

## SENATE—Thursday, September 4, 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:

Ever living God, the God of our fathers, the God of our children, and our God, draw near to us as we draw near to Thee. Mysteries surround us which we cannot fathom. Problems grip us day by day which unassisted we cannot solve. Yet silent hopes lie buried in our souls too deep for utterance. God help us with a wisdom beyond ourselves.

Make us daring enough to follow the Master. To advance Thy kingdom we would go the second mile and turn the other cheek. Teach us to do good in return for evil; to bless those by whom we are persecuted. And if our enemy hungers, may we feed him. If he thirsts, may we give him drink. To those who have wronged us may we grant forgiveness. Grant that we may have Thy love in our hearts and Thy spirit in our actions. Light the pathway of our lives that we may know and do Thy will, and, in so doing, make this Nation a blessing to all mankind.

In the name of Him who showed us the way, the truth, and the life. Amen.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, September 3, 1969, be dispensed with.

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

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Geisler, one of his secretaries.

## 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 Henry J. Tasca, of Pennsylvania, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary to Greece, which was referred to the Committee on Foreign Relations.

## LIMITATION ON STATEMENTS DURING TRANSACTION ON ROUTINE MORNING BUSINESS

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

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

## THAILAND

Mr. YOUNG of Ohio. Mr. President, during his recent visit to Thailand President Nixon, evidently impressed by the royal family and the militarists who rule that nation, became very expansive in his statements. In reassuring them that the United States will honor its obligations under the SEATO Treaty the President said:

We have been together in the past, we are together at the present, and the United States will stand proudly with Thailand against those who might threaten it from abroad or within.

Mr. President, the SEATO Treaty very definitely does not commit the United States to act as a policeman to protect Thailand or the military dictators ruling that nation.

Section 1 of article IV of the SEATO Treaty requires each signatory, in the event of an armed attack against any of the parties to the treaty, "To meet the common danger in accordance with its constitutional processes." However, section 2 of article IV deals with threats "other than by armed attack." It provides in that event only that the parties to the treaty "shall consult immediately in order to agree on the measures which should be taken for the common defense."

It is crystal clear that insofar as internal insurrection is concerned, there is no obligation in the treaty for the United States to send our GI's or Air Force to protect Thailand or any other Asiatic country. Have not we Americans suffered enough as a result of our involvement by Presidents Johnson and Nixon in an internal insurrection in South Vietnam which has become the most unpopular, undeclared war in the history of our Republic? Also, the most costly in blood and treasure.

Even former Secretary of State John Foster Dulles, the chief architect of SEATO, did not see in it any obligation for the United States to act singlehandedly to save Thailand from subversion. In the hearings on the treaty before the Senate Foreign Relations Committee the late Senator Theodore Green asked if the treaty would commit the United States to help quell a revolution in any nation in Southeast Asia. Secretary Dulles replied:

No. If there is a revolutionary movement in Vietnam or Thailand, we (SEATO nations) would consult together as to what to do about it, because if there were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have is an undertaking to consult together as to what to do about it.

It is unfortunate that this sensible limitation which former Secretary of State Dulles placed on his own treaty was ignored by President Johnson and now by President Nixon. Immense U.S. airbases were built in Thailand, and in addition a huge naval base. Approximately 50,000 American servicemen, mostly Air Force officers and men, were stationed there in advance of any threat of external aggres-

sion whatever and without approval of Congress. The right of the administration to do this under SEATO or any other treaty or agreement was—and still is—highly dubious.

It is apparent that in assuring the Thai Government that the United States would come to its aid "against those who might threaten it from abroad or within" President Nixon intends to continue this policy of U.S. aggression in Southeast Asia against those forces seeking national liberation and, in fact, to expand it. President Nixon should not and he must not be permitted to make a commitment of this magnitude in the absence of a formal treaty, ratified by a two-thirds vote in the Senate of the United States as provided in the Constitution of our Nation. There is no such treaty in existence or even under consideration.

May the Almighty help the United States if every President assumes the power to commit our Armed Forces in an invasion or to armed combat, particularly in countries such as Vietnam, Laos, and Thailand which are of no importance whatever to the defense of the United States.

President Johnson, without authority from Congress, ordered 31,000 marines to invade the Dominican Republic. This was an act of overt aggression. He intervened with combat troops and our air and naval power in a civil war in South Vietnam in 1963. We Americans are still fighting a terrible undeclared, unpopular, immoral major war 6 years later. It seems an unwinnable war despite the fact that we have hurled more high explosives and napalm bombs over Vietnam than the total tonnage of high explosives hurled on Germany and its allies in World War II.

Of all the strange entanglements and alliances the United States has constructed in the years since World War II, none is stranger or more entangled than the alliance with Thailand. In return for bases from which American bombers attack Vietnam, the United States has entered into a varied and far-reaching series of undertakings with the military regime in Bangkok—some of them secret and not revealed even to members of the Senate Committee on Foreign Relations.

The Thai Government, faced with an insurgency in the northeastern part of the country, has already accepted large units of American Armed Forces ostensibly to advise its own military leaders. This is starkly reminiscent of the policy which eventually led to our tragic involvement in the Vietnam quagmire. We have given Thai forces aircraft and heavy weapons. In addition, hundreds of millions of taxpayers' dollars have been given to Thailand in economic assistance—much of which has found its way into secret Swiss bank accounts of Thai officials. The Thais are clearly among the best allies in Southeast Asia that American money can buy.

It is time to question what arrangements the United States actually has

with the Thai Government, whose links to the American treasury are very sturdy indeed. Citizens have a right to know what Thailand does with the money it receives from American taxpayers.

We know there is in existence a secret agreement between the United States and Thailand which the Pentagon calls a military contingency plan—a plan which the Secretary of Defense refuses to submit to the Senate Committee on Foreign Relations for close inspection and detailed review. As the distinguished senior Senator from Idaho (Mr. CHURCH) said in this Chamber on August 12, 1969:

Rumor has it that the plans not only contemplate the use of American troops, but an arrangement that would actually place them under Thai command. If this is true, not only Congress, but the American people have a right to know it—and know it now . . . We cannot allow the Pentagon to disregard that Resolution, which said very clearly that it is the sense of the Senate that a national commitment by the United States results only from affirmative action taken by the executive and legislative branches of the United States Government by means of a treaty, statute or concurrent resolution of both Houses of Congress specifically providing for such commitment.

Mr. President, President Nixon's recent statement in Thailand and the highly questionable use of Executive power to change the nature of our military commitments abroad are matters of grave concern to every American. Thailand is the most prosperous little nation in Southeast Asia. It is 10,000 miles distant from the United States. It is of no importance whatsoever to the defense of our Nation. Thailand is a military dictatorship. If there are forces from within that little country, and there seem to be such forces, which might in the future threaten to overturn the military dictatorship in Bangkok and even dethrone the young king and the beautiful queen who are mere puppets in the hands of the military leaders of Thailand, then surely the United States would have no right, and certainly no obligation whatever, to intervene in any civil insurrection in that faraway country. The United States has no mandate from Almighty God to police Southeast Asia. Does any Senator claim otherwise?

President Nixon and the Congress would do well to reconsider our situation in Thailand before our militarists cause us to blunder into another war similar to our tragic involvement in Vietnam.

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

The PRESIDING OFFICER (Mr. ALLEN in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll. Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### DREW PEARSON

Mr. YOUNG of Ohio. Mr. President, in the death of Drew Pearson the Nation has lost one of its greatest journalists. In my humble opinion he was a truly great American and he certainly ren-

dered real and needful public service to our country.

Drew was a fine friend to me. Throughout the years I held him in high esteem and affection. I am proud he regarded me as his friend. I have said on occasions in the past that Drew Pearson, had he chosen public life, would have gone right to the top in this Nation just as he attained the topmost pinnacle as a news reporter, commentator, and columnist.

He was a man of deep conviction. He followed his conscience with great courage. When he felt that he was right Drew Pearson never shied away from a battle nor from any conflict no matter how great were the odds against him. He was a rough adversary. At the same time he remained a gentle, compassionate man. While fighting injustice and evil, he never allowed himself to become callous. While attacking the corrupt, the incompetent, and the pompous he continued to feel tremendous sympathy for them as human beings.

The Nation will miss Drew Pearson. Americans will miss his unshakable courage and persistence in exposing corruption, dishonesty, and immorality. We need more journalists like Drew. Drew Pearson was always willing to write the truth as he saw it, no matter how unpopular his report might be. He was willing to risk being wrong on occasion as the necessary price for being more often right.

Let us hope that the extraordinary career of this most effective—and certainly the most controversial—journalist of his time will be an inspiration and example to the coming generation of newsmen.

#### SUFFICIENCY OF ARMS AND ARMAMENTS

Mr. YOUNG of Ohio. Mr. President, President Nixon some time back announced that the goal of his administration regarding the defense of the United States was to have a "sufficiency of arms and armaments." There is reason for us to wonder just what our President meant. Furthermore, Deputy Defense Secretary David Packard did not add much light to this when recently he was asked: "How much is a sufficiency in the way of armaments?" Deputy Secretary Packard shrugged his shoulders and said: "It means that it is a good word to use in a speech. Beyond that it doesn't mean a thing."

Mr. BYRD of West Virginia. 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. 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.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that

all committees be authorized to meet during the session of the Senate today.

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

#### ORDER OF BUSINESS

Mr. BYRD of West Virginia. 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. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RUSSIAN NAVY NO DANGEROUS MILITARY THREAT, SAYS MILWAUKEE JOURNAL

Mr. PROXMIRE. Mr. President, the Milwaukee Journal has just editorialized on the Soviet Union's naval strength. Of course, we have all been concerned about growing Russian naval power in the Mediterranean. But, as the Milwaukee Journal makes clear, "in numbers and effectiveness they represent no dangerous military threat."

This point is particularly important to us here in the Congress. It should place us on guard against demands for any sharp increases in funding based on the Russian naval threat.

The Journal goes on to say:

It is less on the military than on the diplomatic and political level that the Russian fleet and its recent behavior are a problem.

While Members of the Senate may disagree strongly with this conclusion, I think the reasoning which the Milwaukee Journal advances is most interesting and most useful. It points out that, whether we have a large number of ships to counteract Russian submarines or a relatively modest number, the confrontation of these two great nuclear powers is equally effective with a relatively small force as with a large one. For example, the editorial states:

Today in the Mediterranean it would be almost impossible for the United States to repeat the 1958 Lebanon landing without risking a great power confrontation and nuclear war. The Russians can accomplish this with 20 ships there, as well as 60. Numbers don't count—just presence. Conversely, America could not overcome this handicap by doubling its Mediterranean force or by setting any ship to ship ratio.

By setting the Russian navy in perspective, the Milwaukee Journal has performed a public service.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

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

#### RUSSIA'S FLEET

Some military circles show growing concern over the increasing strength and widening deployment of the Soviet fleet. There is a buildup of Russian naval vessels in the Mediterranean. The Pentagon reports that Russia has 125 naval vessels deployed around the world, more than ever before.

Russia has a modern navy, most of it built

after World War II. It has the world's largest submarine fleet. But in numbers and effectiveness they represent no dangerous military threat. Russian geography and scarceness of warm water ports with access to open ocean severely restrict Russian operations. The ships can easily be bottled up. Russia has no permanent overseas bases.

Russia lags behind the American navy in training and experience. Soviet naval commanders have much to learn in open ocean operation and replenishment. American naval firepower still greatly exceeds Russian capabilities. American carriers give the navy tremendous striking range. The Russians, with no true carriers, are much more limited.

It is less on the military than on the diplomatic and political level that the Russian fleet and its recent behavior are a bother. The ships extend Russian presence. Soviet naval vessels in an area cramp American style and the choice of options.

Today in the Mediterranean it would be almost impossible for the United States to repeat the 1958 Lebanon landing without risking a great power confrontation and nuclear war. The Russians can accomplish this with 20 ships there, as well as 60. Numbers don't count—just presence. Conversely, America could not overcome this handicap by doubling its Mediterranean force or by setting any ship to ship ratio.

The simple fact is that the Russians have learned how to use their navy as a diplomatic tool as America has for the last 75 years. We must maintain adequate naval strength, but greatly expanding the navy will not solve the problem. The Russian fleet is something we have to learn to live with.

Mr. PROXMIRE. 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. 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.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 10105) to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled 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 Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum, and it was signed by the President pro tempore.

#### HOUSE BILL REFERRED

The bill (H.R. 10105) to amend the National Traffic and Motor Vehicle

Safety Act of 1966 to authorize appropriations for fiscal years 1970, 1971, and 1972, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

##### REPORT OF INDIAN CLAIMS COMMISSION

A letter from the Chairman, Indian Claims Commission, transmitting, pursuant to law, a report on proceedings concluded with respect to Docket No. 79-A of the Iowa Tribe (with an accompanying report); to the Committee on Appropriations.

##### PROPOSED LEGISLATION AUTHORIZING THE DISPOSAL OF SHELLAC FROM THE NATIONAL STOCKPILE

A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of shellac from the national stockpile (with accompanying papers); to the Committee on Armed Services.

##### REPORT ON SELF-HELP HOUSING

A letter from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report on self-help housing, dated June 1969 (with an accompanying report); to the Committee on Banking and Currency.

##### REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department procurement from small and other business firms for July 1968-May 1969 (with an accompanying report); to the Committee on Banking and Currency.

##### REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General, transmitting, pursuant to law, a report on voluntary agreements and programs, dated August 9, 1969 (with an accompanying report); to the Committee on Banking and Currency.

##### REPORT OF NATIONAL TRANSPORTATION SAFETY BOARD

A letter from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report of the Board for 1968 (with an accompanying report); to the Committee on Commerce.

##### REPORT COVERING PERSONAL PROPERTY DONATED TO PUBLIC HEALTH AND EDUCATIONAL INSTITUTIONS AND CIVIL DEFENSE ORGANIZATIONS

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report covering personal property donated to public health and educational institutions and civil defense organizations and real property disposed of to public health and educational institutions for the period January 1, through June 30, 1969 (with an accompanying report); to the Committee on Government Operations.

##### REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the opportunity for the Geological Survey to increase revenues through changes in its map-pricing practices, Department of the Interior, Bureau of the Budget, dated September 3, 1969; to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the Overseas Dependents School System in the European Area, De-

partment of Defense, dated September 4, 1969 (with an accompanying report); to the Committee on Government Operations.

##### REPORT ON STUDIES OF MARINE VOLCANIC ROCKS

A letter from the Secretary of the Interior, reporting, pursuant to law, that studies were made of marine volcanic rocks in the Noranda mining area in Quebec, Canada; to the Committee on Interior and Insular Affairs.

##### REPORT OF LOAN APPLICATION FROM THE PIONEER WATER COMPANY OF PORTERVILLE, CALIF.

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, the receipt of an application for a loan in the amount of \$467,000 from the Pioneer Water Co. of Porterville, Calif.; to the Committee on Interior and Insular Affairs.

##### PROPOSED LEGISLATION RELATING TO THE ACQUISITION OF PROPERTY FOR INDEPENDENCE NATIONAL HISTORICAL PARK

A letter from the Secretary of the Interior transmitting a draft of proposed legislation to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park (with an accompanying paper); to the Committee on Interior and Insular Affairs.

##### REPORT OF THE ATOMIC ENERGY COMMISSION ON SETTLEMENT OF CLAIMS OF EMPLOYEES

A letter from the General Manager, Atomic Energy Commission, transmitting, pursuant to law, a report of the Commission on settlements of claims of employees for damages to, or loss of, personal property incident to their service, for the period July 1, 1968 through June 30, 1969 (with an accompanying report); to the Committee on the Judiciary.

##### PROPOSED AMENDMENT OF THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, with respect to the settlement of claims against the United States by civilian officers and employees for damage to or loss of, personal property incident to their services; to the Committee on the Judiciary.

##### ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

##### SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions for ordering such suspension (with accompanying papers); to the Judiciary.

##### TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF THE NATIONAL COUNCIL ON  
VOCATIONAL EDUCATION

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the National Council on Vocational Education, dated July 15, 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

BILLS INTRODUCED

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

By Mr. HOLLINGS:

S. 2862. A bill to amend the Internal Revenue Code of 1954 to permit the deduction without limitations of medical expenses paid for certain dependents suffering from physical or mental impairment or defect; to the Committee on Finance.

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

By Mr. BENNETT:

S. 2863. A bill for the relief of Annette Romney; to the Committee on the Judiciary.

S. 2862—INTRODUCTION OF A BILL  
RELATING TO AMENDMENT OF  
INTERNAL REVENUE CODE RE-  
LATING TO DEDUCTION OF CER-  
TAIN MEDICAL EXPENSES

Mr. HOLLINGS. Mr. President, one of the saddest things in life is to be the parent of a child with a lingering, possibly terminal illness. America's medical community has made great strides in the past few decades, but the fact remains that millions of children are born each year who must struggle just to stay alive. The plight of their parents is sad indeed. They suffer not only the heart-break of sick children, but an intolerable financial burden as medical costs soar.

The expense of treating a serious illness strikes rich and poor alike. It knows no social boundaries. An American wage earner can be suddenly confronted by mounting thousands of dollars worth of doctor, hospital, and drug bills. Such expenses literally can push a family into poverty, regardless of education or job skills. Some families are completely wiped out by the tremendous financial strain of this long-term illness.

The average American can borrow just so much, and then his credit resources are gone. He can sell his car and mortgage his home. He and his wife can take extra jobs. But in many, many cases, this still is not enough.

Here are some of the statistics, Mr. President. For example, 25,000 children are born each year with congenital heart disease. Seven thousand will die in their first year of life, and many of the others require almost constant medical care. By 1970, the Children's Bureau estimates there will be 450,000 young people under the age of 20 with epilepsy, 406,000 with cerebral palsy, 900,000 with loss of hearing, 2,500,000 with orthopedic impairments, nearly 3,000,000 with mental retardation, more than 3,000,000 with speech disorders, nearly 5,500,000 with emotional disturbances, and 12,000,000 with eye conditions requiring special care. The problem is tremendous, and the medical bill is staggering.

We all know that everything in this

country is costing more each year. It does not make any difference if you are talking about groceries, rent, utilities, clothing, or the price of a movie. Inflation is hitting the American citizen where it hurts the most—in his pocketbook. Hit hardest by these increases are the families who must deprive themselves to pay continuing medical bills. This is really difficult when money is so tight and interest so high.

The price of living in the past 5 years has increased 18.4 percent. At the same time, the cost of medical care in this country has skyrocketed by 42.3 percent, or more than 7 percent each year.

Today, I am proposing that we take a step in helping these families. I am introducing a bill to amend the Internal Revenue Code of 1954. My amendment would permit unlimited deductions of medical expenses paid by parents or guardians for the care of such children. This would ease the tax burden of these families. In addition, it would show the concern of Congress for those Americans who must shoulder the burden of high-priced health care for their sick children. For these reasons Mr. President, I ask unanimous consent that this bill be printed in the RECORD.

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. 2862) to amend the Internal Revenue Code of 1954 to permit the deduction without limitations of medical expenses paid for certain dependents suffering from physical or mental impairment or defect, introduced by Mr. HOLLINGS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2862

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 213(a) of the Internal Revenue Code of 1954 (relating to deduction of medical, etc., expenses) is amended—*

(1) by inserting ", other than a dependent to whom paragraph (3) applies," after section 152" in paragraph (1);

(2) by striking out "and" at the end of paragraph (1);

(3) by striking out "dependents," in paragraph (2) and inserting in lieu thereof "dependents, other than a dependent to whom paragraph (3) applies, and"; and

(4) by adding after paragraph (2) the following new paragraph:

"(3) the expenses paid during the taxable year for medical care of a dependent described in subsection (e) (5)."

(b) Section 213(b) of such Code (relating to limitation with respect to medicine and drugs) is amended by adding at the end thereof the following new sentence: "The preceding sentence shall not apply to amounts paid for the care of a dependent to whom subsection (a) (3) applies."

(c) Section 213(e) of such Code (relating to definitions) is amended by adding at the end thereof the following new paragraph:

"(5) Subsection (a) (3) shall apply only to a dependent who—

"(A) has not attained the age of 19 before the close of the taxable year and is suffering from a physical or mental impairment or defect which—

"(i) has been in existence for more than 3 months, and

"(ii) results in a substantial loss, or loss of use in a normal manner, of any substantial portion of the musculoskeletal system, or results in a substantial loss of vision, hearing, or speech; or

"(B) has attained the age of 19 before the close of the taxable year and is suffering from a physical or mental impairment or defect described in subparagraph (A) which commenced prior to attaining such age."

Sec. 2. The amendments made by this Act shall apply to taxable years beginning on or after the date of the enactment of this Act.

ADDITIONAL COSPONSORS OF BILLS

S. 2461

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at the next printing, the names of the Senator from Tennessee (Mr. BAKER), the Senator from Indiana (Mr. BAYH), the Senator from Utah (Mr. BENNETT), the Senator from Nevada (Mr. BIBLE), the Senator from Delaware (Mr. BOGGS), the Senator from West Virginia (Mr. BYRD), the Senator from Idaho (Mr. CHURCH), the Senator from Kentucky (Mr. COOPER), the Senator from California (Mr. CRANSTON), the Senator from Nebraska (Mr. CURTIS), the Senator from Illinois (Mr. DIRKSEN), the Senator from Connecticut (Mr. DODD), the Senator from Kansas (Mr. DOLE), the Senator from Missouri (Mr. EAGLETON), the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from Arizona (Mr. FANNIN), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from New York (Mr. GOODELL), the Senator from Tennessee (Mr. GORE), the Senator from Alaska (Mr. GRAVEL), the Senator from Michigan (Mr. GRIFFIN), the Senator from Michigan (Mr. HART), the Senator from Oregon (Mr. HATFIELD), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUE), the Senator from New York (Mr. JAVITS), the Senator from Idaho (Mr. JORDAN), the Senator from Washington (Mr. MAGNUSON), the Senator from Iowa (Mr. MILLER), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Maine (Mr. MUSKIE), the Senator from Wisconsin (Mr. NELSON), the Senator from Oregon (Mr. PACKWOOD), the Senator from Rhode Island (Mr. PELL), the Senator from Pennsylvania (Mr. SCHWEIKER), the senior Senator from Pennsylvania (Mr. SCOTT), the Senator from Alaska (Mr. STEVENS), the Senator from Georgia (Mr. TALMADGE), the Senator from South Carolina (Mr. THURMOND), the Senator from Maryland (Mr. TYDINGS), the Senator from Texas (Mr. YARBROUGH), the Senator from North Dakota (Mr. YOUNG), and the Senator from Ohio (Mr. YOUNG), be added as cosponsors of S. 2461, to amend the Randolph-Sheppard Act for the blind so as to make certain improvements therein, and for other purposes.

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

S. 2718

Mr. BENNETT. Mr. President, I ask unanimous consent that, at the next

printing, the name of the Senator from Indiana (Mr. HARTKE) and the Senator from Tennessee (Mr. BAKER) be added as cosponsors of S. 2718, to modify amendment recordkeeping requirements.

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

#### ADDITIONAL COSPONSORS OF RESOLUTION

S. RES. 179

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from New York (Mr. JAVITS) and the Senator from Kentucky (Mr. COOPER) be added as cosponsors of Senate Resolution 179, in support of the United Nations conference on the environment to be held in 1972.

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

#### PROMOTION OF EQUAL EMPLOYMENT OPPORTUNITIES FOR AMERICAN WORKERS—AMENDMENT

AMENDMENT NO. 143

Mr. PROUTY submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the bill (S. 2453) to further promote equal employment opportunities for American workers, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

#### REFORM OF INCOME TAX LAWS—AMENDMENTS

AMENDMENTS NOS. 144 AND 145

Mr. FANNIN. Mr. President, I submit for appropriate reference two amendments, intended to be proposed by me, to the bill (H.R. 13270) to reform the income tax laws.

One amendment would provide a deduction up to \$600 to disabled taxpayers for transportation to and from work as well as an additional \$600 exemption for the taxpayer or spouse who is disabled.

The other amendment would require labor unions to abide by the same "no politics" rule as that proposed in the tax reform measure for other tax-exempt organizations.

The substance of these amendments was previously introduced as S. 1483 and S. 2796. I am now resubmitting the proposals as amendments to the tax bill which is now the subject of hearings before the Finance Committee.

Mr. President, let me observe that in our efforts to enable disabled individuals to seek remunerative employment, we have overlooked the practical objections to such employment. For most of them, it costs so much to work—not to live—but to work, that they simply cannot afford the luxury of a job. When you consider the costs of maintaining disabled people in Government-supported facilities, it is clear that we pursue a false economy in denying these people a deduction for transportation expenses as well as an additional exemption to help provide for their own aid.

Mr. President, the other amendment would require unions to cease political activity with funds obtained by dues or assessments. This measure, according to indications I have had from rank-and-file union members, will be popular with the members and opposed by the leaders. The reason is that it allows a man who genuinely wants his union to engage in political activity to be completely free and uncoerced in seeing that his political wishes are carried out. Additionally, it removed the preferential treatment accorded to unions which are able to require individuals to be members in order to work and then require payment of dues or assessments which are used for political purposes.

The amendment simply requires that unions operate under the same rules as those applied to chambers of commerce, charitable foundations, churches or fraternal organizations. Nothing could be more in line with what union spokesmen say they want in the area of tax reform.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments (Nos. 144 and 145) submitted by Mr. FANNIN, were referred to the Committee on Finance.

#### NOTICE OF HEARINGS ON S. 2483, THE INTERGOVERNMENTAL REVENUE ACT OF 1969

Mr. MUSKIE. Mr. President, I wish to announce that the Subcommittee on Intergovernmental Relations, Committee on Government Operations, will hold hearings on S. 2483, the Intergovernmental Revenue Act, on September 23, 24, and 25.

The central objective of the Intergovernmental Revenue Act is to help to redress the fiscal balance of our Federal system. It would accomplish this by supplementing the tax base of States and localities through a system of Federal general support payments; and, by encouraging States and localities to adopt stronger tax systems of their own through establishing Federal tax credits for State and local income and estate taxes.

S. 2483 combines the features of revenue sharing and tax credits and is based on the studies and recommendations of the Advisory Commission on Intergovernmental Relations.

The hearings on September 23, 24, and 25 will be in room 1318, New Senate Office Building, beginning at 10 a.m.

Any Senator or other person wishing to testify should notify the subcommittee, room 357, Old Senate Office Building, extension 4718, in order that he might be scheduled as a witness.

#### NOTICE OF HEARINGS ON FOUR INTERGOVERNMENTAL BILLS

Mr. MUSKIE. Mr. President, I wish to announce that the Subcommittee on Intergovernmental Relations, Committee on Government Operations, will hold hearings on September 9, 10, 12, and 17 with respect to the following proposed legislation:

Senate Joint Resolution 117, to au-

thorize appropriations for an Office of Intergovernmental Relations in the Executive Office of the President;

S. 60, the Program Information Act, which would create a catalog for Federal assistance programs, provide for monthly revision of the catalog, provide information on the simplification of application forms and procedures, and transfer the Federal Information Exchange from the Office of Economic Opportunity to the Bureau of the Budget;

S. 2035, the Grant Consolidation Act of 1969, which would provide for consolidating Federal assistance programs in the same or closely related functional areas under a procedure similar to the Executive Reorganization Act; and

S. 2479, the Intergovernmental Cooperation Act of 1969, which would authorize procedures for improving the financial management of Federal assistance programs, facilitate the consolidation of such programs, provide temporary authority to expedite processing of project applications drawing upon more than one Federal assistance program strengthen further congressional review of Federal grants-in-aid and extend and amend the law relating to intergovernmental cooperation.

S. 2035 is the Grant Consolidation Act which was introduced by the senior Senator from South Dakota (Mr. MUNDT) on behalf of the administration.

S. 2479 contains three titles—financial management, grant consolidation, and joint funding simplifications—which were considered at length in subcommittee hearings last year. In their present form, they incorporate many of the suggested changes and recommendations advanced by the Advisory Commission on Intergovernmental Relations, major associations representing public officials, and others.

Hearings on September 9, 10, and 12 will be held in room 3302, New Senate Office Building; and on the 17th they will be held in room 6226. On September 9 the session will begin at 9:30 a.m. The following days they will begin at 10 a.m.

Any Senator or other person wishing to testify or present a written statement, with respect to the above legislation should notify the subcommittee in room 357, Old Senate Office Building, extension 4718.

#### NOTICE OF HEARING ON NOMINATION OF CLEMENT F. HAYNSWORTH, JR.

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, September 9, 1969, at 11 a.m., in room 2228, New Senate Office Building, on the following nomination:

Clement F. Haynsworth, Jr., of South Carolina, to be an Associate Justice of the Supreme Court of the United States, vice Abe Fortas, resigned.

Any persons desiring to offer testimony in regard to this nomination shall, not later than 24 hours prior to such hearing, file in writing with the committee a request to be heard and a statement of their proposed testimony.

### THE BIG MAN WITH THE SOFT VOICE

Mr. MANSFIELD. Mr. President, I have just learned, not unexpectedly, of the retirement of one of Montana's, and the Northwest's, most outstanding newsmen, Walter Nelson, editorial page editor of the Montana Standard, in Butte, Mont.

Walter Nelson is a long-time friend who has had an active role in the Montana press since 1927, and started work as a reporter for the Butte Miner.

Through the years Walter Nelson has developed a familiarity with many aspects of the news business—reporting, editorial writing, and in the managerial capacity. Walter, often referred to as "the big man with the soft voice," is a man who has contributed so much, not only to the news media, but to the community which he has served. Although Walter is retiring as an active newsmen, I am delighted to know that he and his wife, Margaret, are planning to continue to make their home in Butte.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a news story, an editorial, and Walter Nelson's farewell editorial, published in the Montana Standard of September 1, 1969.

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

#### WALTER L. NELSON ENDS 42-YEAR NEWS CAREER

Walter L. Nelson, one of Montana's best known newsmen, has retired effective today. Nelson began work as a reporter for the Butte Miner in 1927 and has served in nearly all newsroom capacities in those 42 years. He became editor of The Montana Standard in 1961. In recent years, Nelson has been editorial page editor.

Soon after he joined the Butte Miner, Nelson went to the Anaconda Standard in Anaconda. He became its city editor in 1928 and editor there in 1930. He was made city editor of The Montana Standard in 1938 and the next year became city editor of The Montana Standard-Butte Daily Post. He was news editor several years before he became city editor again in June 1959.

The Anaconda native graduated from journalism school at the University of Montana in 1927. He is a graduate of Anaconda schools and its public high school.

Nelson long has been active on behalf of Montana Tech, and for establishment of the new vocational school here. He is a member of Tech's advisory board and of the votech executive board. The Montana Tech Alumni Association made him its first honorary member in 1968. Efforts in behalf of conservation brought him the Montana Wildlife Federation Award in 1967.

The newsmen also was active in professional groups, such as the Montana Press Association, Associated Press Managing Editors and Sigma Delta Chi, a journalistic society. He is listed in Who's Who in the West.

Nelson and his wife, the former Margaret Kiely, will continue to make their home in Butte.

#### TAKE CARE, WALTER

Walter Nelson, former editor of The Montana Standard and its editorial page editor in recent years, officially steps down today from the jobs he loved, and the paper he guided.

To know Walter is a privilege that many in Butte and Anaconda have. But it especial-

ly is a privilege for the new, the untried, the relative newcomers to this business of newspapering who were encouraged by the man who brought them into the business.

Walter's a big man with a soft voice, a thoughtful man who keeps his cool when others around him may be losing theirs, a man who has a calming influence in a nearly always hectic newsroom, a man of subtle humor whose twinkling eyes tell you, here's a friend.

As an editorial writer, Walter sees through complicated matters and controversial issues, zeroes in, and sweeps aside the irrelevancies to shed light and reason on the heart of the matter.

In the past few years, Walter began writing his editorials in long hand, sometimes while he sat in a waiting room before an appointment, on small pieces of copy paper. There were few false starts, the penciled lines put down with thought and clarity, building the case, and then making the point. "There, that ought to take care of that," he would say, and it usually did.

On occasion Walter has had his differences with various Standard publishers, but only in matters of news judgment or policy would he rise from his wood-framed office chair, extend his long frame and, as Lyndon Johnson used to say, "reason together." He was a pretty good reasoner, too, often bringing his boss around to the editor's way of thinking.

Leaving an active role in producing a newspaper will not be easy for this man whose working life has centered on ink and newsprint. But he has done so graciously. Walter has eased out of his office on the second floor of The Standard Building the last few weeks, stopping by or calling daily to inquire if everything was going all right.

"How are you today?" "How are you getting along?" "Take care, don't worry; I'll be in touch."

And we hope he will, too. On one side of his old office is a large desk, a chair, and a supply of small pieces of copy paper, and a couple of sharpened pencils, just in case the expert's hand is needed.

#### AN EDITOR BIDS HIS READERS FAREWELL

This is our retirement editorial and perhaps the most difficult one to write.

We have spent a lifetime in the service of the readers of The Montana and Anaconda Standards as a newspaperman. One cannot sever the adhesive attachments without some distress. But in the pain of parting there is fused a permanency with the past that has its reward.

A native of Anaconda, where we began our career, we did not stray far from it, nor lose interest in its welfare. Of Butte, where we have enthused and groaned these many years, there is deep affection that comes from experiencing personally its troubles and its satisfactions. Butte may have ugly scars but you really don't see them. Do you love a woman less if her petticoat shows?

All newspapers, large or small, are judged by their contributions to the communities which they call home. So it is with those charged with the responsibility of running newspapers. To squarely face and successfully meet the varied challenges communities present, a newspaper must to a substantial degree reflect those communities. That we had as a goal—a paper reflecting its area and engaged energetically in projects for its benefit.

But to be effective, a paper must be respected. It is respected if it is not influenced, if it adheres to the cardinal criteria of the profession—fairness, accuracy, integrity, responsibility, leadership. This respect we sought earnestly and sincerely believe we attained.

We leave others to compile community contributions if they be evident. It is sufficient to note conditions in local government

have changed by the will of a more enlightened electorate.

We share the strong pride of many in Butte in this community. We are offended when it is abused and resent unwarranted criticism. Butte has been called unusual and it will remain so because it is a mining city with the lively past of a mining camp. Its people have been called different because they are demonstrative about their community's welfare. We, disciples of earnest effort and energetic enthusiasm on Butte's behalf, see much virtue in the difference.

Since our obligations are to our readers and our community—our efforts, our attainments have been in their service. Our reward has been in the readers' acceptance in possessive terms: "Our editor" or "my editor".

To many readers, The Standard is a very personal thing. In essence it belongs to them. They refer to it with a personal pronoun "my paper" or "our paper." That is as it should be and in our long career we tried to make it so.

A great trust, of which we are constantly aware, has been placed by the American people in their papers and by the people of this community, with confidence, we hope, in this paper. To gain that trust we have assiduously tried to inform our readers and to offer leadership; we have denounced secrecy in public affairs wherever it appeared; we exposed the shortcomings of government; we have brought community controversy onto the open table; we have attempted to be fair in our criticism and sound in our judgments.

Along the way we have made enemies and we hope some friends. To the reader we would leave this thought: To present our views openly and subject to reply was our responsibility to him or to her. This responsibility, demanded in our profession, will be carried out by those who follow in our footsteps.

Much, we believe, was accomplished in reform improvements and development in various fields and phases of our community in our editorial stewardship. Yet, there remains more which we in retiring leave in eager and able hands.

To the readers in Anaconda, we wish to assure them of our sustained interest in their welfare and contentment.

To the readers of Butte, my future efforts, as those in the past 30 or more years will be unstintingly expended on your behalf—a labor of love indeed.

To the Standard's readers elsewhere in the Magician my sincere interest will not be abated.

To all, a reluctant farewell.

WALTER L. NELSON.

#### VISIT BY SENATOR GOLDWATER TO FORMER SENATOR HAYDEN

Mr. GOLDWATER. Mr. President, during the August adjournment it was my extreme pleasure to call on our former colleague, Senator Hayden, who served in Congress longer than any other man in history.

Carl is in good health, with an active mind, devoting quite a few hours every day to working in the offices of the Charles Trumbull Hayden Library, named after his illustrious father. There he is putting together, in proper form and order, all of the papers that he accumulated during his many years of long, valuable, and faithful service.

He asked me to express his warm regards to all of those with whom he served over the years, and to tell all of you that he has enjoyed, so much, the many letters and cards he has received.

During the course of our conversation he agreed to allow the Arizona Historical

Foundation, of which I am president, to begin the publication of some 2,500 personal records that he put together of the families who came to the territory of Arizona before 1870.

These will, of course, be dedicated to Senator Hayden, and will be one small recognition of the great contributions he has made to our State.

#### JURISDICTION OF COMMITTEE ON FINANCE—TAX AMENDMENT ON S. 2754

Mr. LONG. Mr. President, on August 1, the Committee on Post Office and Civil Service reported S. 2754, a bill relating to civil service retirement. I am very much concerned about the bill because it includes a tax provision which is unfair against many taxpayers.

First, I think it should be recognized that the Committee on Finance has jurisdiction in tax matters. Nevertheless, section 207 of the bill provides that the amount, not to exceed \$3,000 each year, which is received by a civil service annuitant would be excluded as gross income under the Federal income tax laws. This provision of the bill clearly relates to tax matters and just as clearly violates the jurisdiction of the Finance Committee to pass on all tax matters. I realize that the Committee on Post Office and Civil Service was attempting to aid civil service retirement annuitants, but in catering to its special constituency that committee is unable to view the broad picture of taxation in proper focus and they create a new preference in the tax law at the very time the Committee on Finance is considering a tax reform bill to take tax preferences out of the law.

Second, this action by the Committee on Senate Post Office and Civil Service is unconstitutional. The Constitution clearly provides that all matters relating to revenue must originate in the House of Representatives. This provision of the bill clearly did not originate in the House of Representatives, and I am confident the House will so advise the Senate if it should be retained in the retirement bill.

#### RETIREMENT INCOME CREDIT

The income tax laws now contain what is known as the retirement income credit. This provision was added to the income tax laws because a person who receives social security and railroad retirement benefits do not have to pay tax on the amounts which they receive. The retirement income credit was designed to put all taxpayers receiving retirement incomes on a substantially equal basis with those taxpayers receiving social security and railroad retirement benefits. Under present law, a civil service annuitant receives the retirement income credit on those amounts of his annuity which are included in taxable income.

