are significantly increased by the F-14's avionics. It also argues that for an acceptable increase in costs and in degradation of the "dogfighter" capability, it gets a plane capable of meeting a wide spectrum of possible threats.

Comment

The capability to control Sparrow and Sidewinder is being added to the AWG-9 missile control system. The digital computer in the system significantly improves the prospect of successful attacks by clearly defining the missile envelope and providing accurate "in-range" data to the pilot.

Recommendation

(d) Taking into account the most likely contingencies for the fleet and alternative defense systems, however, the argument for a multi-mission fighter—particularly one designed to carry the Phoenix for fleet air defense—loses much of its force.

Comment

Surface-to-surface and air-to-surface missile threats already exist. They will certainly become more advanced. Advanced Soviet fighters will be equipped with missiles capable of ranges greater than U.S. missiles with the exception of Phoenix. We must be able to counter the total threat, not the easier contingencies chosen mainly to avoid coming to grips with very unpleasant realities. Over the past ten years, Soviet weapons progress has been startling.

Recommendation

(e) Navy pilots have reportedly expressed reservations about the complexity and weight of the weapons systems and avionics planned for the F-14. If, after Congressional review, a decision to go ahead with the F-14 is made, consideration should be given to building a smaller, less costly fighter. Such an aircraft could be less laden with heavy avionics—giving a premium to high maneuverability for "dogfights" and other air superiority missions.

Comment

Analysis of a smaller, less costly fighter proved that in order to achieve desired design parameters, either the thrust required would be beyond the level attainable or the gross weight of the aircraft would far exceed that of the F-14A. This lightweight fighter would be capable of air maneuvering combat only. It would not have adequate range to escort attack aircraft to their maximum mission ranges, provide fleet air defense in all-weather conditions or to deliver air-to-surface ordnance.

Recommendation

(f) As for the Phoenix, if it is decided that the system is sufficiently reliable, and that plausible threats justify costs for deployment, consideration should be given to adapting an existing aircraft to carry the system. Navy officials say they have studied this alternative, particularly in connection with the A-6 and that substantial modifications of the aircraft and costs would be involved, as well as problems of compatibility in performance of the aircraft and the missile. These conclusions should be re-examined if the case for dropping the Phoenix capability from the F-14 is accepted.

Comment

The alternative of adapting the AWG-9 weapon control system to the A-6 airframe was re-examined. Total procurement costs, both recurring and nonrecurring, for a minimal 232 aircraft buy would be \$1.7B, of which the recurring costs including support would amount to \$1.5B. The resulting average fly-

away cost would approximately equal the F-14A cost. In comparison to the F-14A, the A-6, a subsonic system, could not meet the deck launched intercept mission requirements, would be less effective when on CAP station, and could not be used in the strike escort role against high performance enemy fighters.

Recommendation

2. Why build any F-14's? Why not wait for the F-14B?

Some critics of the F-14 program, both within and outside the Administration argue strongly that the F-14A will be only marginally superior to the fleet's present Phantom's because it will use the heavy engines, avionics, and Phoenix missile from the F-111B. They suggest that the F-14 airframe development should be stretched out until the advanced technology "B" engines become available eighteen months to two years from now for development with the airframe, and that plans to procure any F-14's with present engines should be cancelled. The higher-thrust and lighter-weight engines being developed for the F-14B appear to promise significantly higher performance for this model even if it carries the Phoenix and presently planned avionics.

Navy officials argue that the F-14A is needed as a hedge against possible threats and any slippage in "B" engine development and that a two year stretch-out in the program will be costly and entail delays in necessary R & D for the whole F-14 program.

The desirability of proceeding with development and procurement of the F-14A as presently planned should be explored in the Congressional review recommended in this paper. This review itself will entail some stretch-out in the A program, and might entail a postponement in the present target date of mid-1973 for deployment of F-14A's. But the F-14B, the model the Navy is most anxious to acquire as the air superiority fighter of the future, will become operational in 1975.

Comment

Threat analysis dictates introducing a better fighter capability at the earliest possible date. The F-14 is scheduled for operations in early 1973 and is substantially better than the F-4. A decision to stop the F-14A and wait for the F-14B would delay the operational introduction of a superior fighter at least two years.

Proceeding with a Navy fighter development by means of evolution from the F-14A to the F-14B reduces the risk and provides distinct and substantial savings in cost and time. It also provides increased flexibility to satisfy other military objectives.

Stopping the F-14A program and proceeding only with the F-14B will result in additional program costs of \$340M. These cost increases do not include TF-30-P412 engine termination. They do reflect sustaining adequate manpower over a longer development period, adding flight testing, changing GFE requirements and timing, and adjusting for inflation due to the time lag.

The development process must be slowed when the number of major items to be developed is increased. In this case at least two years are lost at a time when greater fighter capability is urgently needed.

Analysis of the threat in the mid-1970's reveals that present fighters cannot successfully counter the threat. A low risk orderly development program was initiated to introduce in the earliest time frame an advanced fighter capable of countering the threat. Studies determined the optimum time and cost schedules for this program. Any stretch-out will increase total program costs and delay introduction of an advanced fighter.

Recommendation

B. Possible savings

The FY 1970 budget requests for the F-14 breaks down as follows in total obligational

authority: \$275 million for procurement of six test and evaluation models of the F-14A and long lead-time items and spare parts; \$175 million in R&D for work on the F-14A; \$50 million in R&D for the Navy's share of development costs of the "B" engine and for F-14C avionics; \$18 million in R&D for the Phoenix.

Estimated savings on the F-14A: \$275 million in FY 1970 if the proposal in this paper is adopted; perhaps \$1 to \$2 billion over the next five years if the decision is taken not to procure any A models of the F-14. However if an increased number of F-14B's are procured to fill in for the "A" models, these savings might in the long term amount only to those realized on the "A" engine and miscellaneous development costs peculiar to the F-14A.

Estimated savings from dropping the Phoenix system from the F-14 and perhaps some electronics for a less complex and less costly F-14: No reliable estimate available. The savings should be substantial.

Estimated savings if the whole F-14 program is cancelled, at the very least, perhaps \$10 billion if account is taken that additional Phantom's or other aircraft would be procured instead.

Comment

False economies would be realized by cancellation of the F-14A program. In addition, a new fighter such as the suggested light weight fighter could not be operational prior to 1975. Cancellation of the F-14A would negate any opportunity to develop a fighter capable of countering advanced Soviet fighters.

A stretchout will increase overall program costs because of inflation, contract renegotiation, additional flight tests and purchase of F-4s to maintain force levels. Stopping the F-14A program and proceeding with the F-14B will result in additional program costs of \$340M. Delaying the F-14A for one year will result in additional program costs of \$100M.

Should Phoenix be cancelled, the long-range intercept capability required to counter multiple target raids against surface forces, U.S. forward objective areas and Continental U.S. will be delayed until a replacement system can be designed and developed. In addition, the capability to counter advanced Soviet fighters equipped with long-range missiles will be degraded. Ninety-one percent of the development funds for the AWG-9/Phoenix missile system have been spent.

[Continuation of the "Report on Military Spending"]

COMMENTS ON THE CRITIQUE OF SENATOR GOLDWATER—F-14

Our report questioned whether the benefits expected from the F-14 warranted the development and procurement costs. In effect this aircraft, if it performed according to specifications, would increase the range of contingencies in which our aircraft carriers would be viable. There are then two questions which must be answered to provide us with the basis to decide whether this aircraft should be funded.

First, if we have the F-14/Phoenix system, what additional contingencies can we cope with which cannot be successfully met with present systems? Second, is the F-14/Phoenix system the most economical way of achieving this increment in our capabilities?

The F-14 has been questioned in both contexts.

At the extremes of contingencies we envision, there is considerable agreement. In show of force situations the present systems should suffice. In a nuclear war the F-14/Phoenix is not likely to do more than perhaps allow planes bearing additional megatonnage to deposit additional overkill upon the Soviet Union. In a conventional war with the

Soviet Union, there may be some situations in which the carriers are more survivable with the F-14 than is now the case. The critique submitted by Senator Goldwater said that it would be possible to "seriously attrite any Soviet attack." But what does "seriously attrite" mean? To us it suggests that from an attacking force of 100 \$2 million aircraft, five might be able to deliver their weapons. This is 95% attrition. But 5% get through. Thus a \$1.3 billion task force manned by some 7000 or more sailors might be destroyed at a cost of \$400 million and 200 men. We would not say that the F-14 helped significantly even if more of the attacking force were destroyed than would have been the case the F-4s defending the carrier.

But for contingencies between the extremes, it is not really clear where and at what point in the next decades we will require the F-14. In short, we raised the question as to the increment in capability provided by the F-14/Phoenix system. We have not received an answer.

There remains the question of whether the F-14/Phoenix is the most economical means of increasing our strength. We should be aware that we are replacing the \$4 million F-4 with the \$8-\$12 million F-14. While it may be that the F-14 will perform better than the F-4, we are not convinced that the increased performance justifies the very much greater cost.

Moreover, there is some doubt concerning whether the F-14 is the optimum aircraft for the Navy's purpose.

In 1968 Preparedness Subcommittee Hearings on tactical airpower, General G. P. Disosway, then commander of the Tactical Air Command, testified that, "if you could build an airplane which would do everything it would be wonderful. You just cannot do it in this modern day."

Former Assistant Secretary of Defense Alain Enthoven made similar statements. He said, "you cannot build a plane that is all things to all men," and later on that, "you design differently for an air defense interceptor to shoot down bombers that are flying straight and level than you do for a maneuvering air superiority fighter."

Yet in the paper submitted by Senator Goldwater, we are told that the F-14 is "the weapon system that can shoot down long range multiple-raid targets, aircraft and missiles, and can engage enemy escort fighters in close-in combat..." It is also suggested that the F-14 will have "adequate range to escort attack aircraft to their maximum mission ranges."

Who is right? General Disosway and Dr. Enthoven, who are skeptical about multi-mission aircraft, or the Navy analysts who assert the F-14 will perform its multi-mission role in accordance with the plane's specifications? We do not really profess to know. But it is very clear that there exists substantial disagreement and we believe we should be provided with much more information before we vote funds for this program where aircraft procurement costs alone might be \$5 to \$10 billion.

We would like to make one final comment on the F-14. We are told that the best fighter in our inventory is the F-4 which was designed in 1954 and which became operational in 1961. Since 1961, the Soviets are supposed to have flown 8 fighters. The implication is that the Soviets are far ahead of us in fighter capability. But we would suggest that the situation is not as bad as this information might imply. In the first place, we are not told how many of these Soviet aircraft are operational. We are not told that there are experts who do not agree with the dire assessment of the Soviet threat. Dr. Enthoven testified that the F-4 would continue to perform effectively against enemy fighters in the near future and that Communist aircraft are by and large seriously limited in range. Furthermore, the age of the F-4 does not tell the

whole story. Admiral Connolly testified that we are not flying the same F-4 today that we had ten years ago. He said that we improved its speed and we improved its altitude and weapons carrying capability and acceleration. He also noted that the day of the F-4 is "far from over."

Again, we are not saying that the Soviets will not develop very much improved aircraft. But we do believe that the threat may be exaggerated and that we should examine it carefully before we approve massive expenditures based upon its existence. This was the thrust of the recommendation in our report on military spending.

CHEMICAL AND BIOLOGICAL WARFARE

Summary

The United States maintains an extensive chemical and biological warfare capability and a high level of research in these areas. The Department of Defense claims that its capabilities are designed to "deter all use of chemical and biological weapons by the threat of retaliation in kind."

The FY 1969 budget was reported to be \$330 million.

Recommendations

The need for a chemical and biological weapons program of the present magnitude is not adequately justified by the DOD. In response to Congressional criticism, the Administration has ordered a policy review. Until there is further resolution of policy, a cut of 10% in the budget is recommended, based on the assumption of better management, better use of personnel and elimination of unnecessary stockpiles. In FY 1970, no more than \$297 million should be authorized for chemical and biological warfare programs including procurement of chemical and biological agents, disseminating systems, and protective equipment; RDT&E; and Operation and Maintenance. In addition, pending the policy review and presentation of its results to Congress, there should be a moratorium on military construction for chemical and biological warfare centers.

Rationale and discussion

The United States maintains a defensive capability in chemical and biological warfare and an offensive capability which is described as limited. These capabilities are designed to "deter all use of chemical and biological weapons by the threat of retaliation in kind." Although information is scanty, it is estimated that the U.S. has thousands of tons (more than one billion lethal doses of nerve gas) in its inventory and has a large number of biological agents in pilot culture form so that large-scale production could be started at Pine Bluff Arsenal if the need should arise.

Most of the experience with gas warfare comes from World War I where the Germans gained a major temporary advantage from the use of gas. Had they exploited this advantage, they might have changed the course of the war. Post World War I thinking by the U.S. Chemical Service Corps was largely based on the World War I experience.

World War II chemical warfare strategy was based on this same experience. The Geneva Protocol prohibiting first-use of chemical and biological weapons, the attitude of the top governmental leaders in the West, and a dislike of the weapon by many U.S. military were all factors leading the West not to use gas. Hitler apparently wanted to use gas in the end, but the Germans were not in the military position to do so, and their top officers opposed its use. U.S. Army Air Force officials opposed use of our gas on the Japanese, because it was believed that fire bomb raids were just as effective. Also many subscribed to the principles of the Geneva Protocol, although it had not been ratified by the United States. In any case,

whatever role gas had as a strategic weapon in the U.S. arsenal was eliminated with the development of the atomic bomb.

Some advocates of chemical weapons for tactical situations assert that with the development of so-called incapacitating chemicals, wars might be waged in more humane fashion. At present, there is little evidence for this position. In Vietnam, for example, tear gas is injected into tunnels and the occupants shot as they emerge. It is also dispersed from the air prior to bombing attacks.

While some might argue that unilateral employment of chemical weapons might be advantageous to the United States, it is unrealistic to expect that such a situation would continue over a long term. U.S. use is certain to be reciprocated. There could be no assurance, moreover, that what might begin with the use of relatively non-lethal chemicals might escalate to the use of more and more toxic substances. The real question, therefore, is whether the United States would prefer use of chemicals by all combatants or by none.

The case for maintaining a program to develop biological weapons is even weaker than for chemical ones. The dangers of biological warfare agents have led to a universal revulsion against them. Health experts agree that use of lethal biological agents such as brucellosis or tularemia could endanger all mankind. Many scientists claim, moreover, that there is no such thing as a non-lethal biological agent. While healthy soldiers might be incapacitated, many of the old, young, and infirm might die. The biological agents might spread beyond the target area, mutate, and infect the attacker with a variety of the disease that would be resistant to the vaccines effective against the original agent.

The international outcry at the time that the U.N. was accused of using biological warfare in Korea by itself (aside from the moral and ethical issues) indicates that the U.S. should, as a minimum, adopt a policy of no first use of these weapons.

THE MAIN BATTLE TANK

Summary

The Main Battle Tank (MBT-70) was conceived in 1963 as a joint project of the United States and the Federal Republic of Germany. It is designed to operate in the environment of tactical nuclear warfare in Europe. The MBT-70 will, at least temporarily, be superior to Soviet tanks. Development of the MBT-70 has been marked by increasing delays and escalating costs.

Recommendations

Congress and the Bureau of the Budget should review both the assumptions upon which the development and procurement decisions were based and cost-effectiveness in light of currently projected costs. Authorization of additional funds for the MBT-70 should be postponed pending completion of the review and acceptance of its results by Congress.

Rationale and discussion

A. Delays and Underestimated Costs Require Reconsideration of Cost-Effectiveness

Concurrent with the decision to proceed with the MBT-70 project, an agreement was reached between the U.S. and Germany to split evenly the research and development cost, which was then estimated at \$86 million.

The tank was to roll off the production line in December, 1969—a target date which has been extended by over four years—and, according to a recent GAO report, has now been deferred until 1974.

The R & D cost estimates have been steadily revised upward: to \$138 million in August, 1965, and to \$303 million in July, 1968. Under the latest agreement, the U.S. and Germany split evenly the first \$138 million,

with the cost above that to be prorated on the quantity of tanks purchased by each country.

In the most recent Development Concept Paper on the project by the Department of Defense, the R & D cost to the U.S. alone was projected at \$277 million—an increase of \$184 million, or 528% over the original estimate of our part of the cost.

The total cost of the production engineering phase of development, which is just beginning, is estimated at \$188 million. The MBT-70 appropriation for FY 1969 and the FY 1970 request:

[In millions of dollars]

Fiscal year 1969:	
Research and development.....	36.8
Production engineering	14.6
Total	51.4
Fiscal year 1970:	
Research and development.....	43.3
Production engineering.....	24.5
Total	67.8

The final per-unit cost of the MBT-70 will be between \$520,000 and \$750,000. The Army intends to procure a number, which while unknown, will probably range in the thousands. The predecessor to the MBT-70, the M60-A1, costs \$220,000 per unit.

If everything worked out, this increased price would provide a more maneuverable and less vulnerable tank with more firepower—including a nuclear capability—that could operate in an area with nuclear or biological contamination. However, it does not provide any more protection from radiation than the M60-A1, and other problems have arisen.

But to argue only the technical points of the MBT-70 is to ignore the central issue which should be discussed by Congress—the soundness of the rationale behind the MBT-70.

B. Tactical Nuclear Strategy in Europe Is in Question

Is it realistic to assume that we or the Europeans will fight a limited land war in Europe, using tactical nuclear weapons? If so, is the MBT-70 the most effective and least costly way to meet such a contingency?

The original considerations of feasibility were based on figures far below the current (and estimated future) costs. The strategic projections were made in 1963 to extend only through 1969. Will these projections still be valid in 1974, when the tank would finally be available? Will it be useful when it is to be deployed or will it be obsolete, a victim of technology or of a new strategy?

The MBT-70 is based on the assumptions of six years ago. They should be re-examined. And the cost increases and delay in production date should be investigated.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

COMMENTS ON HATFIELD COMMITTEE REPORT

THE MAIN BATTLE TANK-70

The Committee says the central issue concerning the MBT-70 is that by the mid-70s its tactical rationale may be made obsolete by nuclear weapons. It will be "a victim of technology or of a new strategy."

If this is the central issue, then the issue that is really raised is whether we should have any tanks at all. If the most up-to-date tank we can make by the mid-70s is thought to be obsolete and not "useful" by that time, then certainly the present tanks, a product improvement of the 1950 tank design will be even more obsolete and less "useful". If this central issue is correct, any tank of any kind is a waste of money, and the Committee on Peace through Law should really be proposing that we save all kinds of money by scrapping all our tanks, and doing away with

the two tank divisions we now have in Europe and the two in strategic reserve.

Perhaps the most apt answer to this argument is provided by the Russians themselves. They are now re-equipping their armored units with the T-62, a tank of much later design than our present M60A1. They clearly expect to have a use for tanks on future battlefields, nuclear or not.

As to usefulness in tactical nuclear warfare, the tank is the weapon most likely to stay in fighting condition. The MBT-70 is being designed with such warfare in mind, and will be more fitted for it than the obsolescent M-60 which this proposal would perpetuate as our main battle tank. Men equipped with the MBT-70 will be far better off in nuclear warfare than men equipped with our old tank or no tank at all.

The Committee does not accurately state the facts and figures on the MBT-70. For instance, the Committee says the joint German-U.S. agreement estimated the costs as of research and development as \$86 million. This is wrong in two ways.

First, the money was \$80 million—not \$86 million. Next, the estimate was only for initiating research and development. The two countries recognized, since there was no joint agreement on the concept of the tank, nor on any of the details of its subsystems, nor on its principal and secondary armaments, that the actual experienced development costs would be greater than the initial amount. The agreement specifically provided for more accurate greater costs as the design moved forward.