Mr. President, I would like to go into the development of the retirement income credit so that I may demonstrate how the present provision in the post office and civil service bill unfairly discriminates against many taxpayers. As I mentioned, social security payments are

not subject to tax. It was later concluded by Congress that the income tax laws should be amended so that all taxpayers with retirement income would be treated approximately equal to that preferential treatment being given to social security payments. At the time that the retirement income provision was under consideration some thought was given to providing an outright exclusion from income equal to the maximum amount which a person could receive from the Social Security Administration. However, this would have benefited high-bracket taxpayers much more than it would have benefited low-bracket ones. This was so because the exclusion would have been applied at the taxpayer's highest bracket. Thus, a person in a 70-percent bracket would get a much higher tax benefit than a person in the lowest bracket, for example, 14 percent. Also, an outright exclusion would have added to the tax advantage already being received by taxpayers who were then drawing tax-free social security and railroad retirement.

Instead of adopting the exclusion formula, the tax credit approach was enacted. This generally works so that a credit is given which equals the maximum amount of social security benefits that a person may receive but with the credit being computed at the lowest bracket rate. The net result is that all taxpayers with retirement income, other than social security and railroad retirement, will receive the same amount of maximum tax credit regardless of the tax bracket which they are in. Under present law, the maximum tax credit is 15 percent of \$1,524. Until the last increase in social security payments, the maximum amount an individual could receive annually from social security was \$1,524. Presently, the maximum amount which an individual can receive from the Social Security Administration is \$2,616 annually, although I understand that the maximum average that retired persons are presently receiving is around \$1,800 because of the transition period since the increase and the fact that the formula is computed on the highest wages paid to a person during a period of time. The retirement income tax credit should probably be increased so that the amount used in the formula to compute the maximum retirement tax credit would again correspond to the maximum amount which a person can now receive from the Social Security Administration.

#### TAX PROVISION OF S. 2754

The bill which was reported by the Committee on Post Office and Civil Service contained, as I mentioned, a provision that the first \$3,000 which a civil service annuitant received each year would be excluded from gross income for purposes of the Federal income laws. Under the present tax laws, this would give the civil service annuitant a tax advantage over persons with retirement income—other than social security or railroad retirement—in a similar bracket.

By excluding the first \$3,000 each year under present law, a single person who was over the age of 65 would be able to

receive the first \$4,667 of taxable income tax free. A single person, who was over age 65, but with a different type of retirement income—other than social security or railroad retirement—under present tax law would be able to receive \$3,124, tax free. Thus, the civil service retiree would have a tax saving of \$420 while the person with another type of retirement income would have an income tax saving of \$228.60. At the lowest tax bracket, there would be an advantage to the civil service retiree of \$191.40.

However, at the upper tax bracket there is an entirely different story. Because the tax provision of the Post Office and Civil Service Committee bill excludes a stated amount from income tax, those persons in the higher brackets would receive a substantially greater benefit. Under present tax law, the top bracket rate is 70 percent—excluding the surtax—thus, the tax saving on excluding \$3,000 would be \$2,100. However, a person with another type of retirement income—not including social security or railroad retirement—would still have only the same tax saving of \$228.60. Therefore, at the highest tax bracket rate of 70 percent, there would be a difference of \$1,871.40 between the income taxes that two similarly situated retirees would pay, except for the fact that the civil service retiree would receive a different tax treatment. I do not know what the views of the members of the committee would be on this question. However, I do think that the tax expertise of my brothers on this committee should be utilized to the fullest extent. As of now, this expertise has been completely bypassed.

#### TAX REFORM BILL

The Post Office and Civil Service Committee bill also ignores the tax rate reductions, the low income allowances and the liberalization of the standard deduction, all contained in the Tax Reform Act of 1969 and all calculated to reduce the tax and tax reporting burdens of persons in the low- and middle-income levels. Among those who would receive substantial tax reductions under the tax reform bill are persons who are retired and living off lower fixed incomes—such as the civil service annuitant.

#### CONCLUSION

Mr. President, there should be no doubt in any Senator's mind that income tax matters should be left to the Finance Committee. Although, of course, the Post Office and Civil Service Committee has a provincial interest in the tax treatment of civil service retirees, the Finance Committee is charged with the responsibility of seeing to it that all similarly situated taxpayers—including those receiving retirement payments—are treated equally and fairly to the maximum extent we can achieve that sort of equity. The Committee on Post Office and Civil Service does not have such a responsibility. For that reason, and for the other reasons I have indicated, I urge the chairman of the Committee on Post Office and Civil Service to withdraw this tax provision from the bill and refer it to the Finance Committee, where it should be considered. Simply stated, tax questions should be left to the tax committee.

### THE AUGUST SOLSTICE

Mr. McGEE. Mr. President, with Richard Wilson I can wistfully say, "Ah, for those rare days of August!"

Our summer recess, he happily reported in yesterday's Evening Star, "proved that the Government can be suspended for a while without doing any particular harm."

Mr. Wilson implies that Senators were off on far-flung junkets, perhaps, but this Senator, at least, was home in Wyoming, investigating the Bridger Wilderness and the DuNoir area of the proposed Washakie Wilderness, challenging trout in lake and stream, and visiting with some mighty fine people out there in what we often call, half jokingly and half seriously, "the real world."

I am happy to report this because it is exactly the type of break I had in mind for years, while I was beseeching Senators and the leadership for just such a summer recess, in the realization that the good old days when Congress would adjourn sine die in midsummer were gone and that legislating for this vast Nation in our age of great complexities is, in fact, a full-time job.

To Columnist Wilson, this was a nostalgic August that caused him to wonder yesterday if it could possibly be that when Washington quiets down so does the country. At any rate, I agree with him that "the August solstice deserves to become a national custom for its own sake to give the country a breathing spell and the controversialists a rest."

Mr. President, I ask unanimous consent that Richard Wilson's column be printed in the RECORD.

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

[From the Washington Evening Star,  
Sept. 3, 1969]

#### WASHINGTON TREATS NATION TO A BREATHING SPELL (By Richard Wilson)

Now it has been proved that the government can be suspended for a while without doing any particular harm.

A month-long interregnum in the exercise of power is coming to an end. Congress and the President will be back in Washington and the daily clamor of political conflict will begin again.

This was a nostalgic August for those who can remember when it was normal for Congress to go home in late summer for the remainder of the year, the President relaxed and the country was perhaps better for it.

This year the mood of the country seemed to respond. There were relatively few riots. The troublesome young floated happily by the hundreds of thousands on a cloud of pot smoke above a sea of mud at the Woodstock Rock Festival.

Could it possibly be that when Washington quiets down so does the country? Is there anything to the surmise that the constant roar of conflict in Washington renders the country edgy, contentious and even riotous? When Washington lowers its voice does the country respond in kind?

It would be comforting to think that this was true. If so there may be a lesson or two. The major instrumentalities of power—White House, Congress, Pentagon—might make a regular thing of observing a period of quiet from time to time.

The information media representatives, who swarm this city by the thousands, might

ponder whether or not their frenetic activity is a primary contributing cause of national unrest and disorder, rather than the other way around.

Profound studies and deep soul searching have shed little light on the cause and effect relationship of aggressive press and TV coverage of incidents reflecting national discontent. Is the discontent as great as a score of demonstrators on TV can make it appear to be? Are the issues as explosive as enterprising press coverage can make them appear to be? Do these two types of "committed" journalism combine to fan into flames scattered embers of discontent which would otherwise die out?

Or, as the committed journalists believe, is the American society so rotten, so unjust, so misdirected, so badly motivated that the glare of publicity must magnify every incident which happens to illustrate their particular bias and prejudice?

The August solstice induces such questions because it provided a period during which officials who could be used to exploit or illustrate controversy (it is called "developing" the story) where absent from the haunts where reporters usually find them. Consequently, there was little controversy.

It became necessary to dwell upon certain discrepancies between the Pentagon and the State Department on a lowered rate of infiltration into South Vietnam. The potential of a nuclear attack by Russia on China—which hardly anyone expects to happen—was given awed credence as if it were a live possibility.

All this gets away from the main point herein that the August solstice deserves to become a national custom for its own sake to give the country a breathing spell and the controversialists a rest.

Reality is now returning as the President shuts up the Western White House, the senators return from their far-flung junkets, and the Supreme Court resumes its deliberation of our essential liberties.

There will be no lack of problems and controversies now. The Senate has got to face up to the problem of tax reform. Both houses of Congress must fight their way through welfare reform. The national crisis in housing cannot much longer be ignored. The kids are going back to college among dire predictions of new disorders. Racial turmoil rumbles here and there. President Nixon has got to make up his mind when to bring back more troops from Vietnam. The Nixon managers must buckle down and work out their first federal budget without enough funds to do what they wish to do, and no hope for a big windfall when the Vietnam war tapers off.

Ah, for those rare days of August!

#### DREW PEARSON—WORKER FOR PEACE AND COUNSELOR OF YOUTH

Mr. RANDOLPH. Mr. President, just a few days ago the death of Drew Pearson took from the United States a strong and consistent voice in the review of public affairs. For 37 years, mostly in the role of critic, he influenced the thinking of millions of Americans.

His image as a crusader was well known. Less known was Drew Pearson the man, an individual of considerable compassion and one alert to the hopes of humanity for a better life in a world of peace and understanding.

In his private activities, Drew Pearson contributed substantially to the quest for commonsense in solving the seemingly insurmountable problems that face mankind.

Mr. President, it is this very human side of Drew Pearson that I remember today.

My own associations with him go back many years, and I was able to observe his work on behalf of a better world. In 1945, while a Member of the House of Representatives, I introduced a bill to establish a Department of Peace. During testimony before the House Committee on Foreign Affairs I called on the words of Drew Pearson who understood and supported the need for a Government department dedicated to world peace.

At that time, he wrote:

Maybe because the weapons of war have reached such a state of perfection, maybe because we have reached the all-time low in international discouragement, we will wake up and revolutionize our tactics. . . . Maybe we will wake up to the futility of old-fashioned diplomacy and the hopelessness of big armies and put our faith in friendship. . . . In other words, everything else having failed, we might finally come around to practicing the Sermon on the Mount. . . . Why not, for instance, really begin working at the job of getting along with other nations and people? Why not, for instance, establish a Department of Peace? . . . If, for instance, we spent a small fraction of the amount we spent for war on good neighborliness, it couldn't hurt, and it might help. . . . A drowning man will grasp at anything to save himself. Since we now admit that civilization is in danger of going under, perhaps we'll grasp at such a revolutionary thing as trying to work at the Sermon on the Mount and peace.

These thoughts, expressed nearly a quarter of a century ago, are especially pertinent today as we consider further huge military expenditures, the antiballistic missile, deployment of American troops throughout many parts of the world and the constant quest for peace among peoples who we must recognize as neighbors on a shrinking globe.

Drew Pearson passionately believed in the need for peace and understanding among all people.

During this same period in the 1940's, R. M. Davis, of Morgantown, W. Va., another supporter of the Department of Peace, conducted an essay contest on this topic in the high schools of his area. Every year he brought the winners to Washington for a visit and a dinner. On several occasions I invited Drew Pearson to attend these events, and he never failed to accept the opportunity to discuss with these young people a subject in which they both believed.

That his beliefs extended down to the personal level is evident in his own commitment to the young people of this Nation. For years he was active in the Big Brothers of America and once served as president of this organization for fatherless boys in the Washington area.

In this role he spent countless hours encouraging boys and guiding them toward the path to a happy and successful life. The last time I heard Drew Pearson's voice it was on a radio broadcast of his recorded appeal for support of the Big Brothers only a few days before his death.

Still another manifestation of his great concern for people was the Freedom Train which he organized following World War II to collect food to alleviate

the hardships of a war-weary European population. Memorials to this humanitarian effort soon appeared in this country in the form of railroad cars from a train sent to the United States in gratitude for the generosity of the American people as mobilized and directed by Drew Pearson. I am pleased that one of these little European railroad cars was placed in a park not far from the West Virginia State capitol in Charleston.

I was with Drew Pearson on July 9 when, with a number of Senators, he attended a luncheon at the Capitol for the 100 young men attending the National Youth Science Camp in West Virginia. He was quick to accept my invitation, not to speak but to mingle and talk informally with these talented boys from all parts of the country and to offer his encouragement to them for the years ahead.

He also brought his personal style of evangelism to youth to West Virginia many times, talking to students on our college and university campuses. I am confident that Drew Pearson drew strength and encouragement himself from his exchanges with the young people of the United States.

And, Mr. President, I remember that regularly each year Drew Pearson departed from his regular style and wrote his column in the form of a letter to his grandson. These columns contained the warnings and the hopes of a grandfather and were the most personal and moving essays he produced during a long career.

Drew Pearson, then, was as much a concerned human being as he was an analyst of government. The two roles, in fact are not incompatible, for a responsible and responsive government is really reflective of the personal relationships between people. Drew Pearson understood this basic fact.

#### MONOMOY: A DAY ON THE ISLAND

Mr. BROOKE. Mr. President, the spring edition of the Living Wilderness, published by the Wilderness Society contains an excellent article entitled "Monomoy: A Day on the Island," written by Lucille and Robert Harrigan. This couple relates a recent visit to the beautiful and inspiring barrier island which cuts between Nantucket Sound and the Atlantic Ocean. The Harrigans have described more adequately than anything I have read before the enjoyment that can be derived from just a casual stroll on the secluded beaches of Monomoy.

This island is truly a wild place, untouched and undisturbed by the ravages of man. Therefore, at a time when Americans are confronted with the destruction of our estuaries and shorelines by industrial development and pollution, it is imperative that natural monuments such as Monomoy be preserved for all to enjoy.

In each of the last 2 years, the Senate has approved legislation designating Monomoy Island as a wilderness area, and each time similar action has been withheld by the House. At present, approval is necessary by the House Committee on Interior and Insular Affairs. I am hopeful that it will soon be forthcom-

ing, so that Monomoy Island will be protected for all time.

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:

#### A DAY ON THE ISLAND MONOMOY (By Lucille and Robert Harrigan)

We arrived on the Cape on August 12, only to find that Cape Cod in August is always like Cape Cod in August—bumper to bumper traffic in the towns and elbow to elbow traffic in the gift shoppes. By mid-afternoon it was hopeless to even try to get a campsite at the Roland Nickerson State Park and we joined a flock of station wagons and campers making frantic circles about the public and private campgrounds looking for a place to roost. We finally situated ourselves in a very-well-run outdoorsman's ghetto—and we gained entry only because the owner felt he ought to do right by a couple with a name "as Irish as Paddy's pig."

Rupert Cutler, of The Wilderness Society, has made arrangements with Robert McNeese, town Selectman and friend of The Wilderness Society, for us to be ferried by boat from Chatham to the far end of Monomoy. We planned to leave our fiberglass white-water canoe on the northern tip so we could paddle the half mile or so to the mainland at the end of our hike.

At 7:00 a.m. on the following morning we met our boatman at Horne's Landing. He turned out to be a most charming fellow and the proud possessor of a bought-yesterday fiberglass runabout, 14 feet long and equipped with a massive 95 horsepower Evinrude. Once we had deposited our canoe at the north end of the island, our boatman began a test cruise of his craft. Out in the open water of the Sound the waves were over three feet high, and the throttle was open wide. The distaff side of the Harrigan family chose to stand, pretending she was water-skiing down Hells Canyon. The other Harrigan, being very long of bone, chose to perch as best he could on an orange crate.

As we came crashing down into the trough of one of the big ones, the inevitable happened. A splintering crash! "My God! There goes the bottom!"

The lesser Harrigan, having heard that cry on many a white-water river, calmly seized a couple of boat cushions and prepared to leap over the side. Fortunately, it was not the bottom of our boat, but merely the bottom of the long-suffering orange crate which had collapsed under the impact of one large Harrigan. With some vigorous assistance he was finally extracted from his embarrassing predicament and we proceed to south Monomoy, a bit more cautiously.

(Watching your boat cruise away after depositing you on a deserted island makes you feel a little like Napoleon when his launch left him at St. Helena.)

Our first impression of Monomoy was created by thousands of gulls, mewing and awking, shadowing the skies with their wings. Though we carefully skirted the main roosting areas, some frantic parent would give the alarm and set off a portion of the huge flock in angry circles. Lucille, already unnerved by her boat ride, kept thinking of that grisly Hitchcock epic called "The Birds." But the gulls soon calmed down and we became completely a part of Monomoy.

This is the seashore one has dreamt about after reading *Robinson Crusoe*—not another man in sight—yet perhaps a trace of man to relieve the sense of aloneness. There were rabbit runs and deer track to follow. Now and then we found a new beach plant to sketch and key out at home. And always there were the birds, some familiar friends and some before known to us only as illustrations in Peterson. We were not trying to identify everything, for we are not

ornithologists, or botanists, or lepidopterists, but merely two people aware of and intensely interested in their world. And so the music of the gulls' cries was more important than knowing every species that circled the skies. The whistle of the ducks' wings was more important than their names.

We found a willow tree, perhaps the only plant deserving the title of tree on Monomoy. It was surrounded by a thicket of bayberry and beach plum (which abound on the island), whose branches reached out to scratch arms and legs. We approached separately and circuitously, in order to surprise a deer which might be resting there, but all that we saw was where deer had rested and pressed down the vegetation. We tasted the pondwater and were surprised to find it fresh. We ran our fingers over weathered shells which the gulls had dropped long ago and wondered at how black mussels bleach purple in the sun.

As you travel northward, beyond the sturdy, squat lighthouse, the dunes grow higher, over 40 feet. (This is equivalent to seven Bob Harrigan lengths as he applied himself to the slope, carefully marking the place where his feet rested, and placing the top of his head there on the next step down.) We walked through the tall grass on the crest to catch the breezes blowing westward from the sea. Sometime in the forenoon (we had breakfast on cheese and pickled eggs at 6:00) we stopped for lunch and a swim, remarking to ourselves how few places there are in these United States where one can bathe in the sea without a swim suit.

About mid-island we came upon a most unexpected patch of salt-spray rose. The blossoms were shocking pink or white and perhaps three inches in diameter, the rose hips as large and red and round as apples. Shortly after the rose garden we made our way to the western shore, where we surprised a clam digger. He had also found "skinny dipping" off Monomoy irresistible. (He had managed to preserve his modesty since he saw us long before we saw very much of him.) We stopped to chat and he offered his clam rake so that we could try our luck. Our best efforts yielded only a few tiny cherrystones—good to eat, but hardly worth prying open with our small key chain knife.

There was still one third of the island to go. We crossed the fraction of a mile that separated the east from the western beaches and began to hike steadily. Up to then we had spent more time listening, tasting, tracking, sketching, and wandering than in making time.

We arrived at the northern tip of Monomoy at perhaps four or five p.m. (We had long since forgotten about our watches.) A young family had beached a motorboat and set up a telescope to watch the roosting gulls.

We launched our canoe and began the half-mile paddle back to Horne's Landing. The wind and tide were in our favor and our boat had a bone in her teeth all the way home. Our craft is decked but we took in water when the swells hit our stern quarter. However, we were so exhilarated that we would have tried to paddle to Cherbourg in a hurricane.

A *New York Times* editorial on January 7, 1967, said of Monomoy: "It belongs to the yellow-legs, plovers, sanderlings and other shorebirds, to the Canada geese and the black ducks, to the warblers and the terns." At first we agreed. But at the end of a day on Monomoy we realized that the island also belongs to man. We have a right to enjoy Monomoy as long as we are aware that we are merely one part of the continuum of living things—as long as we do not infringe upon the rights of its other users. They depend upon the island for life itself. But there is no doubt in our minds that man must also have wild places if he is to achieve his full stature of humanity.

TAX REFORM HEARINGS—  
COMMITTEE ON FINANCE

Mr. LONG. Mr. President, today the Committee on Finance began the consideration of the Tax Reform Act of 1969. Our first action was to hear the recommendations of the Secretary of the Treasury.

So that other Senators might know of the many changes he suggests in the House bill, and of the many provisions of the House bill supported by the administration, I ask unanimous consent to have printed in the RECORD a summary of the statements made by the Secretary of the Treasury, the Honorable David M. Kennedy, and by his Assistant Secretary for Tax Policy, the Honorable Edwin S. Cohen.

I might report that many members of the committee expressed surprise that the Treasury Department would recommend a reduction of \$1.7 billion in the amount of tax benefits going to the poor in order to finance a \$1.6 billion tax reduction for corporations.

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

SUMMARY OF TESTIMONY OF SECRETARY KENNEDY ON TAX REFORM ACT OF 1969

Strongly urge enactment of tax reform bill, but suggest number of changes. Three principal changes recommended are:

First, the long-run revenue loss of the bill should be cut approximately in half, from \$2.4 billion annually to \$1.3 billion, in view of other possible spending and tax priorities.

Second, the tax reduction provided by the bill should be restructured in the following manner: The "phaseout" of the low income allowance should be restored at a rate of \$1 for \$4 of income. The 10 percent standard deduction should be increased only to 12 percent with a \$1,400 ceiling, rather than 15 percent with a \$2,000 ceiling. The liberalized taxation of single persons should be accomplished through a revised rate schedule rather than by allowing head-of-household rates to single persons over age 35.

Third, suggest the bill is biased against investment in favor of consumption which could impede economic growth in the years ahead. Suggest this be corrected by reducing corporate tax rate by one percentage point in 1971 (to 47 percent) and by an additional percentage point in 1972 (to 46 percent).

In addition, in the case of capital gains suggest retention of 6-month holding period (instead of increasing it to one year) and retention of alternative 25 percent tax rate on capital gains except where gains are large relative to the taxpayer's ordinary income.

Other major recommendations: First, administration accepts the changes in domestic percentage depletion provided by the bill, but percentage depletion should be included as a tax preference for the limit on tax preferences, and intangible drilling costs should be included as a tax preference for investors (i.e., they would not be included for individuals who receive 60 percent or more of their income from oil and gas operations).

Second, administration expresses concern about the heavy reliance on investment restrictions to encourage financial institutions to invest in residential construction. Suggest instead that this goal be accomplished by providing a special tax deduction for commercial banks, mutual savings banks and savings and loan associations. This deduction would equal 5 percent of gross interest income from residential and similar loans but could not reduce the institution's taxable income to less than 60 percent of its taxable income, including, for this purpose,

the full amount of dividend income and also tax-exempt interest.

Third, the 7½ percent tax on foundations' income should be replaced by a 2 percent "supervisory tax". This would restrict the tax to provide funds for the audit activities of the Internal Revenue Service in this area.

Fourth, it is suggested that the appreciation on charitable donations not be considered for purposes of the limit on tax preferences and the allocation of deductions rule.

Fifth, the deduction for State gasoline taxes should be repealed, since it is essentially a user charge.

Sixth, it is suggested that tax-exempt interest on State and local bonds should not be included in the limit on tax preferences because of constitutional problems and the possibility of adverse effects on the municipal bond markets. It also is suggested that the 10-year phase-in contained in the bill for this type of interest under the allocation of deductions rule should be eliminated.

Seventh, it is suggested that persons who are not subject to tax because of the low-income allowance should not be required to file tax returns in order to simplify compliance by these persons.

SUMMARY OF TESTIMONY OF ASSISTANT SECRETARY COHEN ON TAX REFORM ACT OF 1969

1. IN GENERAL (P. 15)

Suggest revised program of tax relief to decrease the revenue loss, to distribute differently tax relief among individuals and to reduce the shift in emphasis from investment to consumption. Program reduces long term revenue loss from \$2.4 billion annually to \$1.3 billion.

2. TAX RELIEF FOR INDIVIDUALS (P. 19)

**Rate reductions.** (p. 19).—Recommend rate reduction in bill for individuals be retained because it does not discriminate among various types of individual taxpayers.

**Low Income Allowance.** (p. 20).—To reduce the revenue loss from the low income allowance from \$2 billion to \$920 million, it is suggested that the allowance be phased out. The bill provides a phaseout of the allowance only for 1970. Under suggestion, low income for all years would be phased out at a rate of \$1 for each \$4 of income above the poverty level.

**Standard Deduction.** (p. 21).—Suggest standard deduction be increased only to 12 percent with a ceiling of \$1,400, rather than to 15 percent with a ceiling of \$2,000. This reduces revenue loss from standard deduction from \$1.4 billion to \$770 million.

**Single Persons** (p. 22).—Suggest new rate schedule for all single persons rather than extending head of household treatment to single persons age 35 and over. Under suggestion tax on a single person would be approximately 20 percent more than tax on a married couple with the same income. Head of household rates would be about half way between the single person rate and the married couple rate, but only available to those supporting dependents.

Also suggests split income treatment for surviving spouse with dependents be available only for two years after the death of the spouse, as under present law, rather than being available without limitation.

These suggestions reduce the revenue loss from these provisions from \$650 million to \$445 million.

**Reporting by Low Income Taxpayers** (p. 25).—Suggest that individuals exempt from tax because of the low income allowance not be required to file income tax returns.

**Earned Income Tax Rate Limitation** (p. 26).—Strongly support the 50 percent maximum tax rate limitation on earned income provided by the bill. This reduces incentives to develop schemes to convert ordinary income into capital gains and to defer income.

**Gasoline Tax Deductions** (p. 27).—Suggest deduction presently allowed for State gasoline taxes be eliminated as these are user charges. This results in a revenue gain of \$390 million.

3. TAX RELIEF FOR CORPORATIONS (P. 27)

Suggests corporate tax rate be reduced by one percentage point for 1971 (to 47 percent) and by an additional percentage point for 1972 (to 46 percent). This produces a revenue loss of \$800 million in 1971 and \$1.6 billion in 1972 and subsequent years.

4. PRIVATE FOUNDATIONS (P. 28)

Generally supports the provisions of the bill which regulate certain activities of foundations. However, it suggests the 7½ percent tax be replaced with an annual "supervision tax" of 2 percent of investment income (designed to meet the administrative costs of the audit program).

Suggests two special exemptions in bill from the prohibitions on foundation control of businesses be eliminated.

Bill provides exemption from the income distribution rules for foundations whose governing instruments require income to be accumulated and which cannot change the instruments. Suggests similar exemption be provided for provision relating to the disposition of business holdings.

5. OTHER EXEMPT ORGANIZATIONS (P. 33)

Supports provisions dealing with other exempt organizations (Extension of the unrelated business income tax, the Clay Brown provision, a tax on the investment income of social clubs in certain cases and the codification of Treasury Regulations treating advertising income as unrelated business income).

6. CHARITABLE CONTRIBUTIONS (P. 35)

Supports general increase in individual limitation on the charitable contribution deduction from 30 to 50 percent and retention of the 30 percent limit for gifts of appreciated property. But suggests that the 30 percent limit be applied only to the appreciation (rather than the entire amount of the contribution).

Suggests the rules which in certain cases limit the deduction to the cost of appreciated property or require the appreciation to be included in income not apply to tangible personal property, such as works of art. Personal property produced by the efforts of the donor (such as paintings or collections of papers) still would be subject to the appreciated property rules.

Believes gradual elimination of the unlimited charitable deduction is a reasonable solution and supports this provision.

Suggests that a deduction should be allowed for any long term income interest to charity in a trust if the income interest is in the form of a guaranteed annuity or a unitrust.

To provide time for the amendment of wills suggest that the estate tax provisions regarding charitable deductions apply only to persons dying after 1970. In addition, suggest these new rules not apply to trusts previously created which cannot be amended.

7. FARM LOSSES (P. 39)

In general support the excess deductions account approach. Suggest, however, that the excess deduction account rules be made applicable to any taxpayer whose nonfarm adjusted gross income exceeds \$25,000 (instead of \$50,000) and whose farm losses exceed \$15,000 (instead of \$25,000).

Also support hobby loss provision which disallows deductions of losses from an activity not carried on with reasonable expectation of profit. But suggest that term "profit" be defined to include any reasonably anticipated long-term increase in the value of property, as well as any immediate economic profit.

## 8. INTEREST (P. 42)

Suggests the limitation on the deduction of investment interest expense be removed. Believe limitation discriminates against taxpayers who only have earned income. Will continue to explore possible alternatives.

## 9. MOVING EXPENSES (P. 44)

Support liberalization of treatment of employee moving expenses but suggest increase from 20 to 50 miles in the required distance of a move should be eliminated.

## 10. LIMIT ON TAX PREFERENCES AND ALLOCATION OF DEDUCTIONS (P. 44)

Generally, support limit on tax preferences and the allocation of deductions rule. However, suggest following modifications:

(1) Suggest tax-exempt interest on State and local bonds should not be a preference item for LTP purposes because of constitutional considerations and the possible adverse effect on municipal bond markets. On other hand, suggest that all tax-exempt interest (past as well as future issues) be treated as a preference for allocation purposes without any 10-year phase-in rule.

(2) Suggests excess of percentage depletion over cost depletion be treated as a tax preference item for LTP purposes. Also suggest intangible drilling expenses be considered a tax preference item for LTP purposes where less than 60 percent of gross income is from the sale of oil or gas. (Further suggests that intangible drilling costs be recaptured on the sale of a well).

(3) Suggests that appreciation in charitable gifts be removed as a tax preference item for LTP and allocation of deductions purposes (because inclusion may have an unduly restrictive effect on charitable contributions).

(4) Suggest addition of three tax preference items for LTP and allocation of deductions purposes: (a) excess of accelerated depreciation over straight line on equipment and other personal property in certain lease situations; (b) excess of interest, taxes and rent over receipts from unimproved real property during the construction of improvements; and (3) rapid amortization for low cost housing rehabilitation expenditures.

## 11. INCOME AVERAGING (P. 50)

Supports liberalization of the income averaging provisions.

## 12. RESTRICTED PROPERTY (P. 50)

Support treatment of restricted property.

## 13. DEFERRED COMPENSATION (P. 51)

Suggest elimination of provisions providing a minimum tax on deferred compensation payments. Suggests entire deferred compensation area should be dealt with, rather than just this one aspect. Is studying broad area and will make subsequent recommendations.

## 14. ACCUMULATION TRUSTS (P. 53)

Support limitations provided for distributions of accumulated income from trusts. Suggest, however, that changes should apply only to income accumulated by trusts in years beginning after April 22, 1969, rather than after 1963.

## 15. MULTIPLE CORPORATIONS (P. 54)

Support limitations on the multiple use of surtax exemptions (and certain other benefits) by controlled groups of corporations. Although the 8-year transition period is not opposed, suggests that a 5-year transition rule would be more appropriate.

Also suggests that the two special transition rules (relating to a gradual increase in dividends received deduction and the deductibility of certain pre-consolidation net operating losses in consolidated return situations) be eliminated.

## 16. CORPORATE SECURITIES (P. 55)

Support provisions limiting deduction of interest on "debt" issued in connection with corporate acquisitions as an appropriate

limitation on the substitution of an interest deduction for nondeductible dividends.

Also supports other provisions regarding corporate securities except limitation on availability of installment sale treatment to situations where the payment of the principal, or the principal and interest together, on a bond are spread relatively evenly over installment period.

## 17. STOCK DIVIDENDS (P. 56)

Support rules which provide stock dividends, and other corporate adjustments having the effect of a stock dividend, are to be considered taxable dividends.

## 18. FOREIGN TAX CREDIT (P. 58)

Support recapture of tax benefit obtained by a taxpayer who deducts foreign losses from domestic income because he claims the per country limitation on foreign tax credit. Also suggest this rule apply where taxpayer has foreign loss under the overall limitation.

Suggests replacement of separate foreign tax credit limitation on foreign mineral income with two separate limitations. First, excess foreign tax credits to the extent attributable to the U.S. percentage depletion deduction could not offset U.S. tax on other foreign income. A similar limitation would apply to the extent the foreign tax exceeded 60 percent of the foreign mineral income from a country. Suggests these limitations are more appropriate approaches to the problems which arise in this area.

## 19. FINANCIAL INSTITUTIONS (P. 64)

Suggests that the bad debt deduction allowed mutual savings banks and savings and loan associations be based only on actual loss experience (as is provided for commercial banks) rather than on a special formula which allows a larger deduction and thus prejudices commercial banks. But suggests that a special additional deduction be allowed commercial banks, savings and loan associations, and mutual savings banks to encourage investments in residential real property loans, student loans, and certain other loans. The special deduction would be 5 percent of the gross interest income from these loans. The deduction could not reduce taxable income to less than 60 percent of taxable income (including, for this purpose only, tax-exempt interest and 100 percent of dividends). A 5-year transition rule would be provided for these changes in case of mutual savings banks and savings and loan institutions to minimize possible adverse effects on the housing markets.

## 20. FOREIGN BANK DEPOSITS (P. 67)

Agrees with extension from 1972 to 1975 of expiration date for special rules of present law relating to interest paid on U.S. bank deposits to foreign persons in view of balance of payments considerations. Suggests that, in order to achieve parallel treatment, interest paid by U.S. branches of foreign banks be treated in the same manner as interest paid by U.S. banks commencing with the calendar year after enactment, rather than in 1973 as provided under present law.

## 21. REGULATED UTILITIES (P. 69)

Supports revised treatment of accelerated depreciation by regulated utilities as a means of preventing a \$1.5 billion annual revenue loss. Suggests change in the rule which determines whether accelerated depreciation and "flow through" may continue to be claimed by reference to the taxpayer's latest return filed prior to July 22, 1969; i.e., this should be allowed if as of that date the utility established by book entries or certain other means that it was adopting accelerated depreciation and "flow through".

## 22. EFFECT OF ACCELERATED DEPRECIATION ON CORPORATE DIVIDENDS (P. 72)

Supports requirement that corporate earnings and profits be computed by use of straight line depreciation (even if accelerated depreciation is otherwise used by the corporation) as a means of limiting tax-free

corporate distributions which are achieved by the use of accelerated depreciation.

## 23. NATURAL RESOURCES (P. 73)

Supports treatment of mineral production payments and extension of recapture rules to all hard mineral exploration costs. Does not oppose changes in percentage depletion rates.

Opposes extension of percentage depletion cutoff point for oil shale, since it would double the effective depletion allowance for oil shale and would be a breach of the principle the depletion is allowed only on mining, and not manufacturing, income.

Suggests that percentage depletion not be eliminated for foreign oil and gas wells on the basis that the elimination is unlikely to significantly increase U.S. revenues and likely will increase the foreign tax burden on U.S. businesses.

## 24. CAPITAL GAINS AND LOSSES OF INDIVIDUALS (P. 75)

Suggests that the 6-month capital gains holding period be retained (rather than extended to 1 year) and, in general, that the 25 percent alternative capital gains tax also be retained (rather than eliminated). Suggests the bill's changes in these regards impose too great a burden on capital investment.

To limit the use of the 25 percent alternative tax by taxpayers as a means of reducing their overall effective tax rate well below that of persons with comparable or smaller incomes, it is suggested that use of the alternative tax by individuals be limited to long term gains not in excess of the higher of (a) \$140,000 for married persons (\$85,000 for a single person), if the taxpayer's other tax preferences are \$10,000 or less, or (b) four times the taxpayer's other taxable income, if his other preferences are \$10,000 or less. If a taxpayer's other preferences exceed \$10,000, the alternative tax would be available for capital gains in an amount up to four times his taxable income (after application of LTP and allocation of deductions) minus the amount of his other preferences. A 5-year carryover would be provided for the unused amount of the limitation on the use of the alternative tax.

Supports other revisions of capital gains and losses.

## 25. CAPITAL GAINS RETURNS FOR CORPORATIONS (P. 80)

Supports increase in corporate capital gains tax from 25 percent to 30 percent, but suggests the 25 percent rate continue to apply to the first \$50,000 of a corporation's capital gains (subject to the multiple corporations restrictions).

## 26. REAL ESTATE (P. 80)

Supports changes in tax treatment of real estate depreciation as being consistent with national housing objectives. Suggest, however, that the special incentives for housing (the continued allowance of the most rapid means of depreciation) be restricted to housing constructed in the U.S. and possessions.

## 27. COOPERATIVES (P. 81)

Support requirement that cooperatives pay patronage dividends in cash over a period of no more than 15 years to insure that cooperatives make significant current payments. Suggest elimination of requirement that an additional 30 percent (over the present 20 percent) of patronage allocations be paid currently to patrons because of complexity and administrative problems.

## 28. SUBCHAPTER S CORPORATIONS (P. 82)

Suggest elimination of limitations provided for contributions to retirement plans for persons who are significant shareholders of subchapter S corporations. Does not believe this limitation should be adopted in the absence of the adoption of the liberalizing changes on the use of subchapter S corporations which it recommended to the House.

29. TAXATION OF STATE AND LOCAL BONDS  
(P. 84)

Suggests elimination of the provision that provides an interest subsidy to State and local governments which elect to issue taxable bonds on the grounds that it will soon recommend a different proposal in this area.

Supports denial of tax-exempt status of so-called "arbitrage bonds" but suggests further statutory definition of the term "arbitrage obligations".

30. INCOME TAX SURCHARGE (P. 85)

Strongly supports extension of income tax surcharge at a 5 percent rate for the first half of 1970 as essential to the control of present inflationary pressures.

31. AUTOMOBILE AND COMMUNICATIONS SERVICES EXCISE TAXES (P. 86)

Supports 1-year postponement of scheduled rate reductions of automobile and communications services excise taxes as a substantial contribution to controlling present inflationary pressures.

32. TERMINATION OF INVESTMENT CREDIT  
(P. 86)

Does not recommend any changes in the repeal of investment credit in manner provided.

33. RAPID DEPRECIATION FOR POLLUTION CONTROL FACILITIES AND RAILROAD CARS (P. 86)

Suggests necessity for, and effectiveness of, the antipollution provision is doubtful and, as a minimum, suggests the following changes: first, the fast writeoff should be limited to the part of the cost of the facility that otherwise could be depreciated over its first 15 years of life; and, second, the fast writeoff should be available only for antipollution facilities installed on existing plants.

Suggests elimination of fast writeoff for railroad cars. Believes this provision would provide substantial tax advantages to a small number of profitable railroads and would be of no financial assistance to the more depressed railroads.

WASTE OF FUNDS BY OEO

Mr. GOLDWATER. Mr. President, if one had listened to the debate in the Senate or read them in the RECORD for the past nearly 2 months, he would be led to believe that the only culprit in the general area of wasting Federal money is the Pentagon. I have said often during this debate that I hope those determined to cut the military funds will be equally attentive to waste far in excess of that found in the military. I refer to the waste and useless spending of money in the general domestic fields.

As an example, I refer to an editorial broadcast by one of Arizona's television stations, KOOL, by its manager, Mr. Homer Lane, stating that last year the Federal Government spent \$400 million on motion picture films, which is more than all the major Hollywood studios spend on feature films. The fact that this particular editorial points out waste in the operation of VISTA does not indicate a general distrust or dislike of that agency by me. I have watched its work and I have spoken of my admiration for it, but I think it is in the best interests of the country that the waste of tax money by the OEO in any area or by any Federal agency should be pointed out.

I respectfully and humbly suggest that the able Senator from Wisconsin, Mr. PROXMIER, include in his investigations of Federal waste the example brought out

by the editorial which I ask unanimous consent be printed in the RECORD.

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

WASTE OF FUNDS BY OEO

In an editorial presented last month, we pointed out that the Federal Government spends some 400 million dollars a year on motion picture films, more than all the major Hollywood studios spend on feature films. We also pointed out that a good deal of this was wasted money.

Here's a prime example of that waste. In 1967, the Office of Economic Opportunity commissioned Sun Dial Productions of New York City to produce a 16 mm color film for use as a recruiting device for VISTA, Volunteers in Service to America. More than two thirds of the film was shot in Allenville, telling the story of Allenville's struggle for a decent water supply, and how two young men entered into VISTA service to aid the cause. The remainder of the film was shot in Stanfield, Arizona. The cost of producing the thirty minute film was forty thousand dollars.

If that money had been applied towards correcting the problem, instead of exploiting it for propaganda purposes, Allenville could have had a new water system two years ago; generous Arizonans would not have had to donate more than twenty-seven thousand dollars to match federal funds for a system, and the government could have saved about ten thousand dollars. Even worse, the film itself was not altogether truthful. However, the VISTA people in Washington are proud of the film and feel the tax payers money was well invested. They point out that it has been seen by more than two hundred thousand people.

We might point out that the thirty minute film we presented on this and the CBS Television stations in Tucson and Yuma did not cost the taxpayers a cent. It told the truth and was available to the television sets of the more than a million people who live in the coverage areas of the three Arizona stations that carried the film.

The Tuesday, July 15 edition of Daily Variety, show business newspaper, said that Paramount Pictures has obtained a contract with the Office of Economic Opportunity to make a series of films designed to tell the story of O.E.O.'s food and medical service.

In announcing the contract, Lester Goldsmith, Vice President and General Manager of Special Projects for Paramount, said that statistics show various government agencies spend 400 million dollars annually on films and pointed out that that is more than all the major studios spend to make feature films. He also said that the profit on such films ran from ten to forty per cent.

We believe that it is criminal for government agencies, such as the O.E.O., to spend this kind of money for public relations or whatever else they call it, when funds are so badly needed to solve the problems of hunger, poverty, drug abuse and crime that plague our country today.

The free press, radio, television, and newspapers, will keep the public informed on what the O.E.O. and other agencies are doing, and the press will do it from an objective point of view, and not from the agency public relations point of view.

The press—radio, television, and newspapers—are people businesses. The people in the press are human beings, subject to all the frailties of humans. We make mistakes from time to time, but over-all, it is this free press, this freedom of communications by the nation's radio stations, television stations, networks, and newspapers that keep the public informed, and, in turn, free.

It would cost the government billions, not millions, to buy the information services

provided free of charge by the nation's broadcast and newspaper industries.

We don't need multimillion dollar film productions to tell us the story of what the government is doing.

THE NATURE OF THE RUSSIAN PEOPLE

Mr. FULBRIGHT. Mr. President, Mr. James Ramsey, president of International Affairs Associates, has written a most perceptive article about the nature of the Russian people, which was published sometime ago in the Foreign Service Journal.

In view of the great interest and concern which our people have in this matter, 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 RUSSIAN NATURE—PART I

(By James A. Ramsey)

Among the major peoples of the earth, the Russians have always been insufficiently understood by the rulers and public of other countries. Despite the flood of contemporary literature on all things Soviet, the relative ignorance about the Russian as a human being is unfortunately as profound today as it was a century ago. Yet if we are to live at peace with him, we must learn to understand his nature, which, like that of humanity elsewhere, is both virtuous and unchaste, is rich in imagination and vision but short on the organizational talents so essential to twentieth century life.

The prime cause of inadequate knowledge of the world's largest nation, it would seem, has been the traditional geographic and political isolation of much of its citizenry. This detachment from the dynamics of international life has contributed strongly to the development in the Russian people themselves of behavior patterns which are frequently considered by the outside world as unacceptable departures from commonly recognized standards. If one could believe some of their neighbors, all Russians are barbarians and there are many groups elsewhere who hold similarly low opinions of a nationality whom they regard as uncultured heathens from the marshes of civilization.

Disdaining others for being disagreeably different, however, is not a useful approach in attempting to assess the true nature of a people. If the Russian seems difficult to live with today, it is largely because in the past he has too often been treated with contempt and arrogance by both foreign conquerors and internal tyrants. These historical tribulations have shaped his character in many odd ways. They have contributed strongly to the development of a dual type of personality consisting of a genuinely human spirit with a frustrating overlay of complexes and devious mannerisms.

It is not accidental that those who try to probe the Russian soul have persistently noted one of its ingredients to be in inbred suspicion towards other persons' principles and motivations. Mistrust comes easily to a community which has so often been forced to defend itself against its neighbors and even against more distant powers like the British and French. One of the items in a 1960 exhibit of prints in Moscow's Bolshoi Theatre was an old engraving of French soldiers executing some Muscovites during the War of 1812. During the time it was displayed, I observed many individuals looking closely and intently at this picture, as if they were reviewing their national past and thinking of more recent parallels. Such cruelties obviously mean more to Russians than the historical curiosity they represent to the

citizens of other countries. Centuries of contact with all kinds of enemies, including internal ones, have made of the Russians a people able to detect hidden meanings and intentions with great skill. Their difficulty, however, is that they cannot always distinguish between the real and the imagined and, as a result, often find motivations which do not exist, or at least did not until they aroused them by their own actions and attitudes.

Nature itself has been a strong fashioner of the Russian's personality. The arduous climate of much of the land complicates the simple tasks of life and endows his existence with greater somberness and melancholy than is found among other European peoples. The Russian winter with its enveloping qualities fosters habits both of submissiveness to an overwhelming force and tenacity in the struggle for survival. The limitless spaces of his habitat also cast their spell, giving the Russian outlook on life an infinite, unrestrained quality which has perhaps been best described by the scholar N. Berdyaev: "It might be said that the Russian people fell a victim to the immensity of its territory. Form does not come to it easily. The gift of form is not great among the Russians."<sup>1</sup>

In foreign eyes most inhabitants of the Soviet Union appear to be afflicted with a grim sense of national or personal inadequacy. Some live with it gracefully, others bear it like a cross, and the more emotional brandish it like a sword to thwart all superior challengers. This feeling of inferiority is of ancient vintage and is rooted in a general awareness that in some fields of human endeavor the USSR lags behind other countries, especially those of the West. It explains many seemingly strange aspects of the Russian's behavior, such as endless assertions to outsiders that he has everything, usually better, and the claims to a long string of inventive accomplishments.

A sense of inferiority towards the West has created a certain chauvinistic exclusiveness. Many visitors to the USSR complain that commentaries on its life by foreigners which do not contain unqualified praise are interpreted by the Russians as hostile needling. This attitude, though annoying, is not incomprehensible. Soviet citizens, most of whom are only too eager to criticize one another, cannot stand being told about their deficiencies by outsiders. The Russian may very well be aware that the things he is saying about his way of life cannot be accurate, but this does not prevent his defensive mechanism from insisting that they be said.

The compulsion he feels to conceal so many real or imagined defects often leads the Russian in his contacts with foreigners to engage in excessive boasting about the superiority of everything Soviet. It is this facet of the national character which is so provoking to the visitor who finds everywhere at hand realities that contradict the exalted pictures sketched for him by his guides. The writer Il'ya Ehrenburg, in his autobiography, "People, Years, Life," has given us a wonderful, though somewhat dated, example of these inconsistencies so characteristic of the Soviet scene. "During the construction of the Moscow-Donbass road," he writes, "there was a meeting. A digger, in sheepskin cap with weather-beaten face, was speaking: 'Yes. We are 100 times happier than the accursed capitalists. They stuff themselves, stuff themselves and die off. They themselves do not know what they are living for. . . . But we know what we are living for: We are building Communism. The whole world is looking at us. . . . I went with him to the dining hall. At the entrance they collected caps which were returned when the workers handed back their spoons

after eating. The caps were lying in a heap on the ground. Each worker had to search a long time to find his own. I attempted to explain to the manager that this was not only insulting but stupid—people were wasting time to no good purpose. He looked at me with empty eyes: 'I answer for the spoons, not you.'"<sup>2</sup>

A remarkable character trait of the Russian people is the desire, one might almost say greediness, for knowledge on the part of the individual. His curiosity is a boundless thing which leads him into all kinds of exotic situations and places—an advantage for the development of his vast country, but at times unfortunate for the personal security of those who learn more than they are entitled to know. To the Russian, any opportunity to procure authentic information is as valuable as money in other societies. Questions asked of foreigners are searching and penetrating. They reveal both a genuine desire to be informed and a process of serious thinking, especially on fundamentals. If the interpretive and analytical abilities of the Russians were as well developed as their curiosity, they would indeed be the world's most formidable people.

It is perhaps in the field of application of knowledge that the contemporary Russian displays his greatest weakness. In areas of human endeavor where problems are not subject to exact mathematical solution, he is at a disadvantage. Here he thinks in terms of extremes or of contradictions. Marxism with its Hegelian theses and antitheses, is not, on close observation, entirely foreign to the Russian psyche. It fits in with a moralistic outlook on life which asserts that what is not good must be bad, that he who is not a friend must be an enemy. Probably it is not so much the fundamental theoretical principles of Marxism which Russians would reject, if they had a choice, as it is the cruelties which have been connected with Communist practice in the USSR in the past.

Sharp contrasts in the Russian personality have been a subject of perennial comment by foreign observers. The Englishman Richardson noted in 1784 in his "Anecdotes of the Russian Empire":

"The terms and phrases of endearment among the Russians are as extravagant as they are gross and violent in their abuse. . . . they will express the most ardent affection in the most ardent language, they will express the most furious rage in the most vindictive terms."

One of the best descriptions of the irregularity of the Russian character has been provided by the French scholar Antaole Leroy-Beaulieu who wrote at the end of the nineteenth century:

"If the affinities between man and climate easily turn to fancifulness, there is, between the Russian temperament and Russian nature as manifested in the opposition of the seasons, a likeness not easily to be denied. Both are immoderate, both easily rush from one extreme to another. . . . The Russian soul easily passes from torpor to buoyancy from meekness to wrath, from submission to revolt; in all things it appears naturally to incline to extremes. By turns submissive and irritable, apathetic and impetuous, jovial and morose, indifferent and passionate, the Russian perhaps more than any other people runs all the gamut of cold and heat, of calm and tempest. The Russian is prone to sudden infatuation, to unbridled whims, to impulses and transports of passion for things either serious or futile—an opinion, a writer, a singer, a dancer, a fad of fashion. This disposition makes itself felt as well in public as in private, in national as in individual life, all the more that it is indirectly favored by the political regime which, forbidding one day a thing it tolerates the next, seems to encourage today what it will proscribe tomorrow."<sup>3</sup>

In more recent times Feodor Shalpin, himself a Russian has commented:

" . . . When I think of the characters I have created on the Russian stage, I am conscious not so much of the characters themselves as of an all pervading sense of the Russian temperament that is all extremes. . . . Russian mentality knows no moderation. Its soul-conflicts and emotions are of extreme violence, and for that reason Russian life is made up of contradictions and contrasts. . . ."<sup>4</sup>

The capability of the Russian for abrupt changes in conduct continues to be a puzzle to those who are accustomed to more consistent forms of behavior. The Revolution of 1917 demonstrated with what rapidity the traditional order could be replaced by one with many completely opposite sets of values. Historically, this volatility has been a handicap in various ways, undermining the cause of social and economic progress and leading to unnecessary violence in relations between the state and the citizenry. Yet it also shows an adaptability to changing conditions which has been of value to the Russian during the many troubled periods of his national existence.

A quality Russians like to ascribe to themselves is one called *shirokaya natura*, a term denoting an expansive good nature and lack of pettiness. A popular though exaggerated example of this type of personality is the land-owner Nozdrev, one of the roustabout characters in Gogol's "Dead Souls," who is on intimate terms with strangers after a few minutes of acquaintance and ready to carouse with them through the night. Nozdrev is one of the more popular characters whenever Gogol's famous work is presented on the stage, especially in the wonderfully realistic performance by the Moscow Art Theatre. His earthiness and bravado invariably strike a responsive chord among the audience.

Good-natured intemperateness and understanding friendship are traits which characterize all Russians in varying degrees, although they are often disguised or negated by the limitations of a life containing heavy spiritual impediments. In his personal relations with individuals he knows and values, the Russian displays great affection. He gives help unstintingly to those close to him who experience difficulties in life and is genuinely solicitous of friends who are in trouble. He tends in fact to be overindulgent towards the weakness of others, especially children. In a wider sense the Russian is not given to hatred or lasting grudges, although he can be vindictive as the occasion demands.

Other features of the national personality which appear to stem from the disposition to take a broad view of things are gregariousness and general sociability. Close contact with people is everywhere one of the essentials of life. As the Russian ethnographer de Pauly wrote over a century ago of the Russian male: ". . . the hardest punishment one can impose on him is solitude."<sup>5</sup>

One of the aspects of human relations on which the Russian prides himself with considerable justification is his boundless hospitality. True to the principles of *shirokaya natura*, he knows no limits to the art of entertainment and exuberant camaraderie. It is a matter of honor among the Russians to see that guests are properly accommodated, and the latter are expected to reciprocate by demonstrating how much of everything they can absorb. This is not an easy task in view of the abundance of food and drink offered and the insistence with which the recipients are called upon to partake of them. Hospitality in the USSR has, however, some of the aspects of a fetish and its practitioners on occasion go to unnecessary and ostentatious lengths in performing their rites. Lavish expenditure of meagre resources and exertions which occasion obvious inconveniences to the host are not always fully appreciated by other peoples who have a less emotional view of life's social obligations. It

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is nevertheless true that the Russian takes a very genuine pride in the knowledge that he has left nothing undone for the satisfaction of his guests.

While the attributes of *shirokaya natura* may be considered in general positive traits, they also have their disadvantageous side. As Russian history has shown, they lead to excesses of conduct, especially in the realms of religion and politics. The lack of attention to detail and the imprecision in work habits engendered by an expansive outlook on life represent serious handicaps to technical progress and adversely affect the realization of goals Soviet rulers have set in many fields. This is particularly true in the type of industrialized society the Communists have created. The strong element of compulsion in worker-state relationships since 1917 no doubt reflects the great difficulties the planners have had in coping with the centrifugal forces of *shirokaya natura*.

Another of the human qualities the Communists have found troublesome is an inclination on the part of the Russian towards good-natured indolence. Russian classical literature contains many descriptions of this national characteristic, the most notable of them being that of Oblomov, the hero of Goncharov's work of the same name. Oblomov's ideal was a life of rest and inactivity. He shunned labor as punishment or at least an unfortunate occurrence. Food was his first concern and after meals there was in his household a sort of "all-consuming unconquerable sleep."

Although Oblomov is a distortion, he was not created entirely out of whole cloth. There is in many Russians an apathy which finds expression in the frequently-heard word *nichevo* or "It doesn't matter." When used in this sense (it has others ranging from annoyance to consolation), *nichevo* amounts almost to the password of a cult whose adherents subscribe to the principle of a minimum effort in any undertaking.

*Nichevo*-ism has been a tough nut to crack. While Communist education attempts to breed a purposeful type of citizen, the average Russian is, if left to himself, much addicted to the pleasures of an inactive existence. The pursuits of fishing, card playing, aimless sauntering and endless conversations which serve no greater purpose than exercising, or, as he calls it, "scratching," the tongue continue to be important components of his makeup.

One aspect of this predisposition to lethargy is that the Russian is not generally materialistic and acquisitive. He looks on his works as a means to live, to satisfy his professional or personal needs, whatever they may be, and not as a means of gathering wealth. Although he is not uninterested in material things, he has a basic lack of respect for them and displays less drive to acquire worldly goods than the average Westerner. Possibly this lack of pride in tangible assets stems in part from the historical handicaps to acquisition of property by much of the population. Those who have never had much to possess have difficulty appreciating the values of ownership.

Given his outlook on material wealth, it is hardly surprising that the average citizen does not have a clear idea of property relationships as they are understood in the West. Personal ownership with all its stubborn rights and privileges clearly defined by law is not a meaningful term in the USSR. The possession and use of an object, rather than legal title to it, has always been more important to the Russian. This concept naturally blurs the distinction between what is his and what belongs to others and is a great source of friction in a society where so much falls into the impersonal classification of state or publicly owned goods. The Russian often feels little compunction about appropriating

items in the latter category for his own use. Thefts of socialist property constitute, for example, one of the most common types of crimes in the USSR.

The Russian's attitude towards money is typical of his lack of concern for property. Money is to him not an important commodity. When he has it, he dispenses it freely, improvisingly, and even ostentatiously. If he does not have it, he goes into debt easily and worries about the consequences when they are presented to him. Money means so little to a Russian that he can take seriously the Communist proposal for its eventual abolition as an unnecessary evil in society.

A similar lack of reality is reflected in Russian concepts of space and time. These have a vague, almost visionary character, arising perhaps from the endlessness of the country and the ease with which it engulfs the individual. Foreigners traveling in Russia have for well over a century concentrated their annoyance over popular indefiniteness and absence of purpose on the use of the word *seichas*, the literal meaning of which is immediately, but which in practice describes a time period anywhere from a few minutes to infinity. On my first train ride in the Soviet Union, I was pointedly reminded of the frustrations of these earlier voyagers when I awoke in the morning on the route from Leningrad to Moscow and asked the porter where we were. "*Seichas*," he answered with great assurance, "we will be in Kalinin," but it was not until another hour and a half passed that we entered the outskirts of that city. A Russian acquaintance to whom I once told this story commented: "You foreigners need not be so literal. After all, the word itself derives from *sei*, an old Slavonic term for 'this' and *chas*, meaning 'hour'. You should therefore be satisfied if your requests are met within the allotted sixty minutes."

In keeping with this inexactness, realities in the Russian's mind often tend to be obscured by the vision of what he desires to see or have or what his life will be like, say, twenty years from now. Establishment of plans appears not infrequently to be subjectively equated with their fulfillment. The ordinary Russian does not seem to be fully conscious of the fact that the fruits of his labor represent wealth only when they are gathered and processed into a usable form. The landowner Manilov of Gogol's "Dead Souls" is a contrived but not untrue literary example of the type of dreamy sentimentalist with which the Communists have had so much trouble.

The substance of Manilov's character has been best portrayed in a passage of the book describing his parting with Chichikov, the buyer of titles of ownership to deceased serfs. After watching the latter's carriage disappear over the horizon, Manilov returns to his house where, as Gogol describes it, "his thoughts passed imperceptibly to other subjects, and it is hard to know where they landed at last. He mused on the joy of life spent in friendship, thought how nice it would be to live with his friend on some river bank, then a bridge began to rise across the river, and then a huge house with such a high belvedere that one could even see Moscow from it, and then he dreamed of drinking tea there in the evenings in the open air and discussing agreeable subjects. Then he dreamed that he and Chichikov drove in fine carriages to some party, where they charmed every one by the agreeableness of their behavior, and that the Tsar, hearing of their great friendship, made them both generals, and from there he passed into the Lord knows what visions, such that he could not clearly make them out himself."

The qualities of Manilovism continue to be evident today. In early 1963 the Soviet press carried a story about the *avtolet*, a strange looking vehicle which runs several

inches off the ground on a cushion of pressurized air. Although this invention was admitted to be still in the experimental stage, it was confidently described as a machine which "will find application in swampy areas, in peat processing, under conditions where there is a complete lack of roads, in the fight against agricultural pests, and on the large water surfaces of the country as fast passenger expresses, hospital and rescue ships."

While the Russian with his visionary exuberance is often capable of a brilliant, highly imaginative performance, in the long tedious business of making a successful living he is less gifted. He brings to his undertakings a limitless amount of enthusiasm which quickly begins to abate as the difficulties of the task proliferate. At a certain point his natural inclination is to abandon the effort and turn to something else. The many unfinished construction projects in the USSR where only the foundations or the shell of the building are standing bear witness to this lack of constancy. Such an attitude has its effect on the most areas of endeavor in the USSR, including the administrative field, where, after the initial drive has slackened, the Russian often does nothing or as little as he needs in order not to become conspicuous as a loafer or shirker. He is, in addition, given to *stranstvovaniya* or aimless wanderings in a search for more fruitful opportunities and a better life. One of the lasting impressions a foreigner takes away with him from the Soviet Union is of a people continually on the move. This restlessness has troubled many rulers of the Russians. The Communists may well envy those Western countries where industrial skills are handed on from generation to generation in the same community and in many cases even in the same family.

Restless moods in the national personality are, however, tempered by patience, a Russian characteristic with a strong fatalistic tinge. Historically, popular submissiveness has favored the imposition of tyrannical rule and no doubt has had much to do with the long-term nature of such phenomena as Stalinism. The forbearance of the average citizen in the face of unbelievable hardship is both admirable and infuriating. His capacity to endure not only great trials but also demeaning treatment and indignities is hard to describe. The Russian's answer to provocation is generally not open defiance but withdrawal into the depths of his inner self.

This submissiveness notwithstanding, the attitude of the Russians towards authority seems to be an inherently hostile one. Possibly from a feeling that the state does not always represent them, they tend to defy it when they believe they can do so. Foreigners have frequently noted a disrespectful treatment of uniformed policemen on the part of the citizenry. I once watched a woman flower vendor accused of some minor infraction of rules by a police sergeant successfully defend her position throughout fifteen minutes of noisy and intemperate argument. Scenes like this are not uncommon, although the outcome is usually more favorable on the side of the law.

The Russian's disrespect for authority is reflected most clearly in the instability of his politics. The displays of ideological loyalty constantly required by the government mirror the general lack of belief in any fundamental law on the part of the population. The German historian von Haxthausen noted this trait in an 1856 commentary on the Russians:

"He demands from his superior strictness and decision, but he will not be governed by fixed laws or constitutions."

An innate dislike for confinement and subordination emphasizes the Russian's basic though often disguised individualism. He has a strong ego which expresses itself in both positive and negative ways. If given

creative freedom, he can show unusual talent, although this sometimes degenerates into an irresponsible distortion of the concept of liberty. A noticeable lack of restraint and self-discipline has had some unfortunate results for him. Nationally as well as individually, this shortcoming has put him at a disadvantage in dealing with more calculating and literal-minded peoples.

THE RUSSIAN NATURE—PART II  
(By James A. Ramsey)

Any discussion of the Russian nature inevitably becomes involved in political considerations. Some students of the problem assert that the character traits we have been describing, particularly the relatives lack of self-control, make autocracy inevitable. N. Berdyaev, for example, insists that the Russian outlook predisposes to totalitarian views:

"Totalitarianism was always a Russian way, for the Russian cannot bear the idea of the division of life and civilization in separate spheres, and the affirmation of the autonomy of these spheres. . . . All this is linked with the fact that the Russian idea (and all great nations have their idea) does not aim at the creation of a civilization in the Western sense, differentiated, but affirms the total transfiguration of life."<sup>8</sup>

It is true that the Russian likes his ideologies to be all-inclusive ones into which the facts of life fit without difficulty and where truth is indivisible. Yet it would be incorrect to infer from this that he is addicted only to autocratic forms of government. The Russian has so far in his long history had little opportunity to demonstrate his capability for self-government and it may be that he will eventually make a positive contribution in this respect.

There are in fact certain traits rooted in the Russian character which should be helpful in furthering the current trend towards more representative government. One of these is his ability to disagree with himself. As Dostoevsky and Soviet politics have so well demonstrated, self-accusation is an integral part of the national life. In the USSR confession and public repentance by transgressors are expected and usually forthcoming. No citizen is considered immune from the obligation to admit the faults others see in him and to promise improvement of his conduct. Sometimes, however, this assumes extreme forms, as the long period of Stalinist rule with its continual denigrations of senior officials has so amply documented.

Those who, like Berdyaev, have attempted to analyze the Russian spirit have noted a strong element of Messianism in it. Dostoevsky's 1880 address "On the Unveiling of the Pushkin Memorial" is often quoted, especially when he proclaims that "Our destiny is universality, won not by the sword, but by the strength of brotherhood and in fraternal aspiration to reunite mankind. . . . Universality is the aspiration of the Russian spirit." In like manner, Dostoevsky recorded in his Diary in January 1877:

"Every great people believes and must believe if it intends to live long, that in it alone resides salvation of the world; that it lives in order to stand at the head of the nations, to affiliate and unite all of them; and to lead them in a concordant choir towards the final goal preordained for them."

A less favorable view of the Russian sense of destiny in world affairs is found in the observations of the Danish traveler, Georg Brandes, who wrote in 1888:

When a Russian has got hold of a thought, a fundamental idea, a principle, a purpose, without regard to its origin, whether it originated with himself or was borrowed from European culture, he does not rest until he has followed it out to the last results. There-

fore the Russians are the most arbitrary oppressors in the world and the most reckless liberators. . . . They are radicals in everything, in faith and infidelity, in love and hate, in submission and rebellion.<sup>9</sup>

While the statements of both Dostoevsky and Brandes are too strongly worded, each contains a basic truth. Russians do have a sense of mission, whether it is the medieval concept of Moscow as the Third Rome or the World War II obligation of saving European civilization from Fascism. They lay claim to a broad, all-encompassing spirit and a striving towards a just order in which equality and fraternity are effectively realized through the abolition of all racial, class and property privileges. They offer great sympathy to those living in misery in other countries and profess genuine solidarity with peoples who are threatened by superior force. They are constantly concerned with the task of refashioning a world which has inherited so many iniquities from the past. As the English psychiatrist Henry Dicks has observed: "Nothing is so persistent in the Russian as a sense of moral outrage (izdevá'tstvo)—that ubiquitous feeling of guilt and shame at injustice and a sensitiveness about whom to trust not to hurt one."<sup>10</sup>

The Russian's ideal of regulating all human behavior for the common good is hard to reconcile with the historically documented periods of complete lack of emotional restraint where his actions exceed all established conventions. Being impetuous by nature, he often takes action without thinking of obstacles, limitations or consequences. The spirit of his unrestrained enthusiasm has been noted by Madame de Staël who wrote that ". . . with the Russians all is colossal rather than proportioned, bold rather than contemplative, and if the goal is not reached, it is because it has been surpassed." In the contemporary political sphere, precipitateness of character is obvious from the headlong manner in which the Communists have approached the refashioning of Russian society. It is odd that this impetuosity not infrequently goes hand in hand with a ridiculous obsession about following to the letter the rules prescribed by those in charge.

The presence of certain negative quirks in his character does not invalidate the fact that the Russian is basically a peaceable individual, with a large amount of simple and outgoing sincerity, known in his language as *prostotá*. In his natural state he is socially uninhibited. The Russian seems to feel that any approach from another person is deserving of some kind of response, even a discourteous one. Russians often allow themselves to be involved willingly in discussions from which the only conceivable result can be agreement to participate in undertakings not necessarily furthering their own interests.

The approachability of the average citizen gives rise to a great deal of general social busyboddiness in the USSR, especially on the part of older women who like to assume the role of self-appointed arbiters of the community's social mores. The norms for approved behavior are consequently often determined by rather subjective standards, epitomized by the word *nekul'turno*, a term similar in its conclusiveness and breadth of application to the British, "It's not done, you know." *Nekul'turny* conduct has a wide range from loud talk in public places to more serious misdemeanors bordering on criminal activities, and is subject to infinite manipulation by those who define its content.

It is not surprising under the circumstances that conventionalism is a prominent characteristic of present-day Russian life. Home furnishings and items of personal use are still often made according to bourgeois nineteenth century tastes. A ubiquitous symbol of Empire-style conformism is a large orange lampshade which has the appearance of an oversized jellyfish hung up to

dry. This monstrosity was produced by the millions until the state decreed its demise in favor of a more modern version in 1959, and there are few Russian families which do not seem to have one.

For all of its restrictive caveats, Soviet Victorianism has an ambivalent quality. Although distinctions and prerogatives are keenly felt, there is little snobbishness in the USSR based on social origin, schooling or race consciousness. Most Russians, being not far removed from the land, tend to have a healthy natural attitude towards the conventions and restrictions of society. They are unusually discreet in matters involving intimate relations between people.

The simplicity of the Russian is well shown in his attitude towards sex, which is regarded as a fundamental part of life but not a subject for scientific investigation or popularization. He has an unsophisticated libido and does not understand the romanticization of sex in the West. The Russian people have in fact never possessed a folklore or literature which, as in some other parts of the world, over-idealizes the human body. The USSR has not known sexual promiscuity in cultural life, art, movies and photography. I think it safe to say that even were these phenomena permitted by the government they would probably not find much public interest.

Although Russian attitudes have sometimes been described by foreigners as Puritan, they have essentially little in common with that Anglo-Saxon phenomenon. Puritanism as a way of life is foreign to the Russians and its asceticism is lacking in their nature. A very un-Puritan-like ribaldry is noticeable on occasion. I recall a popular performance of Hans Christian Andersen's "The Emperor's Clothes" put on in Moscow by a troupe of young actors in which one of the ditties was labeled: *Ty Sukin Syn—Ty Umnit'sa!* (You — of a — you clever fellow!).

One of the facets of the Russian nature seems to be devotion to heroic struggles where good always triumphs in the end. His spiritual bouts with evil perhaps help to explain an odd capacity for making simple things arduous and complicated. The Russian tends to cast his bargain with life in a morose fashion and elements of struggle are more conspicuous in his behavior than is the case with other peoples. In carrying out his assigned duties, he sees all manner of difficulties to be overcome and obstacles to be surmounted before a given task can be completed. The results attained by his efforts, like good nineteenth century melodrama, not infrequently have an epic quality, come after allegedly unusual hardships, and some times are achieved despite what appears to be the most embittered and crafty opposition, whether of nature or the wily representatives of a decaying world order.

One often wonders how the Russians have survived the cataclysmic experiences of their history. Unquestionably the stoic attributes of their character and an incredible tenacity have meant the difference between survival and extinction as a nation. When the Russian is fighting for his existence, his stubbornness and perseverance know no limits. Again, Leroy Beaulieu has provided an excellent commentary:

Contrary to a vulgar prejudice, the Russian under his rugged shell is generally affectionate, gentle, even tender; but let him encounter an obstacle, let him engage in a struggle with an adversary, the latent ruggedness and harshness at once take the upper hand. In the unceasing struggle against a ruthless nature, he has learned to respect the laws of war, which he applies as he endures them—with inflexibility.<sup>11</sup>

Despite a good deal of pessimistic moodiness in his character, the Russian is also at heart an incurable optimist. He has a habit of hoping for the best when things are at their worst. A strong conviction that life is

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somehow worth living for the better day it must bring helps to sustain him through the greatest of crises and most determined assaults on his liberty and national existence. The successful emergence of the Russian nation in 1945 from its most formidable historical trial has confirmed this general belief in the possibility of progress towards an easier future.

External enemies have frequently ignored or underestimated these heroic qualities with results fatal to themselves. The lackadaisical and disorganized appearance of much of Soviet life with its frequent purposeless maneuvering prompts unrealistic value judgments of the people's true nature. The Russian under attack is much more resourceful than when he is left to his own devices. His talents of improvisation are high as a result of long experience in coping with the inadequacies of daily life. He also has a strong attachment to his land, its culture, and his language, important ingredients for the spirit of resistance in times of national crisis.

It has often been asserted that the Russians have no sense of humor, but I have found this statement to be inaccurate. Humor in the Soviet Union is an important leaven to the seriousness of life. Popular wit tends to be coarse, with a wealth of jokes of very skillful and imaginative construction. The more sophisticated and socially acceptable variety of humor has a streak of guarded cynicism and tries to be subtle enough not to irritate those in positions of authority without an appreciation of the ridiculous in life. A favorite of recent vintage is one of the mythical Armenian Radio series where a listener writes: "Dear Armenian Radio. I would like to know whether there is life on Mars," to which the Radio replies: "No. There is no life on Mars either."

There are legions of Armenian Radio jokes, both new ones designed especially for this device and others of older vintage refurbished to take advantage of a convenient framework. They run the full scale of storytelling, from the political to the obscene. One of the former which appeals to Russians has to do with the fundamental question of world peace: "Listener: Will there be a new war? Radio: No. There will not be a new war. But there will be such a terrible fight for peace that nothing will remain intact."

Jokes on nationalities seem often to have Georgians as their butt: "Listener: How does one define 'Friendship of the Peoples'?" Radio: "Friendship of the Peoples" is when Russians, Armenians, Ukrainians and the other nationalities of the USSR get together to beat up the Georgians." Or again: "Listener: Is it possible to build Communism in Armenia? Radio: Yes. It is possible, but let the Georgians try it first."

The pattern of life in the future is always a good topic: "Listener: Will there be love under Communism? Radio: No. There will not be because there will be no money." Sometimes the Armenian Radio itself is the scapegoat: "Listener: Why has the Armenian Radio not answered my letter? Radio: Because the Jew who handles all our correspondence is on leave."

A frequent indirect approach to humor reflects the Russian's adeptness at camouflaging his intentions or the true state of his affairs. The masterly touch of Catherine II's village-building minister Potemkin during the Empress' eighteenth century visit to the Crimea has had many worthy though less lavish emulations throughout Russian history. A recent parallel was provided during Khrushchëv's 1959 trip to the Soviet Far East when he told in one of his speeches how a woman he met by chance had recounted to him that the local shops had been well stocked with consumer goods and food in anticipation of his arrival.<sup>13</sup> It goes without saying that potential as well as actual enemies have difficulty in arriving at a correct assessment of the strengths and weaknesses of a

people possessing such expertise in disguising the realities of their existence.

The true nature of the national personality is concealed in other ways as well. The Russians are a race with excellent natural imitative abilities, good at adapting other peoples' customs to themselves. Their borrowings from other societies have always been important in the development of their country. One need only recall the significance to eighteenth century Russia of the Western journeys of Peter the Great and his creation of a new nobility and state along the European model. The subsequent slavish mimicry of Western customs and social snobbery by the upper classes led to their estrangement from the masses and no doubt has had much to do with the violent nature of the revolutionary reaction in the present century.

At the same time they have been busy copying others, the Russian people have produced some unusual and unique accomplishments in various fields. Artistic achievement are exemplified by the unsurpassed precision of the ballet and the original works of a large number of composers. Nineteenth century Russian literary figures brought forth some marvels of sophisticated and socially perceptive writing, and the tradition they established continues on into the present. In the development of mathematics and other sciences, Russians have played a leading role. Their mastery of artillery and its related art of missilery is known and envied.

No description of the Russian nature would be complete without at least a few words on the fairer sex. The Russian woman has always impressed me with her strength of character. She is more steady, more capable of concentrated work and less addicted to visionary schemes than the Russian male. It is consequently not surprising that her wide participation in public life is of considerable value to the state. In its modern history Russia has had in fact four empresses and a substantial number of strong-minded female figures in the lower ranks of society, including revolutionaries like *Provskaia*, *Zasulich* and *Figner*. The country's literature has provided good examples of heroines in the dominating figures of Tolstoy's *Anna Karenina* and the recklessly defiant *Vasilisa Egórova Murav'eva* of Pushkin's "The Captain's Daughter" who publicly cursed the rebel *Pugachëv* for his murder of her husband and was herself killed for such rashness.

Soviet men are like those of other nations in that they may not always do what their women wish, but they do pay them a certain deference and feminine persistence frequently carries the day. *Boris Pasternak* has brought this out in the chapter of "Doctor Zhivago" where the family's decision to undertake the fateful trip to Siberia was made essentially by the Doctor's wife against his better judgment. A central figure in many Russian families is the *bábuska* or grandmother, a personage surrounded by a great deal of respect and solicitous care. Deference to elderly women is strongly rooted among the Russians, although it is not always graciously expressed. It is interesting to note that one of the oft-repeated accusations against Stalin is that he was rude to Lenin's widow, *Krúpskaia*.

Although Russian women are shown a certain respect by their men, they have never been idolized as in the West. Chivalry did not exist among the Russians whose women were in *terem* until the time of Peter the Great. Since the Revolution they have tended to be treated more as not quite equal co-workers than as romantic objects. They have always done work which in the West would be considered both demeaning and physically too strenuous. Every visitor to the Soviet Union is immediately struck by the back-breaking tasks performed, and skillfully too, by female laborers.

Probably as a result of the relative lack

of attention paid to them for their feminine qualities, Russian women seem to care less about their appearance than their Western sisters. The capricious embellishments of Paris and other European centers are notably absent in Moscow, although increasing contacts with the West are bringing some changes in this respect. The somewhat uncharitable observation of an eighteenth century British traveler is unfortunately still rather appropriate:

As the growth of the Russian ladies is not confined by any bandages, stays, or other compresses, the proportion of the parts usually far exceeds the line which the general taste of Europe has prescribed for the contour of a fine shape.<sup>14</sup>

The picture we have sketched of the Russian personality silhouettes an individual undergoing considerable emotional stress as he attempts to adjust to the conditions of a world for which he is not quite ready. Clearly he has as yet been unable to reconcile the fraternalistic ideals he professes with the realities of a life where privilege and discrimination are major ingredients. The traumatic experiences of a turbulent and bloody history complicate the task he has set himself of catching up with the more developed parts of the earth in an historically short period of time. His strong impulse to achieve equality is, however, helpful to him in this respect since it provides a spur to greater efforts than those more satisfied peoples are willing to make. Russian space successes and a well developed athletic prowess characterize the surprising results attainable by a people whose national performance in many other respects is below these standards of achievement.