Even in quoting the President's budget the Committee is inaccurate. They say the FY 1970 R&D figure was \$43.3 million. The true figure is \$44.9. They say the Production Engineering costs are \$24.5 million, the true figure is \$25.4.

The Committee says that "The tank was to roll off the production line in December 1969." This is not so. The agreement called for a tank "ready for production" in 1970. This means all required development completed, a Technical Data Package completed and ready for publication to industry for bidding and contact negotiation, and subsequent tooling up of plants for production of the initial tank in mid-1972 or possibly later. Thus the target production date has not been extended by over four years. The extension, accurately stated, is around two years.

The Committee uses a figure of \$277 million for the R&D cost to the U.S. alone. These figures are completely unrecognizable, and are far from the actual figures.

It is also not accurate that the sole concept of its design is based on tactical nuclear warfare in Europe. The MBT-70 is intended to operate anywhere in the world that the U.S. may engage in combat.

It is true that in 1963, before the German and American combat users of the tank had even started to discuss how they would use the tank in combat, and what each would want it to do, Mr. McNamara was forecasting production in December 1969. The hard nitty-gritty of agreeing in two languages on the specific details of the tank was not resolved until September 1965. These details were the basis of the "in-house" estimate of \$138 million development costs. Later bids by potential contractors for the various components indicated that this money estimate was low, and the development time forecast by Mr. McNamara much too short.

After agreement on design conceptions, all to be radically new components, not product improvements, in September 1965, the first prototype was delivered in July 1967. Since then testing has proceeded in an orderly fashion, resolving development problems for mechanisms and functions never before put together. There is every prospect that if no monkey wrenches are thrown in the works, that the United States will succeed in putting in the field, for use by its troops any-

where in the world, a tank that is far superior to any tank ever seen before.

[Continuation of the "Report on Military Spending"]

MILITARY MANPOWER

Summary

There are currently 3.5 million men in the U.S. armed forces. Total costs of retaining that force level approximate \$35 billion annually—\$21 billion in pay and allowances and \$14 billion in related operation and maintenance expenditures. The Vietnam buildup added 800,000 men to the 1964 manpower level. The statutory ceiling limiting the force size is set at 2.3 million, but it has been suspended since 1950.

Recommendations

Allowing termination of the Vietnam war, the armed forces should be reduced by 800,000 men—the number involved in that conflict. In addition, force levels should be cut back by 200,000 in FY 1970 and 200,000 in FY 1971. The total reduction of 1,200,000 will represent a return to the statutory ceiling and a total force 15% below pre-Vietnam levels.

Rationale and discussion

A. Need for Congressional Review

The U.S. now maintains the largest standing armed forces in the world. The U.S. leads all other major powers in the percentage of its young men in the military service. Nearly half of the \$80 billion defense budget is allocated to manpower costs. The Constitution (Article I, Section 8) gives to Congress the full responsibility for raising and supporting an army. Yet no comprehensive review has been attempted since a special subcommittee on the use of military manpower held hearings during the 86th Congress.

B. Criteria for Force Levels

The topic of manpower may be broken into three rough areas. The first considers what total amount of force is necessary for insuring our national security. The second concerns deployment. Granting current foreign policy assumptions, how is manpower best deployed? Finally, there is the question of possible improvements in the efficiency of manpower management.

C. Interacting Commitments and Deployment

There is some overlap in the first two categories. But one fact is clear: force levels are a function of foreign policy—or at least *should* be. Whether foreign policy has been determined on occasion by existing force levels is a legitimate question. Has the establishment of 432 military bases around the world been the consequence of carefully thought-out, overall objectives—or have the objectives developed from forces already present? The answer is probably something of both; lesser commitments have a way of solidifying into full commitments once forces are deployed. The greater the existing force levels, the greater their imprint on policy.

Implicit in our current defense posture is the assumption that the U.S. should be prepared to fight two major and one minor war concurrently. Europe and East Asia constitute major contingencies, with residual forces consigned to a minor contingency in this hemisphere. How sound is this "tri-bellum contingency"?

D. Needs Overestimated in Europe and Asia

Since we cannot escape involvement in an area so vital to our security, it is clear that a continued U.S. commitment to Western Europe will be necessary in the foreseeable future. Nevertheless, it is likely that a re-examination of our force levels there would disclose opportunities for substantial reductions.

The American commitment has been aimed

largely at insuring that any Warsaw Pact offensive will result in the engagement of American troops and confrontation with the United States. Current manpower levels, however, are in excess of the amount required for retaining European confidence in the strength of our commitment. The 320,000 American troops now in Europe could be reduced by at least 100,000—plus an appropriate cut in CONUS support troops, possibly 40,000—with the U.S. forces sure to be engaged by any invader. It has been suggested, for example, that the 215,000 U.S. military personnel stationed in Germany could safely be cut in half. Additional manpower could be provided if the need arose. Although strategic mobility is not a complete substitute for forward deployment, air-lift and sea-lift capabilities planned for 1970 are ten times what they were in 1960. Our European allies devote on the average only about 5% of their GNP to defense; we spend twice that. The time has come for the structuring of a European defense to match a changed Europe, a restructuring that calls not for a reassessment of commitments, but for a reevaluation of necessary force levels.

What of our relationship with the nations of East Asia? Foreign Minister Thanat Khoman of Thailand had this commentary a few weeks ago:

"Another lesson that we seem to have learned from the war in Vietnam is the fact that World Powers are not very effective in dealing with what the Communists call 'revolutionary wars'.

"In other words, when it comes to fighting 'revolutionary war' or Communist activities either in Thailand or in any other country in Southeast Asia, we shall have to rely primarily on our resources, especially on our own manpower. We may expect assistance in terms of military equipments but in terms of manpower, the nations of this area will have to depend largely upon themselves. This I think is the lesson that we have gathered from recent events and we shall not forget it."

South Korea, with 55,000 American troops stationed there, has land forces capable of providing a strong deterrent against even a maximum Chinese/North Korean attack. The South Koreans today have 15% more firepower per man than their would-be opponents, and they maintain more men under arms than the total U.N. forces in 1951. One of our divisions there could be removed.

With a decreased need for the presence of American military personnel in the area, moving away from a full Asian contingency would make sense. It would seem reasonable to plan for the most likely, rather than the worst imaginable, contingency. Such a toning-down would enable a cutback in manpower of around eight divisions, and could yield a savings of roughly \$4 billion. Even a more conservative reduction of six divisions, if accompanied by a corresponding cut of six airwings, could have somewhere around \$5 billion.¹ A reassessment of the three war contingency might also lessen the likelihood of U.S. involvement in disputes far removed from our national interests, particularly if the U.S. and our East Asian allies work together to transfer responsibility for regional security to indigenous military forces.

E. Statutory Ceilings Suspended Since 1950

Existing statutory ceilings limit the size of the U.S. armed forces—yet they have been

¹ It should be emphasized that manpower budgetary matters depend on a large combination of variables. Cost per division, for example, beyond including merely salary and allowances, involves questions of equipment, clothing, training, dependents support troops, etc.—which in turn rest on everything from the division's composition to its geographic location.

continuously suspended since 1950, when the limit was 2.3 million. The world was a far less stable place when the Congress decided on a ceiling at that level, yet American military personnel now number 3.5 million. But a truer picture of our current posture is gained by considering the manpower involved in the fighting or support of the Vietnam war, exclusive of the approximately 800,000 men. This leaves a baseline at the figure of 2.7 million men, roughly the size of the military establishment prior to the large-scale commitment of American forces to Vietnam. If the reasoning of this paper is accepted, 400,000 troops could be cut and the 1950 ceiling could be returned to, assuming also that withdrawal of our forces from Vietnam is accompanied by the equal reduction in our total force levels.

F. Possible Savings

Only the roughest sort of estimate is possible, and we have assumed the absolute minimum. The figure given by the Office of the Comptroller, DoD, for the average military personnel cost per active duty military personnel in FY 1970, is \$5,947. This includes only salary and allowances and none of the related costs of operation and maintenance. By this figure, cutting 200,000 troops in 1970 would result in a savings of \$1.2 billion for that fiscal year; a reduction of 200,000 troops in FY 1971 would yield a total savings of \$2.4 billion. The same amount would be saved each year thereafter. While the net annual cost of the Vietnam war is around \$20 billion, the amount saved with the elimination of 800,000 military personnel after Vietnam would be \$9.5 billion.

Thus, following the end of the war, the total annual savings resulting from a reduction of manpower from 3.5 to 2.3 million would be at least \$11.9 billion. It should be emphasized, however, that with all related costs figured in, the total savings would likely be at least two times as great.

G. Supplementary Recommendations

Apart from reductions in personnel, the following should be seriously considered as steps toward increased efficiency in manpower management:

1. An integrated manpower management program should be created. Manpower management by the separate services is horribly inefficient, even though much of their manpower does the same thing and their management techniques are the same.
2. Manpower costs should be charged to a fixed operating budget of the unit to which they are assigned. Idle troops would then cut into budget allocations; efficient deployment would be encouraged.
3. Project PRIME and the Hubbell Report should be implemented. Project PRIME is a streamlined accounting system for the Defense Department. It should be fully adopted. The Hubbell Report is a proposal to simplify the military pay system. It would bring military salaries in line with civilian salaries for the same jobs. By increasing enlistments the adoption of the Report would lower costs, reduce training needs and slow down turnover.
4. A five-year defense plan should be made the basis of detailed plans for manpower requirements; training, recruiting, inductions and promotions should be programmed on this basis.
5. More single-manager training programs should be created; e.g., all communications technicians who work on the same equipment should be trained by one service, just as journalism training is done by the Army for all the services, etc.
6. Basic training should be abbreviated by the Army, especially for enlisted men who will never serve in combat.
7. Assignment changes should be reduced by 25%. Candidates for generalized, higher ranking administrative positions should be

screened early in their careers; others should advance within their field of specialty.

8. Work units should be required to absorb the impact of leave and other absences, rather than including a cushion to compensate for absent personnel.

9. Standardized manpower and personnel information systems (including cost information) should be developed—just as they were for supplies ten years ago.

We recognize the technical nature of the above suggestions, but hope that some consideration can be given them by experts both inside and outside of the Pentagon.

PROCUREMENT

Summary

In FY 1968, more than one-half of the DoD budget was spent on defense procurement. The policies and practices of procurement have been studied in depth by the Subcommittee on Economy in Government of the Joint Economic Committee of the Congress. The Report of the Subcommittee, titled *The Economics of Military Procurement* and published in May of 1969, gives a comprehensive analysis of this issue and presents detailed recommendations. We believe that these recommendations can serve as guidelines for positive reform in military procurement procedures. The Subcommittee's recommendations, as printed on pages 29-31 of their May 1969 report, are as follows:

Recommendations

A. Military Industrial Indicators

1. The GAO should conduct a comprehensive study of profitability in defense contracting. The study should include historical trends of "going-in" and actual profits considered both as a percentage of costs and as a return on investment. Profitability should be determined by type of contract, category of procurement, and size of contractor. Information for the study should be collected pursuant to the statutory authority already vested in the GAO. The GAO should also devise a method to periodically update and report the results of its profits study to Congress.

2. Total-package and other large contracts amounting to hundreds of millions of dollars and extending over several years should be broken down into smaller, more manageable segments. It should be possible to break contracts into segments short enough in duration for periodic evaluation of accomplishment, representing parts of the total program with definable objectives, and yet large enough to include acknowledged functions such as engineering and manufacturing, and work sequences such as design phases and fabrication lots.

3. GAO should develop a weapons acquisition status report, to be made to Congress on a periodic basis, and to include the following information:

a. Original cost estimates, underruns and overruns on work completed as of effective date of report, current estimated cost at completion, total actual cost, including underruns or overruns, scheduled and actual deliveries and other major accomplishment milestones such as major design reviews, first article configuration inspection, roll out and flight of first airplane, launching of ship, and so forth, for all programs in excess of \$10 million. Estimated and actual unit costs should be included. Where there are cost variances, whether they be underrun or overrun, GAO should separate them into their components such as labor, labor rates, overhead rates, material and subcontract costs, and general and administrative expense.

b. So-called "progress payments," made by the Government on firm-fixed and fixed-price incentive contracts in excess of \$1 million, compared to work segments satisfactorily completed, rather than simply costs incurred.

c. Technical performance standards which

would compare actual performance of weapons systems and other hardware to contract specifications.

d. Impact on costs, schedules, and technical performance of authorized contract changes from contract base line described in a, b, and c above. GAO should be prepared to furnish backup data to support impact on a change-by-change basis.

4. GAO should develop a military procurement cost index to show the prices of military end products paid by the Department of Defense, and the cost of labor, materials, and capital used to produce the military end products.

5. GAO should study the feasibility of incorporating into its audit and review of contractor performance the should-cost method of estimating contractor costs on the basis of industrial engineering and financial management principles. The feasibility study should, if possible, be completed by the end of the current calendar year.

6. GAO should compile a defense-industrial personnel exchange directory to record the number and places of employment of retired or former military and civilian Defense Department personnel currently employed by defense contractors, and the number and positions held by former defense contractor employees currently employed by the Defense Department.

The directory should include the names of all retired military or former military personnel with at least 10 years of military service, of the rank of Army, Air Force, or Marine colonel or Navy captain or above, former civilian personnel who occupied super-grade positions (GS-16 and above) in the Department of Defense, and former defense contractor employees who occupy super-grade positions (GS-16 and above) in the Department of Defense.

B. Department of Defense Activities

7. The Defense Department should collect complete data on subcontracting including total amount of subcontracts awarded, competitive and negotiated awards, subcontract profits, type of work subcontracted out, the relationship between the prime contractor and the subcontractors, the amount of business done by the subcontractor for the prime contractor, and compliance with the Truth-in-Negotiations Act. GAO should have access to this information and should make it available to Congress on an on-going basis.

8. The Defense Department should require contractors to maintain books and records on firm-fixed-price contracts showing the costs of manufacturing all components in accordance with uniform accounting standards.

9. The subcommittee once again makes its longstanding and unheeded recommendation that DoD make greater use of true competitive bidding in military procurement, and that the tendency to award contracts by noncompetitive negotiation be reversed.

C. Legislative Action

10. Legislative action should be taken to make the submission of cost and pricing data mandatory under the Truth-in-Negotiations Act for all contracts awarded other than through formally advertised price competition procedures, and in all sole source procurements whether formally advertised or not.

11. Legislative action should be taken to establish uniform guidelines for all Federal agencies on the use of patents obtained for inventions made under Government contracts.

[From the CONGRESSIONAL RECORD, Aug. 11, 1969]

Mr. GOLDWATER. In conclusion, Mr. President, I want to reiterate that I think the interest shown by this group of Senators

and Members of the House indicates a long overdue awakening to the responsibilities of Members of both bodies toward all budgets. The preparation of the military authorization bill involves long and very detailed hearings and I can assure my fellow Members that none of these items are lightly glossed-over, and that the bill that has eventually reached the floor represents the policy thinking of the President, the policy and procurement thinking of the Secretary of Defense, and the concurrence in both of these by the Committee on Armed Services. If any Member desires to discuss any of these findings of mine with me, I will be more than happy to get together with him.

Mr. GOLDWATER. Mr. President, I take this opportunity merely to say that I think it is time that this body paid some attention to the money we spend. I think back 17 or 18 years ago, when I first became interested in politics. The very reason I did so was that I felt that the governing bodies were not paying attention to the money they spent.

When I received the report this morning that more than \$400 million was spent last year to produce films for the Federal Government—which is far more than Hollywood spends, I think—I felt that we should be very inquisitive about military spending. Also, I look forward to the days, when we get into the domestic issues, of having groups interest themselves so that we might be equally critical and produce equally good results.

To inject a little levity into this discussion—if money can be called a laughing matter—the other day I read a history of the production of aircraft for World War I. This may shock my fellow Senators, but the appropriation was \$225 million for aircraft—to buy 22,500 airplanes. Then they went ahead, knowing they had to have spares, and appropriated \$440-odd million for 45,000 engines. The cost of war has gone up.

Mr. President, I shall address myself this evening—and I will try to be as brief as I can—to what we are talking about in this particular amendment. At the outset, I should like to describe the C-5A aircraft. I do not think that enough Senators fully realize what we are talking about. We talk about a tank, yes. We talk about an aircraft carrier. We have seen them. We talk about a fighter plane. Many of us have been in them and have seen others. But we are talking about the biggest airplane ever built.

For example, it is 220 feet across the wingspread. Across the vertical stabilizers it is almost 69 feet. Its performance is remarkable. It has a high cruising speed of 470 knots, which is over 550 miles an hour. It has a long-range cruising speed of 440 knots.

Mr. President, I ask unanimous consent that the material I do not read be printed at this point in the RECORD, so that the RECORD will be complete.

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

INTRODUCING THE LOCKHEED U.S. AIR FORCE C-5A

As part of its continuing program of airlift development activities, Lockheed-Georgia

Company has devoted many years to design studies evolving a conceptual heavy logistics transport.

In 1964 and 1965, under United States Air Force contract, the Company refined and further defined its design concepts in cooperation with the military . . . an effort which resulted in an October, 1965, contract award for procurement of the total system. The unique total package concept assigns responsibility for engineering, design, development, testing, aircraft production, spares and total system performance to the prime contractor.

Designated the C-5A by the U.S. Air Force, the airplane described herein is now being developed. Contributing big, new capacity, large-system economy, and bold performance to U.S. airlift capability, it may well revolutionize the concept of flexible response and rapid deployment of U.S. military forces around the world.

The Lockheed-Georgia Company, a division of The Lockheed Aircraft Corporation, is proud to be the industry member of the team which is developing the United States Air Force C-5A.

GENERAL CHARACTERISTICS

Although of exceptional size and capacity . . . as well as markedly advanced technically . . . the USAF C-5A is basically a conventional airplane.

It has a moderately swept high wing and is powered by four GE front fan engines which are pylon mounted beneath the wing. The fuselage is enormous, yet aerodynamically sleek.

The overall appearance of the airplane is distinguished by a towering T-Tail. A unique landing gear features an unusual 28-wheel arrangement for exceptionally high flotation characteristics permitting the C-5A to use substandard airfields.

Full-width cargo openings, fore and aft; compatibility with mechanized loading systems; and a gear capable of kneeling the airplane to provide truck bed height loading at either end are loadability features. Another of the distinguishing features of the C-5A is its visor nose which opens upward to permit front end loading. Simultaneous loading and unloading, drive on and off via integral ramps, and of course aerial delivery capability are also incorporated.

The airframe is designed to be fatigue resistant and fail safe. Reliability levels formerly looked upon as ambitious goals are guaranteed. Maintainability and maintenance design features will produce not only sharply reduced maintenance costs but markedly increased operational availability, also guaranteed.

These and other features of the C-5A are described on the following pages.

Performance

High cruise speed: 470 knots.
 Long range cruise speed: 440 knots.
 Aerial delivery drop speed: 130-150 knots.
 Rate of climb at sea level, standard day at basic mission¹ weight: 2,100 ft/min.
 Take-off distance over 50 feet at basic mission¹ weight: 7,500 ft.
 Landing distance over 50 feet with 100,000 lb payload at midpoint of 2500 nm radius mission, sea level, 89.5° F, wet grass runway: 4,000 ft.
 Designed payload: 2.5 g, 220,000 lb; 2.25 g, 265,000 lb.
 Range with 220,000 lb payload: 3,050 nm.
 Range with 112,600 lb payload: 5,500 nm.
 Ferry range: 7,200 nm.

Weights

Flight design gross weight—2.5 g: 728,000 lb.
 Flight design gross weight—2.25 g: 764,500 lb.
 Basic mission weight: 712,000 lb.

¹ Basic Mission 100,000 lb payload, 5,500 nm.

Maximum landing weight (9 fps sink rate): 635,850 lb.

Operating weight: 323,904 lb.