Some observers of the USSR assert that the Russian is unchangeable and will always be a problem. While looking into the future is difficult, I prefer to believe that as the Russian emerges from his isolation and becomes a more fully accepted member of the international community, his attitudes and behavior will become more responsible. Personally I have found most Russians willing to listen and see other points of view if approached properly. There has been a slow recognition in the USSR that, despite ideological differences, certain minimum rules of social intercourse and a decent tolerance of others are generally helpful both in the process of ruling a nation and in conducting relations with foreign states.

National or individual characteristics are not immutable and over the course of modern history some peoples have changed their personality to a surprising extent within a relatively short space of time. Americans have outgrown their past so quickly that they have forgotten they themselves once behaved in rude and uncivil fashion towards the more settled and cosmopolitan societies of Europe. The commentary of James Bryce in his "American Commonwealth," written in 1888, on the changes he had observed over the years in popular attitudes in the United States is not without interest:

The least agreeable feature to the visitors of former years, an incessant vaunting of their own country and disparagement of others, has disappeared and the tinge of self-assertion which the sense of equality used to give is now but faintly noticeable.<sup>14</sup>

#### FOOTNOTES

<sup>1</sup> Berdyaev, Nicolas: *The Origin of Russian Communism*, N.Y. 1937, p. 3.

<sup>2</sup> Ehrenburg, Ilya: *Lyudi, gody, zhizn'* in *Novy mir*, No. 11, 1961, p. 154.

<sup>3</sup> Leroy-Beaulieu, Anatole: *The Empire of the Tsars and the Russians*, N.Y. 1893, v. 1, pp. 189-190.

<sup>4</sup> Shallapin, Feodor: *Man and Mask: Forty Years in the Life of a Singer*, London 1932, pp. 7, 11.

<sup>5</sup> de Pauly, T: *Description Ethnographique des Peuples de la Russie*, St. Petersburg 1862, p. 29.

<sup>6</sup> *Pravda*, 18 February 1963.

<sup>7</sup> v. Haxthausen, August Freiherr: *The Russian Empire*, London 1856, v. 2, p. 223.

<sup>8</sup> Berdyaev, Nicolas: *Russia and the New World Era in The Russian Review*, Spring 1948, p. 5.

<sup>9</sup> Brandes, Georg: *Impressions of Russia*, London 1888, p. 22.

<sup>10</sup> Dicks, Henry V.: *Some Notes on the Russian National Character in The Transformation of Russian Society*, Cyril Black ed. Harvard University Press 1960, p. 638.

<sup>11</sup> Leroy-Beaulieu: op. cit. v. 1, p. 164.

<sup>12</sup> *Pravda*, 8 October 1959.

<sup>13</sup> Tooke, William: *View of the Russian Empire During the Reign of Catherine the Second and to the Close of the 18th Century*, London 1800, v. 2, p. 3.

<sup>14</sup> Bryce, James: *The American Commonwealth*, N.Y. edition of 1911, v. 2, p. 821.

### BRAVERY IN VIETNAM

Mr. MURPHY. Mr. President, it is difficult to find words which can adequately describe the great debt the Nation owes to the fighting men who serve our country so bravely in the distant conflict in Vietnam. An equally difficult task confronts us in attempting even to begin to express our gratitude to those who stand and wait for the safe return of their loved ones to this country. I personally share in the profound grief felt by those families who one day learn that they have waited in vain; that a son, a brother, a husband, or a father has made the supreme sacrifice for his country. No tribute, no honor, no recognition, can dry the tears of loved ones or fill the void left by the hero's passing.

Mr. President, we are all aware that there are large elements of our society that oppose this war for a variety of reasons. Indeed, a shrill cacophony of protest is heard in the streets and in the halls of academe. In Congress, on this very day, we hear Senators advocating the type of unilateral reduction of military might that almost proved to be our undoing in the years before Korea. But I find that the bereaved families, who have lost so very much in this struggle remain steadfast in their pride in our Nation and are consoled in some measure by the knowledge that their dear relative died upholding the highest principles of man. It is a special kind of bravery, Mr. President, that overcomes the temptation of bitterness in a moment of great personal loss.

Mr. and Mrs. Ralph Foster, of San Francisco, are two of the many who have displayed this bravery. At my short meeting with these fine people, when the President of the United States presented them with the Medal of Honor that their son, Paul, earned at the moment of his death, I was deeply moved by their courage.

I ask unanimous consent to have printed in the RECORD the text of Sergeant Paul Foster's citation and the fine letter his parents thoughtfully sent to me. I also ask unanimous consent that the beautiful poetic tribute composed by Mrs. Billie Farris for the Fosters be printed in the RECORD. We all can take pride in Sergeant Foster's heroism and the special gallantry of his parents as well.

There being no objection, the items

were ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF.,  
July 27, 1969.

Senator GEORGE L. MURPHY,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MURPHY: We met in the Rose Garden of The White House on Friday June 20 1969 at ceremonies in which President Nixon presented the Medal of Honor, awarded to our son Sergeant Paul H. Foster, U.S. Marine Corps and to two other Marines.

The occasion was sad but it was momentous; the presentation of the Nation's highest award for gallantry, to three young men, it's own. This reminds us of the valor of the Nations many sons.

The young men knew what they were doing, and were true to their faith and duties. We mourn their loss, but have deep pride in their memory.

We are most grateful to the Marine Corps and to all others for the care, thoughtfulness and assistance given us at this time and in the past when they were of much comfort to us.

Since the award and the presentation is made in the name of the Congress, we think it meet and fitting that you convey our deepest gratitude to the Congress and to the people for the honors accorded and ask that you kindly do so.

With our kindest regards, we are  
Most sincerely yours,

RALPH W. FOSTER and Mrs. FOSTER.

N.B. Among those who cared for us during our stay in Washington was Mrs. Billie Farris of the Division of Information Headquarters Marine Corps Washington D.C. We received a letter from her the other day and with it a poem by Mrs. Farris. A copy is enclosed.

We think it fills in the picture as it was and we believe you will think so too.

R. W. F.

As I stood my post in Heaven, I looked down towards the earth.

There in a rose garden, amid those I love, were the parents of my birth.

My father's face was filled with pride; my mother's taut with grief,

As they stood so tall, side by side, with my former commander-in-chief.

All was in order in a place that now I could not tread, for I was now in Heaven, and they were honoring the dead.

My parents stood with dignity to the honors given their son;

I ached in my love for them and asked Him what could be done.

As His blessing was given and I bowed my head in grace,

I found myself in the garden kissing my mother's face.

Unknown to them I held their hands and stood with them in pride.

From them I learned love and respect and for them, I had died.

I said to them as I bid farewell and kissed their tears away:

"I'm going now, back to my Lord, and shall meet you there someday."

BILLIE FARRIS.

### CITATION

(Medal of Honor presentation by Richard Nixon, President of the United States of America, posthumously to Sgt. Paul H. Foster, U.S. Marine Corps Reserve, at the White House, Washington, D.C., on Friday, June 20, 1969, at 11:45 hours)

The President of the United States in the name of The Congress takes pride in presenting the Medal of Honor posthumously to Sergeant Paul H. Foster, United States Marine Corps Reserve, for service as set forth in the following citation:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the

call of duty while serving as an Artillery Liaison Operations Chief with the Second Battalion, Fourth Marines, Third Marine Division, near Con Thien in the Republic of Vietnam. In the early morning hours of 14 October 1967, the Second Battalion was occupying a defensive position which protected a bridge on the road leading from Con Thien to Cam Lo. Suddenly, the marines' position came under a heavy volume of mortar and artillery fire, followed by an aggressive enemy ground assault. In the ensuing engagement, the hostile force penetrated the perimeter and brought a heavy concentration of small arms, automatic weapons, and rocket fire to bear on the Battalion Command Post. Although his position in the Fire Support Coordination Center was dangerously exposed to enemy fire and he was wounded when an enemy hand grenade exploded near his position, Sergeant Foster resolutely continued to direct accurate mortar and artillery fire on the advancing North Vietnamese troops. As the attack continued, a hand grenade landed in the midst of Sergeant Foster and his five companions. Realizing the danger, he shouted a warning, threw his armored vest over the grenade, and unhesitatingly placed his own body over the armored vest. When the grenade exploded, Sergeant Foster absorbed the entire blast with his own body and was mortally wounded. His heroic actions undoubtedly saved his comrades from further injury or possible death. Sergeant Foster's courage, extraordinary heroism, and unflinching devotion to duty reflected great credit upon himself and the Marine Corps and upheld the highest traditions of the United States Naval Service. He gallantly gave his life for his country.

### THE ROLE OF THE AIRCRAFT CARRIER

Mr. EAGLETON. Mr. President, in an article published in the Sunday Minneapolis Tribune, the Senator from Minnesota (Mr. MONDALE) makes a cogent and often humorous case for examining the role of aircraft carriers in the context of modern military realities.

During the debate on the defense authorization bill, the justifications for many tried and true weapons systems have come under fire. "It's always been that way" is no longer good enough to justify the expenditures of hundreds of millions of dollars.

Certainly, some justification can be found for the continuance of any weapons system or its improvement, but Congress must ask at what cost. Edward L. Katzenbach, Jr., points out in an interesting and amusing article on "The Horse Cavalry in the Twentieth Century: A Study in Policy Response":

However low and slow it flew, the plane would not be a substitute for a still lower and still slower man on a horse. And the plane could not penetrate forests and neither within limits, could tanks. So there was, and indeed there still is, a gap between what the horse can do and what the plane and the tank can do. But admitting the gap, there still remained the most vexing problem of all, to wit whether that gap was worth filling and if so how.

In our technological and highly changeable world, it is important to constantly reevaluate the premises of the past in terms of present realities.

The Senator from Minnesota (Mr. MONDALE) and the Senator from New Jersey (Mr. CASE) are asking important questions regarding the role of the air-

craft carrier and the rationale for continuing to maintain 15.

I ask unanimous consent that Senator MONDALE's article be printed in the RECORD.

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

ATTACK CARRIER HAS HAD ITS DAY,  
CLAIMS MONDALE

(By WALTER F. MONDALE)

In the first quarter of this century, there raged a great debate in military circles over the question of whether automatic fire and mechanization made the horse cavalry obsolete. Even though it was obvious to everyone but cavalrymen that this institution had outlived its usefulness before World War I, it took another 30 years before the advocates of modern technology were able to put the cavalry to rest once and for all.

That the horse cavalry was able to survive the technological innovations of this century as long as it did may seem strange to many of us. But military history, as one commentator noted, ". . . is studded with institutions which have managed to dodge the challenge of the obvious." A clear example of this phenomenon from naval history is the battleship's durability in remaining at the center of naval planning. It was not until World War II that naval planners recognized what had long been obvious to most military observers: that modern airpower had ended the battleship's role as the keystone of the fleet.

The most recent example of the tenacity of military institutions can be found in the military authorization bill, now before the Senate. That bill contains the Navy's requested authorization for a new nuclear attack carrier, a request based upon an assumption which has gone unchallenged and generally unexamined since the end of World War II: that the U.S. Navy must maintain at least 15 attack carriers in its fleet.

This 15-carrier force level, according to one observer, ". . . appears to be close to an 'eternal verity' in U.S. military planning." Yet the number 15 does not arise from any current assessment of needs, costs, or capabilities. Rather, it is a legacy of the past. That the advocates of a 15-carrier force level, like earlier defenders of the battleship and the horse cavalry, are following a path of tradition rather than reason becomes increasingly clear, by examining the carrier's role in the context of modern military realities.

After World War II, the attack carrier (and indeed the entire Navy) became a force in search of a mission. There were no other surface fleets to engage, and the very existence of the Navy was threatened by new long-range aircraft capable of delivering nuclear payloads. The Navy responded by seeking justification for the attack carrier in strategic nuclear warfare.

With the advent of land- and sea-based missiles in the early 1960s, the carrier no longer had any role as part of our nuclear retaliation forces. Faced with the loss of its strategic retaliatory role, the Navy began to emphasize the carrier's potential tactical role in providing air support for ground troops, maintaining air superiority, and destroying supply lines.

The argument that 15 attack carriers are needed to provide sea-based tactical air power throughout the world is not a persuasive one. Where land-based air power is not immediately available or where political constraints limit the use of land bases, the carrier may well serve as a complement to our overseas bases. But where the carrier clearly competes with, rather than complements, land-based air power, the role of the carrier must be justified on the basis of its effectiveness and its efficiency.

(Carrier task forces are assigned to the two

major "trouble areas" of the world—nine in the Western Pacific and six in the Mediterranean. But it is quite clear that our capacity for land-based tactical air power is more than adequate in these areas, as well as in most other parts of the globe where peace or United States interests may be threatened.

The United States maintains some 138 squadrons of tactical fighters and bombers in active forces at home and abroad, including 23 wings and 3,350 aircraft.

Furthermore, our capacity for creating new land bases as needs arise is almost limitless. There are at least 1,000 overseas civilian air fields which the Air Force, within three days' time, can convert to a fully equipped tactical air base using the "pre-positioned kits" of the Bare Base support program.

More important than overlap alone, however, is the vastly greater cost of carrier-based air power. The enormous initial expense of a single aircraft carrier is multiplied by its complete dependence upon an accompanying task force for defense and for logistical support.

But a carrier task force, according to the Navy, cannot remain "on station" for more than four months out of 12 without great strain on the crew. For this reason, continual deployment of a nuclear carrier task force in one area actually requires three task forces in rotation, increasing the investment cost of one carrier base to the staggering figure of \$4.2 billion.

Needless to say, a land base is a far cheaper operation. A base in the Pacific can be built for \$53 million; the Bare Base support program can convert an existing civilian runway for about \$36 million.

The reliance upon carrier rather than land-based air power is made even more questionable by the high degree of vulnerability of the carrier in light of modern weaponry. Carriers are particularly vulnerable to attacks by submarines, aircraft, and ship-to-ship and air-to-ship missiles.

In response to these arguments about the efficacy of sea-based air power, the Navy points out that since 60 percent of the world is covered by water, the carrier can be used in many more places than land bases. The military historian will recognize the disturbing similarity between this argument and that advanced in 1922 by a major in the cavalry who, observing the absence of roads on much of the earth's surface, wrote: "To base our transportation needs solely upon conditions existent in the comparatively tiny portion of the earth's surface containing roads . . . is putting too many eggs in the same basket."

The Navy also argues that despite widespread land-based power, carriers are needed to maintain a "balanced force." This claim also was made by the cavalry as late as 1940.

Recognizing the limitations on the usefulness of carriers, the Soviet Union has never built an attack carrier and has no plans to do so. And yet, as the U.S. Navy is quick to point out, the Soviets already have an impressive and well-balanced surface fleet. It is, therefore, particularly difficult to understand why the Soviets have no plans to build an attack carrier if it is such an essential and vital ship. It is clear that we could afford to reduce our carrier force level without any danger to national security.

But the Navy is moving in precisely the opposite direction. The carriers which have joined the fleet since the mid-1950's are almost double the size of the older carriers, are equipped with the most modern aircraft and, therefore, have far greater capability for tactical air than the oldest carriers which they replace.

There may be a limited role for attack carriers in modern warfare. They might be useful in providing a base for launching tactical air strikes in the initial stages of a conflict, where there are no available land bases.

Once land bases become operational, however, there seems to be little justification for the continued reliance upon the aircraft carrier.

In addition to the problems of efficiency and effectiveness, the use of the aircraft carrier has serious foreign-policy implications. For example, it is official naval doctrine that one of the main advantages of carrier air power is that it can be employed unilaterally, without involving third parties and without relying upon treaties, agreements or overflight rights.

The Senate has an obligation to debate whether it is in our national interest to maintain 15 carrier task forces "poised for unilateral action." Such a debate may be necessary to assure that foreign policy determines the need for military expenditures—rather than the other way around.

In recent congressional testimony, the chief of naval operations stated that "the carrier will be necessary in the future if the United States is to have the flexibility and the selectivity of operations in areas without first having to make some political arrangement to do so."

In light of such testimony, it is important for Congress to be involved in determining those situations in which the United States should be prepared to intervene in conflicts unilaterally and "without first having to make some political arrangements to do so."

The time when we could afford the luxury of such "eternal verities" as a fleet of 15 carriers has long since passed. I fear our children will observe in the future that our blind adherence to 15 attack carriers was as absurd as was our failure to recognize the demise of the horse cavalry.

"THE MAN NOBODY SAW"

Mr. BROOKE. Mr. President, perhaps one of the finest, though certainly more indirect, achievements of the Civil Disorders Commission, has been the creation of a short, simple, but intensely accurate drama on the life of blacks in a white society. Written by Elizabeth Blake, the play is entitled "The Man Nobody Saw." It takes place in a makeshift courtroom. The audience is judge and jury. The actors switch identities right on stage, with no change of visible costumes or props. The entire presentation takes no more than 20 or 25 minutes.

But the situations are real. The events have occurred thousands and even millions of times since America was born. And the people are real people—ourselves, our friends and neighbors, and those people whom we fear. Yet for once in a single presentation both the chasm and the bridge are undeniably clear.

The significance of this drama was fully perceived by the Washington Post staff writer, Mr. Ben W. Gilbert, whose review appeared in the Washington Post of July 8. Since reading the review, I have had an opportunity also to read the play which prompted it. I ask unanimous consent that the review be printed in the RECORD. I highly commend to the attention of Senators "The Man Nobody Saw."

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

A DRAMA EXPLORES MEANING OF RACISM  
(By Ben W. Gilbert)

The young black lawyer turns to the two white courtroom witnesses, a man and a woman, and angrily charges that they are guilty of the violent crimes for which his

black client, Nathan Richardson, is on trial. It is the opening scene of "The Man Nobody Saw" at the Smithsonian Auditorium.

The lawyer's charge appears too stark, too shocking to reach many persons in the audience yet. The two white actors who will play a succession of roles no doubt will turn out to be mean, horribly racist persons whose outrageous behavior will confirm the lawyer's charge and thereby establish the innocence of the defendant who is both black and poor. And then, the audience will be asked to decide what should be done with the white characters.

But no, it turns out that the whites portrayed are generally well-intentioned, ordinary persons—insensitive, perhaps, but not hateful. They fail to realize the impact of their casual, occasionally prejudicial, but seldom overtly hostile actions on the young Negro family, Richardson, his wife who is a domestic, and their two children.

Is this failure of whites to understand, this lack of sensitivity and empathy, racism? The unasked question becomes the central problem of the play and a key element of the audience discussion to follow. The Kerner commission whose report inspired the play said that white society is "deeply implicated" in the ghetto, but is not aware of the part it plays. Tom Wicker of the New York Times in an introduction to the riot report said that "until the fact of white racism is admitted, it cannot conceivably be expunged." The design of the play is to produce that awareness.

A white widow's husband, an accountant, was a hospital trustee who saw that the institution ran on a "sound fiscal basis," a policy that deprived Richardson's mother who died in childbirth of prenatal care. The widow does volunteer work at the adoption center where there is nothing to do for black children including Richardson.

A white father favors bussing black children to the school his youngsters attend, but does not show up for the crucial vote because his wife is opposed. So Richardson loses an educational chance. Richardson is turned away at the union hall because he lacks qualifications to be a journeyman and there are no openings for apprentices. An employer refuses to give him a job requiring little training because he lacks experience.

The whites in the audience began to feel sorry for the Richardsons. They are making such an enormous effort, but get absolutely nowhere. Some notion of what it means to be both black and poor reaches the audience. It is not long before the white spectators sense that he too is on trial. It is becoming evident that he shares responsibility for the plight of the Richardsons. Does that make him a racist? That's a tough question and the audience is becoming uneasy.

The play moves rapidly to a predictable climax. A banker has just refused to grant Richardson a mortgage loan to enable him to become a partner in a small dry cleaning plant. He goes berserk after learning that his younger child has succumbed to rat bites in the family's frightful hovel.

Mrs. Richardson, who is one of the victims of her husband's rage, reacts to the shattering of his hopes for independence and says how hard it is to see her husband "made meaner and smaller" each day. But, she won't press charges against him, although the authorities want her to, because she is glad to find he can still fight back.

Discussion leaders ask audience groupings to write on index cards what they think the play means to them. Outrage and frustration are typical answers. The Richardsons are trapped by the system. Acknowledgement of guilt is slow to appear, but it is there. A few whites in the audience of 450 find it all too painful and depart.

The leaders probe gently. What can be done about it? Clear-cut answers do not emerge, but that is not surprising. Neverthe-

less, there is evident identification of the problem and the system that produced it, thereby providing a better understanding of what is meant by the charges of white racism.

Although the charges against Richardson are serious—"arson, assault, attacking his wife, felonious stealing and other acts of an incendiary nature," a thread of compassion ties the audience to him and focuses discussion on his plight, rather than his offense, an acknowledgment of what the Kerner commission has called the "destructive environment unknown to most white Americans" that segregation and poverty (and white racism) have created in the Nation's ghettos.

In a discussion guide prepared for the evening, Whitney Young, executive director of the National Urban League, defines white racism as "the effect of white institutions on the life of the ghetto . . . the things that more or less well-meaning white people do, unknowingly and unthinkingly, that cripple lives in the black community."

"White racism," Young says, "doesn't mean that Americans in any large numbers want to lynch Negroes or send blacks back to Africa, but it does mean that the vast majority of white Americans . . . make basic assumptions of their own superiority . . . to justify actions injurious to black citizens."

Although the play by Elizabeth Blake, a production of the Plays for Living division of the Family Service Association of America, was prepared primarily for white audiences, the group at the Smithsonian literally was mixed.

The sponsors, of course, hoped that the audience took away more than an emotional jolt and would want to see the play shown to other community groups. There was some evidence of members of the audience being affected. For instance, one black woman, a Federal employe, reported that a white woman coworker came to her the next day to discuss the meaning of the play.

"You know," the black woman reported, "I felt that she saw me for the first time."

#### HUMAN RIGHTS CONVENTIONS—ISSUE OF BASIC CIVIL RIGHTS

Mr. PROXMIER. Mr. President, 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. One of the basic problems related to the difference between the traditional concept of individual political or civil rights and the inclusion of economic and social rights. Many of the nations felt that political and civil rights meant little without the incorporation of the recently defined and recognized economic, social, and cultural rights—such as the right to work, the right to social security, to education, to health, and an adequate standard of living, and to full participation in the life of the country.

The American representatives, on the other hand, did not feel that such rights were "rights" in the same sense that the natural rights—that is, the right to life and liberty—were rights. They felt that "governments are in a position only to promote, not guarantee economic, social, and educational rights" and that it would take a great deal more than legislation to guarantee such rights. The United States realized that given the economic state of the world, particularly in the underdeveloped nations, it would be totally unrealistic, and perhaps even fatal to the intent of the entire human

rights endeavor, to guarantee to every human being the rights provided for in the declaration. The facilities essential to provide these "rights" were not present and they would not materialize simply through the process of legislation. The second factor causing opposition at this time was the realization that the U.S. Senate, which would eventually have to ratify the proposed conventions, might balk at the inclusion of economic and social rights. Mrs. Roosevelt summed up the U.S. position by saying:

In giving our approval to the declaration today, it is of primary importance that we keep clearly in mind the basic character of this document. It is not a treaty; it is not an international agreement. It is not and does not purport to be a statement of law or of legal obligation. It is a declaration of basic principles of human rights and freedoms, to be stamped with the approval of the General Assembly . . . and to serve as a common standard of achievement for all peoples of all nations.

The issue of what type of rights should be included in the covenant was an area of conflict. The Americans felt that social and economic rights were of an entirely different nature than political or civil rights. Eleanor Roosevelt states in her autobiography:

It seemed to our delegation that it was better to try to get what we could at the time. The civil and political rights were already part of the law of many countries and were not so difficult to phrase in legal terms that would be generally accepted . . .

Mr. President, I make this point to emphasize the fact that by ratifying the Human Rights Conventions on Genocide, Political Rights of Women, and Forced Labor, we are not holding out an unattainable carrot stick to the peoples of the world. Mrs. Roosevelt and others had the foresight to ward against this. We are only declaring a national commitment to a standard of achievement to guarantee the most basic human decencies to our people.

#### CRUSADING PUBLISHER WINS IMPROVEMENTS FOR UTAH COMMUNITY

Mr. BENNETT. Mr. President, a tribute which I believe deserves wide attention was recently paid to a Utah woman publisher whose weekly newspaper, the Millard County Progress, has won numerous awards while setting an example of excellence in crusading community journalism.

The tribute to Jane Wilson, Fillmore, is contained in the Salt Lake Tribune of August 26, 1969.

As the Tribune notes, Mrs. Wilson has become "a living legend, crusading for 44 years for community improvement and in general improving life for the citizens of the area."

The excellence in quality and policy of the newspaper earned for Mrs. Wilson the highest award of her colleagues when the Utah State Press Association selected her as Master Publisher of the Year, 1965. The Progress was also given the Utah State University's Community Service Award in 1966 and again in 1968.

Mrs. Wilson does everything but run

the press. She is widely known in journalistic circles for her skill and ability to compose a story directly on the Linotype, eliminating the step of typing it on copy paper first.

Under the steady prodding of the Progress, work has been done in Mrs. Wilson's community to update the power system and water system, and to upgrade the library and the hospital. In addition, the newspaper has done much to attract growing industrial opportunities.

I ask unanimous consent to have printed in the RECORD a more complete account of the paper's achievements.

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

COMMUNITY IMPROVEMENT'S JOB KEY  
(By Hazel S. Parkinson)

FILLMORE.—Everyone in Millard County knows Jane Wilson.

She has become a living legend crusading for 44 years for community improvement and improving life in general of the citizens of the area.

Crusading has been by personal participation and involvement and via the weekly newspaper, The Millard County Progress, of which she is co-owner and publisher.

Her husband, the late E. Vance Wilson, an attorney, purchased the newspaper in 1925 and, for the most part, she has run it.

A few years ago she took in her son as partner and editor.

She's done everything to put out the paper except run the presses. This is understandable as she is a petite woman. Modestly she says she can compose a story directly on the linotype eliminating the step of typing it on copy paper first. She still does most of the linotype work.

Her quiet dignity commands respect. Her influence has been felt at home and abroad. Former Fillmore area residents are counted in the paper's 1,700 subscribers. Papers are sent all over the world including servicemen in Vietnam.

A California man has been a regular subscriber and he hasn't resided in Fillmore for 40 years.

Excellence in quality and policy of the paper earned for her the highest award of her colleagues when the Utah State Press Assn. selected her as "Master Publisher of the Year, 1965."

The Progress was given the Utah State University's Community Service Award in 1966 and 1968.

"We have always stood for community improvement, beautification and clean up," she said.

"We've worked to update the power system, water system, upgrade the library, blood bank and hospital project," she noted. "And we have given applause to private businesses and they have bettered their services to the people."

She set examples for others to follow by furnishing and equipping a room at the hospital, and by requesting, at the time of her husband's death, that in lieu of flowers donations be given to the hospital.

Jane has been a stalwart on the board of the Fillmore Industrial Foundation. This organization seeks to attract industry to the town. A men's sportswear manufacturing plant now operates in Fillmore as a direct result of the FIF's work.

"The Progress did its part," she noted, "by running FIF progress reports and news articles for 40 consecutive weeks."

"Basically we are a local news, newspaper though editorially we comment on national issues such as gun laws, sex education in the schools and the moon landing."

After the death of her husband she assumed management of their 700-acre farm,

and for many years has been secretary of the local irrigation company.

THE BIG THICKET IS IN DANGER

Mr. YARBOROUGH. Mr. President, on August 24, 1969, the Sunday magazine of the Dallas Times Herald published an excellent article on the Big Thicket, written by Mr. Orrin H. Bonney. The article describes in an informative manner the beauty of this natural wonderland and its role in American history.

Mr. Bonney also emphasizes that this rich and beautiful wilderness is in danger of being destroyed unless immediate action is taken to preserve it. As the author so correctly states:

Everything in Big Thicket seems to have a story, drama, or a mystery. Unfortunately, this land that breeds such interesting legends, is in itself on the verge of becoming a legend. Big Thicket, once a known three million acres, but now considered about 300,000, is fast disappearing. Most of its wilderness was raped decades ago when timber harvests cleaned out the virgin forests, leaving denuded chaos and disintegrating sawmill towns behind. Fortunately, Big Thicket eventually recuperates, if given a chance.

Today, however, the last 300,000 acres of Big Thicket are under renewed attack. The entire acreage is privately owned, most of it by five lumber companies. Lumbermen, pipeline companies, and real estate promoters are racing to carve up the Big Thicket at the dismaying rate of fifty acres a day.

To save this area, I introduced, on January 15, 1969, a bill, S. 4, which would establish a 100,000-acre Big Thicket National Park. This bill is being supported by civic and conservation organizations all over the Nation. We must act now if we are to save this fabulous area for ourselves and future generations.

Mr. President, I ask unanimous consent that the article entitled "The Thick of the Thicket—Texas, Land of Mystery," be printed in the RECORD.

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

THE THICK OF THE THICKET—TEXAS, LAND OF MYSTERY

(By Orrin H. Bonney)

Two hundred miles southeast of Dallas (primarily in Harden, Polk and Tyler counties) lies the legendary Big Thicket—a fast disappearing area which has been called a jungle in the temperate zone, an outlaw haven, a state of mind, and the biological crossroads of North America.

To those on the outside of this land of vague and elastic boundaries drift enough tantalizing mixtures of ghost stories, truth, and tall tales to make the outsider wonder. Even the curiosity-rousing names of Big Thicket—Thrown Away Road, Devils Pocket, Bad Luck Creek, Kaiser Burnout, Ghost Road, Hanging Tree, Jawhawker Baygall—make you want to know the lusty story behind each descriptive tag.

Big Thicket is one of the few places in the United States where this legend type of story can still generate. Hedged off from the view of the general public by briars, vines, forest growth, Big Thicket still is the lair of the mysterious. Why, there's no telling what a man or a good hound dog might come across, human, beast, or otherwise, if he wandered deep enough into those woods. Even today, strangers are warned, "Just don't wander off the roads. There's no telling what you might get into."

In the former oil boom town of Saratoga, surrounded by Big Thicket, lives Lance Rosler—its sage as long as anyone can remember. He's a slight, gnome-like man with a kindly wrinkled face. A trip into the woods with him, with the help of his friendly blue eyes, unfolds a fascinating drama of the blooming, crawling, swimming, and flying world of Nature.

It was a dark and gloomy evening when Lance took me out to the "Ghost Road" which runs "straight as a rifle barrel" from Saratoga to Bragg. Fog was rolling in, mixed with drizzles of rain. We turned off the pavement three miles north of Saratoga, our car splashing down a sandy road which ran canyon-like through towering walls of loblolly pines thicketed with sweetgum sprouts, yaupon, and palmettos.

"Stop a minute," Lance said, and we got out to examine some tracks, still fresh and sharp in the wet sand of the road. I thought they were deer, but Lance pronounced them to be rooters or half-wild hogs.

"Two weeks ago, just north of here, one of the forest rangers saw a bear and cub cross the road," Lance said. "So there's still bear. I've seen panther, too."

Down the road two gleaming eyes flashed in the car lights for a moment, then disappeared. I went back and turned out the car lights, and night covered us. With mist drifting by and the eerie hoot of an owl occasionally breaking the deathly silence, the feeling was overpowering. Just to break the hush I asked Lance how come this road was so straight.

"It used to be a log and oil-hauling branch of the Sante Fe until they tore it up in 1935. Then the fox runners, the bear and cat hunters, the deer chasers used it because the stretch carried them into the densest part of the Big Thicket. About that time the stories about the Lights began to grow."

I'd heard a bit about the Lights. For years, ghostly lights had been reported dancing through the forest along the Ghost Road—variously described as red, white, blue, green, and combinations; as hot and cold; as floating, darting, leaping, and quiet. "Going out to look for the light" has always been a good excuse for young couples. Archer Fullingim, editor of The Kountze News, tells about the time in 1960 when he decided to see what he would come up with if he publicized the Ghost Road and its Light in his newspaper.

"Almost everyone in the country who could read, and even a few outsiders, went out to see the ghosts, and the stories grew. During this period the Light went wild—it chased cars, it floated over the hoods and cut out engines; it burned hands and scorched car tops. Several people reported their cars ran over it, and one fellow said it jumped on top of his car and made thumping noises."

People of all ages and intellects came to see. They shot at it, chased it, tested it with litmus paper and Geiger counters. One opportunity-minded preacher climbed on his car top and harangued the ready-made congregation about the Light as an evil omen of impending doom.

All sorts of explanations were offered by the philosopher-scientist-students of the Light ranging from reflecting car lights or low grade swamp gas to ghostly ectoplasm.

"There's ghost stories," Lance said, "which are more story than fact though they might have had a start in some fact."

"One story is about Spanish soldiers who hid gold in the thicket and died before they could come back, with their ghosts still hunting for it."

"Another tale is about a man firepanning (hunting with an iron pan on the end of an iron pole filled with burning pine knots) at night, who took a few too many drinks and laid down on the railroad track. Well, the train came along and cut off his head and no one ever found it, and his ghost is still

wandering up and down where the track used to be, carrying his spectral fire pan, still hunting for his head."

Even the discovery of oil at Saratoga seems legendary, credit going to a local critter known as the piney-woods rooter, or hog. Fletcher Cotton, noticing that his hogs kept coming home with slick and glossy oil mud caked on their sides, followed them and discovered their hog wallow was a sulphur-smelling slough of oily bubbles. He drove a two-inch pipe into the pond, waited, and when he saw oil rising in the pipe he knew it was near time to start signing leases.

Saratoga got its name when the more enterprising Thicketeers got a whiff of the sulphur springs that Old Man Cotton's hogs had discovered. They borrowed the name of the famous New York health spa, built a bath house over the "medicinal" springs and waited for visitors to take the "cure." Never much of a success, the Thicket was creeping in again when the oil field gushed in about 1903 and flushed the springs out.

When the oil boom ricocheted through Big Thicket, a whole way of life was upset. Tent towns and lawlessness mushroomed, fostering incredible circumstances upon which fable are built. For instance, the story of the weekly roundup in the once wild boom town of Batson sounds unbelievable today, more so if you drive through the quiet little cross-roads hamlet that is Batson now.

During the boom days Batson supported itself by a system of regular weekly fines instead of collecting taxes. Every Monday the justice of the peace rounded up all the gamblers and shady ladies into his court in the two-storied Crosby House, the local hotel, where they would pay their fines and return to business immediately. The day came, however, when Batson settled down, gave up its lawless ways, and the roundup became a thing of the past.

Pioneers of Big Thicket were a tough breed whose way of life, over a hundred years old now, bears remembering, especially in the light of today's modern living. Just about the only trace of bygone days is a cluster of gravestones in a forest. Here and there you will find a cabin, built of such fine timbers over a century ago that it is still intact.

Clyde Gray, antiquist of the Big Thicket, has moved several of these old structures to his "Heritage Gardens Museum" just west of Woodville, where five years ago he decided lore of the Big Thicket ought to be preserved as well as its unique ecology. He started collecting items of interest, their stories, and today when you step into his place you enter another world—of fact, not legend!

When we visited him, Gray was sitting behind an ancient cash register on which he was ringing up his modest admission charge. We walked out his back door into the past—the restored "street" of the typical piney woods "village" of one hundred years ago.

"That's the Robert Tolar cabin," he pointed out, "moved here intact from the Big Thicket. For 95 years, since 1865 until 1960, three meals a day, every day, were cooked in its open fireplace on mounds of coals. Once, 135 people were fed. Two of the Tolar daughters, now 95 and 86 years old, lived all of their lives there until 1960."

The building rests on its original wood blocks of cypress and heart pine—never touched by termites or rot. The doors are on wooden hinges, with wooden hinge-pins ingeniously turning on bacon-rind washers.

"Across the 'street' is the Z. C. Collier store, the original building used at Town Bluff until the late 1920s. When Texas became part of the United States in 1846, settlers trekked into Texas with ox teams to take up the free land. Many of them crossed the Neches River on a ferry maintained by the Collier family at Town Bluff. That same family built this store on the west bank in 1853.

"On the fringes of the Thicket, land was

cleared and plantations grew sugar cane, tobacco, and cotton, which they traded to the Colliers for supplies. Few people today know there were at one time three cigar factories in Woodville.

"That store was the supermarket of the 1800s, a clutter of everything—from sewing thread to coffins. Those cotton bales like you see there usually settled year-long credit accounts and left a little cash before they were shipped down the Neches in flatboats.

"The Colliers also had a post office in the store. We have some original P.O. boxes—and the interesting safe, which has no lock. The Government required every post office to have a safe, but failed to mention anything about a lock, so this one had none, and yet was quite secure in the Big Thicket country of a century ago."

One of Big Thicket's leading industries for many years was moonshining, and Clyde Gray has a good working example of an old-time whisky still. Big Thicket moonshine, they say, tasted not like bourbon but like Drambuie.

Former Liquor Board man Woody Mints of Houston says, "Before World War II, we were finding 25 stills a month in the Big Thicket country. The illicit industry came to a walling stop with wartime sugar shortages and rationing. But even nowadays we turn up twelve to fourteen stills a year.

"But the stills have always been hard to find—with no buildings or permanent location. As soon as one batch is finished they move the operation to another place."

It's hard to pin a Big Thicket story down to facts and even to location. One of the best known stories to come out of Big Thicket is about the Kaiser Burnout. Any old-timer can tell you his version and show you the exact spot but—legend or history—you won't find it in your history books.

According to Lance Rosier, the burnout area, once known as Panthers Den, was a canebrake thicket in the "tight eye" or thickest part of the woods. (Tight eye, Lance says, because you can only get through it by shutting your eyes tight and plunging through.)