Cargo compartment

Length excluding ramps: 121.1 ft.
 Length including ramps: 144.6 ft.
 Height: 13.5 ft.
 Width: 19.0 ft.
 Total volume including ramps: 34,734 cu ft.

Palletized volume including ramps (36 463L pallets): 19,020 cu ft.

Forward loading opening: height, 13.5 ft; width, 19.0 ft.

Aft loading opening: height, 9.5 ft (with the ramp lowered to the ground, aft cargo opening will accommodate vehicles or other loads up to 12.5 feet high); width, 19.0 ft.

Loading opening height above ground (forward or aft): 54 inches.

Loading opening height above ground (level-kneeled) 73 inches.

Personnel capacity

Crew: 6.

Alternate crew: 6.

Courier seating: 8.

Troops—upper troop compartment: 75.

Fuel System

Capacity (JP-4): 49,000 U.S. gallons (318,500 lb).

Single point refueling rate: 2,400 U.S. gallons/min (15,600 lb/min).

Jettison rate: 1,380 U.S. gallons/min (8,970 lb/min).

Landing gear

Number of wheels: 28 (4 nose and 6 each on 4 main gear bogies).

Tires, nose and main: 49 x 17-20, Type VII, 26 ply rating.

Main landing gear tread: outer tires, 35.9 ft; main struts, 25.9 ft.

Wheel base: 72.8 ft.

FLEXIBILITY AND CAPACITY IN A CARGO AND TROOP TRANSPORT

There has never been an airplane with the load-carrying capacity of the C-5A.

The loadable floor area of the new airlift giant is more than three times greater than that of the C-141A cargo compartment . . . its volume over 4½ times greater.

The C-5A is quickly loadable, fully compatible with 463L loading systems, has air-drop capability, and possesses amazingly good short-field landing characteristics.

It carries exceptionally large loads:

It accommodates thirty-six standard pallets or sixteen ¾-ton trucks at the same time.

Its cargo hold is so wide, jeeps load three abreast, armored personnel carriers side-by-side.

Of over 600 items identified as C-5A potential cargo, the airplane accommodates 99.7 percent.

It accepts any of the 120 vehicles set forth in the military Force A inventory.

Had the C-5 been available during the height of the Berlin Airlift, ten of them could have done the job 300 British-American transports were hard-pressed to accomplish. More recent comparisons: substituting C-5 for present equipment would have strengthened and shortened the Korean buildup, Exercise Big Slam, Operation Big Lift, and many problems of Vietnam logistics. Force buildups that now take a month or more with existing sea and airlift could be achieved in a week with the fleet of 100 C-5's. The speed and capacity of this new skygiant will allow the U.S. to place formidable land forces anywhere in the world, complete with tanks, equipment and supplies—within 24 hours.

Capacity

The cavernous cargo compartment of the C-5A has a floor 121.1 ft. long and 19 ft. wide, offering 2300 sq. ft. of fixed cargo space.

Its overall interior height is 13.5 ft., with floor width clearance extending upward 9.5 ft. Above this, the sides taper to a 13 ft. wide ceiling.

Two full-width ramps totalling 23.7 ft. in length add another 400 sq. ft. of loadable space to the cargo area. The total volume is 34,784 cu. ft. including both ramps.

Two sets of rails and rollers, compatible with other 463L materials handling equipment, accommodate standard 88 x 108 in. pallets two abreast. The system is capable of loading at a rate of up to 100 ft. per minute. Center rails and all rollers invert for storage to form a smooth flat floor for vehicular loads.

The cargo floor will support uniformly distributed loads of 300 lbs. per sq. ft. except the center which will support 400 psf—and it will support a load of 2600 lbs. per linear ft. over the entire length. Heavy vehicles can be freely maneuvered during loading; and for flight, there are no zoning restrictions for axle loads less than 14,000 lbs., and axle loads up to 25,000 lbs. need no shoring for up to 97 ft. of floor length.

Lockheed's loading simulator studies conducted at Ft. Benning plus extensive computerized loading program studies verify both versatility and efficiency in carrying Air Force and Army equipment in the C-5A.

While the number of pallets and vehicles which can be loaded into the C-5A is impressive by today's airlift standards, so is the size and weight of single C-5A payloads.

The airplane was designed for, and is ideally suited to the transportation of large, bulky, outside loads. It readily accepts mobile bridge launchers, missiles, helicopters, aircraft salvage cranes, trucks, and tanks.

Here are some typical combination loads never before air-transportable in a single sortie:

TYPICAL CARGO LOADS

	Unit weight (pounds)	Total weight (pounds)
Load I-2.5 g:		
1 D-8 tractor		41,820
1 warehouse trailer		7,000
1 M-35 truck w/trailer		23,115
3 2-ton fork lifts	6,600	19,800
3 Larc V	20,000	60,000
1 refrigerator stake truck		41,913
1 M-43 ambulance w/trailer		12,360
58 drivers, troops, support personnel	240	13,920
Total payload		219,928
Load II-2.25 g:		
1 M-48 bridge launcher		128,420
4 M-151 ¾-ton trucks w/trailers	4,143	16,572
2 M-170 ambulances	3,763	7,526
2 UH-1D helicopters	4,500	9,000
2 M-54 5-ton trucks w/trailers	35,345	70,690
2 M-37 ¾-ton trucks w/trailers	10,040	20,080
52 drivers, troops, support personnel	240	12,480
Total payload		264,768

Note: Vehicles ¾ fueled, trucks and trailers loaded to cross country weight.

TROOP TRANSPORT

The C-5A is a troop carrier as well as a cargo airlifter.

A passenger compartment which accommodates 75 persons is located in the upper aft end of the fuselage above the cargo compartment. Access is provided via folding stowable stairway from the cargo floor. Seating consists of multiple rows of reclining aft facing seats separated by a middle aisle. The seats (along with the galley and lavatory facilities which serve the area) can be removed to convert the weight of this equipment into additional payload.

In addition to this convertible passenger compartment, there are fifteen reclining seats and six bunks permanently installed in an area just aft of the flight deck. This area is for the relief crew, troops and couriers; it is more fully described under "Flight Deck."

EASY LOADABILITY

Loadmasters can undertake large scale logistics problems utilizing convenient built-in loading aids with assurance that on and off loading assignments will go smoothly even when time is short and loads are large. Designed-in work-together features to facilitate loadability include among others:

A simple rigid symmetrical visor nose which opens to expose the full width and height of the cargo compartment.

Full-width aft opening giving clear access to cargo hold for straight-through drive-in loading and off-loading.

Cargo floor which "kneels" to various working levels including truck-bed height.

Integral 463L rail and roller systems.

Multi-position full-width ramps integral with the aircraft at fore and aft loading doors.

High intensity cargo-area lighting from overhead ample floor-level curb lights to provide good illumination of tie-down fittings beneath vehicles.

An integral weight and balance system which utilizes sensors on all gears to compute weight and center of gravity for all loading configurations.

The practical working heights and the full-width ramps greatly speed loading operations and turnaround time without need for elaborate terminal loading facilities or special loading apparatus.

KNEELING AND CARGO FLOOR POSITIONING

On-the-ground kneeling of the multiple landing gear brings the cargo floor to practical loading and unloading levels. The nose gear and main gear bogies can be kneeled separately for combinations of forward or aft loading and unloading, straight-through loading and unloading, or simultaneous loading at one end while unloading at the other.

For nose loading and unloading, the airplane is stabilized by placing the nose and main landing gear in the kneeling position. Both the nose and main landing gear oleos are locked out, removing all motion from the airplane except tire deflection. The cargo floor is 54 inches above the ground, and the forward ramp angle is 11 degrees.

Alternately, the rear opening can be positioned so that the floor is 54 inches off the ground and the aft ramp angle is 6.5 degrees.

This system of independently kneeling bogies which adjusts the cargo floor to appropriate loading heights can also level the deck laterally. If the airplane is sitting on ground which slopes to one side, leveling is achieved by adjusting the stopping position of the main gear yoke stopping collars on that side.

The operation of the flexible landing gear on the ground has another advantage: The gear can be extended to the higher takeoff position and then one bogie partially retracted to allow main gear wheel, tire or strut changing without jacking the airplane. A tire can be changed in less than 15 minutes.

When kneeled, the airplane is stabilized through the use of adjustable struts built into the aft underside of the fuselage.

FORWARD LOADING

The forward cargo door operates like a visor: it is hinged on both sides near the top of the fuselage and opens upward.

A fail-safe hydraulically operated rack and pinion mechanism on its centerline actuates it and provides additional support when it is open. It can be fully opened in about 20 seconds with power supplied from one of the airplane's engines or APU's.

Rising high out of the way, it is not susceptible to damage during ground loading operations. The raised visor nose clears the cockpit windshield allowing the airplane to be taxied when the visor nose is open.

The ramp itself consists of three sections.

Each is 19 ft. wide, the same width as the fixed cargo floor. The center section is stowed vertically with the integral toe plates hinged down at the top. The remaining main section of the ramp offers a loadable area 10.1 ft. long and 19 ft. wide; it holds two standard 88 x 108-inch pallets.

For drive-on vehicular loading, the ramp, when completely unfolded and lowered to the ground, forms an 11-degree incline.

AFT LOADING

The afterbody of the C-5A has been designed to produce minimum aerodynamic drag, and at the same time, provide ramp and door operation combinations which allow large openings required for aerial delivery and 19-ft. wide ground loading. Pictures of the fully operational C-5A mockup show both features.

There are three aft doors. The center door opens upward and then slides aft on tracks. It is operable in flight for airdrop missions, and provides an opening 13 ft. wide and 9.5 ft. high. The two side doors remain closed during the airdrop maneuver as seen in illustration 6 below right.

For ground loading operations, all three doors are opened; the center door swings up, the two smaller side doors swing outward. Fully opened, they expose the full 19-ft. cargo compartment cross section. There is a 12.5 ft. clearance above the aft ramp enabling the loading and unloading of virtually all Army vehicles through either end of the airplane.

The non-tapered aft ramp is full-width, 19 ft., and is 13.5 ft. long; this entire area is loadable. An additional aft closure inside the cargo compartment stows vertically and serves as a pressure door.

Through a unique interconnected internal mechanism, this pressure door can be hinged at the top of the fuselage and rotated upward where it is out of the way for straight-in loading or for aerial delivery when only the ramp is utilized.

The unique design offers a third position; hinged down from the ramp, it becomes an extension and lowers to the ground for bulk and vehicular loading.

AIRDROP

As fast as C-5A off-loading is on the ground there's an even quicker way of delivering as much as 200,000 pounds of payload—and it can be done in seconds.

The C-5A has provisions for incorporating Aerial Delivery System (ADS) kits whose components are mostly of the quick-attach type thus ensuring quick convertibility of the airplane.

One type of ADS kit provides for the delivery of fully equipped paratroopers, it includes anchor lines, safety fences, jump signal system, deflector doors and actuation mechanism and a winch system for retrieving static lines.

Another ADS kit contains the winches, cables, ADS rails and rollers, and parachute extraction system for airdropping cargo on platforms. Platform lengths of 8, 12, 16, 20, 24 or 28 ft. can be loaded and an arming device can be sequenced to permit release of parts of the load in up to four separate passes. Four 50,000 lb. loads can be delivered in sequence.

FLIGHT DECK AND CREW COMPARTMENTS

Located on a fixed deck above the forward section of the cargo compartment are the C-5A flight station, relief crew area, and troop/courier accommodations. Access to the triple-sectioned area is provided from the cargo floor below via a stair ladder on the left side of the airplane just aft of the navigator's station.

Each compartment is acoustically treated and areas for relief crew sleeping (six bunks), relief crew seating (seven reclining seats) and passengers (eight seats) are isolated one

from the other. Galley and lavatory provisions serve the area and there are three separate baggage-storage and closet areas. Oxygen regulators, reading lights, windows and safety equipment are provided. Avionics, electrical and environmental service centers are also located on this deck; each is easily accessible for servicing.

The flight deck of the C-5A provides work stations for the pilot, copilot, navigator, engineer and observer. The configuration is similar to the C-141 with good visibility, vertical scale instruments showing propulsion and air data, white lighting throughout, and larger radar scopes.

All flight and navigational instrumentation provided on the pilot's panel is duplicated on the copilot's panel, while the center instrument panel contains the vertical scale propulsion instrumentation; the pilot's mapping, station keeping, terrain following and weather radar video presentation; the landing gear control unit, and other miscellaneous instrumentation. The copilot's side console contains an identical radar set. Flight director instruments are integrated with the flight control subsystem to provide pilot monitored automatic all-weather landing capability. A permanent observer's seat is installed on lateral tracks behind the center console.

The flight engineer faces outboard on the right side of the airplane. In addition to controlling environmental, electrical, hydraulics, fuel and APU subsystems at his station, he has use of the Malfunction Detection, Analysis and Recording Subsystem (MADAR). The subsystem is integrated into the flight engineer's panel and is used for inflight and ground trouble-shooting and systems operational analysis. A further description can be found on page 39.

The navigator faces outboard on the left side of the airplane. The primary controls for the guidance system are located here; they include the inertial doppler, multimode radar, Loran, attitude and heading reference unit and the bearing distance heading indicator. An energy management analog computer is provided to continuously compute fuel-range data. Particular attention has been given to multi-mode radar due to the importance of the C-5A's role in low-level, all-weather flying. All navigator station displays have been positioned for ease of reading and control. Mounting provisions for a periscopic sextant are installed on the airplane's centerline convenient to the navigator's station.

C-5A POWERPLANTS

Four of the world's most powerful turbofan engines, the General Electric TF-39-GE-1, power the big C-5A.

They are pylon-mounted front fan engines rated at 41,100 lbs. thrust each. Weighing about 7,150 lbs., each engine has a thrust-to-weight ratio of 5.6. The by-pass ratio is approximately eight to one. The large TF-39 is installed in a short-fan-duct nacelle with an intake diameter over 8½ ft.; the engine pod is nearly 27 ft. long.

Total airflow through the engine is approximately 1,500 lbs./sec. By far the bulk of this exhausts through the fan, and the remainder through the primary gas generator.

The engine features low specific fuel consumption compared to turbofans such as the TF-33, made possible by several advanced state of the art achievements, among them, a turbine inlet temperature 200-degrees higher than production engines of the middle 60's.

Thrust reversers

The TF-39 thrust reverser is the cascade type. Mounted in the fan cowl, it reverses only the fan exhaust; thrust of the primary stream is not reversed.

Up to 57% of the total thrust is effectively reversed.

The thrust reverser has good cruise performance, excellent reversing effectiveness,

good reliability and maintainability, requires a minimum of actuation power, and permits easy access to engine accessories.

Associated with the high by-pass ratio of the engines are several features which practically eliminate the likelihood of reverser-induced ingestion stalls on the runway. High reverse thrust forces are obtained by reversing only the fan exhaust stream. This air has an exhaust temperature of about 160-degrees F which is much cooler than the primary exhaust and thus eliminates most of the temperature distortion ingestion problems.

Not only is the temperature of this fan exhaust stream low, but the absolute pressure is relatively low—about 40% above ambient—so the extent of the pressure or velocity distortion incurred is minimized. Also, the reverser diverts these low-temperature, low-pressure fan gases uniformly around the nacelle rather than sideways towards adjacent engines.

The thrust reversers are designed to operate down to a reverser cut-off speed of about 30 kts. For maximum effort emergency descents, the two inboard engines may be reversed in flight.

Auxiliary power units

On the C-5A, two auxiliary power units supply electric, hydraulic and pneumatic power, and air conditioning on the ground. They are located, one each, in right and left main gear pods, aft of the struts. Either or both may be used for engine starts. The APU's are started by hydraulic accumulators.

PRIMARY AND SECONDARY CONTROLS

Lockheed's USAF C-5A has flight controls in conventional arrangement but incorporates added features which increase performance and reliability.

A split elevator arrangement atop the T-tail features four surfaces: the rudder is in two sections; and the outboard allerons are one-piece with additional roll control provided by spoilers on top of the wing forward of the flaps.

All of these are driven by dual irreversible servos supplied by three separate hydraulic systems.

The pilot directly controls the rudder, alleron and inboard elevator servos and his system is interconnected to the copilot's system to control the roll control spoilers and the outboard elevators. The interconnections can be sheared in the event of a mechanical jam to permit continued operation of either input system. Full operable augmentation enhances the handling qualities. Safe control of all three axes is maintained even after loss of two hydraulic systems.

A stallimiter in the elevator system serves to limit the angle of attack to a point less than stall. The system in no way restricts airplane operational capability, but will prevent unnecessary deep stalls.

Trailing edge flaps and leading edge slats provide high lift for C-5 takeoffs and landings.

Single-slotted Fowler-type trailing edge flaps are located six on each side of the wing for a total of twelve flaps comprising a surface area of 915 square feet. They deflect 40 degrees for landing and to an intermediate position for takeoff.

Each trailing edge flap is positioned by two single-stage ball screwjacks. A single torque tube, driven by a differential gearbox and incorporating dual hydraulic motors, interconnects the screwjacks and an automatic flap asymmetry brake.

The leading edge slats—seven on each side—utilize a similar concept for actuation.

The spoiler system consists of nine spoiler panels on each side, five of which operate with the allerons to provide exceptional roll control. All 18 are used on the runway to shorten ground roll and can be deployed automatically or manually to the spoil position on touchdown or for rejected takeoff.

For longitudinal or pitch trim, the horizontal stabilizer is positioned by an irreversible screwjack actuator driven by two separate hydraulic motors. There is a manual backup control which uses a lever and cable system. An automatic trim provision automatically positions the stabilizer during flap extension or retraction.

HYDRAULICS

The C-5A hydraulic power system is arranged to provide greater reliability than has ever before been achieved in an airplane. Eight engine-driven hydraulic pumps power four independent systems to operate flight controls, landing gear, brakes, and other hydraulic functions. They open and close the visor nose and aft doors, they raise and lower front and rear ramps.

Some new concepts in hydraulic units also add to reliability and maintainability. For example, power transfer packages provide operation of any hydraulic system from another system without transfer of fluid between systems. And Lockheed's new valve cartridge concept permits valve changes by crewmen without the requirement of disconnecting and removing valve housings.

Each primary control power package is supplied from at least two power sources at 3000 psi. In the event one source fails, pressure is available from the others. An APU-driven pump and an electric hydraulic pump add to emergency and self-sustaining capability.

The cleanest-ever hydraulic system is assured by filter design and location.

Pump discharge fluid from each pump is filtered with no-by-pass filters. Return fluid, before entering the reservoir, is filtered with a dual filter with 5 micron filtration at low flow rates and 15 micron filtration during the momentary high flow rates. Single point reservoir fill provisions are arranged so that fluid can be added to the system only after passing through the filter.

LANDING GEAR

The U.S. Air Force C-5A landing gear is designed for maximum flotation and minimum support field degradation, and has 28 widely spaced wheels.

Lockheed studies confirmed that for the highest flotation at the least overall weight, a bogie with six wheels in a tricycle pattern was better than any of some 700 other designs evaluated, and that the optimum number of main landing gear wheels is twenty-four.

The result is a main landing gear with four six-wheel bogies and a steerable nose gear with four wheels—28 wheels in all. The four nose wheels are the same size as the main gear wheels; each carries a 49 x 17-20 type VII tire with a 26 ply rating.

Support area fields

To fulfill its mission of strategic deployment, the C-5A is required to operate from terminals with existing concrete runways and into and out of support area airfields whose airstrips are, at best, hastily prepared and unpaved. Support area fields are characterized as having a load bearing capability of CBR4 soil overlaid with M-8 matting—or a gross CBR rating of 9 to 10.

In studies identifying the C-5A flotation performance level, computed flotation values were compared with those demonstrated in operational service and flight tests by the well-known C-130. Using the two airplanes and their CBR's as standards of comparison, studies indicate the C-5A flotation capability is almost as good as that of the C-130B. When operating on unsurfaced airfields, the C-5A main gear tire pressure is less than that of the C-130 and about half that of the C-141 and C-135.

The airplane is capable of sustained operation of 130 passes (takeoffs and landings) onto a support area field. The design features responsible for such high flotation are the

wide-track spacing and basic gear geometry previously described.

Landing on prepared surfaces

As unprepared surface landing was studied so too were the effects of landing the C-5 airplane on existing runways. Favorable flotation characteristics were revealed considering airports with both flexible and rigid runways:

Asphalt

On Zone of Interior flexible pavement runways, the C-5A closely matches the landing flotation performance of the DC-7B and is slightly better than the KC-135. It can successfully utilize fields classified for medium and heavy loads. At flight gross weight, the USAF C-5A requires an inter-city International Civil Aviation Organization Class 5 runway; at maximum gross weight, it requires an intercity express ICAO Class 4 runway.

Concrete

In studies of C-5A rigid pavement landing requirements, investigation necessarily considered wheel spacing, tire pressure and wheel loading.

These inter-relationships were compared with existing computations figured on airplanes flying today.

The findings were these:

The U.S. Air Force C-5A requires less concrete thickness than the 707, DC-8 or 727. The C-5A weight is distributed over a wide geometric footprint area. Its low tire pressure presents broad tire footprints at 28 different points. Thus, normal landings of this massive carrier are shown to be less critical to runway deterioration than a smaller aircraft whose weight, although lighter, is confined to closely spaced wheels with high tire pressures.

Struts

Support area landing, takeoff and taxi operations are assured by a double-acting strut incorporating a secondary absorption chamber which acts only on shocks which exceed 1.25 G's. This system absorbs bumps as high as six inches as it reduces peak impact loads and significantly decreases limit loads in back-up structure. It imposes significantly less wing bending loads during taxiing on rough ground. Double-acting struts also reduce runway damage.

Each strut can be raised or lowered independently; wheel-well doors can be rigged individually; thus, wheel changes and strut repacking can be accomplished without using wing jacks. Also, the bogie pattern of the C-5A is such that it is unnecessary to remove one wheel in order to remove another.

Retraction and kneeling

The nose gear retracts aft and up. It is placed in the kneel position by retracting to the proper degree against a bumper.

Kneeling is accomplished by pneumatically driven screwjacks.

Bogies of the main gear are retracted by first rotating 90 degrees around the strut centerline, then inward under the cargo floor.

Doors are mechanically linked to the landing gear.

Tire pressure

Lockheed's tire pressure control system, electrically controlled from the flight station, permits the pilot to deflate the 24 main gear tires to a pre-determined pressure setting. He can select the optimum tire pressure for the desired level of flotation to match his landing weight and field conditions. Automatic shut-off valves for each tire prevent under-inflation below a safe minimum.

On the ground, an on-board air supply is provided should re-inflation of the tires be necessary. The system also provides a readily available source of compressed air for strut and accumulator servicing eliminating the need for an air-compressor ground cart away from established bases.

Brakes

The U.S. Air Force C-5A has a multiple-disc brake system with fully modulated skid control system. Twenty-four sets of multiple discs—one for each main gear wheel—provide support airfield stopping power. The brakes are mounted on the axles. Brakes on all bogies are supplied by one hydraulic system with back-up provided by another independent system. Brakes can be supplied by either of the two systems selected by the pilot.

The skid control system provides optimum braking . . . does it smoothly, and reduces dynamic loads on the nose gear and its back-up structure.

Three additional C-5A landing gear features contribute to ease of landing, taxiing and ground maneuvering:

For cross-wind takeoffs and landings, all the wheels may be positioned up to 20 degrees to the right or left of center.

On the ground, the four-wheel nose gear is steerable 60 degrees to the right or left of center.

During taxi, the rear main gears are castered to prevent scrubbing and to allow the aircraft to turn around on a runway that is only 150 feet wide.

ELECTRICAL SYSTEMS

Primary electric power on the C-5A is furnished by a four-generator constant speed drive parallel system. C-5A engine-driven generators are rated at 60 kva with ample cooling provided to deliver 80 kva continuously. Size of the generators assures operation of the airplane's systems even with two generators and critical requirements can be met with only one generator.

For ground power, a 60 kva generator identical to the engine-mounted units is mounted on the right auxiliary power unit. External a-c power may be supplied through a standard receptacle.

The secondary d-c system is energized through two 200-ampere convection-cooled non-regulated transformer-rectifiers with a nominal output voltage of 27 volts.

Two 5-ampere/hour batteries provide power to open the inlet doors of the APU's and power to position fuel and hydraulic valves for APU starting. Ignition is provided by small generators driven by APU's themselves.

In the remote event of a complete power loss, an emergency a-c/d-c generator driven by a hydraulic motor furnishes a minimum of power to operate essential flight instruments, comm/nav and other equipment.

The entire C-5A electric system is monitored from a panel at the flight engineer's station. For simplicity and ease of operation, the system is presented on the panel in schematic form.

ENVIRONMENTAL SYSTEMS

The C-5 is pressurized and air conditioned. Engine bleed air drives two separate and individually controlled refrigeration turbines, one for the flight deck and one for the cargo area. The crew compartment unit has separate controls for secondary mixing of air for extra crew compartment temperature requirements. In an emergency, the cargo unit can supply the crew compartment.

With an 8,000 ft. cabin pressure at 40,000 ft. altitude, the system is designed to circulate 20 cu. ft. of air per man per minute for the flight station and relief crew area and 12 cfm for the troop area. For ground cooling, dual auxiliary power units cool the flight station and the rest area to 70° and the troop compartment to 80° on a 103° day.

The nacelles are anti-iced with engine bleed air as are the wing leading edges outboard of the inner nacelles. The windshield is defogged and anti-iced by electric heat. Spray applied rain repellent fluid and windshield wipers accomplish rain removal.

The basic oxygen supply installation includes a 25-liter liquid oxygen converter to

supply flight and relief crew needs, while a 75-liter liquid oxygen converter supplies personnel in the aft troop seating area. Should personnel be carried in the cargo compartment, each seat pallet would carry its own self-contained emergency gaseous oxygen supply.

AVIONICS

The C-5A includes avionics which will allow it to operate with precision over sea and land areas without ground-based nav aids; fly in formation under instrument conditions at 2,000 ft. separations; make adverse weather landing approaches at support area fields without benefit of ILS or GCA; and airdrop cargo in adverse weather within 100 meters of the computed air release point. Some of the guidance, control and comm/nav equipment planned for the C-5A are described:

Doppler-Inertial Navigation.—This equipment includes a 1.0 nm/hr. inertial platform, an improved K_u band doppler radar, and two digital computers. This equipment operates in a doppler-damped-inertial, free inertial or doppler mode with the capability to update present positions with inputs from LORAN, multi-mode radar, or visual fixes. In addition to navigation, the digital computers provide computed air release point or CARP computations, radar cursor drive, vertical navigation, LORAN coordinate conversion, and built-in test.

Multi-Mode Radar.—Consisting of two radars, this system operates one on X-band and one on K_a band, with each providing a back-up capability to the other for all modes. The K_a band radar provides the high-resolution ground mapping and radar approach to landing modes, with the X-band as backup. The primary functions of terrain following/terrain avoidance, contour mapping, weather contour, beacon operation, and back-up station keeping are provided by the X-band radar, with the K_a band serving as backup.

Radar Equipment.—The multi-mode radar allows all-weather terrain avoidance/terrain following flights at altitudes of 300 to 1500 feet. For airdrop, the radar operates in conjunction with the inertial-doppler navigation equipment to provide the capability to position the aircraft at the CARP to within 100 meters CEP; it can also be used for radar approach to landings on runways with no ground-based aids under weather conditions of 500 ft. ceilings and one mile visibility or 200 ft. ceilings and ½ mile visibility with a beacon reflector on the ground.

Station Keeping equipment provides scanning and range tracking capability. As many as 36 aircraft flying in formation are scanned by the system which displays the positions of the other aircraft in the formation on the radar PPI indicator. Any selected aircraft in the formation may be identified on the PPI indicator.

The tracking capability allows the station keeping equipment to display the slant range to an individually selected aircraft on a range indicator.

Many units of solid state comm/nav equipment developed for common military and commercial application are provided on the C-5A. The HF, single side-band equipment contains a power amplifier to provide one kilowatt of transmitted power. Crash analysis data is recorded and ejected with a transmitter in the event of mishap. Accurate roll and pitch data and directional gyro and magnetic compass headings are furnished to the aircraft instruments by dual Attitude and Heading Reference Units.

Communication: Dual VHF, Intercom (AIC-25); dual UHF, P.A. (AIC-13); dual HF (SSB), VHF-FM.

Navigation: Loran, dual ADF; rendezvous radar beacon, dual VOR/LOC; SIF (APX-64), dual glideslope; marker beacon, dual Tacan. **AND:** Crash position indicator recorder, dual heading reference.

FUEL SYSTEM

The C-5A utilizes a simple and reliable fuel system. All of the fuel is contained in the wing in 12 integral tanks with a total fuel capacity of 49,000 U.S. gallons. A single common manifold extending all the way across the wing is used for refuel, crossfeed, jettison, and defuel operations.

Dual electric boost pumps in each tank furnish fuel under pressure to the engines. Engine feed is automatic; gravity feed is possible. Boost pumps are electrically operated centrifugal plug-in units, and are readily installed or removed through small access openings in the bottom wing skin without draining the tanks.

The C-5A is fueled through four receptacles, two in each main gear fairing forward of the wheels, each capable of receiving 600 gallons per minute or a combined maximum rate of 2,400 gpm at 50 psig. Refueling may also be done through conventional over-the-wing filler caps. In flight, the airplane can receive fuel from a tanker through a receptacle in the forward fuselage.

Jettisoning, if desirable, is accomplished through two dump masts in the wing trailing edge.

The C-5A fuel system is presented in schematic form on a management panel at the flight engineer's station. Here, all operations including fueling and defueling are controlled by the engineer.

MALFUNCTION DETECTION, ANALYSIS AND RECORDING SUBSYSTEM

The Malfunction Detection, Analysis and Recording Subsystem (MADAR) answers an urgent need for better and faster system-trouble diagnosis while in flight or on the ground by monitoring the performance of selected aircraft subsystems—including itself. If failure or marginal operation occurs, the subsystem senses, locates, and identifies the malfunction much more quickly than manual methods. And it goes one important step further: It tells what line replaceable unit (LRU) should be replaced and how it is accomplished. MADAR operates by scanning and analyzing over 800 test points, most of these automatically. Others are monitored upon demand at the discretion of the operator. For a diagnostic check, the flight engineer calls for a live wave form on a scope. At the same time, the MADAR furnishes comparative wave forms from its random access memory bank and projects them onto the screen adjacent to the live wave form. The flight engineer compares the forms and by progressive selection, pinpoints the malfunction down to the part number of the faulty unit. The operator can call up the tech order data and maintenance instructions pertaining to that unit from within the subsystem's memory bank. Screen-projected information can advise the operator what corrective action should be taken, what part or component may require replacement, the location of the item, and whether he should radio ahead for a replacement to be waiting. MADAR is destined to reduce troubleshooting and maintenance and contribute to overall C-5A mission capability.

MAINTAINABILITY

All the service and maintenance functions on the C-5A have been carefully considered in the aircraft design so they may be executed in the easiest manner in order to contribute to operational availability and overall cost effectiveness.

Some of the features are derived from MAC's suggestions already incorporated into the C-141. Others are new, including the mentioned time-saving Malfunction Detection, Analysis and Recording Subsystem which locates potential trouble spots and identifies replaceable parts quickly, and newly designed quick-attach clamps for installation of hydraulic power transfers, hydraulic pumps, constant speed drives, generators and hydraulic motors. Further, con-

ventional hydraulic system components such as reservoirs, check valves, accumulators and flow regulators have been compacted in the C-5A hydraulic system. The cartridge-pack concept consolidates filters, regulators, and valves into much less space, reducing tubing runs, connections, and attendant leakage potential. Improved, more compact service center arrangements are possible. Interchangeability is increased. Extensive use of cartridge packs in the C-5A results in maintenance man-hour reductions.

Hydraulic systems are connected in such a way that one system's fluid is not transferred to another during power transfers. Reversible power transfer packages are employed, and power transfer is accomplished through mechanical interconnection. Servicing provisions do not require the opening of a reservoir, and all systems may be serviced from a central location. Although hydraulic ground test connections are provided on the C-5A, the APU is capable of supplying hydraulic power to any system through reversible power transfer packages. All hydraulic filters contain a condition indicator as do pump case drain return lines. These indicators give reliable information concerning condition of a filter or hydraulic pump.

Cable servos are used in all primary systems. Servo packages are modular and mounted on brackets with face seals for interchangeability without breaking hydraulic fittings.

Landing gear design features have been mentioned in the section devoted to C-5A systems, but wherein they contribute to easier servicing and maintainability, their advantages bear further description. A single bogie of the main C-5A landing gear, having the ability to retract or partially retract while on the ground, reduces time/costs in gear maintenance. Jacking the aircraft is unnecessary to change a tire, change a strut, or change the brakes.

The huge airlifter's empennage approaches six stories in height, but access ladders within the vertical stabilizer make it easy to reach the attach points for the rudder actuators, the interior and top of the horizontal stabilizer, and other items on the rear beam of the vertical stabilizer. And interior lighting is installed.

These features facilitate maintenance and help reduce AGE needs—particularly valuable at remote area bases.

Components in the C-5A environmental, hydraulic, avionics and electrical systems have been concentrated into service centers located inside the aircraft for both ground and inflight accessibility. They are strategically located in areas near the functional application of the respective systems. Typical of these systems is the environmental system service center which is located at the aft end of the troop/courier compartment and forward of the front wing spar. It has walk-in access; components are grouped together. Most troubleshooting is confined to this one area instead of throughout the aircraft.

Similarly, most avionics equipment units, almost all of which are solid state, are mounted in easily accessible racks on the left side of the relief crew compartment.

Auxiliary power units are associated with ground servicing, and the C-5A has two. One drives a 60/80 kva generator; the other drives a 100 HP hydraulic pump. The pump and generator are identical to those units installed on the engines.

Rapid turn-around at MAC bases or forward support areas can be accomplished in an extremely short span of time considering the size of the aircraft and its massive payload. At established bases off- and on-loading plus servicing takes only 50 to 60 minutes.

Unloading and loading require 39 minutes with two 40K loaders at each end. Oxygen servicing requires 10 minutes, the gallery can be serviced in 14 minutes, the lavatory in 5 minutes, and the normal fueling rate of 1200

gallons-per-minute permits a 40-minute refueling time for a ten-hour mission. Engine oiling adds 9 minutes. All servicing operations take place simultaneously; only fueling and oxygen servicing are isolated, so the limiting factors are their combined service times, a total of 50 minutes turn-around.

Rapid support area turn-around times depend upon docks and loaders available at the site and vary from 19½ minutes to a minimum of about five minutes under varying conditions.

The use of self-sealing, plug-in fuel pumps and replaceable valve actuators help speed and simplify fuel system maintenance. Service or replacement does not require tank draining. Whenever fueling and servicing jobs are performed on the C-5A, and under whatever conditions, they are facilitated by simultaneous servicing operations at strategically located points in and about the aircraft.

Servicing different systems does not conflict one with the other, nor does servicing interfere with loading and unloading operations which occur concurrently, fore and aft.

SYSTEM PERFORMANCE AND MISSION PROFILES

The level of performance achieved by the U.S. Air Force C-5A emphasizes flexibility to meet various MAC mission demands.

It easily transports 100,000 lb. for 5,500 nm.—the basic mission—operating at the 2.5g load factor, taking off at 712,000 lb. gross weight in 7,500 feet.

The C-5A can deliver 220,000 lb. to a point 2,700 nm. distant flying at 440 kt., and can transport 200,000 lb. the same distance cruising at 460 kt.

At the 2.25g load factor, 265,000 lb. payloads are transported 2,500 nm. at 460 kt.

The speed at which the C-5A cruises is a factor dependent on mission requirements. In general, it can be optimized for fuel economy at the long range cruise speed of 440 kt., but when MAC missions demand expedient delivery of cargo, cruise speeds to 470 kt. can be selected. Speed/altitude, payload/range, and other performance data charts follow this section.

Emphasizing flexibility again, several typical mission profiles are presented illustrating combinations of large payloads carried at high speeds; a 100,000 lb. payload re-supply mission into a support area field and return to home base without refueling; and other mission possibilities.

A WORD ABOUT COST EFFECTIVENESS

The Military Airlift Command faces the tremendous challenge of quick movement of troops, weapons, military equipment and supplies anywhere in the world. This airlift capability, a prime requirement of national security, is being obtained at the least possible cost with the C-5A.

Ever mindful of cost effectiveness, like the military, Lockheed devotes much consideration to economic studies. Although not a program requirement of the C-5A contract, one of the main concepts behind the development of the C-5 is cost effectiveness. Aside from the inherent economies of operating a very large aircraft system, this new airlifter incorporates economy-inspired efficiency designed to provide maximum military worth. For example, easy loadability saves time; excellent maintainability reduces lost productive time and cost; and high reliability greatly reduces aborted missions. Thus the C-5 is highly productive and produces a lower ton-mile cost than ever before attained in military airlift.

Operating Costs.—The direct operating costs of the C-5A bring new economy to military airlift operations. Whereas the airplane can be expected to cost more to operate per aircraft mile than smaller cargo transports, it can do more work . . . three times as much as the C-141, for example. The C-5A direct operating cost is just 2.1 cents per ton-mile—a 50% improvement over present military cargo jets—and a record bargain for airlift costs.

$$\text{Cost effectiveness} = \frac{(UE) \times U \times V_s \times P \times C_p}{\text{Cost}}$$

Several elaborate cost-effectiveness formulas have been developed. In this instance *UE* is unit equipment—the number of airplanes for six squadrons; *U* is utilization rate, the hours flown per day; *V_s* equals block speed, the time between two given points at optimum cruise plus 15 minutes; *P* is average payload; *C_p* is a payload correction factor for terminal effectiveness imposed by the landing runway length. Cost is interpreted as the system acquisition cost plus 10 years total operating expenses for the system.

Mr. GOLDWATER. Mr. President, for example, in performance, the C-5A can take off over a 50-foot obstacle with a basic mission weight in a run of 7,500 feet. It can land in a distance over 50 feet with a 100,000-pound payload in the middle of a 2,500 nautical mile radius mission at 4,000 feet.

I was in the aircraft when it landed and stopped in less than 1,500 feet. Its range with a 220,000-pound payload is 3,050 miles, and with a 112,600-pound payload it is 5,500 miles. Its ferry range is 7,200 nautical miles.

Its weight has never been approached before, although we do have in the Boeing 747—basically a passenger plane, but one which can be used for cargo—weights approaching this.

The flight design gross weight at 2.5 gravity is 728,000 pounds. The flight design gross weight goes up to 764,500 pounds. The maximum landing weight is 635,850 pounds.

The cargo compartment will total 34,750 cubic feet, and the palletized volume, including ramps carrying 36,463 pallets, will total 19,020 cubic feet.

It carries a crew of six and an alternate crew of six, and will seat eight couriers and 75 troops in the upper compartment.

Incidentally, if we wanted to carry 1,000 troops in this aircraft, it could be done. For the lay person, who knows what a Cadillac looks like, 50 can be put in this airplane. I have not calculated the number of Volkswagens, but according to the way that car is selling, we could not get that many to try it. The plane could carry six Greyhound buses at one time.

It has a fuel capacity of JP-4 fuel of 49,000 U.S. gallons. That is roughly close to five railroad tank cars.