During the Civil War, draft dodgers from the Confederacy went into hiding here to escape going to war. These Jayhawkers, as they were called, lived off the country; they collected honey and left it for barter at a designated spot now known as Honey Island. In 1863 the showdown came when Captain Jim Kaiser, sent from Galveston to either capture the deserters or shoot them, cornered about 75 of them in the Panther Den area. Some say Kaiser courted a girl whose brother was one of the deserters. She told Kaiser where the men were. Anyway, one day when the wind was right, Kaiser started a horse-shoe-shaped forest fire, hoping it would sweep out and encircle the band and that he could catch them as they crashed through the break. All but two of the Jayhawkers escaped and are the great-grandfathers of many present-day Thicketeers. But the fire fury scorched the land so thoroughly that for sixty years nothing would grow. Finally, in 1930, a lumber company plow turned the sterile earth under and planted the area in neat rows of pine trees which you can see today.

The latest mystery to come out of Big Thicket is The Hanging Tree. Early in 1967 Cecil Cassity's sawmill at Batson was handling a load of beech trees from the bottomlands of Bad Luck Creek near Segno. One extra-big log was just about to be cut into slabs when someone shouted to the sawer to "hold it." Rolling the former giant of the forest aside the men saw carvings. Cassity went to tell Lance Rosier about the tree and to offer it for the Big Thicket Association museum at Saratoga.

The carving showed a hatted man, hanging by his neck from a rope thrown over the limb of a tree. Under him was a boar hog and to his left the dates 1809-38, possibly the

dates of birth and death. Could some hog thief have stolen his last hog and this tree marked his ignominious end?

Some legends of the Big Thicket may go back to the Indians for their origins, or to the Spanish padres who tried to translate Christian symbolism into something the natives could understand in their world of nature. In 1690, the Franciscans established Mission San Francisco de los Tejas, the earliest East Texas mission (now restored, near present day Weches).

The greatest news to come out of Big Thicket has been that the almost legendary ivory-billed woodpecker, once thought to be extinct, has been found there. The largest woodpecker in the world, larger than the crow, this magnificent, flaming crested bird (the females have black crests), with large white wing patches visible when the bird is at rest, was believed to be extinct. It is one of Lance Rosier's secrets where they are in the Big Thicket. This bird needs the dead or dying logs of wild virgin areas for nesting purposes, and for grubs and other insects on which it feeds. "I leave them alone," Lance said, "because once the word gets around where they are, the poachers move in. When a species is near extinction, one bird becomes a trophy."

Editor Fullingim once ran a story describing the ivory-billed woodpecker, saying that it was extinct elsewhere in the nation except possibly in the Big Thicket. About a month later a swamper shuffled into his office carrying a dead woodpecker.

"Ain't this the bird you said was extinct?" he asked. Fullingim dug out his copy and read the detailed description to the hunter who checked off each point on the dead bird.

"Hit's hit all right," the native said. "I killed hit because I knew you wouldn't believe me unless I brought it to you."

The full horror of the deed must have showed in Fullingim's face for the hunter quickly said, "Oh, they's more where I got him. But I ain't gonna tell you or anybody else where. If I got all them extinct woodpeckers, I'll be the most important man in the world, even if nobody knows hit but me, and that's the way I want hit."

Big Thicket has many things to interest many people. Besides regular Nature, it has the flamboyant, the rare, the record-sized, and the oddball such as insect-eating plants. Lance told me about these carnivorous plants, and that Big Thicket has four of the five types found. At the edge of a large bog of pitcher plants he picked one and slit open the stalk to show me the hundreds of insects, moths and ants, being digested by the plant at the bottom of the hollow stalk.

Everything in Big Thicket seems to have a story, drama, or a mystery. Unfortunately, this land that breeds such interesting legends, is in itself on the verge of becoming a legend. Big Thicket, once a known three million acres, but now considered about 300,000, is fast disappearing. Most of its wilderness was raped decades ago when timber harvests cleaned out the virgin forests, leaving denuded chaos and disintegrating sawmill towns behind. Fortunately, Big Thicket eventually recuperates, if given a chance.

Today, however, the last 300,000 acres of Big Thicket are under renewed attack. The entire acreage is privately owned, most of it by five lumber companies. Lumbermen, pipeline companies, and real estate promoters are racing to carve up Big Thicket at the dismaying rate of fifty acres a day.

But an ever increasing number of Texans—keenly aware of their state's lack of public land, its dwindling natural areas, its mere 106 miles of trails—are becoming seriously concerned over Big Thicket. They know it is now or never if significant parts of Big Thicket are to be saved. Conservationists throughout the state are supporting a U.S. Senate bill for 100,000 acres for a Big Thicket National Park.

## PRESIDENT NIXON'S DRAFT PLANS

Mr. SCHWEIKER. Mr. President, in this morning's Philadelphia Inquirer, I noticed a UPI dispatch indicating that President Nixon is considering issuing an Executive order directing the Selective Service System to put into effect a random selection method, implementing the "youngest first" and "1-year eligibility" principles.

These principles were endorsed by the President in his May 13, 1969, message to Congress on draft reform, and I am pleased to learn that these meritorious proposals will be implemented.

As the sponsor of the Draft Reform Act of 1969, which includes these proposals as well as proposals for a national manpower pool, computerized selection methods, mandatory national standards for exemptions and deferments, and a 6-year term for the Selective Service Director, I am deeply concerned about the immediate need to reform the grossly inequitable and arbitrary draft system as currently practiced by the Selective Service. I commend President Nixon for taking the leadership initiative in beginning to make these reforms.

The President's action will be particularly important at this time as our young people return to their campuses. There has been considerable speculation in the press, and among legislators, that the unrest which caused the disruption of so many institutions has not abated, and there is great concern over what will happen this fall.

One of the factors which causes some of this student unrest is the continuation of archaic governmental practices and procedures, which convinces young people that their Government is no longer relevant to modern problems. Perhaps the most archaic system in Government, and the one which is most directly related to these young people, is the draft system. Therefore, the President's action in making this system more equitable will go a long way toward showing young and old alike that we are concerned with improving our institutions, and that unfair systems can and will be changed.

Although I am pleased with the President's steps, I am distressed that the apparent motivation for utilizing the Executive order mechanism is the dim prospects for congressional action. Of all the many important measures which we have before us, and in committees, I think draft reform ranks high in priority, both because of its impact on every community in America, every family, and every young man, and because of the symbolic importance it has obtained among our restless youth.

I do not call for an immediate abolition of our draft system, or for any drastic measures involving our military manpower. Measures such as these demand careful investigation and review.

I do, however, believe that we must at least take the minimum steps to insure that the administrative system through which we implement our draft and military manpower policies be revised to eliminate many of its rusty and inequitable procedures.

Fortunately, we have the benefit of the exhaustive study conducted in 1967

by the Marshall Commission, officially known as the National Advisory Commission on Selective Service, whose 200-page report contained many outstanding recommendations for the mechanical improvements I am talking about. This report provides a solid base for congressional review of our draft system, which should help speed congressional consideration of proposed changes.

Mr. President, we in Congress have been talking about living up to our responsibilities, and not abdicating them to the executive branch, in a number of broad areas, both domestic and foreign. I think the area of draft reform, which involves both domestic and military policies, calls for equal congressional responsibility, and I hope we can consider widespread reform of our draft system at the earliest time.

Mr. President, I ask unanimous consent that the UPI article on President Nixon's draft plans be printed in the RECORD.

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

## NIXON TO BEGIN RANDOM DRAFT SELECTION SOON

WASHINGTON, September 3.—President Nixon, giving up hope that Congress will create a draft lottery this year, has decided to establish a random selection system of his own, it was learned Wednesday.

It was not known when Mr. Nixon will issue an executive order directing the Selective Service System to implement a random selection method. But the order is expected soon, as Mr. Nixon indicated in remarks to the nation's governors at Colorado Springs Monday.

## CHANCES DIM

The President proposed last spring that Congress rewrite the Selective Service law to provide for lottery selection. And although many members of Congress are critical of the present draft law, House and Senate leaders have indicated chances are dim that draft legislation can be considered this year.

So, sources said, Mr. Nixon has decided to act on his own and create a lottery system by reversing the order of call and drafting 19-year-olds first—action he is authorized to take as Chief Executive.

To a draft-eligible youth, Mr. Nixon's plan would mean only one year of uncertainty instead of two, three, four or even five years under the current system when the oldest, the 25-year-olds, are taken first.

## UNCERTAINTY REDUCED

Here is the way it would work:

—The Selective Service System would begin drafting the youngest men first—probably those in their 19th year. Assuming this was the "prime age group," local draft boards would be instructed to fill their monthly quotas with the oldest 19-year olds available.

—To make sure that men with birthdays at any particular time of the month did not enjoy an advantage or suffer a disadvantage, draft calls would be issued at different times of the month.

—In the first year of transition, those above 20 and not yet 26 would be placed in the first year pool with the 19-year-olds.

—If a man got past his 19th year, he could assume that he would never be drafted unless a national emergency required that the prime age group be expanded in order to fill larger draft calls.

—College deferments would be provided but when a man graduated he would be placed in the prime age group and would have

to take his chances of being drafted with the 19-year-olds.

Thus, the years of uncertainty that many men now face from the time they become 19 until they pass 25 would be voided and a youth could make more definite plans for his future.

## STUDENT LOAN FUND ACTION VITAL

Mr. YARBOROUGH. Mr. President, in an editorial published on August 17, 1969, the Washington Post pointed out the necessity for prompt and final congressional action to restore private loan funds for students. A further story, which appeared in the Post on August 21, 1969, describes the impact that high interest rates are having on the student loan program.

Tens of thousands of prospective college and business school applicants are in need of loans from commercial lending institutions, and are unlikely to receive them unless Congress acts. I am sure every Member of Congress spoke to dozens of parents, school officials, and hopeful students about this situation during the August adjournment.

In setting up the guaranteed student loan program, Congress in effect assigned to private business a large share of the student financial aid load. Put another way, we assigned a large body of students to private business for financing their education. We cannot now turn our backs on these boys and girls when the lending institutions say: "The interest rate is too low to make a sufficient profit on your loan."

The Washington Post points out that 920,000 students will seek to borrow about \$800 million under this program. Congress has the responsibility to assure that these students do obtain loans. We must do that by completing action on S. 2721. I ask unanimous consent that the editorial entitled "A Question of Responsibility," appearing in the Washington Post August 17, 1969, and the article, entitled "Loan Fund Crisis Hits Thousands of Students," appearing in the Washington Post August 21, 1969, be printed in the RECORD. I urge that they be read by every Member of Congress.

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

## A QUESTION OF RESPONSIBILITY

As a consequence of inflation, college tuition has risen substantially in the past year, and the price of borrowing money to pay for tuition has skyrocketed. A college student must pay anywhere from 8 to 10 per cent interest these days, if he wishes to borrow money from a bank. Even then, the bank probably won't lend him anything unless the government will underwrite the loan; and the government cannot underwrite student loans now for more than 7 per cent.

To remedy this situation, the Senate, just before it recessed, passed a bill introduced by Senator Javits authorizing the government to pay an incentive allowance of up to 3 per cent of guaranteed student loans that exceed the present statutory interest ceiling of 7 per cent. The House, however, went home without action on a companion measure. It is agreed that the bill will be brought up in the House under suspension of the rules on Sept. 15 when Congress reconvenes and with a proviso that it be retro-

active to Aug. 15. This means that the banks, if they want to, can bail Congress out of its delinquency—can make loans during the crucial months ahead with reasonable confidence that they will be reimbursed. The President has asked them to proceed on the assumption that Congress will complete its work when it returns from its holiday. One hopes they will do so.

About 920,000 students, in vocational training institutions as well as in colleges, will seek to borrow something like \$800 million this fall under the guaranteed loan program. Most of these, having negotiated loans earlier, will be preferred customers and will no doubt get the funds they need. But some 200,000 students, most of them just entering college, will be up against it unless the banks respond sympathetically to their need.

On the part of the House, amendments are in order. To have left this matter up in the air so near the beginning of the academic year is bizarre—even by House standards. Congressmen have lectured college students interminably on the subject of responsibility and have legislated incontinently to punish irresponsibility. When they come back to Washington, they might try supplementing their precepts by setting the students a more impressive example of responsible conduct.

#### LOAN FUND CRISIS HITS THOUSANDS OF STUDENTS

(By Linda Mathews)

LOS ANGELES.—Tim McClenaghan, a 19-year-old honor student, is learning about inflation firsthand. And if Tim seems a little young to be dabbling in high finance, there are hundreds of thousands of students, some even younger, in the same predicament.

They are the college students who were confident Uncle Sam would help them finance the coming year's schooling, and have discovered that regardless of their grades or financial need, the federal money is simply not available in many cases.

Anti-inflationary devices have created a shortage of federal funds.

And the recent rise in the prime interest rate to 8½ per cent has dried up the supply of government-insured bank loans.

Caught in the squeeze are the students and their parents, many of whom have been urging Congress to boost outlays for student aid programs. But with only six weeks remaining before the fall term begins there is almost no possibility of action.

The crisis comes as a shock to most families primarily because the government in the past five years has been uncommonly generous, appropriating upward of \$400 million a year in grants, work-study scholarships and low-interest national defense student loans.

#### BURDEN SHIFTED

When taxpayers began to balk three years ago at government spending, Congress voted to shift some of this burden to private banks, which made federally insured loans available.

As a result, about a sixth of the nation's 6.2 million college and university students last year received financial aid, and even more were eligible.

This year, in the words of a California university administrator, "the merry-go-round stopped."

"I applied for every kind of scholarship and loan that's available," says Tim McClenaghan, whose mother—a divorcee—supports Tim and two younger children on the \$6,000 she earns each year as a grocery checker. "And I didn't get anything."

The reason for Tim's plight is that UCLA, like other major universities, is required to help the neediest students, many of them poverty level youngsters recruited under the educational opportunity program.

Now these students are on campus, just as federal financing has leveled off, and the deans are discovering money problems.

Money available for the three major student aid programs amounts to only 61 per cent of the requests from educational institutions, according to the U.S. Office of Education.

The estimated \$503 million available in the coming academic year falls far short of the \$814 million requested and the \$682 million approved by regional panels.

This difference has created panic on campuses, and means no money for Tim McClenaghan.

#### PERCENT IS UNPROFITABLE

Bank loans, though more expensive than the defense student loans (which are paid at 3 per cent interest), allow a student to borrow up to \$1,500 a year at 7 per cent interest, with payment beginning nine months after graduation.

For students whose adjusted family income (after deductions but before taxes) is below \$15,000, the government subsidizes interest payments while the student is in college.

But with tight money prevailing during the past two years, 7 per cent interest has been unprofitable for banks.

When the prime lending rate soared to 8½ per cent in June—1½ per cent above the maximum the government was willing to pay—the bankers warned that they would be forced to curtail or end their participation.

In the past two months bankers have come to realize how much money they are losing on each loan, which is not just the difference between the 7 and 8½ per cent rates. Few borrowers get the loans at the prime rate, most instead paying upwards of 10 per cent.

In the face of these losses, the bankers have told Congress that if changes are not made, about a third of the freshmen—or 220,000 students—applying for new loans for fall will be turned away.

The administration bill—delayed for months while presidential advisers haggled—would let the Secretary of Health, Education and Welfare peg the interest rate above the present 7 per cent ceiling whenever commercial rates are high.

Although the bill, "The Insured Student Loan Emergency Amendments of 1969," was rushed through the House Education and Labor Committee, action on the House floor has been delayed by a controversy over a rider that would withhold funds from dissidents. Now a final vote cannot come until the House reconvenes in September. In the meantime, the White House is urging the banks to continue the student loans with the expectation that Congress will act when it returns.

#### UTAH'S JOHN MOONEY TAKES HELM OF NATIONAL FOOTBALL WRITERS ASSOCIATION

Mr. BENNETT, Mr. President, honor came to Utah and the Intermountain West recently when the veteran sports editor of the Salt Lake Tribune, John Mooney, was sworn in as the 26th president of the National Football Writers Association of America.

The association lists 1,102 members on its rolls, making it the largest organization of sportswriters in the Nation.

As evidenced by the burgeoning game attendance and wide public attention given to key games and players, football has really come of age in the United States. It has been men such as John Mooney, equipped with talented pens and keen insight, who have helped millions of Americans to vicariously live the great moments of the sport.

It should be noted that John is the first intermountain sports writer in the 28-year history of the National Foot-

ball Writers Association to become president of the prestigious group.

Typically, John spreads the credit for his selection around to the newspaper he has served well for 30 years, and to the coaches, athletic directors, publicists, and players whom he has worked with during that time.

We in Utah are particularly proud of John and the recognition he has brought to his State. I am confident he will do an excellent job as head of the association during the centennial year of college football.

I ask unanimous consent to have printed in the RECORD two articles regarding the selection of John Mooney as president of the National Football Writers Association. One is a news article published in the Salt Lake Tribune; the other is a column written by the new president, also published in the Tribune.

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

#### MOONEY TO TAKE FOOTBALL REINS

CHICAGO.—John Mooney, veteran sports editor of The Salt Lake Tribune, Friday will become the 26th president of the National Football Writers Association of America.

Mooney succeeds Dave Campbell of the Waco News-Tribune as head of the largest organization of sports writers in the nation. Dick Herbert of the Raleigh (N.C.) News-Observer moves up to Mooney's first vice presidential chair.

#### EARLY AWARD

In preliminary ceremonies Thursday, Mooney was presented the gavel from outgoing president Campbell. The ceremonies were held during a special luncheon.

The Football Writers Association was founded in 1941 when Wilfrid Smith of the Chicago Tribune was named president in the course of the annual All-Star week in Chicago.

#### SECOND PRESIDENT

Charles Johnson of the Minneapolis Star-Tribune was the second to head the grid writers. He was followed by Francis Powers, former New York writer who headed the Shrine East-West game; then Bill Leiser, of the San Francisco Chronicle, Raymond Johnson of the Nashville Tennessean, Hal Middleworth of the Detroit Free Press and H. G. Salsinger of the Detroit News.

G. W. (Sec.) Taylor of the Des Moines register followed as president, and was succeeded by Bill Rives of the Dallas Morning News, Rube Samuelsen of the Pasadena Star News, Tom Siler of the Knoxville News Sentinel and Chet Smith of the Pittsburgh Press.

#### OTHER CHIEFS

Then came Leo Ficher of the Chicago American, Flem Hall of the Fort Worth Star-Telegram, Paul Zimmerman of the Los Angeles Times, Furman Bisher of the Atlanta Journal and Murray Olderman of the Newspaper Enterprise Assn.

In recent years, the football writers have been headed by Jerry Liska, Associated Press in Chicago; Bert McGrane of the Des Moines Register, Blackie Sherrod of the Dallas Times-Herald, Jack Murphy of the San Diego Union, Freddie Russell of the Nashville Banner, Arnie Burdick of the Syracuse Herald-Journal, Maury White of the Des Moines Register, and Campbell.

Mooney will serve during the Centennial celebration of college football.

#### GREAT HONOR

In accepting the gavel, the new president said, "I think this honor is shared by all of us in the Rocky Mountain area, and espe-

cially the newest, best-balanced of the major conferences, the Western Athletic Conference.

"That a representative of the Rockies should be chosen to represent college football during its centennial year is a great honor for me, for the Salt Lake Tribune, and for the coaches and players who have made football respected nationally in our time."

MANY PEOPLE MADE IT POSSIBLE FOR OLD JOHN TO TAKE GAVEL

(By John Mooney)

CHICAGO.—The National Football Writers Assn. lists 1,102 members on its rolls, making it the largest organization of sports-writers in the country.

Since it was organized in 1941, this organization had but 25 presidents until Old John became the 26th Friday morning.

There never had been a president selected from that vast area between Des Moines and San Francisco-Los Angeles, until the gavel passed to me Friday morning.

A guy would be guilty of lying if he claimed he wouldn't be proud of this honor. But more than mere personal pride, there's the pride of one's newspaper in being classed ahead of many of the other prestige newspapers in the country.

Some great newspapers have never been honored by having a president of this largest sportswriting group on the staff.

And a man must be proud for his area, for the quality and caliber of football which gives prestige to those who report the Rocky Mountain and Western Athletic Conference games.

#### THE HARD WORK

During the last 30 years, I would hesitate to estimate how many hundreds of thousands of dollars The Tribune has spent in helping me gain some national stature, such as it may be.

And the coaches, athletic directors, publicists and players, who have been just great in their consideration and cooperation over these 30 formative years.

And when it comes to team effort, no sportswriter can minimize the understanding and self-sacrifice on the part of his wife and children.

Birthdays and anniversaries must of necessity come second to the game of the day which has to be reported.

The men above me, the publishers and editors, have been patient and generous in bypassing human frailties. Naturally, every day hasn't been blue bird weather in the office. But when things got down to the nitty-gritty, my bosses have gone right out on the limb with me.

And Al Warden, the former scribe at Ogden, who was one of the writers here for the old Esquire All-American High School Game, when the Football Writers organized, can't be missed. It was Al who introduced me to many of the leaders who eventually named me president.

#### DICK ROMNEY HONORED

There is one friend I can never thank, but I hope he gets the word about his selection as the Football Writers' recipient of the plaque for his contribution to college football.

It has been in the plans for two years that when I became president, E. L. (Dick) Romney would be honored, so that his installation could be done up right.

Bud Jack and Buss Williams, the respective athletic directors at Utah and Utah State, planned to have the award presented at half-time during the 1969 Ute-Aggie game in Salt Lake City.

Dick, of course, died last spring, before he could receive the honor. But the writers respected Dick to the extent that Friday they presented their first award posthumously to Dick Romney, and I hope the Utes and Aggies carry through with their plans.

I think Dick would have been here with other friends from Utah to see Old John take the gavel Friday, without realizing that he was slated to receive an honor, too.

#### ALASKA IN TRANSITION

Mr. GRAVEL. Mr. President, on September 10 the State of Alaska will offer for lease about 430,000 acres of land in the Arctic. This sale will trigger development of an enormous oil field which will be of great benefit to the people of the United States.

There are many problems connected with this development: questions that deal with such topics as employment, the poverty of Alaska villages, and the environment.

Recently, the Anchorage Daily News published a series of articles written by one of its reporters, Tom Brown, which deal with the Arctic oil developments and particularly concentrates on the environmental problems involved.

Without question, this is the finest piece of journalism to emerge thus far in connection with the oil discoveries. Mr. Brown devoted many months to the preparation of this series, and the Daily News published it prominently, giving it the importance in Alaska that it deserves.

The series of articles represents an artful blend of information and opinion. Its message is clear: the oil developments must be exploited for the benefit of our Nation, but in permitting this development Government must set rational standards for the companies to follow and enforce those standards.

The industry and Government can work together in the North to tap a source of needed fuel and to do so without destroying one of the earth's last great wilderness areas.

I commend Mr. Brown's articles to the Senate as a concise, brilliant assessment of the problems and the opportunities and ask unanimous consent that the entire series be printed in the RECORD.

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

#### MAN AND PLANET EARTH

On page one today, The Daily News is starting the first of a series of articles entitled The '69 Oil Rush.

Product of six weeks of research, reporting, interviews by staff writer Tom Brown, it is an attempt to put the North Slope oil discovery in a context broader than greed, a context that pivots around one overwhelming question:

Will the people of this state, bedazzled by the dollars in store, sit by while the environment is compromised or destroyed?

Orderly development calls for intelligence, for careful planning, for guidelines clearly understood by industry, lest the rape of the planet continue to produce the same bitter harvest we have reaped elsewhere in the United States.

We can think of no better way to introduce this series, on the Opinion Page, than to reprint the observations of Norman Cousins, editor of the Saturday Review, which appeared in that magazine April 23 of this year. Here is Mr. Cousins:

The English historian-critic A. L. Rowse has identified one of the most persistent and costly tragedies in history: People involved in a great crisis or upheaval seldom understand what is happening to them. So it was

in the fifth century B.C., when the Athenians neither comprehended that they were living in a golden age nor that it would pass rapidly into a period of fierce disintegration. So, too, in the last phases of the Byzantine Empire, when people directed their thoughts and energies to everyday matters rather than to the groundswells that were to break apart their civilization.

What is it that people today fail to understand about what is happening to them? What is happening is that they are using up their planet at a fearsome rate and may soon pass the point where their total habitat can sustain human life. Man's world is slipping away from him. His habits, his thoughts, his actions, run counter to the essentials of his existence. He has created national governments for the purpose of giving him maximum protection, but he has no way of protecting himself against the governments. In the act of contending with one another, the governments have become instruments of race suicide and world holocaust.

Whatever man's successes in intermediate organization, he has failed to create an organization of the whole. His finest energies have gone into interim projects. The need to apply his intelligence to the operation of human society itself has yet to lay a claim on his awareness or his reason. After at least 200,000 years of evolution, man's instincts and tropisms are still strongly tribal.

Most of what man does is irrelevant to his main problems: his ingenuity has been applied to everything except the need to make his planet safe for human habitation. He has cut into his natural environment with large slashes. His sources of food are being sealed over by the tar and cement of his cities and highways. Next to destructive force, he produces nothing in greater volume than his garbage. He has made his sky an open sewer and his rivers and lakes a poisonous brew. He has pumped his foul wastes into the seas and has stared balefully at billions of floating dead fish.

Instead of fortifying his plants against insects with rich loam and compost, he has attacked them indiscriminately with chemicals, violating the chain of life and killing off the birds that are far more essential to his own spirit than many of his commodities. By going against nature, he has warred against beauty of line, movement, and sound. He has been mucking up his own planet, but has the arrogance to go searching for life elsewhere in the universe.

What has been happening to people that they don't understand is that they have made a geographical entity out of their world without a philosophy for ennobling it, a plan for conserving it, or an organization for sustaining it. Men crave to do good, to act reasonably and think decently. Lut goodness and decency and wisdom must have a world purpose in our time if life and thought are to have any meaning at all.

If the job is to be done, it will have to be done by people. The people must lead and shape their governments. The people must create a way of governing the governments.

Hence our proposal to a foundation, or to a man about to start a foundation: Make available the funds for creating a private body under some such name as the Commission on the World's Future. Bring together men of the stature, outlook, knowledge, and moral imagination of Lester Pearson, Sarvepalli Radhakrishnan, Zafarullah Khan, Andrei Sakharov, Harrison Brown. Pay them each a salary comparable to what men heading the large corporations command. Tell them to regard themselves as members of the human race first and as nationals second. Ask them to consider the problem of the whole above and distinct from the problems of the parts. Ask them to tell people what is happening to their world. Give them the job of preparing a much more important annual docu-

ment than the reports on the state of the nation issued by the individual heads of governments. Their report would be on the State of Mankind.

Ask them to help create ideas to which people can respond in making their world congenial for human life. True, they will have only words at their disposal. If they are the right words, they will be enough.

[From the Anchorage Daily News]

THE '69 OIL RUSH: ALASKA'S CHALLENGE—OIL AND WILDERNESS

(By Tom Brown)

(NOTE.—Daily News Staff Writer Tom Brown has spent the past six weeks researching and writing this special series, "The 1969 Oil Rush.")

(He has read hundreds of pages of background material, interviewed dozens of persons—including oil men, state and federal officials, biologists, conservationists. He has traveled to Fairbanks, Juneau and the site of the fantastic oil discovery, the North Slope. In all, he collected more than 30,000 words of notes along the way.)

(Today is the first in a series of articles entitled "The '69 Oil Rush"—part of Alaska in Transition.)

Alaska is facing its first environmental crisis.

Two of its most valuable resources—oil and wilderness—are in conflict.

The arena is the North Slope, the remote Arctic desert that runs across the top of the state between the frigid Beaufort Sea and the majestic Brooks Range.

The problem is how to allow development of Alaska's immense oil riches, in which the oil industry, the state and the nation all have such a tremendous stake, while keeping damage to wilderness areas at a minimum.

The flat tundra, locked in the iron grip of winter for nearly nine months of the year, visited briefly by a cool, bright summer, has been called one of the last major areas of untouched wilderness in the United States. Monotonously flat, it is nonetheless credited, by those who know it, with a subtle, fragile beauty. It is home to hundreds of thousands of caribou, the marauding packs of wolves these gentle animals attract, the rare and beautiful barren-ground grizzly and uncounted millions of migratory birds.

Beneath this unusual landscape lies the oil: billions of barrels of it, a treasure of incalculable value to the oil companies and, through their taxes, of potentially enormous benefit to the state and its residents.

Daily the oil companies continue building roads and airports, drilling exploratory wells and financing extensive seismic exploration. Daily this activity is transforming the North Slope. And daily the description of it as an untouched wilderness becomes increasingly obsolete.

This is the core of the current crisis.

It is a crisis that goes to the root of fundamental American beliefs about free enterprise and government and raises basic questions about the relationship between man and his environment.

It is a crisis because so much is at stake.

On the one hand there is the oil. Virtually all authorities—government, industry and otherwise—agree that the income from it will transform Alaska from a pauper state into one of the wealthiest; it will turn enormous profits for a number of major oil companies, whose health is important to the national well-being; and, on a larger scale, it will allow the United States to close the gap between the amount of oil it produces and the amount it uses, a development with profound implications for American foreign policy.

On the other hand, there is the wilderness. It is scarcer already than oil and conservationists (and a few oilmen as well) believe that in the long run it may prove

more valuable. Alaska is America's last big piece of it and the North Slope constitutes a considerable part of what wilderness Alaska has left.

But as important as the impact of oil development on the North Slope is, the preconditions for oil operations set there may be of still greater significance.

It has been argued that what happens to the Slope is of little consequence because it is a remote, inhospitable region, largely uninhabited and of little practical value to most of the state's people.

But about half of Alaska's land mass and vast offshore areas are underlain with geological formations that the oil industry considers most promising. It is reasonable to expect that some of these areas will be productive—and some of them are of vastly greater immediate importance to the quality of life in Alaska than the North Slope. Bristol Bay and the Gulf of Alaska are two good examples.

The manner in which the oil companies are allowed to develop the Prudhoe Bay fields could have a decisive influence on how oil discoveries in the rest of the state are managed. Biologists fear that any but the highest possible development standards could have catastrophic effects on other valuable resources—fish, waterfowl and big game as well as the wilderness value of the land.

It seems obvious that the immense quantities of oil under the tundra must be gotten out. At this nation's current stage of technological development, oil is a vital resource.

It seems equally obvious that in getting it out, Alaska must avoid the environmental disasters that have gone hand-in-hand with industrial development in so much of the country.

How to do this raises a great number of complicated questions:

Is it technically possible to remove the oil without ruining the North Slope's wilderness values? If not, how much damage can be considered acceptable?

If the tundra is damaged now, can it be repaired? What affect will oil development have on the wildfowl, the grizzlies, the caribou and the wolves on land, the fish in the streams and the seals, walrus, whales and polar bears offshore?

Perhaps most important, what is the oil industry's responsibility in developing the North Slope oil discovery? What is government's responsibility? What is the public responsibility?

Six weeks of research and dozens of interviews have provided no more than provisional answers to many of these questions and scores of others. But they are questions that are being asked and debated in the oil industry, in government and among conservationists; they are questions that are of vital importance to the future of the state; they are questions which should be raised, refined and debated in the public forum.

That is the object of this series of articles.

But in order to understand the urgency of the problem Alaska now faces it is necessary first to understand the fundamental importance of both oil and wilderness.

That is where this story begins.

NEWS THAT ROCKED THE STATE

(By Tom Brown)

The announcement that was to have such dramatic impact on Alaska came just a little more than a year ago, on June 25, 1968.

Atlantic Richfield Co. (ARCO) disclosed that its Sag River State No. 1 well had "encountered oil in the same triassic formation" as its Prudhoe Bay State No. 1 well, which had hit oil in February.

"We believe this is a significant oil and gas discovery, the extent of which must await further testing and exploratory drilling," said ARCO Board Chairman Robert O. Anderson.

That the announcement was a classic case

of oil industry caution was demonstrated less than a month later, on July 18, when a leading industry consulting firm, DeGolyer and MacNaughton of Dallas declared:

"In our opinion, this important discovery could develop into a field with recoverable reserves of some five to 10 billion barrels of oil, which would rate as one of the largest petroleum accumulations known to the world today."

That gave the public its first solid indication of the magnitude of the find, but the oil rush already was well under way.

The success of the Sag River well, located about seven miles southeast of the Prudhoe Bay wildcat, confirmed to the industry's satisfaction that there was a mammoth pool of oil to be tapped on the North Slope and the scramble among other companies to find out what was on their own leases in the area was on.

The ARCO payoff was a long time coming.

The Alaskan Arctic has long been considered a most promising area for oil prospecting.

Early explorers reported the presence of numerous surface oil seeps on the North Slope, and the Native residents had known about them for centuries.

In more recent times, geologists discovered a series of classic anticlines—the dome-like rock formations that often serve as oil traps—beneath the tundra.

And in the 1940's and '50s, the Navy drilled 37 exploratory wells and 45 core tests in Naval Petroleum Reserve No. 4, a vast area situated roughly between Barrow and the Prudhoe fields.

But the Navy effort, while promising, was unsuccessful in terms of commercial finds. After the Navy suspended operations in the mid-50s, public interest in the Slope flagged and it was largely forgotten by most Alaskans.

Not by the oil companies, however. Their interest in the Slope, though tempered by the extraordinary cost of Arctic operations, remained lively. Surface geology and seismic exploration parties roamed the tundra and a few wildcat wells were drilled, mostly by BP and Sinclair.

But the discovery role was to be Atlantic Richfield's—and it was sheer mischance that this rapidly expanding and crude-hungry company, formed in 1966 through a merger of Richfield's west coast operations and Atlantic Refining's ones on the east coast, did not find oil a year earlier.

Shortly after the merger, the decision was made to drill a wildcat on North Slope leases Richfield had acquired in a state lease sale. There were two proposed locations, the one at Prudhoe Bay and another further inland near the Sagavanirktok River. ARCO opted for the latter and called it Susie Unit No. 1.

The company poured \$4.5 million down that disappointing dry hole. But it decided to go ahead with the Prudhoe Bay well, then call it quits if that didn't prove out.

Early in 1968, the Prudhoe well flared "a substantial flow of gas" at 8,500 feet.

The tension and excitement mounted until a month later when ARCO reported that it had cased in the well at a depth of 8,708 feet through a 470-foot sand body, the lower 70 feet of which "is believed oil saturated on the basis of core examination."

Early in March the firm announced it would drill the Sag River wildcat. Many interpreted this as certain evidence that Atlantic Richfield had what appeared to be a major find. This was confirmed a week later when it was disclosed that the Prudhoe well had flowed oil at a rate of 1,152 barrels a day in initial tests.

The find, confirmed later by the Sag River well, electrified the industry. Though there has been no official modification of the 5-10 billion barrel estimate of DeGolyer and MacNaughton, most oil men today estimate privately that the field contains at least 20-40

billion barrels of recoverable oil and perhaps more.

Every major company with lease holdings on the slope has rushed to explore them and the number of wells has increased from two a year ago to more than 30 either drilled or drilling.

At least 1,500 men are now working on the Slope, where last year there were only a few score. Industry investment has reached a half-billion dollars and will total several billion before the returns begin to flow in.

All in all, the last year has been perhaps the most exciting in the history of oil exploration in North America—and one that has had profound implications for the people of Alaska and their wilderness environment.

#### A BONANZA THAT BOGGLES THE MIND!

(By Tom Brown)

While the oil companies scrambled to get operational on the North Slope, going to fantastic lengths to obtain geological information, most of Alaska watched with bemused wonderment.

It took a long time—too long, some politicians, conservationists and others concerned with the scope and pace of oil development believe—for the importance of what was happening to sink in.

The realization that perennial dreams of an oil bonanza had become reality had particular difficulty penetrating the highest councils of state government.

Throughout the contentious first session of the Sixth Legislature this year, Gov. Keith H. Miller stubbornly refused to raise the official estimate that the state would receive only \$11 million from the oil lease sale scheduled for September because that was all it had gotten from similar sales in the past. To do otherwise, the governor said, would be "irresponsible."

With the lease sale only a matter of weeks away, Miller still has not raised the estimate.

Thornton F. Bradshaw, president of Atlantic Richfield (ARCO), meanwhile, told Sen. Lowell Thomas Jr. in an interview for a documentary film that the state would realize a minimum of \$1 billion from the sale.

Other oilmen privately predicted the total would be in the \$1.3-\$1.5 billion range.

That was before Thomas E. Kelly, commissioner of natural resources, announced that the state would offer only about a third of its 1.2 million acres of North Slope land. Even so, the state still is virtually certain to receive several hundred million dollars.

It is a mind-boggling sum for a state: whose annual budget, including general fund expenditures and federal assistance programs, will total \$200 million for the current fiscal year;

which has traditionally had to seek every dollar of federal assistance it could scrounge and whose economy for years was dependent on federal agencies for six of every 10 dollars spent;

whose first inhabitants, the Natives, constituting 20 per cent of the population, live for the most part in the most abject poverty; which urgently needs the most basic facilities—schools, hospitals, roads and sewers; and whose population is only 275,000 and is unlikely to be much more than twice that by the end of the century, even under the impact of the oil boom.

And the initial income from the September lease sale will be only the beginning.

When the Prudhoe fields begin producing in 1972, the industry expects the proposed 800-mile pipeline from the Slope to Valdez to carry oil out at an initial rate of more than 500,000 barrels a day.

This will be worth more than \$50 million a year in royalties and severance taxes to the state.

When the flow is increased to the pipeline's designed capacity of two million barrels

a day, the state's income will rise to more than \$200 million a year. The figure could be higher if the severance tax is raised, as many legislators would like.

In addition, it is becoming increasingly clear that the industry foresees at least as much oil going out by tanker through the Northwest Passage across the top of Canada as goes out by the pipeline.

Figures made public by BP Oil Corp. in connection with its merger with Standard Oil of Ohio, taken at face value, indicate that BP plans to be taking at least 2.5 million barrels a day out of the Slope on its own by the late 1970s. There are indications that Atlantic Richfield is thinking in similar terms.

Thus, by 1975-'80 the state can expect to be receiving a rock-bottom minimum of \$200 million a year and perhaps two to three times that amount.

The impact of this cash inflow on the state will be truly incredible in scope—so big that the dimensions of it are not at all clear at this time.

In addition, North Slope oil certainly will have an impact on the entire American economy.

But perhaps more important will be its effect on the U.S. oil deficit.

#### IMAGINE IT'S 1980

(By Tom Brown)

It is 1980.