I am informed by my learned friend, the Senator from Pennsylvania (Mr. SCOTT), that 88 Volkswagens could be placed in this aircraft. I thank the Senator. They look like they would be very friendly in the plane.

It has a single point refueling rate of 2,400 U.S. gallons a minute.

The landing gear is an interesting mechanism. There are 28 tires, and they cost \$250 apiece. I might comment that the Air Force has effected a reduction from \$500 to \$250 to obtain this tire. There are four nosewheels and six each on the main gear bogies, as they are called.

I will cite just two loads, because many Senators have served in the infantry, and will recognize what I am talking about.

Load 1, which totals 219,928 pounds, will carry a D-8 tractor, a warehouse trailer, one M-35 truck with trailer, three 2-ton forklifts, three Larc V's, one refrigerator stake truck, one M-43 ambulance with trailer, 58 drivers, troops, and support personnel.

Another load, which I use as an indication of what this airplane can do, will include one M-48 bridge launcher, four M-151 one-quarter-ton trucks with trailers, two M-170 ambulances, two UH-1D helicopters, two M-54 5-ton trucks with trailers, two M-37 three-quarter-ton trucks with trailers, and 52 drivers, troops, and support personnel.

I cite these figures merely so that Senators may have an opportunity to read them in the RECORD in the coming days and know a little better what we are talking about and also understand a little better the costs of this airplane, in the period it was conceived, in the period since the so-called overruns.

At the suggestion of the chairman of the Committee on Armed Services, the Senator from Mississippi (Mr. STENNIS), I went to the Georgia plant of the Lockheed Aircraft Co., at Marietta, and flew the C-5A. Out of that experience and material furnished by the Defense Department, I should like to relate to Senators a few things about the airplane, to give some balance to all the talk about the contract.

I wish to emphasize what the chairman has emphasized time and time again. It is the airplane itself and the need for it that are really at issue today.

Of course, my first flight was very limited. I was not permitted to take off or land the airplane because it was the property of the Department of the Air Force, but I am looking forward to following up on that checkout this fall.

Following the pretrial flight, I was allowed to take the controls and let down into the landing pattern. As I said, I am looking forward to checking out the aircraft, because I have flown practically every airplane we have in our inventory—all the big ones—and I have never seen one this big—it is nearly as large as a football field—handle so easily. I was impressed by it. It has slow characteristics, a feature which is important in judging the worth of an airplane such as this. I was impressed with the ease with which it handled.

I might say, without speaking in a negative way about any other aircraft, that it is typical of the Lockheed Co., and I think I have flown every plane they have produced since the Lockheed brothers started making them.

Of course, the fact that the C-5A has excellent performance, as with any new airplane, has always been a bitter pill for critics to swallow. They had to find something to criticize. One of the things was the decrease in sink upon landing, and another was on reducing from 205 knots to 180 knots. The Air Force explanation of these points is clear. All the changes made, including these two, were made to produce a more balanced design at a reduced cost of the aircraft.

We were talking about performance, at which we could only guess. We were talking about an airplane which no designer in the country said could not be accomplished. There remained designers who questioned the ease with which it could be done and particularly the cost. None of the changes, including these two, permit any lowering of the basic require-

ments of the aircraft. As of today, it is meeting and in most cases is exceeding, requirements which have been upgraded to some extent by insistence on the part of the company that they upgrade where they can. Some of the upgradings have been very expensive.

If memory serves me correctly, the Lockheed Co. made close to 100 modifications of the aircraft, and the Air Force has made a half dozen. The sink return still allows it to operate at the equivalent of FAA standards. The two changes mentioned plus several even more minor changes were allowed by the Air Force, and, in turn, the Air Force made changes. Increases in the amount of testing have been provided by the contractor.

I wish to comment on one fact. Recently there was an article in the press that there was a failure in the static test on the C-5A. I will have to admit this.

The wing of the C-5 static ground test article experienced a crack in the right wing at 125 percent of design load on July 13, 1969. This specimen is a full-scale fabrication of the C-5 structure produced for ground test of flight loads. The flight condition being simulated was a pullout maneuver with 220,000 pounds of cargo. The test loads, when the damage occurred, were 3.1 times level flight loads or the equivalent of 1.25 times the maximum maneuver load expected in normal operations of the aircraft.

I might add that I know of no other modern jet aircraft which has been able to perform static tests on wings as well as this aircraft, with 125 percent of the design load. It is designed for a 2.5 g maximum and it could be far in excess of that.

Subsequent component testing by the contractor, under Air Force surveillance, shows that the failure occurred in the lower portion of the rear wingspan just outboard of the fuselage. Analysis of this failure and the verification of a "fix" have not yet been completed. Current evidence indicates that a solution to the problem will not require extensive re-design and that a relatively simple strengthening of the structure will be satisfactory.

The continuing analysis disclosed that the problem is localized.

Flight test is continuing, and this event is not expected to delay completion of the flight test program.

My good friend from Wisconsin (Mr. PROXMIRE) and I got into a discussion a little earlier on some of the characteristics of this airplane. I shall discuss that matter briefly now.

The amazing thing about this airplane is the cost per ton-mile at which it can operate. For the C-5, while the cost per flying hour is \$1,046, the cost per ton-mile is \$2.09. We can look at the C-124, a propeller-driven heavy airplane, which has a cost per flying hour of \$503.

Mr. President, I ask unanimous consent to have printed in the RECORD a table entitled "Airlift Service Industrial Fund—Direct Operating Cost Plus Military Pay."

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

AIRLIFT SERVICE INDUSTRIAL FUND—DIRECT OPERATING
COST PLUS MILITARY PAY

Type aircraft	Cost per flying hour	Cost per ton-mile (cents)
C-124	\$503	19.7
C-133	649	9.4
C-141	531	5.3
C-5	1,046	2.9
C-9	405	

Mr. GOLDWATER. Mr. President, the table which I have had printed in the RECORD also includes the C-133, the C-141, the C-5 and the C-9.

In connection with the C-5 the figure of 2.9 cents per ton-mile is a remarkable figure. For example, railroads carrying generally bulk commodities show a figure of 1.31 cents, trucks carrying generally high value commodities show a figure of 6.60 cents per ton-mile. Domestic water carriers show less than one-half a cent per ton-mile. International water carriers—and this is ocean freight by cargo—for dry bulk is .07 cents. For all international water carriers the average is 1.10 cents per ton-mile. Comparing the aircraft with the water carrier, I think the cost factors will more than overbalance the difference between 2.9 cents and 1.10 cents. With respect to domestic air carriers, the tonnage cost is 19.51 cents a mile.

These estimates are supplied by the Department of Transportation on the basis of preliminary 1968 information. They include revenue.

I shall comment on one more item before I move from that point. What will the MAC fleet, the Military Airlift Command Fleet, look like when the four squadrons of C-5A's are finally incorporated in it? It will replace three squadrons of C-133 aircraft, which equal 38 aircraft; it will replace three squadrons of C-124 aircraft, or 48 aircraft.

Some of these may eventually go to reserve or the National Guard and would be a MAC backup similar to the situation we have today. The elimination of these aircraft will result in MAC being completely jets. The MAC C-130 aircraft have been transferred to TAC.

C-5A—REQUIREMENT, MISSION, AND
CHARACTERISTICS

Our national interest dictates that the United States have the capacity to support the rapid deployment of U.S. forces. The capability to provide this support with a rapid response of limited but effective U.S. forces followed, if necessary, by a more massive buildup, greatly reduces the risk of smaller incidents developing into major conflicts. The capability for rapid deployment gives the Department of Defense the added flexibility in planning for peacetime deployment and basing never had before.

The rapid deployment of effective forces requires a capability: First, to airlift all the necessary Army equipment including weapons and vehicles; second, to airlift the troops with their equipment; third, to organize the force arrival into effective increments; and fourth, to provide sustaining support.

The design of the C-5A was optimized to accomplish this. It will transport all items of weapons and equipment of an Army division concurrently with the per-

sonnel associated with the equipment. Thus, unit integrity is maintained.

To avoid possible confusion with respect to the mission of the aircraft, it should be pointed out that the C-5 is not a personnel transport; rather, it carries only the personnel associated with the equipment transported.

No other aircraft can accomplish this mission. The C-141, our largest operational jet transport, has established an outstanding operational record. However, it can carry only about 65 percent of infantry division vehicle types and 71 percent of armored division vehicle types. Such essential items as tanks, bridge launchers, armored personnel carriers, and helicopters cannot be carried in the C-141.

The C-5A gross weight is approximately twice that of the C-141. It has about three times greater payload/range capability. Its cargo compartment has over 4½ times the volume of the C-141. Yet, the C-5A can operate from more primitive airfields.

Many unique features have been designed into the C-5. These include full width openings, fore and aft, which provide a drive-through capability; high flotation landing gear which permits operation on relatively unprepared airfields; a kneeling landing gear to lower the cargo floor to truck-bed height to facilitate bare base loading and unloading; a complete aerial delivery system; a heavily stressed cargo floor for free maneuvering of heavy vehicles; self-contained avionics and navigational systems which permit adverse weather landings without ground-based aids; the ability to deflate the tires while in flight so that they can land on soft ground or grass and land in a distance of less than 1,500 feet; and a number of other special features which are available in no other aircraft.

AIRCRAFT'S PERFORMANCE

Manufacture of the first five C-5A's, which are development test aircraft, has been completed. These five have flown over 428 hours during a total of more than 135 flights. One of the aircraft is now being tested by the Air Force at Edwards Air Force Base in California, which is our test center. The initial test results have been encouraging. Normal development problems have been encountered. However, the Air Force's best estimate, based on preliminary data accumulated to date, is that the airplane will meet all performance guarantees.

OPERATIONAL AIRCRAFT

The first operational C-5A is scheduled for delivery to the Air Force in December of this year. I must say here that there may be a delay in this delivery, a delay for which, I understand, the company will pay something like \$12,000 a day in penalties. The first squadron should achieve its initial operational capability next summer, probably July or August of 1970. As I indicated earlier, this is a slip—a slip of about 6 months.

COSTS EXPERIENCED

For planning purposes, the current program calls for the procurement of 120 aircraft for six squadrons. Fifty-eight aircraft are on contract. Five R.D.T. & E. aircraft and 53 production aircraft constitute run A. The run A production air-

craft were approved in the 1967, 1968, and 1969 budgets in quantities of eight, 18, and 27, respectively.

An option was exercised prior to its expiration date in January 1969 to procure an additional 57 aircraft, known as run B. Twenty-three of these are in the fiscal year 1970 budget now before Congress. These aircraft will complete the fourth squadron. There is no need to debate now whether five or six squadrons are needed. A decision on further quantities of aircraft will be made in the formulation of the fiscal year 1971 budget. It should be emphasized that this option is basically for contractual planning purposes. The Government is not committed to procure any of these additional aircraft. Congress must first approve.

The Government's contractual liability, as governed by statute, is limited to the 58 aircraft on contract, plus \$72 million which was in the fiscal year 1969 budget for long lead items for aircraft in the fiscal year 1970 budget.

Through fiscal year 1969 the Congress has appropriated about \$2.5 billion in R.D.T. & E. and procurement funds for the C-5. Of this amount about \$1.9 billion has been expended. The fiscal year 1970 budget requests funding for the C-5 as follows:

[In millions of dollars]	
R.D.T. & E.	34.2
Procurement	742.8
Weapons system (above line)	(533.0)
Spares (below line)	(209.8)
Over target	225.0
Total	1,002.0

The aircraft procurement amount is for the production of 23 aircraft at an average gross flyaway cost of \$23.522 million.

The over target amount needs special explanation. Congress requires the Air Force to fully fund procurement for the target amount for each fiscal year's procurement. Thus, each fiscal year's buy must be adjusted to cover the difference between target and estimated ceiling. For instance, the eight aircraft in the fiscal year 1967 buy will cost more than the target and consequently more than was budgeted in fiscal year 1967. Likewise, the 18 for fiscal year 1968 and the 27 for fiscal year 1969 will cost more than targeted and budgeted. For the fiscal year 1967 through 1969 programs, the Air Force has tentatively identified a funding deficiency of \$649.1 million which the Secretary of Defense has included in his report to the Congress on overruns. Since expenditures and aircraft deliveries from a given year program extend over 2 to 3 years, it is estimated that the Air Force needs \$225 million of this deficiency amount in fiscal year 1970 to apply to the buys in earlier year budgets.

The amounts required later will be reassessed in the light of actual experience and appropriate amounts will be requested in the fiscal year 1971 and fiscal year 1972 budgets.

Addressing this large amount at one time highlights a major problem with this type of contract. As was discussed with the House Armed Services Committee, the concept underlying the contract for the C-5A is good. The mechanics of its administration, however, need revision. Building a fence around the en-

tire program is good, but a very careful appraisal is needed of exactly where the Air Force stands, they say at least once a year. I will say, having once been a businessman, and having looked at this contract, that I would feel happier with an auditor giving me a report after each day's work was finished. In one sense the Air Force is now dealing with a 4-year accumulation of problems, whereas the Air Force should have been able to deal with them year by year.

COST ESTIMATES

The first cost estimate made for the C-5 was \$3,116 million. This was made in October 1964. This estimate was based on parametric studies to determine the cost of a theoretical aircraft that could carry a payload of 100,000 pounds for 5,500 NM. It was estimated that such an aircraft together with its fuel and payload would gross 645,000 pounds, some 83,000 pounds less than the aircraft that was later actually contracted. It should be emphasized that this estimate was a rough standard which the Air Force had hoped would be accurate to within 10 to 15 percent. The basic purpose of the estimate was to evaluate the economics of the C-5 and to serve as a reference against which to evaluate contractor proposals and to measure program accomplishment.

I have to remind Senators that this estimate was made in constant 1964 dollars. At that time the Air Force was accustomed to doing business on a year-to-year basis and could not anticipate the drastic effect that inflation, as reflected by subsequently rapidly rising costs, would have on the program over a period of nearly 10 years. In retrospect, the Air Force cost analysts, most certainly, should have incorporated a large factor to compensate for inflation. However, had the Air Force predicted the drastic inflation that has actually taken place, there is a likelihood it would not have been accepted at the time.

The second cost estimate was made in April 1965. Again, it was based on parametric studies and was to be used as a rough standard to evaluate contractor proposals. This estimate was \$3.102 billion—about the same as the earlier estimate, and contractor proposals were reasonably close to these estimates.

In the Air Force's cost tracking procedures, there were indications in 1966 and 1967 that Lockheed would be over target and in the Air Force's preparation of the fiscal year 1969 budget in the fall of 1967 the background estimate was raised to some \$3.3 billion and Air Force representatives indicated in congressional testimony last year that the contractor's costs would increase by \$250 million.

Just after the hearings last year, there were reports from the field indicating a much larger overrun. Since the Air Force was dealing in estimates, their validity was questioned and further study was directed. In June of last year this study indicated that the program might cost some \$3.8 billion. Again, the estimates were questioned and an intensive study was directed culminating in an October estimate of cost to the Government of \$4,348 million. It is this estimate that

the Air Force is currently carrying. It should be pointed out, however, that it is also questioned. Lockheed, the manufacturer, for instance, does not agree with it—and it should be noted that these are estimates of costs that will not be fully incurred before 1973-74.

When this estimate was accepted as reasonable, the Air Force then went back to examine the original background estimate to determine where the Air Force had been wrong. It rationalized the difference between the original estimate and the \$4,348 cost to the Government estimate as follows:

[In millions of dollars]

Original estimate.....	3,116
Inflation (conversion of 1964 constant dollars to current dollars).....	500
Technical difficulties.....	382
Adjustment for a larger aircraft.....	350
Total estimated cost to Government.....	4,348

It must be noted that the \$4,348 million is an estimate of "cost to the Government." Later, it will be pointed out that on the basis of estimates, it is expected Lockheed will lose about \$285 million. This makes a total estimate to produce of some \$4.6 billion.

This then is the current "background" estimate. The background figures, which began at \$3.1 billion, were raised to \$3.3 billion for the 1969 budget, and are now \$4.6 billion.

These estimates include development and aircraft production only. They do not include spares, either initial or replenishment. There are two reasons for this. First, the target costs of the contract cover only development and aircraft production. Second, spares consist of two types, initial and replenishment, and in reality, are operating costs. They are reflected in varying amounts, depending on the number of years of operation covered and the utilization rates of the aircraft. So, to clearly separate and identify acquisition costs, the Air Force covers only development and aircraft production in the basic estimates. This is the way the Air Force has customarily discussed estimates with the committees of Congress; however, it may be appropriate to include initial spares.

OVERRUNS

A \$2 billion overrun is frequently quoted. It is important for the Congress to understand what is involved. There are a number of ways to reflect the increases in this program.

First, \$1,050 million; this is the difference between the original background estimate of \$3,116 million and the current background estimate of \$4,621 million described above.

Second, \$1,363 million; this is the difference between the original contract target estimate of \$2,985 and current estimated ceiling of \$4,348.

Third, \$618 million; this is the difference between the estimated adjusted target of \$3,730 million, made in accordance with contract provisions, and the current estimated ceiling of \$4,348 million which is the cost to the Government. This is the estimated overrun as normally defined.

Fourth, \$2 billion overrun; this is roughly the difference between one back-

ground estimate, with some spares added, \$3.4 billion, and a later estimate, \$5.3 billion, with spares and other items added, which were not included in the original estimate and not fully validated as requirements. Such a comparison, thus, involves apples and oranges.

CONTRACTING—TOTAL PACKAGE PROCUREMENT (TPP)

Total package procurement used on the C-5A program, simply stated, was an attempt to secure firm contractual commitments for performance, schedule and cost for R. & D. and production of the maximum feasible portion of a total weapon system program in a truly competitive environment. In the past the Air Force had traditionally completed the research and development phase, about 20 percent of total system acquisition costs, and then negotiated the production requirements for aircraft and associated data and equipment at a later date as best it could with the single contractor who had done the development work. This virtually eliminated effective competition for 80 percent of the total acquisition costs involved.

In view of the risks inherent in making commitments for operational hardware before it has been developed, as well as forecasting market conditions through 7 to 9 years into the future, a contractual framework carefully tailored to these risks was required.

A number of special provisions were incorporated into the contract to reduce unreasonable risks to both the Government and to the contractor. First, a special provision assigns to Lockheed responsibility for total system integration and performance. Second, was the use of a fixed price incentive type contract. The C-5 contract provides for sharing between the Government and the contractor in the event the actual costs are either less or greater than the target cost proposed by the contractor. In the event the contractor exceeds the target cost the Government will pay these costs up to a maximum of 130 percent of the established target cost. This 130-percent maximum liability is called the ceiling. Beyond that the contractor must pay all costs to complete his contract performance. For each dollar of cost over the target which the Government pays up to ceiling, the contractor—Lockheed—must give up a portion of this profit. Thus, the contractor is motivated not to exceed target cost. This is commonly called a profit-sharing arrangement.

A provision was included for an equitable adjustment of contract prices for changes in law which might increase labor costs, such as changes in social security rates or other changes in Federal statutes covering work conditions and fringe benefits.

Another provision provided an adjustment of contract price, either up or down, in the event there was an abnormal fluctuation in labor, material, equipment, and subcontractor costs over the projection included in the contract.

One of the largest items included in this overrun is the never before experienced high rate of turnover in the main factory and factories producing subcontracts for Lockheed. I inquired about that. I have never before heard of a turn-

over rate anything like that. Of course, to hire a man to fill a job who does not show up on Monday morning means that the job has to be filled, and that requires much cost and training.

A major provision of the contract is the repricing associated with a later option. Again, because of the uncertainties involved, this provision was designed to reduce catastrophic losses to manageable proportions or, on the other hand, if costs were substantially below target, to reduce excessive profits by providing a refund to the Government.

This repricing formula was in the proposed contract to which all the competitors bid. It provides that if the actual cost of the 53 production aircraft in run A exceeds the 130-percent ceiling, an upward price adjustment would be made for the next production run; that is, run B.

The Air Force estimate is that both Lockheed and General Electric will exceed the contract ceiling for R.D.T. & E. plus run A. Thus, the repricing formula would be employed in both cases to reset the production prices for run B.

Considerable misunderstanding and controversy have developed concerning this feature of the contract. It has been alleged that it permits the contractor to reap large profits on run B by running up the costs on run A. Also, that the formula provides a reverse incentive. These subjects are quite complex and do raise questions that cannot be clearly answered at this time.

The Air Force estimates that Lockheed will be in a loss position of \$671 million at the end of R. & D. plus run A in June 1971. This would appear to be a catastrophic loss—and the formula was designed to prevent this. Application of the formula to run B reduces the estimated loss to \$285 million.

It should be pointed out that Lockheed does not agree with these estimates. They consider the Air Force's estimates too high, and it is hoped they are right. There are also contract interpretations which will affect Lockheed's outcome, as well as the cost to the Government.

"Reverse incentive" means that for every additional dollar that Lockheed spends once it is over ceiling on run A there could be more than a dollar increase in ceiling in run B. By the Air Force's calculations this could happen in the event 91 or more aircraft are bought, which is the 33d aircraft and on of run B. The 33d aircraft would be part of a fiscal year 1971 buy of 20 aircraft which would constitute the fifth squadron.

A thorough reexamination of this situation will certainly be made prior to the procurement of a fifth squadron. If the decision is made to produce the fifth squadron and the possibility of a reverse incentive exists, an appropriate modification of the contract will be made prior to executing the order.

Even if the additional squadrons are not procured, a contract modification may be made, depending on the findings of a study directed by the Secretary of the Air Force.

SOURCE SELECTION

The source selection process was probably the most comprehensive ever con-

ducted. The entire process was summarized in a 30-page memorandum from Secretary Zuckert to Secretary McNamara dated September 23, 1965. This memorandum has been made available to the Armed Services Committees of both the Senate and the House, as well as to the Subcommittees for Appropriations of both the Senate and the House. The memorandum states that the source selection board, comprised of two Air Force major generals and two brigadier generals and charged with conducting a complete evaluation, unanimously recommended that Boeing be selected. The memorandum pointed out that the Air Force Chief of Staff, the commander of the Air Force Systems Command, the commander of the Military Airlift Command, and the Air Council by a three-fourths majority recommended Lockheed. It stated that the commander of the Air Force Logistics Command recommended Boeing. The committee has been provided a copy of the memorandum from the Chief of Staff of the Air Force to the Secretary of the Air Force recommending Lockheed.

The Air Force files on source selection have been made available to the GAO.

REPORTS TO CONGRESS

In the minds of many, public reports have created the impression that the Congress and the public have not been informed on a timely basis of the C-5 situation.

As was previously indicated, Air Force representatives told the Congress last year of an increase of roughly \$250 million. At that time the later increases had not been identified. These were identified and agreed to by OSD in the formulation of the fiscal 1970 budget—not completed until last December or early January. On January 13, Secretary of Defense's classified statement, containing a comprehensive discussion of the situation described in this paper, was delivered to the appropriate committees of the Congress. An unclassified version of this statement in somewhat less detail was also provided to the committees and to the press.

THE ECONOMICS OF THE C-5

Earlier, the requirement for the C-5 aircraft was addressed. The Air Force believes it is difficult to question the need for its truly tremendous capability to move quickly a significant military force anywhere in the world. It also opens a new era in air cargo.

Let me comment here on the Air Force position of wondering why there is any question of the need for this item. I have heard one answer, coming from those who oppose the requirement of the fourth squadron, to the effect that it would take the Army 30 days to get ready. All I have to say to that is that under Secretary of Defense Laird that is not going to happen. I remember what happened at the outset of the Korean war, when our troops just were not prepared for combat, and many units waited months and months before they were sent overseas because they were not equipped with such simple things as shoes, backpacks, rifles, and so forth. Under the present Secretary of Defense, the Armed Forces, in whatever strength they may be, will be adequately prepared

for the missions they are called upon to perform.

The C-5A does these things more economically, even at its increased costs, than can be done in any other way. One measure of its economics is "10-year cost per ton-mile," that is, procurement plus 10-year operating divided by ton-mile capability. This is estimated at 12 cents per ton-mile versus 16 cents for the C-141, its nearest competitor. Another measure is estimated direct operating cost as we compute it for the Airlift Industrial Fund. The C-5 costs are 2.9 cents per ton-mile versus 5.3 cents for the C-141. The C-130 is 9.7 cents per ton-mile, and the C-124 is 19.7 cents.

SUMMARY

In summary, the Air Force is in a very difficult situation with the C-5 program. To some extent an impression has been created that the large overruns of the contractor are simply being accepted, and that Lockheed will emerge from the contract with large profits. Nothing could be further from the truth. If the Air Force's estimates are correct, and the contract is terminated at the end of run A, Lockheed would have what could be judged a catastrophic loss—a situation which the overall contract was designed to prevent. Even if the added quantities of aircraft for run B are approved and placed on contract, Lockheed will still be in a large loss position—if the Air Force estimates which Lockheed disputes, are correct.

From the Government's point of view, the Air Force has an extremely tight contract, exerting unprecedented pressure on the contractor. As it now stands, it will unquestionably permit the Government to procure the C-5 at less cost, than under any other type contract.

The extremely complex contract has contributed to confusion and misunderstanding to those not intimately familiar with it.

The Air Force must obviously have to insure a better understanding of the situation. It will ascertain what, if any, changes are necessary. The first step is to complete the review which the Secretary of Installations and Logistics is conducting at the direction of the Secretary of the Air Force and Secretary of Defense.

In the meantime, it is clear that the program is going to cost more than originally estimated, regardless of the semantics of "overruns" and agreement as to what constitutes an overrun. Exactly how much the added costs will be, no one can be sure. It is clear that they are upward of a billion dollars, probably on the order of a billion and a half, with a large part attributable to inflation. The aircraft itself is proving to be excellent, fully capable of performing its mission, and worth its cost.

In my humble opinion—and this statement comes from a conservative—it is very worthwhile in its cost.

Before closing, I wish to comment again on something that I think many of my friends in the Senate, who in their own minds look to the budget as a source of cuts, seem to overlook. I have pleaded on numerous occasions with the chairman of the Policy Committee to reopen our studies on the commitments we have

made to more than 44 countries around the world, 17 of which, with no fiddle-faddle language, say we are going to war.

Until we in Congress know what is meant by that, and whether we are going to live up to our treaty commitments, I do not know how we can really exercise, to the extent that many Senators would like to exercise, the constitutional charge of providing for the defense of our country.

We do not know, for example, whether we will have future wars in which an aircraft carrier might be required. We do not know whether we will have ground wars in which a tank will be needed.

Parenthetically, many friends of mine who are in the military say that if we ever develop the Cheyenne helicopter, it will become our tank and antitank. I hope that we can work out the bugs involved in the project.

I feel so strongly on this matter that on a visit to the President in California I stated that, in my opinion, until he made it clear to the people of the country, preferably by appearing on television some night, just how he felt about the commitments prior Presidents had entered our country into and what our position might be on the maintenance of the duty we have assumed, there is no way in the world in which we can sit here and sensibly cut the budget by tens of billions of dollars.

I personally think that the committee, most of whose members have an excellent knowledge of the military and foreign policy entanglement, did an outstanding job under the Senator from Mississippi (Mr. STENNIS), the chairman of the committee, in reducing the amount as much as it has.

Much as I appreciate the sincerity of Senators who have formed the committee to have peace through law and reduce expenditures, until we know where we might be next month, next year, or 10 years from now relative to these 17 commitments to go to war, I do not want my grandchildren to say about their grandfather that he very foolishly cut something out of the budget that he might have thought needed cutting, but which time proved was not correct.

Mr. President, with reference to the colloquy engaged in by the Senator from Mississippi (Mr. STENNIS), the Senator from Wisconsin (Mr. PROXMIRE), and me relative to what the position of the Systems Analysis Group in the Pentagon really is, I ask unanimous consent that there be printed at this point in the RECORD the letter written by the Senator from Wisconsin on September 2 to Hon. Melvin Laird, Secretary of Defense, and Mr. Laird's reply on the same date addressed, "Dear BILL."

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

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
Washington, D.C., September 2, 1969.

HON. MELVIN LAIRD,
Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: After repeated verbal requests from my office first, to Dr. Selin and later to various DOD Legislative Liaison representatives, I am putting in writing my re-

quest for the two documents concerning the C-5A which I requested in mid-August. Dr. Selin indicated to my staff at the first request that he was fully aware of what the documents were. There is no real problem about their identity.

First, I want a copy of the economic memorandum dated November, 1968 which examines the economic justification for the C-5A plane.

The second document is the strategic study entitled "Major Program Memorandum for Strategic Mobility Forces," dated June, 1969.

Both were prepared by and are in the Office of Systems Analysis of the Secretary of Defense.

I have told the Senate Leadership that I would not agree to a time limitation or vote on my amendment until 24 hours after I received these documents.

To expedite matters I hope that a non-classified version of them can be delivered by courier today.

With best wishes,
Sincerely,

WILLIAM PROXMIRE,
U.S. Senator.

THE SECRETARY OF DEFENSE,
Washington, D.C., September 2, 1969.
HON. WILLIAM W. PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR BILL: Thank you for your letter of September 2nd concerning two documents relating to the C-5A prepared in the Office of the Assistant Secretary of Defense for Systems Analysis. I hope I can clarify any misunderstanding concerning the work of the Office of the Assistant Secretary of Defense for Systems Analysis and the Assistant Secretary's recommendations to me in connection with the C-5A program.

The job of the Systems Analysis staff is to make critical appraisals of defense programs. In their review and evaluation they examine both sides of an issue, but especially the critical side, since others will emphasize the positive aspects of an issue. This is an essential function of significant assistance to me. But, critical studies are not the only basis on which decisions are made. They are part of the wide variety of information I need to draw conclusions and make judgments on defense programs. However, if internal, critical studies prepared by the Systems Analysis staff continue to be given public expression and used as the source for attacking DoD programs, their valuable contribution to the defense decision-making process will be significantly reduced.

Furthermore, I asked the Assistant Secretary of Defense for Systems Analysis to conduct a review of the C-5A, and this searching evaluation raised doubts about the need for the fifth and sixth squadrons. However, after a critical examination of this issue, he firmly recommends and supports a fourth squadron. The FY 1970 budget includes only the fourth squadron.

With respect to providing unclassified versions of the Major Program Memorandum and other internal working papers, these usually lengthy documents are prepared only in classified form for the internal use of the Department of Defense components involved in the decision making process. The reason this particular MPM is classified is that it contains details of our war plans.

Since Senator Stennis has expressed an interest in this subject, I am sending him a copy of this letter.

Sincerely,

MELVIN R. LAIRD.

Mr. GOLDWATER. Mr. President, I am sorry that the Senator from Wisconsin has retired from the Chamber. However, I point out that the Secretary said in his letter:

However, after a critical examination of this issue, he firmly recommends and supports a fourth squadron.

The "he" to whom he referred was Mr. Selin, who, I understand, occupies a high place in the formulation of papers emanating from Systems Analysis.

It is clear that not only the Secretary of Defense and the Secretary of Air, but also the Systems Analysis Group, have approved the fourth squadron. That is why I have spoken today in support of the chairman in asking that the Senate overwhelmingly reject the amendment.

Mr. President, I ask unanimous consent that a very perceptive and strangely timed article written by Holmes Alexander a day or two ago be printed at this point in the RECORD. I say what I do because the title is, "The Interlocking Directorate Against the Military."

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

THE INTERLOCKING DIRECTORATE AGAINST THE MILITARY

WASHINGTON, D.C.—You see the U.S. military getting kicked around, and then you look to see who's wearing the boots.

One pair fits Arthur Waskow. He was recently arrested for trespass and nuisance at the Pentagon. He was an organizer last January of the Counter Inaugural, was a founder last year of the New (Eugene McCarthy) Party which became the New Left, was in the infamous Pentagon March a couple of years back. He is mixed up with the pornographic Free Press and is sympathetic with race riots, but against other sorts of warfare. He expresses his governmental philosophy in a book titled "Creative Disorder." He is resident fellow at the Institute for Policy Studies here.

This Institute for Policy Studies is quite a catch-all. A co-director is Marcus Raskin. He was indicted, along with Yale Chaplain Coffin and Dr. Benjamin Spock, for conspiring to violate the draft laws. He belongs to the New Party, the New Left, has got connections with Black Power and Students for a Democratic Society. He was a staff member under President Kennedy on the National Security Council. Raskin and Waskow had their names voluntarily in the magazine Black Panther, last January 25, as signers of a petition to do something nice for Eldridge Cleaver.

Another co-director of the Institute for Policy Studies is Richard Barnett. Like Raskin he was a Kennedy administration insider and was assigned to the U.S. Arms Control and Disarmament Agency. You find that the Institute, a foundation, goes in big for U.S. disarmament. This has been going on for several years, and the seminars are briefing sessions for young assistants of Senators and Representatives. Often what a Senator or Representative says in a speech has been said before in these briefing sessions.

In the spring of 1969 the Institute's announced subject for the seminars was "military spending." Pretty soon Senator Proxmire and Representative Moorhead are getting headlines for denouncing Pentagon expenditures. Richard Kaufman of Senator Proxmire's Joint Economic staff attended the seminars. So did Pete Stockton of Representative Moorhead's staff.

One of these headlines, a three-column spread in the Washington Post for June 29, read "Six Davids Who Have Rocked Goliath." The first proper name used in the story is A. Ernest Fitzgerald, who is praised for exposing Pentagon cost-jumps. Fitzgerald, who works for the Air Force, addressed an Institute seminar in March on "cost control and contractor inefficiency." The Post reporter who praised him in the story addressed an Institute seminar in April on "political influence of the defense industry."

You soon get dizzied trying to follow the veinwork of names-and-actions, cause-and-effect throughout this body of anti-military work. It produces tomes of the David-and-Goliath propaganda, where the attackers are represented as nice kids with slingshots and the Defense Establishment as a monster. You don't have any trouble finding that there exists an interlocking directorate of intellectuals who oppose law-and-order, national defense, the two-party system and the majority rule of our American pale faces. The directorate is interlocking in another way. Some of the Institute's board members, trustees and officer corps are respectable and irreproachable citizens.

You remember what Burke said, and you don't try to indict the whole interlocking directorate. You don't know that a single Communist is involved, but you don't doubt that there are demonic chortlings in the Kremlin when the U.S. military gets booted around.

We're in an age when the in-thing to do is to agitate for the "rights of the accused." Seldom has there been heard so much accusation of the U.S. military. A good defense, I think, would be a strong offense against the accusers. It ought to be the in-thing to defend the Defense Establishment which, while not faultless, is for us and not against us.

If this assault should succeed, we could wake up some day by the dawn's early light and find that the Flag is not "there" any longer.

Mr. GOLDWATER. Mr. President, I think that Senators, in reading the article, will recognize some of the strange things that have occurred on the floor of the Senate.

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

Mr. GOLDWATER. I yield.

Mr. STENNIS. Mr. President, the Senator from Arizona has made a fine contribution to the debate. There is no other Senator who is more qualified to speak on the particular subject of this amendment than he.

I am not flattering the Senator one bit when I say that he really knows his subject. We all know that he says what he thinks, regardless of where the chips may fall.

I have been delighted during the consideration of the bill to receive his aid many times.

With respect to this plane and because I was concerned about it in the beginning, I asked the Senator from Arizona to go to Georgia, to go through the plane and get the feel of it, and to see what he thought about it. I asked him to go where the plane was manufactured and to probe into the matter.

The Senator came back and told me that he not only did those things, but that he also flew the plane.

Before the amendment comes to a vote, at a time when we can have a better attendance than we can have at this late hour, I hope the Senator from Arizona will again address the Senate on this subject.

He has made a very fine contribution indeed, and we are not talking about this type of contract. It was on trial. I do not think it worked out well. However, we need the plane. It is a good plane, and I think we will get it.

Mr. GOLDWATER. Mr. President, I thank the Senator for his kind remarks.

At this late hour of the day, I might point out something that I do not think

I have ever told the Senator from Mississippi before.

When I was being implored by members of the Republican Party to run for the Senate again, I told the leadership on the Republican side that I would do so if I were promised that I would be returned to the Armed Services Committee—not entirely because I have had 37 years' background in this subject, but more, I should say, because it would give me the pleasure and honor of serving with a man whom I consider to be a wonderful gentleman.

Mr. STENNIS. Mr. President, I thank the Senator.

I am very glad that I requested the Senator from Arizona when he returned to the Senate to apply for membership on the committee and that he was assigned a place on the committee.

Mr. GOLDWATER. Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. DANIEL J. RONAN, late a Representative from the State of Illinois, and transmitted the resolutions of the House thereon.

The message announced that the House had agreed to the amendments of the Senate to the bill (H.R. 11235) to amend the Older Americans Act of 1965, and for other purposes.

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I move that when the Senate adjourns tonight, it adjourn until noon tomorrow.

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

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. PROXMIRE. Mr. President, unfortunately, I did not have a chance to hear all the remarks of the distinguished Senator from Arizona. The Senator is extremely able and is especially competent in this area of defense.

The details which the Senator from Arizona had printed in the RECORD regarding the relative cost, the ton-mile cost of operating the C-5A as compared with operating a ship, are very interesting. I want to study them in detail and reply to them.

I am positive that I can show that the difference in cost between operating the C-5A—if we include the cost, which we have to include, of buying it and building it, together with the operating cost—is about 6 to 1. In other words, it is far cheaper, under most circumstances, to operate with a ship than with the airlift. It is necessary to have the airlift under some circumstances. I concede that. But I think I can document the far lower cost of other means of transportation.

Mr. President, I wish to make a few remarks about my amendment to the pending bill. I shall explain the amendment and give some key arguments in its support. I hope to go into greater detail tomorrow on some points and arguments I shall make today.

DOES NOT AFFECT FIRST 58 PLANES

First, the amendment deletes \$533 million, a little more than a half billion dollars, which is authorized to build the fourth wing of 23 planes of the C-5A airplane. It does not affect the first 58 C-5A planes. These are authorized and funded.

The distinguished Senator from Mississippi, the chairman of the committee, argued that it is possible that Lockheed may default, that we may end, not with 58 planes, but with eight or 10. If this is a consideration, I am appalled, because Lockheed Corp. is a responsible firm. It is a firm which I think keeps its commitments. It is a firm which has a number of other multibillion dollar defense contracts. If it defaults on this contract, it seems to me that it will be plain blackmail. It made a firm commitment to produce these planes; and if the way in which they get their way, if the way in which they get Congress to continue to buy planes we do not need and should not have is to say, "If you don't buy these additional planes, we're going to default," then it seems to me that we should have the courage to stand up on our hind legs and say we will not yield to that kind of blackmail, because that is exactly what it is.

These are planes in what is called run A, the 58 which we are assured of getting.

DELETES FUNDS FOR RUN B

The second run, or run B, would consist of an additional 62 planes. The first 23 planes are authorized in this bill. My amendment is to delete the funds in the bill for those planes.

I should mention in passing that the ultimate cost of these 23 planes is very much more than \$533 million, but only that amount is provided in the bill at this time.

GAO STUDY

Second, the amendment calls for the General Accounting Office to conduct a study and investigation in order to determine certain facts. The amendment calls for a report from the Comptroller General in 90 days.