The United States needs more than 18 million barrels of crude oil a day to keep the wheels of its millions of motor vehicles turning, lubricate the gears of industry, keep fleets of commercial and military jets aloft and provide the by-products that help pave its roads and provide it with paint, detergents, synthetic rubber, plastics, antiseptics, cosmetics, drugs, anesthetics, fertilizers and nylon.

But the country produces only about half those 18 million barrels.

The rest must be imported. Some can be had from friendly countries: Venezuela and Canada for instance.

But most of the gap—35-40 percent of the country's petroleum needs—must be filled by crude from Middle Eastern regimes.

The Middle East is still extremely unstable, Israel and the Arab countries are still at each others throats, the Soviet Union's interest in causing trouble in the area has grown in proportion with America's increased dependence on Middle East petroleum and U.S. policy in this area, critical for many reasons besides its rich oil fields, is hamstrung by the oil gap.

This little scenario, of the type that troubles the sleep of State Department policy planners, could have become reality had it not been for North Slope oil, which will begin reaching the market just as the U.S. otherwise would have begun to feel a real pinch from diminishing reserves and increasing consumption.

"There is a tremendous lack of appreciation of the international forces affecting the development of oil in Alaska," says Dave Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska.

And an examination of oil production and consumption trends quickly shows why these forces are so potent:

Oil production outside Alaska is expected to increase slowly from 9.1 million barrels a day last year to 9.5 million in 1980. Consumption, meanwhile, will jump from a daily 12.9 million barrels to 18.2 million.

Without the North Slope, this would have meant an increase in the crude oil deficit from 3.8 million barrels a day to 8.7 million.

Precisely how much of this 8.7 million barrels a day the North Slope will provide is uncertain. Not enough is known yet about how much oil is on the Slope.

But on the basis of preliminary informa-

tion it seems likely that Alaska oil will be able to satisfy most of the nation's oil shortage.

To begin with, the U.S. is virtually certain to continue importing some oil for political reasons. Imports from Canada and Venezuela seem assured and the U.S. is likely to continue taking at least a nominal amount of oil from the Middle East.

If a gap of 5 million barrels a day or so remains between Lower 48 production and dependable imports, the North Slope probably will be able to fill it.

The oil industry is planning to have the proposed North Slope-Valdez pipeline running at its 2 million barrel per day designed capacity by the mid-70s. Canadian firms are making a feasibility study of another 48-inch pipeline, which would have a similar capacity, from the Slope through Canada, and if the Manhattan project is a success, it probably would be possible to ship another 2 million barrels a day out through the Northwest Passage.

"North Slope oil is U.S. oil in the U.S. market and is capable of closing the gap between what the country needs and what it produces," says one respected local oil company official. ". . . It may make the U.S. no longer dependent on foreign oil.

"For a variety of reasons, the U.S. might continue to import some oil from abroad. But it would not have to make these imports and this would offer a number of advantages.

"For instance, we wouldn't be under the gun in the Middle East. We wouldn't be the victim of pressures and conflicts . . . So it is extremely desirable to have the capability of closing the gap.

"That is what Alaska could do . . . close the gap for the time being—postpone the gap and allow us time to go into synthetics—tar sands, shale oils and so forth."

The enormous value of such a breathing spell was pointed out by Walter Levy, a top U.S. oil consultant, who noted in an interview with Fortune magazine that, "a world power which depends on potentially reluctant or hostile countries for food and fuel that must travel over highly vulnerable sea routes is by definition no world power."

Most conservationists, though by no means all, concede the importance of oil to both the state and nation, but insist that Alaska's wilderness environment must not be ruined in getting it out.

The wilderness, they say, is too valuable for that.

#### WILDERNESS: AN ENDURING MESSAGE

(By Tom Brown)

*"Man always kills the thing he loves, and so we the pioneers have killed our wilderness. Some say we had to. Be that as it may, I am glad I shall never be young without wild country to be young in. Of what avail are 40 freedoms without a blank spot on the map?"*

—Aldo Leopold

That lyric passage expresses as well as any the emotional involvement many Americans feel with the nation's rapidly vanishing wilderness.

Nor does science consider it unusual even in this urban, technological age that they should feel this compelling attraction.

After all, anthropologists point out, it was not in an urban environment that man's essential nature was forged, but in wilderness: on the vast, rolling savannahs of Africa, where early man competed, with all the other animals, for survival. It was there, on those limitless plains, that man, with the aid of his superior brain—and, perhaps, his rapacious instincts—began the slow climb that was to bring him supremacy over all other living things and give him the power to alter the basic workings of nature. It was here, too, that the ego that led him, finally, to see himself as above nature rather than part of it, began to develop.

Throughout it all, the emotional pull of man's wilderness heritage has remained strong: how else to describe the immense popularity of hunting, fishing, hiking, camping out—even the weekend exodus from the big cities for a picnic in the country?

"Those who contemplate the beauty of the earth find reserves of strength that will endure as long as life lasts," the late Rachel Carson wrote. "There is symbolic as well as actual beauty in the migration of the birds, the ebb and flow of the tides, the folded bud ready for the spring."

"There is something infinitely healing in the repeated refrains of nature—the assurance that dawn comes after night, and spring after winter."

America, a nation carved from an untouched continent, has had an enduring romance with nature; an involvement so intense that Supreme Court Justice William O. Douglas fears that, "If we do not preserve the remaining samples of primitive America, we will sacrifice traditional American values, the values of frontier America."

"Not every citizen goes to the wilderness—and they did not even 300 years ago," he wrote. "But so long as there is the presence of wilderness and the option of going to see it, a certain number of citizens do go there and bring back a message for their fellows. As long as that continues we will retain a historic connection with the past of our nation—and our race."

Still, it is only in recent years that concern for wilderness areas has become a popular cause, primarily because it has been only in recent years that the scope of the current worldwide environmental crisis has been recognized, even by scientists.

In the last few decades, man has been cutting the forests, paving the farmland, pouring industrial and auto exhaust fumes into the air and dumping sewage and other wastes into the lakes, rivers and oceans at such a rate that a considerable number of scientists now predict worldwide disaster unless the trend is reversed.

"The most obvious symptom of the approaching catastrophe is the rate of our chemical and physical alteration of the air, water and land with waste products," Ian McTaggart Cowan wrote recently in "Arctic," the journal of the Arctic Institute of North America.

"I refer," he said, "not only to sewage and industrial wastes in our rivers, lakes and in-shore marine waters, to noxious gases, aerosol biocides and fission products cast into the air; but also to the cacophony, rapidly increasing in variety and volume as it invades the remaining silent places; to the sprawling chaos that reach out from many of our cities; to the shack towns where the poor and unfortunate live in filth and distress; to the needless invasion of scarce farmlands by expanding cities; to the defilement and desecration of the landscape by strip mines, automobile graveyards and industrial and military junk; and to so many other activities that reflect a callous disinterest in maintaining a sensitive and effective relationship between man and the living world."

Consider that to the detriment of his air alone American man each day:

Pours into the atmosphere 180,000 tons of carbon monoxide, 33,000 tons of hydrocarbons and 17,500 tons of nitrogen oxide from the exhausts of 90 million motor vehicles.

Belches from the chimneys of his factories, homes and coal- and oil-fired power plants 100,000 tons of sulfur dioxide.

Burns 800 million pounds of trash, garbage, leaves and so forth in incinerators, pouring more tons of pollutants into the atmosphere.

Causes some \$12 billion a year in air pollution damage to clothing, metals, buildings, crops, paints and fabrics in the U.S. alone.

Equally depressing statistics could be recited on the damage being done the nation's waters.

"To fly over Lake Erie and look down into

the cloudy mess of murderous pollution is like reading the flyleaf of a book on the end of civilization," former Interior Secretary Stewart Udall once remarked.

But perhaps the most compelling statistic of all, to the conservationists, is this one:

The land and water area of the 50 states, including Alaska, totals 2.3 billion acres. Of this, about 10 per cent remains in its natural state.

Most of that 10 per cent is right here in Alaska—in places like the North Slope.

#### DO WE CARE ABOUT ALASKA

(By Tom Brown)

Alaskans generally have been as apathetic about their surroundings as millions of other Americans Outside.

The evidence is everywhere:

In the discarded washing machines and refrigerators and tons of other rubbish that litters yards and alleys in Anchorage and Fairbanks; in the roadside junkyards and rundown businesses that line the Seward Highway from downtown to Rabbit Creek; in the hulks of countless hundreds of abandoned autos that blight Alaska's scenic countryside; in the budding smog problem in Anchorage and the ice fog in Fairbanks (the latter aggravated by the city government itself); in the beer cans and broken bottles along the roads and in the inevitable, inescapable, omnipresent oil drums.

The list goes on and on.

When conservationists expressed concern about what was happening to Alaska's wilderness, they got a blunt response from the developers:

So what? Only a small piece of wilderness is being changed. Alaska is all wilderness. There will always be enough.

Indeed, Alaska is largely wilderness still and its sheer bulk often makes it seem unconquerable.

It sprawls across 586,000 square miles—20 per cent of the area of the rest of the U.S. There are still two square miles of land for each of its 275,000 inhabitants.

It still is possible in theory to walk 500 miles in a straight line in this state without encountering a single fence, road, airstrip—or man.

But America was vaster still to the colonists, yet they developed—and often desecrated—half a continent in 300 years, much of it with only the crude instruments of the pre-electric age. Surely, conservationists ask, we cannot continue to believe that modern America, with the most sophisticated technology in the history of the human race, a booming population that may increase by half by the end of the century and an ever shrinking supply of open space is incapable of desolating Alaska?

Robert Weedin, game biologist for the state Fish and Game Department, thinks not and gave this warning in a speech at a Sierra Club meeting in San Francisco in March:

"I am convinced that the discovery of oil has telescoped the margin of time for wilderness preservation in Alaska into a very few years.

"Consider that there is no other private industry with similar ability to amass huge amounts of capital, and move men and equipment to remote parts of the earth.

"Consider that there is no other industry that changes the appearance of the landscape over such large areas merely in the process of looking for a resource.

"Consider the extreme rapidity with which surface transportation systems can follow oil discovery, as exemplified today in the North American Arctic.

"Consider that these roads and railroads quickly make other resource extraction and use economically feasible.

"Consider that the geology is favorable for commercial oil deposits under about half of Alaska, including most of the treeless areas from the Alaska Peninsula north and east to the Canadian border.

"Consider the desire of American oil companies to find reserves in North America that can be tapped when foreign sources are cut off.

"Consider, finally, that in the space of a few months oil explorations have destroyed the wilderness character of an area in northern Alaska bigger than the state of Massachusetts.

"I, for one, do not give our huge defacto wilderness long to survive."

State Rep. Wendell P. Kay points out that what happens in the state as its oil resources are developed will have an important influence not only on the remaining wilderness areas, but on the cities as well, because, "Alaska is going to experience a great increase in population and one thing that isn't generally realized is that while it is true that Alaska is vast, the economically habitable area is not very large.

"It would be relatively easy for overcrowded conditions to develop. This is especially true in places like Juneau, and even here in Anchorage, where we're pretty much confined to the basin."

"The big problem is that you can't go backward in conservation," observes Gerald Ganapole of Alaska Exploration Corp., a consulting geologist. "Once something has been destroyed, it's gone."

Or, as author Wallace Stegner put it: "It is not given man to make a wilderness. But he can make a desert. And has."

#### PROGRESS, CONSERVATION—OR BOTH?

(By Tom Brown)

Winter hits the North Slope like a closed fist in October and soon the whole vast, limitless plain is white in the wan twilight, with patches of black lake ice showing where the cold winds scour off the snow.

For months it is dark: the sun never edges above the horizon and day at most is a pink stain where earth meets sky.

It is flat, the flattest place ever. There are no landmarks in the conventional sense: no trees, no bushes even, no hills, no rise in the land of more than a couple of feet for as far as the eye can see, not even any snowdrifts, for there is nothing for snow to drift against.

It is cold, 65 below sometimes, and when the wind blows hard the whiteout is so bad you can barely make out your own fingertips. The Brooks Range lies 150 miles to the south, a jagged jumble of forbidding mountains of incredible variety—spiky teeth, smooth humps, protruding knobs and cathedral spires—incredible variety and stunning beauty.

Fewer than 200 persons inhabit the whole vast expanse of the Brooks Range, with its densely packed peaks, gem-like lakes, towering waterfalls and tranquil valleys. Truly, this mountain range is the largest virgin wilderness in the United States and perhaps the world.

In the winter the Brooks Range is a brooding land of blue black shadows, wan twilight at midday and sparkling snow under the frigid winter moon.

This whole enormous expanse of land, from the peaks of the Brooks Range north down the Slope to the Beaufort Sea and far out into the Arctic Ocean—all of it is stunned into absolute silence by the icy blast of winter.

The thousand-foot waterfalls in the Brooks Range are locked solid in mid-fall, the shallow lakes on the Slope are frozen to their bottoms, the grasses and lichens and six-inch high shrubs sleep beneath the snow, and, except when the north wind howls, it is quiet beyond belief.

Yet even in this frozen wilderness life continues. Improbably, a dozen species of birds, including the hardy ptarmigan, spend the winter in the Brooks Range.

And in the mountains and on the Slope, hundreds of thousands of caribou (a rock-bottom minimum of 360,000; perhaps three

times that many), gray and all but invisible in the gloom, snuffle for food in the snow, shadowed, as always, by enormous wolves.

The dall sheep stay in the high crags (half of the world's population of them live there) but stick pretty much to the north slopes, where the winds keep the snow shallow.

And the polar bears, those tireless Arctic hunters, still prowl the coast.

There is hardly any spring and summer comes suddenly late in May.

Light returns to the north and with it relative warmth. The ice goes out in the rivers in one of nature's most awesome spectacles.

"Water began to flow everywhere," wrote Diamond Jenness, a young archeologist stranded near Prudhoe Bay in 1913. "New birds appeared . . . The rivers broke out all along the coast; their roar could be heard 20 miles away and their dark waters, newly exposed to the light, reflected the somberness of the sky above. Spring had reached us at last."

In the mountains the frozen waterfalls crash down and the water moves there, too.

The caribou, most of which have spent the winter on the southern slopes of the Brooks Range, move back through the mountains to the North Slope.

The ice goes out on the Slope lakes in June, and the lakes glitter in the high summer sun. The top few inches of tundra melts in the sun and billions of mosquitos appear, but the ever-frozen permafrost beneath keeps the surface water from sinking in. The ground is wet and spongy and for man travel is difficult.

Beneath the tundra, down 8,000 feet and more, lies the oil.

This is the North Slope—the hottest oil exploration area in the world and a wilderness whose preservation is of increasing concern to conservationists.

Biologists know the North Slope and Brooks Range to be an extremely important area for many species of animals and birds; caribou, the rare and beautiful barren ground grizzly, wolf, wolverine, and dall sheep on land; countless millions of migratory waterfowl which molt in the thousands of lakes; and enormous bowhead whales, seals, walrus and polar bears offshore.

Historically, the Slope also has been one of the most important U.S. homes of the Eskimos for thousands of years. Indeed, about 3,000 Eskimos live at Barrow, Anaktuvuk Pass, Kaktovik, Wainwright, Point Hope and a handful of tiny settlements.

None currently live in the Prudhoe Bay oil exploration area, though at least two families lived there until recently and Native hunters still pass through from time to time.

There are about 500 white men at Barrow and another 1,500 or more working in the oil fields.

"The beauty of the Arctic is not what you see, for instance, in mountain country," says freelance writer Jane Pender, who has lived and worked at Barrow. "It is not dramatic or striking. It is very subtle . . ."

"There is a general impression that the North Slope is a wasteland," Mrs. Pender says. "But in fact it is perhaps the last place in the world that's relatively untouched."

"It is the last area in the world where one would expect that a major industrial development could cause concern," Robert Cantwell wrote of the Brooks Range in *Sports Illustrated* earlier this year. "All that space—wild, virginal. But the facts are inescapable. If there were ever a place where progress and conservation come into direct confrontation, it is the Brooks Range. For the first time in history the alternatives are absolute. There is an untouched wilderness on one hand and an enormous natural resource on the other. Industry has never before had such a clear opportunity to develop the resource and still preserve the wilder-

ness. There are two causes to be served. Perhaps, with unusual thought and care, both can be served."

Perhaps. But unusual thought and care frequently have been lacking in the past—as an examination of what happened in Naval Petroleum Reserve No. 4 demonstrates.

#### PET 4: TRAIL OF TRASH AND EMPTY OIL DRUMS

(By Tom Brown)

Man first came to the Alaskan Arctic at least 6,000 and perhaps as long as 15,000 years ago.

He was the Eskimo and he migrated from Asia across the Bering Strait, then fanned out across the North American Arctic, eventually as far as Greenland.

His culture, though better adapted to the harsh Arctic climate than any other, was primitive technologically: the Eskimo's implements were simple—knives, fish hooks, harpoons, bows and arrows of stone and bone and, when he could find it, wood. His transportation was the dog sled.

Throughout this tremendous span of time, the Eskimo lived, with the animals of sea and land, in harmony with his cold land of snow and ice.

"Throughout these 60 centuries," Dave Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska, has noted, "man has been an integral part of the Arctic ecosystem—living and taking from, dying and giving to the environmental mass."

With his nomadic, hunting society and primitive tools, it was beyond the Eskimo's capacity to harm his environment (which helps explain why conservation has only recently begun to become a concern of the Eskimo).

"The Eskimos have been wandering across the Arctic for centuries," freelance writer Jane Pender (whose work regularly appears in the *Daily News*) notes, "and they've never left a mark—nothing."

All this began to change somewhat less than 100 years ago.

First the whalers came. They came in large numbers, but stayed on the coast and offshore islands. They had relatively little influence on the Arctic, though their depredations were responsible for starting the decline in whale populations and though their establishment of camps at places like Barrow and Beechey Point first began concentrating Eskimos in villages.

But the big change did not come until about 25 years ago.

It was World War II and the government decided to dispatch crews to explore the vast Naval Petroleum Reserve No. 4 for more oil should the country need it.

In the early 1940s the contractors arrived and built the Barrow Naval Station.

What happened then is a classic example of modern, technological man's blundering in an alien environment about which he knew nothing.

An oil exploration base was built inland at Umiat and the Arctic was invaded, for the first time, by heavy tracked equipment to pull the drillers' supplies.

" . . . the Arctic contractors . . . left a trail of trash and empty oil drums with scars on the prairie that haven't begun healing yet all across the Pet 4 Naval Reserve," one man familiar with the operation wrote a friend recently. "They were scared people. Afraid of the land, here for the money and never intending to see it again in most cases."

"It was true of the Coast and Geodetic Survey crews that followed. Some of their camps were abandoned as if ahead of our invading army. When they left Pit Point, the dishes were left on the table! . . ."

"At Umiat," says Mrs. Pender, "there are piles of junk and oil barrels that almost look like skyscrapers from the air . . ."

"They did some oil exploration at Wain-

wright where they used heavy equipment in the summer. Now instead of cat trails, you have vast gullies. Essentially the land just disappears."

Unightly junk heaps. Caterpillar tracks with the cleat marks still distinguishable; scars that won't heal in our lifetimes—and maybe never. Badly eroded, subsided land that has drained lakes and changed the character of large areas.

This has been the price of carelessness and ignorance.

Much was learned from the Pet 4 experience about the techniques of operating in the Arctic. But the lessons apparently were not learned well enough.

For in the winter of 1968-69 the state repeated the mistakes in constructing its ice road to the North Slope.

#### HICKEL HIGHWAY: ROAD TURNED TO WATER

(By Tom Brown)

The grandiosely named Walter J. Hickel Highway, the state's ice road to the North Slope, may have passed as a road last winter.

Today it is a canal half the length of Alaska.

"From an environmental point of view the Hickel Highway is the biggest screwup in the history of mankind in the Arctic," one University of Alaska professor said.

"It goes through the worst possible area where the most ice-rich soils there are in Alaska are located."

"If an oil company had done it instead of the state of Alaska, that oil company wouldn't be operating in the state today."

"It's an environmental outrage."

The judgment is harsh—but scarcely exaggerated.

The Hickel Highway today is a water-filled ditch nearly 400 miles long. Like other similar caterpillar trails across the tundra, it is unlikely to heal within the lifetime of any human now living. And it passes through some of the most scenic territory in the Brooks Range, including the John River Valley.

Not only is the winter road an environmental disaster, it was not even a commercial success.

Frigid weather, with temperatures down to -70, delayed construction crews (who had gotten a late start anyway) so much that the road was open only about a month, from March 12-April 14.

During that time, a total of 7,464 tons of freight moved over it and only about 80 per cent of that went to the oil fields.

It took the big trucks about a week to make the run and the cost per ton of freight delivered to Sagwon, which is well short of the main Prudhoe Bay exploration area, was in the neighborhood of \$240 a ton—about the same as air freight.

Three Hercules transports could have carried the same amount of cargo in the month the highway was open—and all a Hercules requires is a 5,000-foot runway at the other end.

The winter road concept was the brainchild of the trucking companies which, quite naturally, wanted to get a piece of the North Slope freight action. They lobbied strongly for it with Gov. Walter J. Hickel, now Secretary of the Interior.

There was ample precedent—several such winter trails had been plowed through remote areas in Alaska and Canada during construction of the DEW Line.

And at the time, a winter-haul road seemed a good idea to most people. There were those who should have known better, of course, but little opposition to the project was expressed in public.

On paper it looked swell. The truckers would be able to provide lower-cost transportation than the airlines could, it was said. And they would be able to haul a much greater amount of freight.

There was talk, too, of the truckers paying the state a toll for using the road to help offset the cost. And even the cost didn't seem bad—S and B Construction Co. of Anchorage had bid \$127,750 for the job.

Things did not work out so well, though. The truckers did not provide lower-cost transportation.

They did not haul very much freight.

They did not pay tolls.

And the road did not cost \$127,750. The state rejected S and B's bid (and all the others) and decided to do the job itself. The rationale was that it would take a private contractor 10 days or so to get geared up for the job whereas the state could begin immediately and time was precious.

So the trail wound up costing about \$350,000. And it still wasn't finished until March 12.

But most disastrously, the state Department of Highways ignored past Arctic experience, which dictated that to operate most effectively and with the least damage to the environment the tundra should not be disturbed.

Many winter roads had been built before in the Arctic, largely without damage to the environment.

But these were built by heaping snow on the tundra, compacting it and using that for the road.

The state, on the contrary, used bulldozers to scrape off the snow and gouge a road into the tundra.

As a result, even while the road was in operation much time was spent clearing fresh and wind-blown snow out of the roadway trench, cutting down on the amount of freight that could be moved. This would have been largely unnecessary had the snow berm method of construction been used.

When breakup came, the Hickel Highway did not last as long as a snow berm road would have.

And when breakup was over it inevitably turned into a water-filled ditch as the exposed permafrost melted and slumped and water from surrounding areas drained into the roadway.

After succeeding Hickel as governor, Keith H. Miller named the winter road for his predecessor and asked the Legislature for a new appropriation to reconstruct the road this winter. The Legislature gave him \$433,000.

One conservation-minded state employe, who asked not to be identified, complained that the Hickel Highway was a perfect example of what can happen when a project is undertaken with only development in mind and no attention is paid to other values an area might have.

"So the taxpayers have paid whatever it cost in money and damage to the environment," he said. "To my way of thinking that is a pretty fair subsidy to the truckers, especially considering that most of it could have gone up in Hercs.

"After all the Hercs brought a lot of the trucks back (when they were caught at the far end of the road by the spring breakup). Presumably they could have carried their cargo too . . .

"If they go over the same track again this year I don't really care. But what I'm afraid of is that they'll say it wasn't the best route and do exactly the same thing somewhere else.

"About that time I'd like to put out some land mines."

He'd better start checking the surplus arms suppliers.

Asked if the Hickel Highway would follow the same route this winter if it is reconstructed, a Highway Department spokesman said:

"We're not sure. We were considering some route realignments in some areas."

#### FACTS OF LIFE IN THE ARCTIC

(By Tom Brown)

The damage done in Naval Petroleum Reserve No. 4 and by the Hickel Highway demonstrates what scientists have long known—that the Arctic environment is fragile and vulnerable.

This fact of life must be taken into consideration if man is to work effectively in the Arctic.

"Permafrost is not sacred," says Dr. Hal Peyton of the University of Alaska, one of the state's leading authorities on permafrost. "But you sure as hell have to pay attention to what you're doing if you start tampering with it."

Still, there apparently remains in the minds of many persons some doubt about the need for caution in working on the tundra.

Earlier this year, in a lengthy letter to The Daily News, Rep. John Sweet, a Republican employed by Atlantic Richfield as a geologist, said the "fragile environment" concept as applied to the tundra had "taken on an air of credibility" and asked for the "scientific basis for this description."

Pete Martin, a member of the Alaska Conservation Society and the Alaska chapter of the Sierra Club, in a reply (which didn't appear in The Daily News because of space considerations) referred to the book "Animals of the North" by William Pruitt Jr. for a description, in layman's terms, of what makes the tundra so vulnerable to assault by man.

"Almost every boy, especially if he lives in a rural environment in the temperate zone, has dreams of life in the Great North Woods . . . the taiga . . . a land teeming with moose, caribou, and grizzlies, a place where the misfit human being can make a quick fortune trapping mink, marten, white fox, or other valuable fur," Pruitt wrote.

"Nothing could be further from the truth. The taiga is, in fact, quite poor in terms of meat production per acre. Not only is it poor, but the ability of the plants and animals to withstand exploitation is very low.

"The ultimate factor on which all life, both plant and animal, depends is the sun, which is the source of all energy in two forms—heat and light. The tropics receive more of this energy than do the temperate latitudes and considerably more than the poles. The result is that the tropics can support the greatest concentration of life in a given area and the poles the least . . .

"The sun's energy works in a number of ways, but one of the most important is in creating vegetable life—a leaf or stem or flower or fruit. Then along comes the plant-eating animal and converts part of this sunshine energy into meat. Eventually a meat-eating animal eats the plant-eating animal and gets his share of the original sunshine. This transfer of the sun's energy is known as a food chain. The many interlocking food chains in nature become a food web.

"In the tropics there are vast numbers of different kinds of animals and the food web is incredibly complex. Further north, the webs become progressively less complex until in the Far North they consist of two or three kinds of plant-eating animals, one or two meat-eaters, and one or two scavengers.

"The entire system is known technically as an ecosystem. Once one is accustomed to looking at the world in terms of ecosystems it is easier to see how all living things are inextricably tied together. We can also see why the northern ecosystems are less productive than those of the tropical or temperate zones. Less energy input, less plant output; less plant input, less animal output.

"Such ecosystems are termed fragile by comparison with the deciduous forest ecosystems, for example, which are relatively tough. The idea of fragility is difficult to envisage if one's outlook is restricted to the

stiffening cold of a taiga winter night or the crashing, squealing, and thundering of great ice blocks tossed in the spring breakup of a taiga river. Nonetheless, it is fragile, precisely because of the overwhelmingly powerful environment . . . Northern ecosystems are easily upset by relatively slight disturbances.

"After I began to understand the mechanism of the taiga ecosystem it also became evident that most of modern man's activities in the taiga depended on rationales rooted in the error of attempting to extrapolate temperate zone traditions and techniques to the subarctic.

"We saw the pitiful results of applying the archaic homestead laws to interior Alaska and the chain-linked disasters that followed unrestrained prospecting and exploitation of minerals in the Canadian taiga. These rationales actually have their start in lack of knowledge of plain old-fashioned natural history . . ."

The engineering problems this delicate environment presents are formidable. The most formidable of all is permafrost.

#### ALASKA'S TWOFOLD CHALLENGE

(By Joe Josephson)

We Alaskans face a test which our fellow Americans elsewhere have usually failed. Our challenge is to develop here a prosperous business climate—one that extends economic opportunity to those Alaskans who have been long shut out—and to retain, at the same time, the environmental blessings of the Great Land.

If we develop industrially, but neglect the environment, we breach the trust in which we hold Alaska for future generations. On the other hand, if we preserve the environment, but leave Alaska's natural wealth untapped, we fall in a different way.

Such a policy would deny our nation the minerals we need to assure prosperity and national security.

It would deny the state the wealth that can help support vital programs for the development of human resources.

It would reflect a smug determination by relatively prosperous Alaskans that those who live in poverty, in the precise areas where development may occur most dramatically, can be excluded legitimately from sharing in a potentially dynamic economy.

But, only a few years ago, Alaska politicians were given to campaign on the shibboleth of "economic development." That phrase was a byword of the 1966 gubernatorial campaign. There was then a naive, optimistic assumption that development would bring resident Alaskans every manner of benefit—a premise that events since 1966 have challenged.

We Alaskans can be forgiven if we take a more skeptical look, henceforth, at glowing predictions about "development." We know:

That legislation to help assure local hire in extractive industries is languishing in the Senate Committee on Labor and Management, in spite of support from some of us on the committee;

That more than 10 years after statehood, we have only the bare beginning of a state park program.

That unless our Native peoples get the jobs they deserve, development could mean for them just faster disruption of their way of life, without corresponding benefit;

That many of the states where extractive industries dominate the economy have backward policies in labor and social legislation;

That we face increasing problems of pollution, junk control, and crowding of outdoor recreational and camping facilities.

Nor is a look at what "economic development" has meant for New York, Cleveland, Chicago, or Detroit, reassuring. What Walter Lippman wrote as long ago as 1925 seems especially timely now:

"In spite of the frantic efforts of every . . . town to make itself a bright metropolis, in spite of the mania for size and the delusions of grandeur which are known as progress, there is still an attachment to village life . . . strong enough to justify the fear that strange and dangerous things will come out of Babylon. The cities exist, but they are still felt to be alien, and in this uncertainty as to what the cities might yield up, men turn to the old scenes from which the leaders they always trusted have come."

Now, more than 40 years later, we sense the same misgivings about our cities; we make much of the small town origins of our astronauts; we debate the merit of candidates for President who come, significantly, from Whittier, Calif., and Wallace, S.D.

In addition, President Nixon has wisely directed the nation's attention to the question of population growth. Experts say that there will be 300 million Americans in 20 years, twice that number in another century. By the year 2200, the planet will carry five hundred billion men, women and children—more than one hundred times the number in the human family today.

What kind of Alaska will we have then? The issue is more than just a matter of adequate nutrition or poverty. On the contrary the more affluent is a society, the heavier are its demands for parks, recreation, and contact with nature. For example, America's 122 million citizens utilized only three million visitor days at the national parks, in 1930. Two years ago, 200 million Americans were using 140 million visitor days.

These are the considerations which suggest to me, and my colleague, Chancy Croft, that Alaska needs a Department of Ecology. Creation of the Department of Ecology will assure that even as our state executives plan and plot "development," as they must, another voice will be heard to speak for other values, equally dear—a policy voice "marching to the sound of a different drum."

It may be suggested that the Department of Fish and Game can play this role. At best, the department's interests do not extend to aesthetics, recreation, air pollution, and other matters of ecological concern. At worst, the department has even expressed, under this administration, hostility towards conservationism in spite of the state constitution's mandate that "fish, forests, wildlife, grasslands, and all other replenishable resources . . . shall be utilized, developed and maintained on the sustained yield principle . . ." when department employees were told to surrender their office in conservation groups, because of an alleged "conflict of interest"!!

Unless we are determined to assimilate the legitimate concern for the environment in the formation of state policy, we are doomed to repeat the errors of the past and to neglect our trust to tomorrow. There is still time, if Alaskans act now.

#### TUNDRA PROBLEM IN A WORLD—PERMAFROST (By Tom Brown)

The central fact of engineering life in the Arctic is permafrost. It is the cause of almost every serious engineering problem.

About 20 per cent of the world's land masses, and 85 per cent of Alaska, are underlain with it.

The U.S. Geological Survey defines permafrost as "rock or soil material . . . that has remained zero degrees Centigrade (32 degrees Fahrenheit) continuously for two or more years."

Since the formation of permafrost is dependent on a mean annual ground-surface temperature of 32 degrees, the most severe permafrost conditions are found on the North Slope, where the mean annual temperature is lowest. At Barrow, for instance, the permafrost is as much as 1,300 feet deep.

Normally, only a foot or so of surface soil thaws on the North Slope. The permafrost beneath remains, by definition and in fact, frozen solid. In this state it is quite stable.

But disturbing the layer of soil and vegetation that insulates the permafrost from warm summer air and solar radiation can quickly cause trouble.

A new Geological Survey professional paper, "Permafrost and Related Engineering Problems in Alaska," notes that the equilibrium of permafrost frequently "is very sensitive."

"The simple passage of a tracked vehicle that destroys the vegetation mat is enough to upset the delicate balance and to cause the top of the permafrost layer to thaw," the authors report. "This thawing can cause differential settlement of the surface of the ground, drainage problems, and severe frost action."

"Once the equilibrium is upset, the whole process can feed on itself and be practically impossible to reverse. However, if a structure is founded on permafrost that remains frozen, the frozen ground provides rocklike bearing strength."

So the key is to keep permafrost frozen, thus avoiding the worst effects of thawing and at the same time taking advantages of its fine qualities as a foundation material.

The penalty for failing to heed this dictum can be costly indeed. It can lead to surface subsidence, slumping and erosion of the type that occurred in Naval Petroleum Reserve No. 4 and which is occurring now along the route of the Walter J. Hickel Highway.

This type of environmental damage seems a high price to pay for getting a job done quickly.

In this regard, the Geological Survey report notes that, "In most areas where roads or buildings are constructed on permafrost, the procedures that cost the least in the long run are those that disturb the natural environment the least, and, therefore, are conservation oriented."

"Generally, the initial capital investment is greater when correct procedures are used; however, maintenance cost is considerably less. If improper procedures are used, expensive maintenance cost far exceeds the additional expense of the initial investment, and in some cases, structures are damaged to the extent that they become unusable after just a few months or years.

"The financial losses caused by such problems as impassable roads, unusable airstrips, or damaged machinery in buildings which have settled differentially can be extremely high."

Thus, it is obvious that the best engineering practices are also the best practices from a conservation standpoint. This has been generally recognized by the oil industry, which is both extremely cost and public relations conscious.

Unfortunately, considerable damage has been done to the tundra in the initial exploration rush. Repairing it will be costly and may prove physically impossible.

The problem of surface subsidence is so serious, in fact, that Joseph H. FitzGerald, head of community relations for Atlantic Richfield, considers it the most important ecological problem the oil industry faces.

If the industry can develop techniques for repairing tundra damage before the subsidence problem becomes irreversible, it will be able to leave the North Slope in reasonably good condition, he believes.

If not, past experience indicates the results will not be very attractive.

#### HOMELY SUBJECT, BUT THE OBJECT OF CONTROVERSY

(By Tom Brown)

It is difficult to imagine a substance as homely as gravel becoming the object of controversy.

Yet it has happened. And the concern is not a trivial one.

The argument is about the gravel lining the beds and banks of North Slope rivers.

Marine biologists know that gravel is important to most anadromous (migratory) fish, such as salmon. They lay their eggs in it.

The presence of gravel also is important to the water quality of a river: removal of it can cause disastrous silting.

On the North Slope, gravel also is enormously important to the oil industry.

Gravel is the only material generally available on the Slope that provides effective insulation over permafrost for constructing roads, supply storage areas, pads for drilling rigs, airports and the like. It is essential to industry operations and importing it from elsewhere in the necessary quantities would be prohibitively expensive.

Most of the millions of cubic yards of gravel the oil companies have used on the Slope have come from rivers, particularly the Sagavanirktok, or Sag as it is commonly called, though some has been taken from offshore islands in the Beaufort Sea.

Conservationists argue that the oil companies are taking gravel from the rivers without regard to the effect it might have on fish.

"All the gravel in the northern area is state property and the oil companies have been using it free," says Gerald Ganapole, of Alaska Exploration Corp., a consulting geologist interested in conservation matters. "They have been completely indiscriminate in some cases and may or may not be hurting the rivers."

That is the crux of the matter. No one knows for sure whether gravel removal does much harm to a fast-flowing stream like the Sag, nor does anyone know for sure the number and variety of fish that use these waters.

"There is nothing that says fish are especially bothered as long as the whole stream isn't tampered with all at once," say Dr. Hal Peyton, University of Alaska permafrost expert. ". . . The gravel operations don't load the whole river with silt all at once."

"Silt in the rivers is a small amount. They don't borrow from open streams. They go to a bar and mine the bar. There is very little contamination that I've seen."

"The other thing is that the people who are worried about the fish can't tell us anything about the fish. They don't know what species are there, whether they are anadromous or where their spawning areas are."

Bryan Sage, BP Oil Corp. biologist, suggests that, "Perhaps the gravel problem is being inflated out of proportion. Let's face it, there's billions of tons of it there."

Sage also says that the ability of the river to replenish its bottom gravel "far exceeds the efforts to remove it" and points out that in its delta area, where most gravel is taken, the river usually changes course substantially every spring.

Dr. Charles Behlke of the University of Alaska concedes that damage to the rivers and other resources on the slope is possible, indeed almost inevitable, but contends that since these other resources are not being utilized and probably won't be anytime soon it doesn't really matter.

Fish and Game Department biologists readily admit that not much is known about the Sag and the other North Slope streams. But some of them maintain privately that this is a legitimate reason for restricting the taking of gravel, at least for the time being, an argument supported by the conservationists.

The conservationists also maintain that it is attitudes like \* \* \* use later, that has led to indiscriminate destruction of so much of the American landscape.

"Conservation groups generally are not anti-oil company, anti-lumbering or anti anything else," Ganapole says. "But they are against development before planning."

Clearly, the gravel problem is one that requires more study.

#### WHAT TO DO WITH WASTE

(By Tom Brown)

Behind almost every prefabricated work camp on the North Slope is a lagoon. Into it flows kitchen and bath water—and raw sewage from toilets.

The lagoons are frozen during the bitter Arctic winter. But in the summer, one oilman recently understated it, "They're a bit more of a problem."

That is sewage disposal on the North Slope.

It is a highly unsatisfactory situation, as the oil companies and state and federal government agencies are well aware.

And the problem of sewage disposal is another example of the type of challenge that must be answered effectively if development of Alaska is to proceed without undue disruption of the environment.

As has been noted, below a depth of a foot or so, the permafrost never thaws, so sewage will not sink in.