I want to make it quite clear that the judgment as to whether these planes should be procured—that is, the additional 23 planes—is up to Congress to make. The determinations of fact and the information requested under my amendment are all matters which would bear on a final judgment, but let me make it clear that the judgment is up

to Congress. My amendment does not put any ultimate decision in the hands of the Comptroller General.

CALL FOR FACTS

He is asked for the facts. He is asked whether the C-5A is an economic replacement for the C-141, whether the purchase of the fourth squadron would add significantly to the deployment capability of the military forces and by how much, what effect it would have on the legal position of the Government in terms of contract losses and termination costs, and issues of that kind.

The amendment should be adopted for a number of reasons.

CONTRACT A FISCAL DISASTER

The contract for this plane is one of the greatest fiscal disasters in the history of military contracting.

It is a contract in which the targeted costs have been vastly exceeded.

It is a contract in which the ceiling costs have been vastly exceeded.

It is a contract in which the cost of the 120 planes has risen from \$3.4 billion to a total, including all spares, replenishment spares, and so forth, of \$5.3 billion. The cost overrun is now almost \$2 billion.

Mr. President, we should recognize what \$2 billion is. That is three times as much as the Federal Government spends on law enforcement, on justice, on the court system in America. That is twice as much as we spend in an entire year on low- and moderate-income housing. It is almost as much as Congress would provide for elementary and secondary education in this country.

Under the contract, the costs of the plane over and above the target cost up to the ceiling cost were to be divided on the basis of 70 cents to be paid by the Government and 30 cents to be paid by the contractor. Costs exceeding the ceiling costs were to be borne entirely by the contractor. On the surface, this appeared to provide an incentive for the contractor to keep the costs down.

THE GOLDEN HANDSHAKE

But that assumption is wrong. The contract contains a repricing formula. This repricing formula goes into effect when the planes of run B are authorized.

In other words, when we act on what is in this authorization bill, then the repricing formula, escalating the cost of the plane, goes into effect. It triggers the repricing formula.

The bill authorizes 23 planes of run B. The bill makes it possible for Lockheed to recoup much of the overrun or cost growth which it would otherwise absorb.

A most amazing feature of the "repricing formula" or "reverse incentive provision" or "the golden handshake"—the terms which have been applied to this provision—is that the higher the costs and the larger the excesses on run A, the more the company can receive for the planes of run B.

I repeat: If we pass this bill or reject the amendment I have offered, the "golden handshake" or the "repricing formula" will begin to operate.

DELAYED DELIVERY OF 53 PLANES

The amendment would not stop production. Fifty-eight planes will be produced. Only five of them have been de-

livered. The remaining 53 planes of run A will be delivered at the rate of one per month, then two per month, and finally three per month over the next 2 to 2½ years.

The contract delivery dates have already experienced a 6-month slippage. The final engine testing is 13 months behind schedule.

FOR FIRST TIME CONGRESS CAN ACT BEFORE IT IS TOO LATE

For the first time in my memory, Congress can do something about an overrun before it is too late. If we fail to act, we have only ourselves to blame. This is one overrun which is not yet a "fait accompli."

The burden of proof on the proponents of this amendment is this: What advantages do we gain by adding 23 planes to the 58 which are already underway? What value in airlift capability, time in movement, reduction in costs, and rapid deployment do we gain by adding these 23 planes? We have three wings underway now. Do we need the fourth wing? Do we need the fifth and sixth wings?

PENTAGON STUDIES CONCLUDE FOURTH WING IS COST INEFFECTIVE

That is one of the most important questions.

There are reports that two studies of the Office of Systems Analysis of the Department of Defense indicate that the planes beyond the first 58 are not cost effective. I mentioned this fact in my speech of August 13. Since that time I have tried to obtain the documents by asking the Pentagon for them. I asked for an unclassified version of them.

As we brought out on the floor of the Senate a little earlier today, I was briefed by representatives of the Pentagon this morning. They told me that the studies show that the additional purchases of C-5A are not cost effective, are not economical.

However, as the Senator from Mississippi (Mr. STENNIS) brought out, the letter which he received from the Secretary of Defense stated that the Assistant Secretary in charge of systems analysis said that he was still firmly in support of the fourth squadron; and also, of course, the Secretary of Defense is in support of the fourth squadron. But the only objective study that has been made, the only study that has been made available to anybody, indicates that we should not buy the fourth squadron and should not purchase any more C-5A's.

All I am saying in my amendment is that before we go ahead with purchasing this squadron, we should at least have a study by the GAO to find out what they say as to the cost effectiveness.

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

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. I am sorry the Senator was not in the Chamber earlier. I placed in the RECORD a copy of his letter of yesterday to the Secretary and a copy of the Secretary's answer to the Senator from Wisconsin. This may not seem cricket—

Mr. PROXMIRE. I understood that the Senator from Mississippi was going to do that, and I am delighted that the Senator

from Arizona did so. It should be in the RECORD.

Mr. GOLDWATER. The gentleman to whom the Senator has referred is, I believe, Dr. Selin.

Mr. PROXMIRE. The Senator is correct. He is the Acting Assistant Secretary of Defense.

Mr. GOLDWATER. He is the head of this particular cost analysis division. The Secretary of Defense emphatically stated that his conclusion is—that is, as of yesterday—that we need the fourth squadron.

Mr. PROXMIRE. That is correct. I would agree with that statement, and I would expect nothing else. After all, he is in the chain of command. The Defense Department has to be monolithic in this. It cannot split and divide all over the place. Once the Secretary of Defense and the other top officials have made this decision, I would expect them all to agree to it.

I say that the two studies, on the basis of testimony I got from Colonel Furlong, who came to my office today directly from the Secretary of Defense's office, show that the C-5A is not cost effective.

Mr. GOLDWATER. I happen to think it is. That is beside the point. The only study the Senator refers to was made by the gentlemen who now say we need the four squadrons. I may be wrong, but I think I am right. I think one must take into consideration what the military advisers ask for. With respect to cost effectiveness, perhaps the whole airplane is wrong but it is the only thing we have in this field. It is something the Chiefs have asked for and it has been sent down here by the President in his message. I do not mean we should bow down and say "Amen." I am not convinced we need squadrons 5 and 6. We must wait to see what this squadron will produce. However, it has been requested by the military and we must pay attention to what they want. I do not think we can ignore the thinking of the military group that has said we need four squadrons.

Mr. PROXMIRE. We should not ignore that. We should give it a great deal of weight. I think my amendment accomplishes that purpose. My amendment would provide a study. In view of the fact that we are already 6 months late and only five test planes have been produced, and in view of the fact that authority has been given to buy lead items for the 23 planes, and we have bought some of them, it seems to me that a delay of a year would not delay the production at all, because they were almost that much behind—13 months behind—on engine testing.

Mr. GOLDWATER. We are talking about 1975. Some Senators want to cut out the money so that we would have no carriers, bombers, or fighters. I am as critical as anyone about waste in Government.

When the Senator was out of the Chamber I addressed the Senate and stated that I hope we can get the matter of our treaties opened up so we can go to the people and say, "Here it is. We have committed you to defend 17 countries all over the world"—not in treaties such as we have with the Philippines or Japan, but under which we might have to go to war.

Once we know this, we can then say what we are going to do. Are we going to adhere to these treaties or not? I think this has a great bearing on what many of us fear.

I am not charging the Senator with being an isolationist. However, I feel that once we get this started and the American people start thinking we can become an isolated country, and once we convince Russia that we are no longer interested in No. 1, world war III may start.

Mr. PROXMIRE. I thank the Senator for moving into the area that we will have to discuss. We have never been told where we are going to use them, whether it be in Thailand, Korea, or Europe. Where are we going to use them? Presumably some of this information is classified, but we should get some indication as to why we need this increased capability.

Mr. GOLDWATER. I think the exercises we have engaged in several times over the past years, such as moving the Air National Guard troops in Germany with the old C-124, have proved the value of this. I do not think we ever are going to find ourselves in the position we were in in Korea, where we were not prepared to go to war by air or by sea. We did not have the equipment.

I apologize to the Senator for taking so much of his time.

Mr. PROXMIRE. I thank the Senator for his contribution. It has been helpful.

Mr. GOLDWATER. I do not want to see us make the mistakes we have made. I do not believe we can think about this matter intelligently until the leader of our country sits down with us and tells all of us and the American people how he feels about going to war if Russia attacks any of the Western powers.

Mr. PROXMIRE. The Senator is correct. We need to be told, and we have not been told, as long as I have been here, why we need these weapons. We need them, of course. Anyone who says we do not need them is unrealistic. However, we should have more information in view of the enormous sums we are being asked to spend. Are we envisioning the possibility of using these weapons in a Thailand situation or a Korean situation? What treaties are involved? The burden of proof should be on those who advocate that we spend these sums of money. Five billion dollars for one cargo-type plane which is needed only in a rigid deployment situation is a fantastic amount of money.

Mr. GOLDWATER. Yes, and \$183,000 for one missile is a great amount of money. The cost of everything is going up, and we are faced with that problem here.

Mr. PROXMIRE. I thank the Senator very much.

Mr. President, Mr. Bernard Nossiter, the extremely able correspondent of the Washington Post, reported in last Sunday's edition that the two documents did indeed conclude that the fourth wing was not cost effective.

PENTAGON BRIEFING AGREES CONCLUSIONS CORRECT

In a briefing by the Pentagon today, as I stated earlier, they said Mr. Nossiter's conclusions were correct. I asked them that specifically. They stated that both documents came to the conclusion

that the fourth wing was not cost effective.

I think one of the major arguments for my amendment is to make a determination on this matter. Let us get the facts; we are asked to vote in the dark. There are now claims and counterclaims.

With billions at stake, it is not too much to ask that we put off this decision until we are certain of the facts. There is no need for haste.

Finally, we should know what this plane is to be used for. What places will it fly to? Where is it to be used? Why? What will it get us into? Will it get us into more trouble than it prevents?

That is the heart of the matter.

MILWAUKEE SENTINEL SUPPORTS CALLING A HALT TO C-5A SPENDING

Mr. NELSON. Mr. President, waste in the Federal Government is not a liberal issue or a conservative issue. It is a non-partisan issue, and the issue that concerns us now as we consider Senator PROXMIRE's amendment to withhold funding for additional C-5A military transport planes until we can be sure that the planes are needed.

An editorial published recently in the Milwaukee Sentinel made it clear that the question of cutting funds for the C-5A is above politics. The Milwaukee Sentinel made a concise and impressive plea for Senator PROXMIRE's amendment. As the editorial points out:

There has already been a cost overrun of \$2 billion. That's enough to run the state of Wisconsin for about two years!

So that Senators on both sides of the aisle may have an opportunity to read the Sentinel editorial before we come to a final vote on the purchase of additional C-5A's, I ask unanimous consent to have printed in the RECORD at this point the editorial entitled "Probe the C-5A," published in the Milwaukee Sentinel of September 1, 1969.

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

PROBE THE C-5A

A first order of business when congress reconvenes Wednesday will be an amendment offered by Sen. Proxmire (D-Wis.) which would prohibit the purchase of any C-5A's, a military transport plane, beyond the 58 currently under construction pending a full scale investigation.

Proxmire has presented a detailed and persuasive case against the C-5A. He charges that "the purchase of the C-5A by the air force from the Lockheed Corp. already represents one of the greatest fiscal disasters in the history of federal procurement."

Pointing out that only five of these planes have been produced, Proxmire says that there already has been a cost overrun of \$2 billion. That's enough to run the state of Wisconsin for about two years!

Proxmire's amendment would have the comptroller general of the United States study the projected cost of the C-5A program and report his findings to congress. He also would have the comptroller general investigate whether the 53 additional aircraft would add significantly to the deployment capability of the military forces.

While it seems in order for the comptroller general to study the costs of the program, it is doubtful that he ought to—or could—get into the question of its military value. That is a judgment which should be left to the defense experts to make.

Nevertheless, there appears to be good rea-

son to question the military value of the C-5A program. It involves the rapid deployment strategy envisioned by former Defense Secretary Robert McNamara. Proxmire contends that the 58 transports now under production will provide a sufficient rapid deployment capability. After an initial deployment by air, ships could transport the followup troops. And ships, Proxmire points out, would be far more economically efficient than the C-5As.

All in all, Proxmire's call for a halt to further C-5A production pending an investigation appears to have great merit. The senate should adopt it.

TAX REFORM, NOT SOCIAL OVERTURN

Mr. JAVITS. Mr. President, the House-passed tax reform bill represents a herculean effort by the House in an area where reform is long overdue; but it also represents a challenge to us in the Senate to bring to bear our combined intelligence to insure that this bill in its final form does not do more harm than good.

For we cannot view this tax reform only as revenue legislation—no matter how much we would wish to simplify the Internal Revenue Code and close tax loopholes. There are fundamental questions of social and economic policy inherent in every paragraph of the House-passed tax reform bill.

My remarks today will be confined to philanthropic and educational activities, but I will have more to say in the near future about other aspects of the tax reform bill in the Senate this month, including, among others: entrepreneurship and investment incentives; changes in capital gains treatment; the proposed tax status of municipals; real estate depreciation; and the failure of the bill to grant tax benefits to the handicapped.

Turning to philanthropic activities, I believe that the growing role of Government and its vastly increased range and expenditures dictate that private philanthropy needs to be increased proportionately, not decreased if the diversity and plurality that has marked our past progress is to be preserved and advanced. This is the social good which should be our goal. This is not to say that certain changes in the tax laws relating to philanthropic giving are not to be welcomed and that better cooperation between State and Federal authorities in regulating the activities of foundations is not needed. They are, but the House-passed bill has gone, in respect of philanthropy, beyond reform—to harm.

The quite proper concern is due to the fact that some individuals have been able to use the present unlimited charitable tax-deduction provision to avoid the payment altogether of taxes and that some foundations have abused their tax-exempt status. But this has led to provisions in the House-passed bill which threaten to create a veritable social overturn in the United States, by blocking the major flow of funds for educational and other philanthropic uses upon which a large share of the country's private educational, hospital, children's, handicapped, aged, and other services are heavily dependent.

I have now conferred with many philanthropic leaders and with some of the leading foundations based in New

York City, and am convinced that the proposed tax changes as they relate to philanthropic contributions would dangerously decrease the amount of private funds available for purposes of education and philanthropy. I am also convinced that the proposed 7½-percent tax on the investment income of private foundations will also decrease the contributions to worthwhile charitable and educational programs without commensurate gain. I will now spell out in greater detail my objections to some of the House-proposed changes in the tax code as they relate to philanthropic and educational contributions.

We must make every effort to preserve the flexibility and the capacity to innovate which philanthropic institutions have demonstrated in the past. These private institutions have demonstrated a capacity to respond more readily than governments to a wide variety of social needs. Moreover, by their very nature, the private foundations are able to engage in experimental activities of considerable social value which public agencies cannot very well pursue. They can then become yardsticks as well as pilot plants for such operations. Tax reform should not be enacted in such form as to destroy these characteristics. I feel very strongly that in our efforts to prevent improper practices we should not impose such burdens on the foundations as will inhibit philanthropic activities which are such a source of innovation, pluralism, freedom, and creativity in American society.

As the report of the House Ways and Means Committee indicates, H.R. 13270 seeks to tighten the permissible activities of private foundations to prevent self-dealing between the foundations and their substantial contributors; to require in a limited time the distribution of income for charitable purposes; to prevent capital gains appreciation from being used also as a tax deduction when inherent in a philanthropic gift; to prevent foundations from engaging in or near to political activity; to limit foundations' holdings in private businesses, to assure that their activities are restricted as provided for in the tax laws; and to be sure that foundations' investments are not jeopardized by financial speculation. I support many of these initiatives, but am strongly opposed to others. In addition, the bill would impose a tax of 7½ percent on the investment income of private foundations.

Statutory provisions regulating foundations to prevent any prejudicial involvement in political activities is appropriate, but broad inhibitions which would prevent such activity in the public interest as is essential and ancillary to their purposes, is carrying a good thing too far. For example, to prevent a philanthropic organization from giving to a congressional committee the benefit of its expertise as, for example, in a child day care center, or in conducting a recreation center for the aged or a workshop for the handicapped on the ground that it will have some "influence on the decision of any governmental body" is depriving the public of an essential benefit of the activities of private philanthropy. When the bill's proposals weaken the social mission of foundations and

threaten highly valuable philanthropic activities they must be opposed.

The problem, as I see it, is to sharpen our understanding of the abuses we are trying to correct without at the same time radically cutting large philanthropic gifts to educational and philanthropic organizations. To the extent that the bill proposes such increased supervision of private foundations as will prevent manipulations and self-dealing which defeat the purposes of tax exemptions, then it represents progress. Private foundations should not be allowed to operate solely as vehicles for tax avoidance. But let us remember that to the extent the abuse is tax exemption for organizations which are charitable only in name but not in fact or deed, there are many provisions already in the bill to eliminate these abuses. These include provisions against self-dealing by foundations, and restrictions on business activities of charitable organizations, and requirements for distribution of income.

The bill would eliminate the unlimited charitable deduction, impose new tax consequences on charitable contributions of appreciated property, and make it more difficult to assign income to a charity by use of a charitable trust. The bill attempts to offset the adverse effects of these changes on philanthropy by raising the limitation on charitable deductions from 30 to 50 percent of a taxpayer's adjusted gross income.

The motivation for these changes is certainly not revenue since the net effect of these charitable deduction provisions is \$5,000,000 in the first year, \$10,000,000 in the second year, and rising to \$20,000,000 in 1972 and later years when the elimination of the unlimited charitable deduction becomes fully effective. It is clear that from the standpoint of the educational institutions and public charities, the increase to 50 percent of the charitable deduction limitation would not result in the very large contributions being made today—many of which are under the unlimited charitable deduction provision.

The questions would be, then, whether smaller contributions would fill in the gap. In the universal opinion of the institutions directly affected, they would not and could not do so for a number of years. Hence it is the institutions that would suffer, and inevitably private institutions would be crowded out and more Government institutions would have to take their place.

The situation is further aggravated by the way the bill deals with contributions of appreciated property. It must be recognized that these contributions represent a major source of income to private educational institutions and colleges and that if such gifts were eliminated—and the tax reform bill as written threatens to do just this—increased Federal funds would be needed to support these institutions or the functions they perform.

There have been a number of suggestions as to how this provision could be revised. Indeed, it could be tackled by allowing the appreciation, in whole or in part, as a deduction provided it did not amount to a windfall profit—benefiting the giver more than if he had sold the capital asset. In addition, there is much moral force in the idea of eliminating

appreciation in gifts of property to charitable and educational institutions—as distinct from foundations—in computing the "minimum income tax," or the "limited tax reference" or the "allocation of deductions" provision.

My second major point of opposition is to the proposed 7½-percent tax on the investment income of private foundations. This proposed tax would, in theory, contribute to the objective of better supervising their activities and preventing the misuse of the tax exemption privileges of the foundations. It should be emphasized, however, that foundations were intended to contribute not to the public treasury, but to worthwhile charitable and educational programs. The proposed tax levied on the foundations would in fact be subtracting the amount of funds that may be made available for charitable purposes. For example, if the income of a foundation which supports the Salvation Army is taxed by 7½ percent, it would reduce grants to the Salvation Army by 7½ percent. The Federal Government would be that much richer, the Salvation Army that much poorer. Thus, this provision would effectively declare that the Federal Government believes it can do the Salvation Army's job better than the Salvation Army can. I seriously doubt whether this is the case and do not believe that the Nixon administration feels that this is the case. It does not accord with the philosophy, which I support, of decentralization of the activities of the Federal Government. We should strive, in this tax reform measure to be consistent with the various other proposals we are presently considering that would return some of the power and functions that have accrued to the Federal Government over the past 40 years to the States, the municipalities, and to private organizations.

As indicated earlier in this statement, I believe that the Federal Government and particularly the States must better supervise the activities of foundations. I would urge that, rather than taxing the foundations 7½ percent to finance such increased supervisory activities that are required, the Senate Finance Committee thoroughly consider the many alternatives to such a tax. It should be emphasized that since the passage of the first Internal Revenue Act in 1913, the Government has recognized the special place that private foundations hold in our society and has granted them tax-exempt status. This proposed tax violates this philosophy and helps undermine the foundations which have played an important role in the formation of this Nation as we know it now.

In addition to these major provisions in H.R. 13270 relating to the tax treatment of philanthropy and foundations—to which I object—the bill also provides that a private foundation must distribute all its income currently—but not less than 5 percent of its investment assets—and imposes graduated sanctions in the event of a failure to make timely distributions. These recommended changes also merit careful consideration to insure that they will promote the end we desire.

In each case, we should apply the following tests to any tax reform proposals relating to philanthropy: First, whether proper activities of worthwhile private

foundations will benefit from the changes in the tax law; second, whether such changes would enhance the prospect of the appropriate supervision of these institutions; third, whether abuses of the tax exempt status of the foundations will be curtailed without harm to worthwhile institutions; and, fourth, whether philanthropy urgently conducive to the public interest will continue to be encouraged.

Let us reform the tax laws in this area in such a way that when we look back on our work, we will not be forced to conclude—yes, the operation was a success, but the patient—the foundations and private philanthropy—died.

H.R. 13111, MAKING APPROPRIATIONS FOR THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES, FOR THE FISCAL YEAR ENDING JUNE 30, 1970—AMENDMENT

AMENDMENT NO. 142

Mr. ALLEN. Mr. President, I submit for appropriate reference, an amendment intended to be proposed to H.R. 13111, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 142), submitted by Mr. ALLEN, was referred to the Committee on Appropriations.

Mr. ALLEN. Mr. President, before I discuss the provisions of the amendment, I think it important to mention circumstances which point up the need for it.

I have spent the better part of the last 3 weeks visiting with and talking to thousands of citizens of Alabama. I return to the Senate deeply concerned by what I have seen and heard.

For one thing, public support of education is seriously jeopardized by continued Federal interference in the administration of local public schools, and I am convinced something must be done to put a stop to it.

Consider the following developments: Reports continue from throughout the Nation indicating that the people are rejecting school budgets and bond issues and increased school taxes at an unprecedented rate. I am not surprised. And if this evidence of public alienation poses a threat to public education in some sections of the Nation, it is a danger beyond compare in the southern region of the United States.

Just a few weeks ago, close to 200 elected public school officials from 10 Southern States met in Atlanta, Ga., to develop plans to save their local schools from ruinous interference by Federal courts and the U.S. Department of Health, Education, and Welfare.

Mr. President, when that many elected public officials get together to discuss any problem, it is an important event and one which deserves careful consideration.

Along the same lines, in Mobile County, Ala., the leadership of that community of close to 300,000 citizens rose as one to oppose meat cleaver school plans

sought to be imposed by crude education butchers from the Department of Health, Education, and Welfare. The overwhelming sentiment of the people of a community of this size simply cannot be swept under the rug. It has meaning—it is significant. Similar crises abound throughout Alabama.

Then too, just last week in Louisiana 300 black teenagers hit the streets to insist on the right to attend their own high school which boasted a proud tradition of academic excellence, an exceptional band, an outstanding football team and athletic program; and from Alabama, black parents and teachers write and call me pleading for help in preserving their community schools in which they take immense pride.

It should be unmistakably clear that a vast majority of the people of this Nation stand solidly for freedom of choice in matters affecting the welfare of their children and that arbitrary busing of pupils willy-nilly across cities and counties has been consistently rejected in other sections of the Nation as educationally unsound and as a use of governmental force repugnant to the Constitution.

These are but a few of many signs of public frustration, discontent, and uneasiness that indicate public alienation and loss of public support of education. These signs can be disregarded only at the peril of public school education.

Letters pour into my office telling of neighborhood schools ordered closed by Federal authorities or converted to uses other than those for which constructed with the result that young children are being forced to spend arduous hours on bus trips from their homes to strange and distant schools.

In one instance, a neighborhood grammar school on Dauphin Island, Ala., was ordered closed and the little children compelled by Federal bureaucrats to ride boats across open and dangerous waters to a school on the mainland.

Mr. President, for the first time in the history of our Nation, we are told by Federal authorities that parents have no voice, no choice and control over where their children shall be sent to school. Parents are being forced to send their young children in some cases to areas that are seething snake pits of federally financed discontent and into communities into which many adults would fear to go.

The cause of this mess is no mystery. Unreasonable and impractical policies of the Department of Health, Education, and Welfare is one cause and willful violations of law by the Department coupled with the unbearable arrogance of Federal bureaucrats and education extremists is another cause.

Just a week or two ago, the U.S. Commissioner of Education and Assistant Secretary of Health, Education, and Welfare, Dr. James E. Allen, Jr., speaking to the American Federation of Teachers in New Orleans, used the occasion joyously to proclaim a "revolution" in education and spoke of his "impatience with the spirit of timidity and lack of understanding" that is so often the reaction of revolutions.

Mr. President, the people of Alabama and the people of this Nation are fed up

with federally financed revolutions. I am convinced that they have had about as much as they can take of HEW planned and financed inconvenience, discomfort, turmoil, disruption, and upheaval in their local schools and communities.

People of good will are simply sickened and revolted by irresponsible revolutionaries in education who speak out of one side of their mouth about "the quest for parent and students participation" in schools and then turn around and order neighborhood schools closed without any consideration for the wishes of parents or the welfare of children concerned and completely contrary to the best judgment of local teachers and local school administrators. What sort of student and parent participation is this?

Mr. President, neither parents, nor teachers, nor school superintendents and trustees, nor members of city and county boards of education are voluntary participants in these irresponsible actions ordered by the Department of Health, Education, and Welfare and Federal courts.

They are not parties to the shocking, calloused indifference to the safety of children and the unconscionable indifference of Federal hirelings to the agonized concern of anguished mothers and fathers nor to the hideous waste of hundreds of millions of dollars of local investment in educational plant and facilities paid for from the taxes of financially hard-pressed and prudent people.

Mr. President, something must be done to halt this irresponsible and dangerous trend reflected in the actions of Federal bureaucrats, drunk with power. They have forced the people against the wall. The people have little recourse. It is dangerous to push the people too far. They are tired of being pushed, walked over, and bullied.

This administration must take action to bring a halt to this federally financed nightmare in public education. This Congress must reassert the public policy of this Nation for local control of education and against Federal interference, domination, and control. This is what I now propose:

The proposed amendment would add to the Labor, and Health, Education, and Welfare appropriation bill, H.R. 13111, the following, or section 410:

It is hereby declared to be the sense of Congress that the freedom of choice of parents to choose the public primary and secondary schools to which they shall send their children (subject to age, academic and residence requirements) is an inviolate right, the protection and maintenance of which is part of the public policy of the United States.

If this concept is adopted and put into effect we can have a workable solution to some of our school problems.

The public schools in Alabama and the South cannot survive under present policies of HEW and of this administration.

DEATH OF REPRESENTATIVE DANIEL J. RONAN, OF ILLINOIS—ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H. Res. 525.

The PRESIDING OFFICER laid before the Senate a resolution of the House of Representatives (H. Res. 525), which was read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable Daniel J. Ronan, a Representative from the State of Illinois.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. BYRD of West Virginia. Mr. President, I submit a resolution on behalf of myself and the able Senators from Illinois (Mr. DIRKSEN and Mr. PERCY) and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The resolution (S. Res. 252) was read, considered by unanimous consent, and unanimously agreed to, as follows:

S. RES. 252

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Daniel J. Ronan, late a Representative from the State of Illinois.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The PRESIDING OFFICER. Under the third resolving clause of the resolution (S. Res. 252), the Senate now stands adjourned, under the previous order, until 12 o'clock noon tomorrow.

Thereupon (at 6 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Thursday, September 4, 1969, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate August 21, 1969, under authority of the order of August 11, 1969:

ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT
Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court of the United States vice Abe Fortas, resigned.

Executive nominations received August 29, 1969, under authority of the order of the Senate of August 13, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Douglas MacArthur II, of the District of Columbia, a Foreign Service officer of the class of Career Ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Iran.

Graham A. Martin, of North Carolina, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Italy.

Vincent de Roulet, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Robinson McIlvaine, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kenya.

John Patrick Walsh, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

William C. Trueheart, of Florida, a Foreign Service officer of class one, to be Ambassador

Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Nigeria.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Joel Bernstein, of Illinois, to be an Assistant Administrator of the Agency for International Development.

Ernest Stern, of the District of Columbia, to be an Assistant Administrator of the Agency for International Development, vice Paul G. Clark, resigned.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Robert H. B. Wade, of Maryland, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

U.S. ATTORNEY

Harry D. Steward, of California, to be U.S. attorney for the southern district of California for the term of 4 years, vice Edwin L. Miller, Jr.

Bart M. Schouweiler, of Nevada, to be U.S. attorney for the district of Nevada for the term of 4 years, vice Joseph L. Ward, resigned.

Warren H. Coolidge, of North Carolina, to be U.S. attorney for the eastern district of North Carolina for the term of 4 years, vice Robert H. Cowen.

Richard A. Pyle, of Oklahoma, to be U.S. attorney for the eastern district of Oklahoma for the term of 4 years, vice R. Bruce Green, resigned.

Robert McShane Carney, of the Virgin Islands, to be U.S. attorney for the district of the Virgin Islands for the term of 4 years, vice Almeric L. Christian.

U.S. MARSHAL

Lee R. Owen, of Arkansas, to be U.S. marshal for the western district of Arkansas for the term of 4 years, vice Dan M. Douglas.

Rex Walters, of Idaho, to be U.S. marshal for the district of Idaho for the term of 4 years, vice Anton Skoro.

George R. Tallent, of Tennessee, to be U.S. marshal for the western district of Tennessee for the term of 4 years, vice Cato Ellis.

J. Keith Gary, of Texas, to be U.S. marshal for the eastern district of Texas for the term of 4 years, vice Tully Reynolds.

Sam H. Roberts, of Texas, to be U.S. marshal for the western district of Texas for the term of 4 years, vice Jesse L. Dobbs.

William A. Quick, Jr., of Virginia, to be U.S. marshal for the western district of Virginia for the term of 4 years, vice Charles N. Bordwine.

COMMODITY CREDIT CORPORATION

Thomas K. Cowden, of Michigan, to be a member of the Board of Directors of the Commodity Credit Corporation.

NATIONAL LIBRARY OF MEDICINE

William O. Baker, of New Jersey, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term of 4 years from August 3, 1969, vice Dr. William B. Bean, term expired.

NATIONAL MEDIATION BOARD

George S. Ives, of Maryland, to be a member of the National Mediation Board for the term expiring July 1, 1972, vice Howard G. Gamser.

RAILROAD RETIREMENT BOARD

Neil P. Speirs, of New York, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1969, vice Arlon E. Lyon, term expiring.

ASSISTANT COMPTROLLER GENERAL

Robert F. Keller, of Maryland, to be Assistant Comptroller General of the United States for a term of 15 years, vice Frank H. Weitzel, term expired.

RENEGOTIATION BOARD

Daniel Eldred Rinehart, of Maryland, to be a member of the Renegotiation Board, vice William M. Burkhalter, resigned.

IN THE NAVY

Having designated Rear Adm. Isaac C. Kidd, Jr., U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

Vice Adm. Bernard F. Roeder, U.S. Navy, for appointment to the grade of vice admiral on the retired list in accordance with the provisions of title 10, United States Code, section 5233.

Vice Adm. Vernon L. Lowrance, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

MEDICAL CORPS

John H. Cheffey
Ralph E. Faucett

CHAPLAIN CORPS

Francis L. Garrett

IN THE ARMY

I nominate the U.S. Army Reserve officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3384:

To be major general

Brig. Gen. Raymond E. Mason, Jr., SSAN
xxx-xx-xxxx

To be brigadier general

Col. Cullen U. Gulko, SSAN xxx-xx-xxxx
Transportation Corps.

Col. George F. Hamner, SSAN xxx-xx-xxxx
xxx... Corps of Engineers.

Col. Russell T. LeBlanc, SSAN xxx-xx-xxxx
Corps of Engineers.

Col. Sterling R. Ryser, SSAN xxx-xx-xxxx
Military Intelligence.

Col. Frederick W. Wunderlich, SSAN xxx-xx-xxxx
xxx-xx-xxxx... Corps of Engineers.

I nominate the Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3385:

To be major general

Brig. Gen. Daniel K. Edwards, SSAN
xxx-xx-xxxx

To be brigadier general

Col. William M. Buck, SSAN xxx-xx-xxxx
infantry.

Col. Joseph R. Chappell, Jr., SSAN xxx-xx-xxxx
xxx... field artillery.

Col. Austin C. Chidester, Jr., SSAN xxx-xx-xxxx
xxx... air defense artillery.

Col. George H. Dale, SSAN xxx-xx-xxxx
Signal Corps.

Col. James R. Duren, Jr., SSAN xxx-xx-xxxx
xxx... infantry.

Col. Joseph B. Flatt, SSAN xxx-xx-xxxx
infantry.

Brig. Gen. Robert R. Goetzman, SSAN xxx-xx-xxxx
xxx-xx-xxxx... Adjutant General's Corps.

Col. James W. Henderson, SSAN xxx-xx-xxxx
xxx... air defense artillery.

Col. Vernon B. McMillen, SSAN xxx-xx-xxxx
xxx... infantry.

Col. William R. Sharp, SSAN xxx-xx-xxxx
armor.

Col. John F. S. Sims, SSAN xxx-xx-xxxx
Transportation Corps.

Col. Clarence A. Wilson, SSAN xxx-xx-xxxx
infantry.

I nominate the Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be brigadier general

- Col. Robert L. McCrady, SSAN [redacted] infantry.
- Col. Wilfred C. Menard, Jr., SSAN [redacted] field artillery.
- Col. Carl F. Schupp II, SSAN [redacted] field artillery.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

LINE

First lieutenant to captain

- Abbott, John G., Jr. [redacted]
- Abney, Floyd J., [redacted]
- Abrahamson, Raymond L., [redacted]
- Ackerman, Robert W., [redacted]
- Adair, Samuel Y., Jr., [redacted]
- Adams, Alfred P., [redacted]
- Adams, George E., [redacted]
- Adams, John P., [redacted]
- Adams, John W., [redacted]
- Adams, Kenneth P., [redacted]
- Adams, Nixon A., [redacted]
- Adams, Oscar R., [redacted]
- Adinolfi, Jerry D., Jr., [redacted]
- Adolph, John E., [redacted]
- Ahearn, Terrence J., [redacted]
- Ahl, Kenneth L., II, [redacted]
- Akers, James C., [redacted]
- Alberchinski, Carl D., [redacted]
- Albertson, Jack D., [redacted]
- Albright, Edwin R., Jr., [redacted]
- Albritton, Edward C., [redacted]
- Alducin, Donald G., [redacted]
- Alexander, Lynn B., [redacted]
- Alfaro, Eugene A., [redacted]
- Alfonso, Louis A., [redacted]
- Allbee, Thomas D., [redacted]
- Allburn, James N., [redacted]
- Alleger, Arthur, II, [redacted]
- Allen, Donald G., [redacted]
- Allen, George W., [redacted]
- Allen, Harry R., Jr., [redacted]
- Allen, Lytle E., III, [redacted]
- Allen, Norman S., [redacted]
- Allen, Raymond L., [redacted]
- Allen, Robert J., [redacted]
- Allen, Thomas R., [redacted]
- Allen, Ulysses S., [redacted]
- Allen, William B., [redacted]
- Alley, Clinton D., [redacted]
- Allison, Billy G., [redacted]
- Allison, Roger L., [redacted]
- Allman, John M., III, [redacted]
- Allocca, Thomas R., [redacted]
- Almeda, Charles E., [redacted]
- Almy, David B., [redacted]
- Alston, Edward D., Jr., [redacted]
- Alto, David G., [redacted]
- Alvarez, Alberto, [redacted]
- Alverson, Ricard V., [redacted]
- Aman, Edwin D., [redacted]
- Ammering, Theodore E., [redacted]
- Anderberg, Michael R., [redacted]
- Anderson, Alan C., [redacted]
- Anderson, Dale L., [redacted]
- Anderson, Dale D., [redacted]
- Anderson, Gordon G., [redacted]
- Anderson, Harry K., Jr., [redacted]
- Anderson, James T., [redacted]
- Anderson, James M., [redacted]
- Anderson, Jerry C., [redacted]
- Anderson, Jerris C., [redacted]
- Anderson, John R., [redacted]
- Anderson, John W., [redacted]
- Anderson, Leslie B., III, [redacted]
- Anderson, Marshall D., [redacted]
- Anderson, Marty D., [redacted]
- Anderson, Paul V., [redacted]
- Anderson, Terry D., [redacted]
- Anderson, Woodrow A., [redacted]
- Andrews, Anthony C., [redacted]
- Andrews, C. Peter, [redacted]
- Andrews, George R., [redacted]
- Anduss, Larry P., [redacted]
- Anway, Mark D., [redacted]
- Ardern, William E., [redacted]
- Arellano, Cayetano A., Jr., [redacted]
- Arent, William L., [redacted]
- Arganbright, Michael J., [redacted]
- Ariali, Frederick P., [redacted]
- Armbruster, Louis F., [redacted]
- Armour, Leon, [redacted]
- Armour, Paul J., [redacted]
- Armstrong, Dexter A., Jr., [redacted]
- Armstrong, John E., [redacted]
- Armstrong, Lewis C., [redacted]
- Arnaud, Alfred A., Jr., [redacted]
- Arnett, Larry W., [redacted]
- Arnold, Charles P., Jr., [redacted]
- Arnold, Francis W., [redacted]
- Arnold, Lloyd H., [redacted]
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BIOMEDICAL SCIENCES CORPS

Garza, Orlando T. xxx-xx-xxxx
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Executive nominations received September 2, 1969, under the authority of the order of the Senate of August 13, 1969:

UNITED NATIONS REPRESENTATIVES

The following-named persons to be representatives of the United States of America to the 24th session of the General Assembly of the United Nations:

Charles W. Yost, of New York.
 William B. Buffum, of New York.
 Dante B. Fascell, U.S. Representative from the State of Florida.

J. Irving Whalley, U.S. Representative from the State of Pennsylvania.

Shirley Temple Black, of California.
 The following-named persons to be alternate representatives of the United States of America to the 24th session of the General Assembly of the United Nations:

Christopher H. Phillips, of New York.
 Glenn A. Olds, of New York.
 Rita E. Hauser, of New York.
 William T. Coleman, of Pennsylvania.
 Joseph E. Johnson, of New Jersey.

IN THE MARINE CORPS

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Blake, Robert L.	Lafreniere, Aurel E.
Brown, Jerome S.	Lewins, Donald C.
Burke, Bernard C.	Lorenz, Roger L.
Callri, Edward C.	McCloskey, Joseph P.
Carr, Francis J.	McWatters, David G.
Carter, Wallace M.	Miller, Daniel E.
Clemons, Ronald E.	Redwine, Gerald D.
Collins, Stephen A.	Rineberg, Harold S.
Crockett, Vincent Q.	Robinson, Dorsey, Jr.
Decosta, Richard A.	Scanlon, Eileen R.
Dotson, Charles J.	Thomas, James M.
Ellithorpe, William R.	Varnar, Robert L.
Hall, William G., Jr.	Williamson, Leslie M.
Hart, Frank R.	Witkoski, Gerald L.
Keith, Terry L.	Yoerk, Richard L.

Executive nominations received by the Senate September 3, 1969:

SECURITIES AND EXCHANGE COMMISSION

A. Sidney Herlong, of Florida, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1971, vice Francis M. Wheat.