Nor can the slope's rivers and streams be used for disposing of sewage, for a variety of reasons:

"It's kind of archaic in this day and age to use good water for carrying waste products away," says Dr. R. Sage Murphy, director of the Institute of Water Resources at the University of Alaska.

As Murphy and others explain, though the upper layer of tundra becomes boggy in the summer, fresh water, paradoxically, is scarce and shouldn't be wasted. The North Slope gets only six or seven inches of rain a year and about 80 per cent of that runs off during the spring breakup.

Conservation organizations would strongly oppose any attempt to dump sewage into North Slope rivers.

So other methods of waste disposal have proved necessary.

During the initial exploration boom, the industry relied on lagoons, which worked reasonably well when there were relatively few men on the Slope but which now are becoming a potential health hazard.

"On the drill sites, they plan to cover them with gravel to insulate them and keep them frozen," says Warren McFall of the Federal Water Pollution Control Administration (FWPCA) in Anchorage.

"We're concerned that this may cause health problems. Apparently certain organisms can survive at low temperatures for a long period of time. There is concern among microbiologists that they might be uncovered in the future and cause problems."

This view is supported by Dr. James Anderegg of the Department of Health and Welfare's Environmental Health Branch in Juneau who notes that if germs are frozen they become cold germs but remain germs nonetheless.

"The cold forgives an awful lot of environmental sins—trespasses against nature that we couldn't get away with in the lower '48," he says, adding:

"The state definitely does not consider pits for sewage to be acceptable."

The lagoon method of disposal also presents a serious water pollution threat.

What to do?

"We are looking forward to more elaborate methods," McFall says. "We would like to see the destruction of wastes—the removal of solids from liquid and their incineration.

"Incineration is the key, I feel. We are looking into the available technology to see if there are devices that would handle this."

Murphy also believes incineration will prove the best way of disposing of sewage under the peculiar working conditions in Arctic Alaska and has designed a portable unit that could be moved from site to site by truck as camp locations were changed.

The oil companies have been doing research on incineration units and the big new base camp being constructed by Atlantic Richfield at Prubhoe Bay will incorporate one.

"We can incinerate sewage and I assume it'll become quite an advanced technique," says Joseph H. FitzGerald, head of community relations for Atlantic Richfield here.

There is no doubt that incineration units will cost more than the simple lagoon method of disposal. But the need for more advanced techniques of sewage disposal is urgent. In any case federal and state agencies are work-

ing on operational guidelines for the Slope that probably will outlaw lagoons.

Further, McFall observed, "in view of public sentiment, it might be an investment the oil companies would be willing to make" on their own.

"Pollution control must be considered as a cost of doing business," says Ray Morris, North Slope coordinator for the FWPCA. "We as individuals pay to have our garbage hauled away. It's only fair that a certain percentage of business income should go for pollution control."

#### TRASH WON'T VANISH

(By Tom Brown)

A conservation publication intimated recently that if all the discarded oil drums in the Arctic were laid end to end with the bottoms knocked out, there would be no need to import pipe for the proposed Trans Alaska Pipeline System.

The suggestion was facetious, of course, but it highlighted one of the vexing problems in orderly development of Alaska's resources—getting rid of trash and garbage.

What makes the problem so critical in the Arctic is the nature of the land: it is flat as a billiard table and nearly as featureless.

It is impossible to hide ugly things there, as man always has done in more temperate regions. A single oil drum looks enormous and is visible for miles. A garbage dump cannot be disguised as anything else.

As the number of men on the Slope increases daily, so does the garbage problem.

The oil companies have, for the most part, cut down drastically on the number of oil drums they haul to the Slope. Instead, they import their fuel oil in bulk and pump it into large rubber storage tanks.

But there remains the problem of what to do with the thousands of oil drums already on the Slope.

Geoffrey Larminie, head of BP Oil Corp's Alaska operations, notes that in the past the oil companies have not hauled drums and other trash back to Fairbanks on the return flights of their supply planes because "there is a great deal of difference in cost between the flight up loaded and the flight back empty."

"And at any rate, hauling it back doesn't really solve anything," he says. "Then you've just got garbage in Fairbanks instead of garbage on the Slope."

For the moment, BP is consolidating its drums and other trash at drill sites for disposal later. Larminie says that to date no decision has been made on the method of getting rid of it.

Joseph H. FitzGerald, director of community relations for Atlantic Richfield here, believes that the eventual solution will be to incinerate everything that is combustible and ship the rest out.

"Eventually most of it will have to be sent out," he says. "If substantial shipping traffic develops that probably will be the way it will be done."

He suggests, for instance, that oil drums could be flattened, much as old auto bodies are compressed into cubes, and shipped out on the decks of tankers.

One contractor doing road construction work for the oil companies is filling drums and burying them as part of road foundations.

And ARCO and BP used thousands of drums to help stabilize a gravel spit at Prudhoe Bay which they have constructed as a dock for unloading supplies brought in by barge.

Other garbage already is being burned in pits bulldozed in the tundra for this purpose.

Conservationists remain concerned about the garbage problem on the Slope because of man's record of leaving his trash strewn all over the Arctic.

Horrible examples have been set by the military and civilian government agencies at

Barrow, in Naval Petroleum Reserve No. 4 and on Amchitka Island in the Aleutians, site of a dozen underground nuclear tests scheduled to begin this fall.

The Barrow area is littered with all manner of junk.

Pet 4 has towering pyramids of unsightly trash, particularly in the Umiat area.

And when the military left Amchitka after World War II, it left everything behind—thousands of Quonset huts; the carcasses of wrecked airplanes; countless tons of trash that was bulldozed off a cliff and now litter its face and the sea below.

But the damage is more serious than just unsightliness, undesirable as that alone may be—much more serious.

One man who has spent much of his life in the Arctic gave this description of what is happening in Pet 4:

"The oil drums left by the Arctic explorers are rusting through now.

"Some were full, some had only a few cups full of fuel, but as each rusts through it is like a time bomb that kills what is in its . . . area.

"Even now, 25 years later, many men who long ago left the Arctic still kill wildlife by the partially empty fuel drums they left behind. If conditions are right, they may wipe out an acre or two or, with luck, a whole small lake."

#### WATER POLLUTION—WILL IT BE STOPPED IN ALASKA?

(By Tom Brown)

Of all the environmental challenges oil development presents Alaska, none is so critical as the threat of widespread water pollution.

It is more serious even than the alteration of the land and the accompanying likelihood of destruction of wilderness areas.

Alaska's waters, for the most part, still are as pristine as nature made them. And there are few common pollutants as disastrous in their effects as crude oil.

The threat is many-pronged and involves: Offshore drilling in the Beaufort Sea.

Supertankers operating in the hazardous conditions of the Northwest Passage.

The Trans Alaska Pipeline System (TAPS), which will run 800 miles from the Slope to Valdez, crossing such major rivers as the Yukon and the Copper.

The tanker terminal at Valdez.

The prospect that new oil fields may be discovered in the Bristol Bay and Gulf of Alaska areas.

One disturbing element is that so little is known about some of these operations.

No one knows, for instance, how to drill in the Beaufort Sea, where heavy pack ice is a continual hazard (and where the state is offering a few tracts in the September 11 lease sale). And if the ice should sweep away a drilling platform, leaving a well running out of control, how would it be shut down before a disaster of Santa Barbara proportions—or worse—occurred?

Equally unknown is whether tankers will be able to operate safely through the Northwest Passage across the top of Canada to the U.S. East Coast. Humble Oil and Refining hopes to find out with its \$40 million experiment with the supertanker Manhattan, which it has outfitted with an ice-breaking bow and heavy belts of protective steel plate along the sides.

But even if the Manhattan successfully completes her trial run this summer, there is considerable question whether the voyage will be practical in the winter, when the ice is thicker and howling gales drive the ice toward shore areas with incredible violence.

And if a 250,000-ton tanker were lost off the North Slope it almost certainly would be a disaster of unprecedented magnitude.

The pipeline is less likely to cause trouble.

Pipeline technology is highly advanced and pipelines elsewhere have a good safety record, with few major spills.

Still, operating conditions in Alaska are much different than in most other areas and present some unique problems. A break certainly is not out of the question.

And, as state Rep. Chancy Croft, D-Anchorage, points out, it took only 300,000 gallons of oil, or about 7,140 barrels, to turn Santa Barbara into a disaster area earlier this year. When the TAPS pipeline is operating at its designed capacity of about two million barrels a day, that much oil could escape from it in five minutes.

The operation of tankers at Valdez also poses a problem. The supertankers that will put into Valdez to take Alaska's oil out will be loaded with "dirty" ballast—oil-contaminated sea water.

Plans call for elaborate ballast treatment facilities but experience has shown that even with such facilities some pollution is almost inevitable.

Finally, the prospect that more oil may be found in such areas as Bristol Bay and the Gulf of Alaska has conservationists and Fish and Game Department personnel worried.

These areas are of immense importance, not only because of their value to fish and marine mammals, but because of their commercial worth as well. Bristol Bay, of course, has one of the world's richest salmon runs. Prince William Sound, off the Gulf of Alaska, also has an important commercial fishery. Both Bristol Bay and Prince William Sound are home to the sea otter, just recovering from near-extinction at the turn of the century. And Bristol Bay is of great importance to some kinds of migratory waterfowl.

Considering all these serious operational problems—the permafrost, the difficulty of disposing of sewage and other wastes, the threat of water pollution—how have the oil companies done so far? Have they conducted their operations without undue damage to the environment?

The answer is not an altogether happy one.

#### ONE CHUNK OF WILDERNESS THAT'S LOST (By Tom Brown)

The wilderness value of a vast area of the North Slope has been destroyed.

The damage began to be done less than 100 years ago when the white man first invaded the Arctic. Before that, the Natives had lived there for thousands of years without harming the environment.

Most of the damage has been done within the last 18 months—since the discovery of oil at Prudhoe Bay.

If it can be agreed, with Webster, that a wilderness is "a tract of land or a region . . . uncultivated and uninhabited by human beings" or "an empty or pathless area or region," then the wilderness qualities of much of the Slope are gone forever.

No amount of apologizing by oilmen can change this; nor can the rationalizations of politicians and businessmen eager for economic development.

With wilderness in ever shorter supply, conservationists judge it a serious loss.

The damage is so extensive that it is difficult to get an accurate estimate of the amount of land affected. But Bob Weedon, biologist for the Fish and Game Department at Fairbanks, has estimated that the wilderness value of an area the size of Massachusetts has been lost.

Within this area, the oil companies have mined rivers and offshore island for gravel.

They have spread the gravel five feet thick over the tundra to build at least seven air strips 5,000 feet long by 150 wide, pads for drilling rigs at about 30 sites, and scores of miles of roads.

They have built enormous gravel pads near the shore of the Beaufort Sea to receive freight from barges this summer.

They have bulldozed pits and lagoons for sewage and drilling mud and garbage.

In some cases they have littered the tundra with oil drums and other trash.

But they have, generally, restricted cross-tundra travel by their employees and those of their contractors during the critical summer months.

This has not been true of the seismic exploration companies and the damage they have done merely looking for possible oil deposits probably has exceeded that done by the oil companies in actually drilling for it.

One man intimately familiar with the North Slope gave this description of a seismic crew's operation at a lake where a pair of swans had nested every year for the last 25:

"The caterpillars plowed out a landing field. The Nodwells (Canadian-built tracked vehicles) pulled the camp trailers up and the oil drums marked the landing. Several cargo airplanes full of freight, mostly oil drums, came in.

"The seismic work was done, strings of holes blown in the prairie, the trash dumped, the oil drained from machines upon the ice, the snow drifted over it and the camp pulled away to another lake a few miles, on where it repeated the operation.

"Summer came, the oil and trash floated on the lake, the oil drums, some 80 strong, floated about until some washed ashore and others sank.

"The oil slicks killed the birds that dared to land and the swans left. They didn't return and the nest is empty. This is repeated . . . many hundreds of times."

And the seismic crews have, on numerous occasions, driven their tracked vehicles across the tundra after the spring breakup, leaving deep scars.

The land in the main exploration area already is useless for some of the animals that had made it their home: the wolverine, wolf and barren ground grizzly, none of which can long tolerate the pressure of human activity. The caribou still wander around the oil rigs and runways and no one knows whether their migration patterns will be affected. Pollution threatens some lakes and streams. And physically, the land will never be the same.

"Things don't deteriorate here," one old Arctic hand said. "A cardboard box can lay for a hundred years.

"The matches sailors lit their pipes with and chips of their ax work were still there at the base of the pole erected on Cross Island in 1886 when I visited there in 1946!"

Oil drums left in Pet 4 during the Navy drilling programs are only now, 25 years later, beginning to rust through.

There is nothing to disturb the roads and airports and they probably will be visible 1,000 years hence.

Man has a sorry record in the Arctic. But merely condemning oil companies and seismic exploration firms will not do.

Some alteration of the land is inevitable if the oil is to be gotten out.

Many of the mistakes were made in ignorance of their consequences because of the relative lack of knowledge about the Arctic—not in malice.

The state was woefully derelict in not quickly providing badly needed guidelines for the industry.

And the oil companies have demonstrated a genuine interest in doing urgently needed basic research on the Arctic, in developing new techniques which would limit or avoid damage to the environment and in repairing the worst of the damage they have done already.

#### BRIGHT SIDE TO SLOPE ACTIVITY (By Tom Brown)

The sincerity of the oil industry's interest in disturbing the environment as little as possible is beyond question.

This is particularly true at the top management level.

It is confirmed by virtually every public official and government employe who has had extensive contact with the industry; by pro-

grams the industry has initiated without government prompting; by interviews with oil company officials; and by personal observations on the North Slope.

This is the most hopeful aspect of the rapid North Shore development program, which in less competent and concerned hands certainly would be an environmental disaster.

It is true that much damage has been done—far too much, in the opinion of many conservationists—but it is evident that the industry intends to do what it can to limit destruction in the future and to attempt to repair some of the mistakes of the past.

"The company is well aware of the need for extremely careful conservation measures, not only with regard to protecting the tundra from undue damage, but including the wild-fowl, animals and fish," says W. G. Shain of New York, corporate head of public relations for Atlantic Richfield (ARCO). ". . . We'll be working like hell to prevent damage on the Slope, and to undo some of the damage of the last 100 years—not just the last year."

One very good reason for this concern, says Joseph H. FlitzGerald, ARCO's chief of community relations for Alaska, is that, "Any big industry has to have an identification with the public interest . . . The gains which the oil industry gets by doing things properly are very great. They allow business to go its own way. If industry is at loggerheads with the public interest, it may find its activities restricted."

To detail all the conservation-oriented programs undertaken by the industry would exceed the scope of this article and probably would be impossible anyway since, as Shain noted, "one of the things you are not going to do about conservation is tell everybody what you are going to do about it" until the programs are under way.

But a look at a few of the projects in progress now gives a good indication of industry thinking:

The Trans Alaska Pipeline System (TAPS) has a party of distinguished scholars in the field studying the ecology of the route for the 800-mile pipeline from the North Slope to Valdez through Dietrich Pass. The team includes Bryan Sage, BP Oil Corp. biologist; Dr. William Mitchell, University of Alaska, botanist; Dr. Peter Elliott, University of Lethbridge, Alberta, mammalogist; and Drs. Peter McCart and Vernon Pepper, Regina University, Saskatchewan, fresh water biologists. They will study not only the larger mammals and fish along the route, but all living things, including various kinds of grasses that might be used to revegetate areas disturbed by pipeline construction. As far as is known, this is the first study of its type in the history of petroleum pipeline construction.

Atlantic Richfield has been conducting a cleanup of its North Slope lease holdings to remove unsightly refuse, much of which it was not responsible for putting there in the first place. In this operation, freight pallets are placed on the tundra by helicopter, then workmen on foot combed the ground, one square mile at a time, picking up such trash as oil drums, tin cans and other junk. The refuse is moved to the pallets and lifted out by helicopter to be disposed of.

ARCO also is experimenting with a "garden patch." An area of badly damaged tundra has been seeded with 39 varieties of grasses in an attempt to find species that would be useful in revegetating disturbed areas. Parts of the area were treated with fertilizer to see if this would speed the normally slow growth of vegetation in the Arctic. The results of this experiment will not be known until later this year.

And the firm is investigating the use of plastic to insulate the permafrost so less gravel would be needed from North Slope rivers for roads, drilling pads and the like. A test section of road, incorporating sensitive

temperature measuring devices, has been built to check the effectiveness of plastic insulation with varying thicknesses of gravel.

Humble Oil and Refining and other firms have repeatedly flown University of Alaska professors outside to brief their employees on operating in the Arctic. Humble is making a six-hour training film based on these seminars.

But perhaps more important than any single, specific program initiated so far is the basic research on the Arctic the industry is doing itself or farming out to such institutions as the University of Alaska.

At last count there were at least 15 industry-sponsored studies being conducted by UA personnel, almost all of them with at least implied value for conservation purposes because, as both industry and conservationists continually point out, one of the main problems in developing the oil fields is a lack of basic data about the Arctic environment.

In addition, many problems are being tackled by the formidable research staffs of the oil companies themselves.

Dr. Hal Peyton of the UA observes that the industry has learned, through experience that "remaining competitive—that is, its very existence—is dependent on the success of its research and development efforts . . .

"I don't know of research on this level of sophistication being done anywhere else in the country."

Much of that research is being devoted to a new exploration of the fabled Northwest Passage.

#### A GAMBLE TO OPEN A NEW TRADE ROUTE

(By Tom Brown)

For nearly 400 years men have dreamed of a Northwest Passage for merchant ships linking East and West.

Dozens of adventurers set out to find one and sail it for king or country or fame. Many lost their lives and none succeeded until 1905 when Danish explorer Roald Amundsen and his seven-man crew completed a three-year transit of the passage across the top of Canada in their tiny wooden sloop.

Since then, a handful of other surface ships and many U.S. nuclear submarines have traversed the Northwest Passage.

But never has it fulfilled man's dreams of a shorter, commercially profitable trade route. Never, at least, until now.

Humble Oil and Refining Co. has spent the last several months—and \$40 million by the estimates—converting the 115,000-ton tanker Manhattan, the largest U.S.-flag merchant ship, into the world's biggest and most powerful icebreaker.

This summer the 1,005-foot ship is scheduled to leave the East Coast, sail north of Canada and attempt to batter its way through the heavy pack ice into Prudhoe Bay.

If the experiment is successful, Humble officials say, they would construct at least six 250,000-ton tankers of their own by 1975 to carry North Slope oil to prime East Coast markets. Other oil companies might build another 30 of these icebreaking supertankers.

The question remains whether even a ship as big and powerful as the Manhattan can make the trip.

Humble officials and scientists obviously believe it can or they would never have made such a heavy investment in the project.

Others are skeptical.

But whatever the outcome of the experiment, it has aroused the most intense interest among oilmen, government officials and conservationists.

It is, to begin with, a gamble involving considerable technological achievement, imagination and daring.

When Humble decided to explore the Northwest Passage it first had to find a suitable ship. The Manhattan was chosen because her 43,000 horsepower power plant is

nearly "1½ times larger than those on ships twice her size." And plowing through pack ice 6-18 feet thick and pressure ridges that might be as much as 100 feet thick would require all the available power.

Then the seven-year-old ship was cut into four pieces at the Sun Shipbuilding & Dry Dock Co. at Chester, Pa. Sun kept the stern section. The original bow was put into storage until another conventional hull could be built for it. The forward section of the hull, including the No. 1 oil tank, was sent to Newport News Shipbuilding & Dry Dock Co. in Virginia and the midsection went to the Alabama Ship Building & Dry Dock Co. at Mobile.

While the three hull sections were being fitted with heavy, protective belts of steel plate (which increased the Manhattan's beam 16 feet to 148 feet), the Bath Iron Works in Maine built a new icebreaking bow, which added 65 feet to the vessel's length.

The new bow is designed to attack the ice at a sharp 18 degree angle, rather than the 30 degree angle of traditional icebreaker bows. The thinking is that with the Manhattan's great weight and power behind it, this prow will cut through thick ice much faster than a conventional one.

In addition, the bow is 16 feet wider than the rest of the hull. So it is cleaner, more friction-free passage for the hull than would otherwise be the case.

With an additional 9,000 tons of steel in strategic places, the Manhattan is much stronger than she was previously. She also is much more sensitive.

Hundreds of tiny pressure gauges have been installed along the hull to tell scientists and engineers what forces were at work on the ship in varying ice conditions.

Closed circuit television will monitor ice flow around the ship.

Two helicopters kept aboard will scout the route ahead of the Manhattan, gather ice cores for analysis aboard ship and collect information with infrared film and laser beams.

All the data gathered in this manner will be stored in small onboard computers for analysis and study later.

Even if the Manhattan can't break through the thickest ice encountered and is unable to complete its journey, Humble officials believe she might collect all the data necessary to build the much bigger 250,000-ton tankers that could succeed where she failed.

"Our primary purpose is to obtain the additional information necessary to design ice-worthy new tankers for year-round operations," says Capt. Roger A. Steward of Reading, Mass., skipper of the Manhattan. "We're counting on tonnage and horsepower to smash through the ice ridges."

But even if the Manhattan project is successful, many questions about tanker operations in the Arctic will remain.

#### WHAT AN OIL SPILL CAN DO

(By Tom Brown)

The prospect of a 250,000-ton tanker being crushed by the ice and spilling its million-barrel cargo of crude oil in the Beaufort Sea off the North Slope has become a nightmare for wildlife experts and conservationists.

They recall the Torrey Canyon disaster off the southern coast of England and the runaway well that blackened Santa Barbara beaches earlier this year and say an even worse catastrophe is possible off Alaska's Arctic coast.

Ray Morris, North Slope coordinator for the Federal Water Pollution Control Administration (FWPCA), notes that tankers "have one of the best safety records in shipping. But when they do have trouble it's almost a national disaster."

And operating conditions in the Beaufort Sea will be far more hazardous than any tankers have ever had to cope with before.

To begin with, there is the pack ice itself,

a formidable threat to any ship yet constructed. It generally varies from about six to 18 feet in thickness, but huge pressure ridges, formed as the ice is moved and compressed by wind and current, can be as much as 100 feet thick.

Humble Oil and Refining officials and scientists working on the Manhattan project believe a 250,000-ton supertanker, properly constructed with an icebreaking bow and protective steel belts along the sides, could be depended upon to smash its way through this ice, and hope to prove it this summer.

But even if adequate ships can be constructed, there are other problems that will complicate their use.

One is the shallowness of the water off the North Slope. The continental shelf runs far out into the sea there and any tanker terminal would have to be located about 30 miles offshore.

That far offshore, it would be fully exposed to the violent Arctic storms that may howl for days on end in the winter and compress the pack ice against the shore with incredible force. There is some fear that even a properly constructed supertanker could be pinched in the ice during one of these storms and crushed like an egg.

For the same reasons, there is considerable apprehension that any attempt at offshore drilling from platforms would end in disaster.

And any major spill of oil almost certainly would have detrimental effects on an area which is extremely important to:

Bowhead whales, many of which migrate into the Beaufort Sea in the spring and spend the summer there, feeding on the abundant supply of microscopic plant and animal life.

Polar bears, which prowl the coast and ice pack year-round in search of seals, which constitute about 95 per cent of their diet.

The seals—ring, bearded and harbor—which feed on the crustaceans found in the Arctic waters.

The various plankton and crustaceans, which form the beginning of the short, vulnerable Arctic marine food chain that ends with the whales and polar bears.

"I shudder to think what would happen if you lost a 250,000-ton tanker," says Jim Brooks of the U.S. Fish and Wildlife Service, an expert on the polar bear. "It would gum up the coast of Alaska and Canada so bad that sea birds, marine mammals and vertebrates in the beach zone would be disastrously affected."

"It would be a real catastrophe—worse than what we saw with the Torrey Canyon. The oil would be confined by the ice and couldn't spread" and dissipate.

Polar bears would be in trouble because, "An oily polar bear is going to be a cold polar bear. The oil will destroy the insulation of his pelt and he probably won't survive." A spill could be expected to have similar ill effects on other life forms.

So one of the big questions is whether major oil spills can be avoided.

Brooks is not optimistic.

"... the possibility of oil spills is something that should cause everyone involved to build in every safeguard and precaution before hand," he says. "It's probable, however, that accidents are going to happen no matter what precautions are taken."

"In fact there's no question about it."

Dr. Charles Behlke of the University of Alaska, an aggressive booster of North Slope oil development, takes this view:

"Because this is a new development, we are going to have to face the possibility that something is going to go wrong. We're going to have to expect a catastrophe."

But in the long run, "with the appropriate controls, offshore pollution is not going to be a problem."

And he is confident that the required technology can be developed.

"If tankers such as the Manhattan can push their way through the ice, they should

be able to withstand the winter storms," he says. "Structures can be built that would make it possible to have ice protection the year round.

"There isn't a damn thing up there that can't be solved."

CAUTION AT VALDEZ  
(By Tom Brown)

The problems of tanker operations at Valdez, terminus of the proposed Trans Alaska Pipeline System, lack the science fiction atmosphere of those associated with the Beaufort Sea.

Valdez is an ice-free port—the most northerly one in Alaska—eliminating one major problem.

Its estuary is sufficiently deep to accommodate supertankers with no trouble, so the big ships would not be exposed to the fury of storms while loading.

And the storms at Valdez, while sometimes rough, seldom display the unbridled ferocity of those in the Arctic.

But the problems, while more mundane, are potentially as significant for the quality of Alaska's environment.

One of the troubles with a tanker is that it can't go empty to the terminal where it takes on its cargo of oil. It would ride too far out of the water and be unstable. So its tanks are filled with sea water ballast.

But a tanker's cargo tanks are never completely emptied when it is unloaded. Consequently, the ballast water becomes "dirty"—contaminated with crude oil from the last cargo.

The ballast must, of course, be disposed of before a new cargo of oil can be put aboard, and this frequently is where trouble starts.

It has not been uncommon in the past for tanker captains to dump dirty ballast in areas where they thought they could get away with it. It has happened in Cook Inlet.

A supertanker of the type the oil companies plan to bring into Valdez would be carrying hundreds of thousands of barrels of water contaminated by as much as a few thousand barrels of oil.

Pumping that amount of oily ballast into the Valdez estuary could have disastrous effects on the ecology of the area. For that very reason, deliberate dumping of ballast in the harbor is highly unlikely.

But unintentional spills of dirty ballast have been common in the past.

Intentional and unintentional dumping of dirty ballast has, in fact, been the major source of oil pollution in Alaska to date.

To cope with this problem, TAPS plans to install elaborate ballast and bilge water treatment facilities ashore.

"All oily ballast water arriving in tankers at the southern terminal will be pumped ashore and passed through separators to extract the oil, thereby ensuring that ballast will not contaminate waters adjacent to the terminal," TAPS has told the Interior Department.

After this treatment, the enormous volumes of ballast brought in by the tankers would be clean enough to pump into the harbor.

But it is possible that even such treated ballast could cause problems.

"It is a delicate estuary," says Dr. R. Sage Murphy, director of the Institute of Water Resources at the University of Alaska. "The tankers will be pumping ballast out.

"And even if it is clean ballast, it came from somewhere else. It may upset the Valdez estuary biologically."

A marine ecology study of the Valdez estuary, financed by TAPS, may indicate whether this possibility deserves more study.

In addition to the shore treatment facilities, TAPS has told the Interior Department that it plans to utilize the latest engineering and construction techniques to ensure that

oil is not lost during ballast unloading and crude oil loading operations.

The same will be true of the storage tanks at Valdez, another potential source of disastrous pollution. Initially, TAPS plans to have a storage capacity of five million barrels of oil in 11 tanks. This may eventually be raised to 20 million barrels in 46 tanks.

TAPS has submitted to the Interior Department the rough outlines of the contingency plans it will use in case an oil spill does occur.

"I don't think the problems at Valdez are as dangerous as in the Arctic," says Dr. David R. Klein, head of the Cooperative Wildlife Research Unit at the University of Alaska, "but there will be a tremendous amount of oil going through there and there will be a tremendous number of tankers and, as a result, a tremendous potential danger.

"Prince William Sound is a very important area for salmon. Cordova has an important clam fishery that definitely would be detrimentally affected by an oil spill.

"And there are sea otters in the area. They are particularly vulnerable to oil spills."

"You start to look at the problems of getting oil out of Alaska," says Ray Morris, North Slope coordinator for the Federal Water Pollution Control Administration, "and the Valdez terminal will be one area where industry is going to have to use all due caution to ward off the possibility of accidental spills."

ABOUT 15 SQUARE MILES OF PIPE  
(By Tom Brown)

The Trans Alaska Pipeline System (TAPS) is more than a proposal for an 800-mile, \$900 million pipeline: for many persons it has become the very symbol of oil development in Alaska, for better or worse.

As a result, opinion about it has polarized. Businessmen tend to look on the pipeline as a panacea: a source of hundreds of jobs, the funnel through which millions of dollars will pour into business and governmental coffers, increasing profits and possibly lowering taxes. They have shown little concern about the potential problems associated with constructing the pipeline. They want approval of the right-of-way for it now—right now—so work can start.

Thus, John Kelsey of Valdez, chairman of the state Chamber of Commerce recently urged Interior Secretary Walter J. Hickel to grant speedy approval of the pipeline right-of-way and called on Alaskans to make their views known to the secretary by telegram.

"Now is the time for Alaskans to stand up and be counted," he said.

"It's highly important that the permit be granted. It's reached the time when if they can't get started it will delay the project for one year . . .

"We're talking about tremendous amounts of money."

If there are "good reasons" for the delay, Kelsey said, Hickel should make them known.

Conservationists, on the other hand, frequently view the pipeline as an ogre: a mammoth construction project that will despoil thousands of acres of virgin wilderness, change the ecology of vast areas, pollute Alaska's rivers and harbors and interrupt the migration patterns in the state's vast caribou herds. Some of them would prefer it if the pipeline were not built at all. Many want the Interior Department to delay approving the right-of-way until all questions regarding construction of the pipeline have been answered to their satisfaction.

Both sides are ignoring important points. The Chamber of Commerce types are ignoring the fact that TAPS still has not provided the Bureau of Land Management with a precise description of the pipeline route. It would be the height of irresponsibility (and perhaps illegal) for the federal government to grant the entire pipeline right-of-way

without knowing exactly where it is going to be.

There are important environmental considerations involved in constructing the pipeline and it is up to TAPS to provide adequate answers about how it intends to handle them. Many of the government's questions have been answered and TAPS is in the process of making an environmental survey of the route to acquire more information. But to date, informed sources say, TAPS has not answered all the environmental questions satisfactorily.

These sources also say that the pipeline consortium has not adequately answered all the government's questions on engineering problems involved in building the pipeline.

Yet another reason for the delay in granting the right-of-way—not as important as the above considerations, but impossible to ignore—is the inertia of governmental bureaucracy.

"President Nixon made such a fetish of environmental concern during the campaign that he certainly is not going to allow something like this to be approved until a lot of questions are answered," one experienced observer of the Washington scene said. This, coupled with the President's propensity for caution, particularly in controversial areas, is likely to mean a lengthy delay in approval of the right-of-way application, this observer believes.

Conservationists, on the other hand, sometimes are guilty of dismissing the economic importance of the pipeline of the state, when they should be aware that the pipeline is at the moment the only reliable method of getting the oil to market. The feasibility of using tankers—the only other practical method of moving oil in North Slope quantities—remains to be proved. So it is unlikely that the immense economic benefits the state stands to gain from its oil will begin to flow in until oil flows through the pipeline.

Of the two methods of moving the oil, the pipeline is almost certain to prove the cleaner and less ecologically harmful.

Furthermore, as an ecological consideration the pipeline is really a sideshow when compared with the less debated but much more significant central problem of oil development in the Arctic: the large-scale invasion by man, for the first time, of an ecologically important and exceptionally vulnerable area.

"The pipeline is 800 miles by 100 feet—or about 15.2 square miles that will actually be affected," says Dr. R. Sage Murphy of the University of Alaska. "That's not much in Alaska.

"One of the things that irks me is that we've got thousands of people worrying about messing up the ecology of the North Slope when we don't have equivalent concern about a 200-house subdivision on the outskirts of Fairbanks—and the builders are messing up the ecology as much as, or possibly more than, the oil companies."

THE 79 QUESTIONS  
(By Tom Brown)

On June 10, the Interior Department sent the Trans Alaska Pipeline System (TAPS) a list of 79 questions concerning the 800-mile Prudhoe Bay-Valdez pipeline.

In a covering letter to R. E. Dulaney, TAPS chairman, Interior Under Secretary Russell Train said the list was "designed to indicate the kind of questions to which satisfactory answers will be required before permits can be given for the use of public lands."

More such questions, he indicated, would be forthcoming in the future.

"The Secretary (Walter J. Hickel) has expressed the view that the oil development in Alaska must be consistent with 'wise conservation,'" Train wrote. "We continue to

affirm this viewpoint. Our direction and emphasis will be guided by the President's charge that the oil resources of Alaska be explored and developed "without destruction and minimum disturbance."

"The enclosed and future sets of questions, as well as discussions originating from them, will reflect this commitment. With the conviction that proper environmental and social safeguards are co-ordinate, and not competitive, with industrial development, it would be helpful to us, in our anticipation of industry's timetables, to have your initial reply within four weeks."

The reply, a copy of which has been obtained by *The Daily News*, came much sooner than that, on June 19.

In a covering letter to Train, Dulaney noted that, "As you may appreciate, we have pressed our project personnel to respond quickly, consistent with the timetable of the project and with that expressed in our recently filed right-of-way application."

"As you have indicated," he wrote, "we anticipate that further dialog will be generated from this initial exchange."

"We also concur that our project should be constructed consistent with wise conservation and reiterate our earlier observation that good pipeline design dictates design and construction procedures that will cause a minimum disturbance to the natural environment. Since we start from a common position, it is to be expected that the details of our proposed development will be consistent with sound conservation principles."

Attached to the covering letter was a 20-page document outlining the planning and research that TAPS has gone to so far in preparing for construction of the pipeline. Included were answers to such questions as these:

When will the location survey of the pipeline over the public lands between Fairbanks and Prudhoe Bay be completed? Between Fairbanks and the southern terminus?

When is permission desired to begin construction of the pipeline? When is construction presently planned to begin?

When will the design specifications, including safety regulations and leak detection devices, be completed?

When will the following land description sites be filed with the BLM: pipeline stockpiles, construction crew camps, secondary access road locations to crew camps, gravel sources, timber sources, permanent maintenance crew dwellings, airports, drinking water sources, communication stations?

What timetable has been developed for pipeline construction?

Have you completed a study of the environment, especially permafrost, as it relates to all types of engineering modifications . . . ?

For each engineering modification planned, can you provide the following information regarding whether passive (no melting of permafrost) or active (melting of permafrost) techniques are planned? If active techniques are to be used, describe the anticipated thawing, the mechanical effects of thawing on engineering modifications, the effect of thawing on the natural environment, and plans to accommodate these changes.

Have allowances been made for the seismic hazards present in Interior and Southern Alaska in site selection, design, and building of structures?

In view of the fact that the major source of oil pollution to date in Alaska has been slop oil discharged with tanker ballast, what are your plans for ballast and bilge treatment facilities at pipeline terminus areas?

What type of pipeline leak detection will be provided? What degree of accuracy can be obtained on leak detection?

Generally, how is it intended to cross rivers? Specifically the Yukon?

What systems will be included to con-

trol the drainage of oil from a broken pipeline once the flow under pressure has been stopped?

Describe your pipeline construction and operation surveillance program. Will this include inspection of construction activities to insure proper environmental protection procedures and a continuous leak detection and oil spill reporting system?

What are the plans for oil storage at origin and at terminus of the pipeline?

Describe and locate the segments of the pipeline which will be buried. Exposed.

How will disturbed Arctic tundra be revegetated?

And many, many more.

#### THE 79 ANSWERS

(By Tom Brown)

The Trans Alaska Pipeline System (TAPS) will be the most costly privately financed construction project in history.

It will also be one of the most challenging. Beginning next spring, hundreds of men will be working night and day to lay 800 miles of 48-inch Japanese-made pipe between Prudhoe Bay and Valdez. They hope to complete the bulk of the construction work next year.

Before the first oil begins to flow through the pipeline—hopefully in 1972—more than \$900 million will have been invested in it.

The logistics of such an operation clearly are incredible. So are the effects construction of the pipeline might have on ecologically delicate areas along the way.

Government concern over how Alaska's environment might be affected was reflected by Interior Secretary Walter J. Hickel earlier this year when he announced formation of a departmental task force on Alaska's oil problems.

"The Arctic environment, particularly the tundra, does not have the resiliency to withstand unplanned development," Hickel said. "It has very limited capacity to recover from environmental damage."

"Construction projects, such as large pipelines, if improperly planned and constructed, can disrupt completely the migratory cycle of major animal populations, such as the caribou."

The result was 79 questions for TAPS from various government agencies.

The 79 answers from TAPS, though hardly the last word on the subject, gave an indication of the amount of environmental planning the firm has made in preparing for construction of the pipeline. Covering all the answers—or even all the most important answers—would be impossible here. But a sampling of answers dealing with ecological questions will give the flavor of company thinking.

TAPS said that so far it has commissioned these studies:

A seismic study of pipeline and terminal facilities by Dames & Moore, a geological consulting firm.

A prototype pipe test facility at Barrow consisting of 1,100 feet of 10-inch pipe "laid under varying conditions to determine stresses developed due to freezing soil and ice formation."

A geological investigation of the proposed Yukon River crossing, which has been completed.

A research program conducted by the University of Alaska to determine the best methods of revegetating damaged tundra.

A geological and permafrost study along the pipeline route.

An ecological survey of the route.

A marine ecology study at Valdez.

A geological survey of the terminal site at Valdez.

TAPS said that only the most modern engineering techniques would be used and that these would make the chances of a major spill occurring negligible.

But should such a spill occur, TAPS said, it

would be prepared to control it quickly by "providing block valves at major water crossings to shut off drainage" and "having crews and equipment available to localize, contain and dispose of spill and to clean up the area."

More specifically, the company said that the flow of crude oil to a break would be controlled and reduced by:

"Gravity drainage to tankage at any pump station whenever this is feasible. This, of course, depends on the location of the break and the elevation profile of the line between the break and the pump stations on either side of the break."

"Isolation of the broken section—first, by immediate closure of remotely controlled block gates at the existing pump stations; second, by immediately proceeding to the break area and closing the main line block gate on the upstream or uphill side of the break . . ."

"Equipment and repair crews will move in immediately to prevent spread of the oil by using dikes and dams. The break will be sealed off using clamps and sleeves designed for this purpose. The oil will be recovered or disposed of and all damages corrected."

During construction, "Control of waste, both human and industrial, produced at the various camps and stations will ensure that only treated effluent will be discharged into natural waterways," TAPS said.

The firm's reply to the Interior Department questions also reaffirmed that, "Currently, it is anticipated that approximately 95 per cent of the pipeline will be buried and the above-ground portions will be in relatively short sections. Consequently no significant barriers to migration routes of mammals is anticipated. However, where necessary, ramps or underpasses will be provided to ensure adequate passageways for migrating mammals."

One area of particular concern to biologists has been the manner in which the pipeline would be put across rivers—particularly the Yukon. A winter break there under the ice, it was felt, could do incalculable damage to the river and its fishery.

TAPS told the Interior Department that, "All river crossings including the Yukon are presently planned as underwater crossings. Where danger of scour exists, the pipeline will be weighted with concrete and placed in a ditch excavated in the bedrock where possible or well below the active river bottom. The proposed Yukon crossing will be placed in bedrock."

"Initial investigation indicates that major rivers can be crossed during the winter time with little or no injury to fish and water birds," TAPS said. "Construction will be scheduled to cause the least amount of disturbance in this area consistent with the character of the stream crossed."

TAPS also answered many other environmental questions, and, in considerable detail, queries on technical aspects of the pipeline construction.

Even after the pipeline right-of-way permit is granted, TAPS operations will be governed by a set of Interior Department stipulations, or regulations.

#### MILLER DEFENDS HICKEL HIGHWAY

JUNEAU.—Gov. Keith Miller said at a news conference Tuesday that he had flown over the remains of the Hickel Highway—the ice road to the North Slope—and said "from the air, it didn't appear to be as disastrous as some newspaper articles have indicated."

The Anchorage Daily News said recently—in Tom Brown's series, "The '69 Oil Rush"—that the road, which was used for about a month before it melted, was now nothing more than a canal.

The Daily News series also questioned the methods used in carving the road, saying they were unlike methods used for other winter roads.

Miller said, "I don't believe this is true, I believe any trail is done in about the same manner as this one."

The governor noted that the legislature had provided money for the road to be opened again this year, and said it would follow "basically the same route, with some probable exceptions."

He said, "The Highway Department tells us there are better routes."

#### PIPELINE STIPULATIONS

(By Tom Brown)

The Bureau of Land Management here has submitted to the Interior Department in Washington a lengthy list of proposed stipulations for construction of the Trans Alaska Pipeline System.

TAPS would have to agree in advance to abide by them before it could begin work on the pipeline.

What final form the stipulations will be given by the Interior Department remains to be seen. But the proposals submitted by the BLM call for strict regulation of TAPS activities to protect the environment along the 800-mile pipeline route from the North Slope to Valdez.

The proposed stipulations fill dozens of pages and represent thousands of hours of work by experts from virtually every federal agency in Alaska.

Perhaps the key recommendation was that "an advance right of construction permit should not be granted until a formal application showing the exact route of the pipeline is submitted." No such application has been forthcoming.

In support of this position, the BLM noted that, "Considerable resource damages have already been incurred due to past exploratory work. The Bureau must be staffed and prepared to supervise this construction to prevent indiscriminate development of trails, access roads, heliports, pipe storage areas and crossing of streams."

Some of the other key provisions, as they appeared in a preliminary draft of the stipulations sent to Washington:

TAPS should be required to submit "a contingency plan for oil spill control, disposal and cleanup . . . The contingency plan shall include separate, specific oil spill cleanup techniques for (a) terrestrial, (b) lake, (c) stream, and (d) estuary and tideland spills. The plan must be acceptable to and approved by (the BLM) . . . prior to pumping oil through the pipeline."

Wastes to be collected and disposed of should "include human waste, trash, garbage, tissue, various liquid, equipment and miscellaneous solid wastes."

TAPS would be required to recognize the right of the BLM "to close to pipeline and road construction certain areas for periods of time within the permit areas to protect wildfowl nesting activities, concentration of migrating fish and wildlife and crucial feeding, spawning and rearing areas. Closure to construction may also be ordered within the permit area . . . for reasons connected with hunting and fishing and protection of fish and wildlife resources."

"The design of all pipeline and auxiliary facilities shall be reviewed and approved prior to any construction."

The pipeline would have to be constructed "in such a manner as to minimize permafrost degradation. This stipulation shall apply to all pipeline construction, whether buried or installed above grade."

"Construction vehicles shall not be driven outside the boundaries of the right-of-way and access roads at any time" except when approved by the BLM.

TAPS "shall not disturb the surface vegetative cover on the tundra north of the Brooks Range summit. Scraping, blading, ripping and other disturbances by mechanical equipment shall not be allowed except

when absolutely necessary to construct a trench for pipe burial and drilling of holes for piling."

The permittee (TAPS) shall seed, plant and fertilize all lands requiring revegetation with a mixture containing adaptable grass species."

TAPS also would be required to comply with any new regulations or stipulations that should be developed as work progresses. The BLM noted that this would be necessary because "preliminary design of the pipeline, routing, etc., leave many questions unanswered. In addition, the abundance and distribution of fish, wildlife, forest and range resources as well as their reaction to problems imposed by oil development and pipeline operations are poorly understood."

In explaining the necessity for some of the proposed stipulations, the BLM dealt with the type of environmental damage uncontrolled pipeline construction could do—and in some cases already has done. For instance:

"Numerous heliports have been constructed indiscriminately during the preliminary route exploration phase, resulting in many barren scars along the route. Considerable erosion damage can result if construction of heliports and access roads to them are not controlled. Apparently the permittee was not aware of the fact that a special land use permit was required."

The BLM also cautioned that:

"It is a common practice for equipment operators and maintenance mechanics to drain oil and fuels from equipment directly onto ground surface as well as to throw away used oil and fuel filters in a similar manner. Water contamination results from such practices and should be prevented."

"Pollution of a stream system by various construction activities or by pipeline breaks or leaks could destroy important spawning grounds hundreds of miles downstream."

"Pollution of the natural waters along the pipeline route cannot be tolerated. Here we have an opportunity to protect waters that are in a pristine condition. We must not find ourselves in a situation where we will be required to perform expensive watershed and pollution projects to return the stream to natural quality. Many lessons have been learned in the problems of water pollution in our society. We must make the effort not to repeat the same mistakes."

"Those sections (of the pipeline) constructed above ground could be an effective barrier to caribou and other big game movements . . . There is no evidence to support the supposition that caribou will pass under an elevated pipe or, for that matter, over a ramp."

"Selection of the Dietrich-Antigan River route in preference to Anatuviuk Pass will not solve caribou problems from the point of avoiding major migration routes. Anatuviuk Pass is rated as a major migration route simply because people live there and more work has been done in that area. The Dietrich, head of the Chandalar, and Sagavanirtoq Rivers are reported in federal aid reports as having major concentrations or movements of caribou. Trails now existing in this area show very heavy use."

"The damage of siltation and oil spillage is potentially much greater than loss of habitat or disturbance through construction."

"In many cases irreparable damage occurs where vehicles or equipment are driven across the tundra and permafrost. Past traffic across the tundra and permafrost is still very evident. The natural resources losses in this case amount to more than the cost of the pipeline, due to the loss of soil productivity, vegetable cover, wildlife forage, stream siltation, water pollution and soil loss."

"Surface disturbance of the tundra and permafrost must be held to a minimum because rehabilitation methods are not known at the present time. Observations of past tundra and permafrost disturbances revealed

that the scars have never healed and permafrost degradation is slowly continuing. Many of the disturbed areas have become erosion channels; subsidence has occurred; lakes, ponds and bogs have formed."

#### WHAT'LL THE BOOM DO TO WILDLIFE?

(By Tom Brown)

One of the major unanswered questions about Alaska's booming oil development is what affect it will have on wildlife.

If this nation's past experience is any guide, Alaskans should be prepared for the worst. Rare indeed have been the cases when industry and wildlife have been able to coexist.

As America has industrialized, the animal species that have truly flourished have been those that are easily domesticated and thus of use to man and those, like the pigeon and seagull, which can survive more easily with man than without him.

As for the others—they're mostly gone now, hounded into near-extinction or zoos.

It is a sorry record, full of the kind of mistakes Alaska surely will want to avoid, since its animal populations certainly are among its most valuable resources.

At present there is no way of accurately forecasting what affect man's invasion of the Arctic—including the development of the oil fields, the construction of the pipeline and the possible use of icebreaking tankers—will have on wildlife. Much more research will be necessary before such forecasts can be made.

But some broad generalizations can be made, based on past experience, existing knowledge about Alaskan animal species and recent research by wildlife experts.

Most wildlife specialists appear least concerned about the caribou. It is the most plentiful large animal in the Arctic and seems reasonably adaptable to the presence of man. Oil development in caribou summering grounds and above-ground stretches of the Trans Alaska Pipeline System may cause some caribou populations to change their migration patterns somewhat.

Hunting pressure is certain to increase.

But the general feeling is that with the proper controls on oil company activities and hunting, the caribou should be able to withstand the pressure of human activity reasonably well for the foreseeable future.

There is considerably more concern about other species of animals—the barren-ground grizzly and polar bears, wolverine, wolf and dall sheep to name a few.

"We can't tell for sure what effect man will have on the caribou and the barren-ground grizzly," says David M. Hickok of the Federal Field Committee for Development Planning in Alaska. "A whole oil field in the summering range of the caribou is probably going to cause them to move elsewhere or to become a nuisance because of their curiosity."

"I personally don't think there is any question that the barren-ground grizzly is going to go. He just isn't compatible. He is extremely curious and is going to be nosing around garbage dumps. He also presents a certain menace."

"So he is going to get shot. There may be 'no guns in camp' but he is going to get shot."

"The wolves will be a similar problem."

"And there will be greater access to the dall sheep populations."

Bob Weeden, biologist for the state Fish and Game Department at Fairbanks, believes that in addition to any habitat changes oil exploration causes, one of the main problems will be the simple presence of a large number of people on the Slope.

"When we get a fair number of people up there, we can expect an increase in hunting pressure," he says. "This hasn't happened yet because the workers up there are pretty up-

tight now for time and don't have much leisure.

"This will change as the nature of the camps changes. Guides are already gearing up to take (oil company) VIPs hunting.

"We can expect more pressure on trophy animals—wolves, wolverines, grizzlies and polar bears."

Weeden sees no particular problem with increased hunting pressure if the Fish and Game Department can make inventories of the various game species and adjust hunting regulations accordingly.

"For instance," he says, "there is now no closed season for caribou north of the Yukon . . . And I hope we don't have sophisticated trophy hunting going on on the same land with Native subsistence hunting. We would have to enforce two types of regulations then—allowing the Natives to take all they can just to survive, while limiting the oil company employees.

"That would be a real mess."

Weeden says there has been "evidence of some thoughtless, purposeless baiting of bears" and rumors of illegal activity, such as seismic crews taking animals from helicopters, about which the state would like to know more.

Dr. David R. Klein, director of the Co-operative Wildlife Research Unit at the University of Alaska, also believes there should be "considerable concern for the barren-ground grizzly.

He points out that, "The productivity of the Arctic in large animals is low because of the short growing season and the limited fertility of the land."

It takes a large area to support one grizzly, hence, "the allowable harvest of grizzlies would be fairly low."

"Disturbances could also cause mountain sheep to leave the area and, since they are very much animals of tradition, it might take a long time to get them back into the area," Klein says.

Jim Brooks of Anchorage, U.S. Fish and Wildlife polar bear expert says that so far, "The oil activity hasn't had great impact on the polar bear.

"But with a lot more people up there, the prospect of more pressure has to be accepted. It's a matter of imposing appropriate regulations."

It is also a matter of extensive government-supported research to determine if industry and wildlife can be made compatible. What happened on the Kenai Moose Range offers a partial answer to that question.

#### WATER POLLUTION? ANSWER IS "NYET!"

A recent issue of the American Society of Civil Engineers' Sanitary Engineering Division newsletter carried this item:

"A court in Western Siberia banished two oil-well operators to prison for allowing oil to pollute a local river. F. Zakirov, an engineer, was sentenced to three years and I. Kozlovsky, a foreman, to two years for criminal negligence. The USSR is intensifying its efforts to prevent water pollution."

#### OUR STATE WILL CHANGE

(By Tom Brown)

The development of Alaska's oil resources unquestionably will change the face of the state.

To get the oil out without altering the land and the quality of the water is beyond man's current technological capabilities.

Even in strictly controlled areas like the Kenai Moose Range, oil industry operations have caused great environmental change. Much greater changes have occurred on the North Slope, where to date the only regulation has been the industry's good will—and good sense.

And much more change is inevitable.

So the issue Alaska must face—and face now—is not whether there will be change,

but rather what type of change it will be, what sort is desirable, how much of it is necessary if industry is to operate efficiently, how much is permissible if scenic and wilderness values are to be preserved and in what areas it will be allowed to occur.

Or, as David M. Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska, put it, "The whole strategic happening is the issue—the total intrusion of man into the Arctic."

The most commonly discussed problems—the difficulties of permafrost engineering, damage to the tundra, waste disposal, water pollution, increased pressure on wildlife—and less commonly discussed problems—such as development of a national policy on the Arctic and revision of land use laws—certainly these are important considered singly. But all essentially are problems, not issues.

Considered together they form the issue—and is an issue of crucial importance to the quality of life in Alaska.

Very little attention has been paid to this issue so far. But consideration of it should become a first priority of government, state and federal.

The urgency of this task should be clear to every Alaskan who is concerned with the surroundings in which he lives—and those in which his children will live.

"I know of no major mistake made Outside that hasn't been repeated here," says Joseph H. FitzGerald, whose tenure as head of the Federal Field Committee gave him an unusually broad insight into the state's problems.

The penalty for these mistakes is beginning to be paid Outside: in pollution of virtually every major body of water, poisoned air, scenic areas blighted by industrial waste, rotting central cities, teeming slums and sprawling ticky-tacky suburbs.

So far Alaska's small population and vast bulk have prevented these problems from reaching the crisis level that has occurred elsewhere. But it is only a reprieve, not a pardon.

Opinions on how to handle Alaska's environmental confrontation vary widely:

From Dr. Charles Behlke of the University of Alaska who says, "I have pretty definite feelings about industrial development. If you look at New York state or California, they have a lot of heavy industry crowded in around the major cities. This makes a mess of the environment . . . It would be wonderful if you could separate this heavy industry from where you live.

"In Alaska we have this advantage: the heavy industry is at Prudhoe Bay where it's not going to bother anyone. It's an ideal situation. You couldn't ask for anything better. The oil companies are definitely going to make a mess of the tundra—there's no way out of it. And there is no question that there is going to be some water pollution. The character of the North Slope is going to change, but I don't think it is going to be on a scale that will ruin the entire Slope.

"And I don't think we should get too excited about an area that we didn't give two hoots in hell about two years ago."

To Bob Weeden, Fish and Game Department biologist, who says, "It gripes me that in the past the oil people have destroyed a place for wilderness value just in the process of trying to find out if oil is there. If oil is, indeed, there they can make an attempt to justify the destruction economically. But if it's not, then what? You've ruined the land, but haven't gained anything . . .

"I have the hope that the central part of the North Slope will be the last bad example of oil development . . . America has only one Arctic. It's in Alaska and it's north of the Brooks Range.

"It seems to me that we should be taking pretty good care of it."

From disparate views such as these, Alaska

must, somehow, formulate a policy with which to confront its environmental crisis.

Industry, government and the people each have responsibilities to fulfill.

#### LESSON OF THE MOOSE RANGE

(By Tom Brown)

When oilmen talk about conservation they almost always mention the Kenai National Moose Range.

Most of them are proud about what happened there and with good reason: The Moose Range offers the strongest evidence to date in Alaska that the oil industry can be compatible with wildlife.

"First we heard this argument—should anyone be allowed to go into the Moose Range," says Joseph H. FitzGerald, now head of community relations for Atlantic Richfield. ". . . Now everybody is completely happy with it . . .

"The moose was extremely happy. The moose population jumped from 4,000 to 5,600 in a few years."

Now it is up to about 7,500.

What was done in the 1.7 million acre Moose Range was relatively simple: It was zoned.

The zoning established the Andrew Simon Natural Area, a virtually trackless wilderness known for its scenic beauty and wildlife, which was to be preserved; the Chickaloon Flats Waterfowl Area on the north shore of the peninsula, for waterfowl management and public hunting; the Central Public Use Area in the Skilak Lake-Kenai River area near the road system; and the Intensive Resource Use Area, which constitutes about half the area of the Moose Range.

The latter was the only area in which the petroleum industry was allowed to operate, and even there it was subject to strict regulation to minimize environmental damage and was made to restore disturbed areas to their original condition, as nearly as possible, after exploratory and drilling work had been completed.

The oil industry, of course, discovered the Swanson River oil field in the Intensive Resource Use Area, the first producing field in Alaska.

And, under the watchful eye of the federal Bureau of Sport Fisheries and Wildlife, which administers the range, the oil industry abided by strict development regulations. The result was one of the neatest oil fields to be found anywhere.

An unanticipated side effect of the development was an increase in the number of moose, which used the new roads for easier movement and thrived on the new browse that sprang up in the disturbed areas.

But despite the success of the program, change in the character of the Moose Range was, of course, inevitable. One Bureau of Sport Fisheries and Wildlife publication noted:

"Operations are carefully controlled to minimize destructive effects and the oil companies have exhibited a high degree of cooperation.

"Experience has demonstrated, however, that the effects include some long-term scarring of the environment, initial stream pollution from silt and debris, a potential for pollution of fish and waterfowl waters, added fire hazards, and human occupancy foreign to natural habitat.

"The net result is a significant change in the environment which time and restorative efforts will partially lessen with great care and constant vigilance . . ."

Dr. David R. Klein, head of the Co-operative Wildlife Research Unit at the University of Alaska, agrees that "oil has been developed fairly compatibly on the Moose Range . . .

"The oil people have been very co-operative . . .

"But the reason it worked is because of the very stringent restrictions on their activity

and the fact that we had people to enforce the restrictions and crack down on violations. "The moral is that oil development can be fairly compatible, but it requires strict regulations."

Some conservationists fear that in some cases not even strict regulation will be enough.

"On the Kenai Moose Range . . . the oil industry seems to be compatible with the moose, but I'm not sure," says Gerald Ganopole, a consulting geologist who is concerned about conservation. "When you reach a certain stage of development, the value of the land for its original purposes disappears. The land is lost through a process of degradation . . ."

And there remains the question of how much of the Moose Range experience is transferrable to the North Slope.

The basic principles of strict regulation of industry activity to minimize environmental damage might well remain applicable.

But the ecological conditions of the North Slope are much different than those of the moose range.

The moose range presents no permafrost problems; the Slope does.

The moose range has a much higher annual mean temperature, hence revegetation occurs much more rapidly.

The major large animal in the Moose Range is the moose, which has proved compatible with man; on the Slope it is the caribou and how compatible it will prove remains to be seen.

The Slope also has important populations of animals that never have proved compatible with man:

The wolf, wolverine and grizzly.

#### A NEW POLICY IS ESSENTIAL

(By Tom Brown)

What Alaska urgently needs is a coherent way of looking at industrial development and its relationship to the state's unique environment.

Until now, Alaska, like most other states, has considered the problems associated with development on an individual basis as they arose.

In the past, that may have been an adequate policy: The state was big, the population was small and most new industrial facilities were not big enough to have much noticeable effect on nature. So the state could consider each case on its merits without having to worry about anything so complicated as a sophisticated policy on land use and resource development.

Those days are over.

The price of unplanned development is everywhere evident in the Lower 48 and it has been exorbitant indeed; polluted air, poisoned water, scenic beauty blighted by the detritus of modern industry, ticky-tacky suburbs, rotting cities and festering slums.

Many social scientists see a direct relationship between these conditions and some of the most critical problems facing American society, including riots and alienated youth.

The only way to ensure that these conditions do not develop in Alaska is to do something positive to prevent their occurrence. To assume, as Alaska has in the past, that its immense size and abundance of resources will protect it from the ills of the outside world is no longer adequate.

A first priority for Alaska must be the development of a comprehensive policy for planned development: One that takes into consideration not only the needs of efficient industrial operation, but also the maintenance of a decent environment, one not only fit for human habitation but one which retains its ability to lift and ennoble the human spirit.

This will be a complex endeavor and to make it a success, industry, government and

the people will have to fulfill their responsibilities.

Industry constantly repeats the dictum that its first responsibility is to stockholders. This, obviously, is true. But industry also has grave responsibilities that extend far beyond merely guaranteeing the stockholder a sufficient return on his investment. In the case of Alaska, the most obvious requirement is that the oil industry take care of the land while getting the oil out.

The North Slope, it must be remembered, is public land. It is part of the common heritage and belongs to all the people—not to the oil companies and their stockholders. The oil companies have leased the land, and with it the right to extract the oil beneath it. But there is nothing in the lease agreements that confers on the oil companies the right to ruin the surface of the land for other purposes.

Thus, it is the responsibility of the industry to move with caution and discretion in developing the North Slope oil discovery in order to protect the public interest as well as its own.

There are encouraging signs that the more responsible elements of the industry plan to operate in this manner. One example is Atlantic Richfield Co.'s use of huge Sikorsky Skycrane helicopters to move drilling rigs from one site to another. The cost of moving a rig in this fashion is several times that of hauling it across the tundra with tracked vehicles. But a helicopter does no damage to the land and tracked vehicles do.

But much remains to be done and overwhelming evidence of this can be found in the company initials, arrows and other Arctic graffiti that geophysical company crews, with an utter lack of the most elementary responsibility, have carved indelibly into the tundra with bulldozers.

An integral part of industry's responsibility to protect the common heritage is its duty to pursue technological innovations that will make ecological damage during oil operations the exception rather than the rule. It is encouraging to note that the oil industry has long been one of the most technologically advanced. Its research departments are tussling with the unique problems presented by the Arctic and it is to be hoped that a technology compatible with Alaska conditions will be developed and deployed soon.

The oil industry also should be expected to co-operate to the fullest extent with government, by sharing its technological expertise, in developing a land and resource use and management policy that will protect both the public and private interest.

Government must become the watchdog of the public interest, a role in which it has failed miserably so far.

If there is a villain in this piece, it is the federal government, which ruled Alaska through what former Sen. Ernest Gruening accurately described as 90 years of colonialism, without ever formulating a national policy on the Arctic. There still is no such policy.

But in the more than one year since the scope of the North Slope discovery became evident, the state government also has been negligent in providing the sort of leadership that the situation demands.

What is required now is a co-operative effort between the state and federal governments to assert leadership and promote development of an Arctic policy that will provide guidelines for over-all development in Alaska and meet the needs of both industry and the public interest.

The public, for its part, must demand responsible action from both government and industry. A necessary first step here is that the public must ask for the information it needs to decide what is necessary.

David M. Hickok, senior staff officer of the Federal Field Committee for Development Planning in Alaska, deplors the "lack of information available to the public on the plans and operational programs of both

industry and government on resource use and environmental management or preservation.

"Both industry and government are deliberately preventing the operation of a public forum until after the important decisions are made," he charges.

This is a strong accusation. But unfortunately there is no reason to believe that it is not true.

Both industry and government have been secretive to the point of absurdity on almost every aspect of the North Slope oil development.

As a result, industry has operated as it pleased while the state looked on (when it looked at all) with approval despite the obvious need for regulation in a number of areas. As a consequence, much unnecessary damage has been done to the fragile environment of the Slope, and the public has been told precious little about it.

It is up to the public to demand a change in this policy if its interests on the North Slope are to be protected.

Even when the required co-operation—and will—to devise a workable Arctic policy develop, it will be a complex undertaking to formulate it, one that will require the best efforts of the best brains in government, industry and among the public.

But there are some obvious first steps.

#### ARCTIC POLICY: FIVE PROPOSALS

(By Tom Brown)

The American Arctic is opening up faster than almost anyone dreamed possible as little as two years ago.

So far the pace and methods of development have been determined almost solely by the oil companies. Generally the industry has displayed intelligence and foresight in its North Slope operations. Environmental damage has been much less than might have been expected.

But unfortunately, it has been far greater than it should have been.

Examples of wholly unnecessary damage abound.

Seismic crews, allowed to roam the tundra at will, littered the landscape with oil drums, powder boxes and heaps of trash.

In haste, bulldozers were driven for miles across the tundra, leaving it pitifully scarred in many areas.

Some of the early roads were improperly constructed and now are becoming eroding, water-filled trenches.

That these things happened initially is not surprising. The rapidity of the North Slope development put virtually everyone off balance. And in the scramble to obtain geological data of potentially incalculable value in September's lease sale, oil companies cut corners that, from an environmental standpoint, shouldn't have been cut.

But that such unnecessary damage is still occurring today is a direct result of the failure of government to provide regulations for industry activity and the personnel to enforce them.

The Federal Government, while spending millions of dollars on pure research in Antarctica, made no similar investment, which could have been of immediate practical value, in Alaska. Thus there was no established body of knowledge on operating in the Arctic that could be drawn upon.

The state government, on the other hand, still has not come up with regulations for the North Slope, though it certainly could have done so in the year that has elapsed since the oil rush began in earnest. (Some proposed regulations are on the drawing board but remain, apparently, a long way from enactment.)

Says Gerald Ganopole, a consulting geologist and conservationist:

"The only thing the state has done to date is advance development—and by development I mean it in the worst possible way:

Poorly controlled, poorly planned, quick methods of getting resources into private hands to the detriment of advanced study of areas that could potentially merit preservation, conservation or even benefit the entire country."

Oilmen also are unhappy with the situation.

"One of the biggest problems is the lack of guidelines by the state," said one oilman who asked not to be identified. "We're all groping around in the darkness."

"It's a terrible situation . . . It must have been obvious a couple of years ago what was going to happen if oil was found . . .

"Now they've waked up too late in the day. They're trying to put right something that should have been done a couple of years ago . . . It's one of the most extraordinarily complicated situations I've ever seen."

W. G. Shain, corporate head of public relations for Atlantic Richfield, says, "The industry wants everyone to be bound by the same rules. ARCO operates by the highest standards. But we don't want to see others making a profit by not operating by the highest standards . . . We don't like to operate the right way then have somebody else get caught operating the wrong way."

Thus, it is obvious from a practical business standpoint, as well as for the protection of the environment, that a comprehensive policy is needed on the use of the land and resources of the Arctic.

Therefore, The Daily News recommends:

The establishment of a national policy on the Arctic, endorsed by the President and co-ordinated by the National Science Foundation. Much of the groundwork necessary to devise such a policy already has been done by the Federal Field Committee for Development Planning in Alaska. Under this policy, the foundation would be responsible for co-ordinating all scientific research in the Arctic, avoiding wasteful duplication and hastening the development of an adequate body of knowledge about operating in the Arctic.

Establishment of a Division of Ecology within the state Department of Natural Resources. This division would include experts from the various environmental sciences and could advise the commissioner of natural resources, Thomas E. Kelly, on environmental problems associated with various industries and how they could best be avoided. An alternative, suggested earlier this summer by state Sen. Joe Josephson and Rep. Chancy Croft, both D-Anchorage, would be the establishment of a separate Department of Ecology.

Posting and enforcement of strict state regulations concerning the use of vehicles on the tundra, the taking of gravel from streams, sanitation, water pollution, garbage and trash disposal and permafrost degradation. It is true that much research remains to be done before the final answers to most of these problems are found. But it is equally true that the information necessary for drafting a set of interim regulations, which could be revised as warranted, is available within the various state and federal government agencies and from experts at the University of Alaska, the Arctic Research Laboratory and similar institutions—and the oil companies themselves. If a supplemental appropriation were needed to finance enforcement of these regulations, Gov. Miller surely could get it from the legislature, many of whose members are deeply concerned about what happens on the Slope.

A swift and sure crackdown on the operations of geophysical company crews doing seismic work for oil companies. These firms operate on small profit margins and consequently cut costs wherever possible. One way of doing this is to leave all manner of trash littering lakes and tundra and this is precisely what has been done. This apparently has not been illegal in the past, but it

should be made so. Forcing the seismic crews to clean up after themselves will almost certainly mean higher costs passed on to the oil companies. But garbage disposal must be considered—as indeed it is by most major industries today—a cost of doing business.

Preservation of the integrity of the Arctic National Wildlife Range. Established in 1960, this refuge, an Interior Department publication notes, represents the only opportunity to preserve an undisturbed portion of Arctic environment large enough to be biologically self-sufficient. It is one of the most magnificent wildlife and wilderness areas in North America . . . Among the wildlife are the grizzly, black and polar bears, caribou, Dall sheep, moose, wolverines and other fur animals, waterfowl and upland nesting birds. Management is directed to maintaining natural conditions. This refuge is expected to yield rich results from studies of biological features of an undisturbed Arctic environment . . . "Unfortunately, there are geological structures in the Arctic Wildlife Range that oilmen are particularly interested in because they may be directly related to the oil-bearing structures nearby at Prudhoe Bay. Thus it is probable that tremendous pressure will develop to have the Wildlife Range released for oil development. The Daily News believes this would be contrary to the public interest.

There are many other sound proposals being advanced almost daily which also should be given full consideration. But The Daily News considers quick action on the above five to be critical for the orderly development of the state.

Also critical will be the attitude of the next session of the legislature toward oil development and its related environmental problems.

#### OIL AND THE LEGISLATURE

(By Tom Brown)

When the legislature reconvenes in January, Alaska will have in the bank its hundreds of millions of dollars from the September oil lease sale—the first hard income from the biggest boom of them all.

The legislators will have to work in the following weeks under the influence of the euphoria that this immense new wealth is bound to generate as well as the bitter political split that hogtied the legislature during its session this year and the political ambitions of an election year. What the lawmakers do under these less than ideal conditions may have a critical influence on the quality of life in Alaska for years to come.

Nowhere is this more true than in conservation.

Conservation requires foresight. An area ruined by unwise development policies cannot be remade. And the momentum of the North Slope development is such that the next session of the legislature may offer the last chance to ensure that irreparable damage is not done to some remote, but ecologically important, areas of the state.

At the moment, the chances appear reasonably good that the legislature will address itself to Alaska's pressing ecological problem.

I think it's one of the most important problems we face—if not the most important—because of the enormous development," says Rep. Wendell P. Kay, D-Anchorage. "The possibility exists of serious damage not only to the soil—not only through erosion, gullyng, unsightly debris and so on but to both water and air in some areas.

"We already know the spillage problem. There is also a serious danger in dumping waste into our waters, not only from oil platforms, but from chemical plants, refineries, pulp mills, and other industrial operations.

"Alaska is almost the last refuge for those of us who like pure air, water and an unmarked natural environment. We have got to keep a real hard eye on the construction

of the pipeline and other industry to make sure that irreversible damage is not done to the beauty of Alaska."

Those sentiments are seconded by another influential Democrat, Sen. John Rader of Anchorage, who notes that, "The wilderness, game and some development combine to make Alaska a desirable place to live and are terribly, terribly important to us. A great number of people are here for this reason. It is really priceless to a number of us."

Kay and Rader are joined in their concern by Sen. Joe P. Josephson and Rep. Chancy Croft, both Anchorage Democrats, who recently suggested establishment of a cabinet-level, state Department of Ecology to protect the environment; Rep. Gene Guess, D-Anchorage, chairman of the influential legislative council; Sens. Lowell Thomas Jr. of Anchorage and Jay Hammond of Naknek, both Republicans; Reprs. Tom Fink, R-Anchorage, and Mike Bradner, D-Fairbanks, and other legislators.

Most of these lawmakers are disenchanted, to a greater or lesser extent, with the state's performance in environmental control.

"I would assume that this administration is not any more far-sighted on conservation than the administrations of other states were in a development situation," Josephson says. "As much as we might like to, there's no reason to expect this administration to benefit from the experiences and mistakes of other states.

"I think it would be fair to say that the administration generally has shown that it can be beguiled by special interests . . .

"The enlightened elements of the oil industry are nonplused by the state's inaction as well," he said.

"The trouble is that the state government has said so little about the problems of the North Slope that I can't tell you if they are ignorant, unconcerned or are withholding information for other reasons," Rader says. "There is no reason why we don't get a full discussion from the state departments of the situation.

"Because there is such a blackout, it almost leads you to believe they are not doing anything about it."

Josephson, Croft and Bradner expressed their concern last April, while the legislature was still in session, by asking Gov. Keith H. Miller 13 questions about North Slope oil development problems. They received no reply for nearly three months and finally received it only after Josephson and Croft wrote a followup letter in which they suggested formation of a Department of Ecology.

Hammond earlier this year suggested establishment of an Environmental Quality Control Commission which would serve largely the same function as a Department of Ecology.

Kay favors appropriating "a substantial amount of money every year for studying the environment and making sure it isn't damaged."

Rader believes that, "What we need is regulation for a steady, long-term flow of benefit . . . We should limit development to a usable, consumable amount . . . (that) the state can reasonably and intelligently spend, instead of glutting ourselves for five or 10 years, then starving . . . So it seems to me that our whole thrust is to slow development because the natural momentum up there is so exuberant that some of the benefits may pass us by."

Also on some of the legislators' minds is the possibility that the oil industry might try to "buy" the legislature or otherwise attempt to unduly influence the kind of legislation it passes.

"There are a lot of ways they can control it without any sinister plot," Croft maintains.

But there is general agreement that so far the oil industry has dealt with the legislature with circumspection and has usually

been less vociferous in its lobbying than many other interests.

And Kay believes that, "aside from the unfortunate mechanical problems of our present setup, the prospects are very good that a considerable majority of the legislature is going to be very concerned about conservation and will be seeking the right solutions to the problems."

More cautiously, Rader believes that, "It depends completely on how concerned the public is. If the people discuss it as a critical but manageable problem, the legislature will address itself to it.

"The danger is that they might not."

#### THE ULTIMATE CONFRONTATION

(By Tom Brown)

As a reporter I find Alaska today about the most exciting place I have ever worked.

For, as one writer put it, Alaska has arrived at its "ultimate confrontation."

On the one hand it possesses the richest pool of oil ever found in North America and on the other perhaps the world's most magnificent wilderness.

These two resources, both of near incalculable value to the people of Alaska, are in conflict. How the conflict is resolved will determine the quality of life in Alaska for decades to come.

Any solution rubber-stamping quick, shoddy development of the North Slope oil fields will mean sure disaster for the wilderness that makes Alaska unique.

But if it is unlikely that industry and wilderness ever can be made wholly compatible, it is equally true that they need not be wholly irreconcilable. A national program of development, incorporating stringent environmental controls, could ensure that Alaska will reap its just financial rewards from its land while conserving a wilderness that literally is priceless because it is irreplaceable.

I believe Alaska will choose the latter course.

It has long seemed to me that the remarkable attraction Alaska holds for many of its residents lies in its pristine beauty. I know that that was one of the key reasons I came back after five years, outside and in Europe. Though I hardly qualify as an outdoorsman, wilderness has seemed necessary for my peace of mind for as long as I can remember.

For it has not been in the bustle of Seattle where I grew up that I have been most at ease; nor in the cozy pubs and magic streets of London; nor in the alien canyons of Manhattan, where tranquility is as rare as a smogless day; nor looking out from Sacre Coeur over Paris, the masterwork of urban man; nor in the summer days on the dock in Sausalito, sipping a drink in the gentle sun while across the bay San Francisco marched chalk-like up the hills into the fog.

Memorable as many of those places were, in none of them did I feel so at peace as in a stormy day on the Oregon coast where the great wind-driven breakers drove straight in from the far Pacific onto the sharp beach and the rain rattled like hail on the tent; or hiking in the Olympics, breaking suddenly out of the sodden shade of the rain forest into the spring sun, standing dead still on the trail as a band of elk emerged from a gully and headed on up the steep slopes; or at a little cabin on a big lonely lake in Finland in late October, when there was a thin film of ice along the shore and we came steaming from the sauna into the cold night air to dive from the end of the dock into the black waters, swim numbly back and drink beer inside in the candlelight, feeling wholly alive. It was in these places that I have felt most at home—these places and, most of all, in Alaska: the long flights in small planes over wilderness still untracked by man; hiking in the Chugach in June; watching the Eskimos at Barrow coming in over the ice on snowmachines, towing sleds heavy with thick slabs of red-

white whale meat, a tiny tableau against the blue-white ice under the immense dome of the Arctic sky.

It seems to me that the opportunity to experience these kinds of things, which elsewhere grow ever more rare with each passing day, is what separates living in Alaska from existing in lesser places.

Apparently I have a lot of company and evidence was provided by the results of a survey made by Dr. David R. Klein, head of the Co-operative Wildlife Research Unit at the University of Alaska, which appeared in the August issue of Alaska Sportsman magazine.

Klein sent questionnaires to random samplings of residents in Juneau, Fairbanks and Anchorage, asking what they liked best and disliked most about the state, and reported:

"It is quite evident . . . that the Alaskans sampled, whether they planned to continue to live in Alaska or not, looked upon the low population density and the scenic beauty and wilderness aspect of Alaska as her greatest attractions. These were closely followed in preference by the opportunities for outdoor recreation.

"All of these characteristics are more or less dependent one upon the other . . .

"Somewhat surprisingly the characteristics listed in the questionnaire which are related to earning a living, the high wages and special opportunities for employment or business opportunities, were not checked as frequently as those relating to the natural environment in spite of the fact that earning a living is an obvious requisite for life in Alaska . . .

"In spite of possible biases in the distribution and return of questionnaires which may have altered the results a few per cent one way or another it is clear from the results that what Alaskans value most are the natural features of Alaska: the mountains, lakes, streams, forests and wildlife," Klein wrote, "The absence of human congestion, traffic, pollution and other population problems which have become a part of life in much of the Lower 48 is also an important attraction."

More than 80 per cent of all respondents listed sparse population as the state's main attraction; nearly as many listed the scenic beauty and wilderness; and more than 60 per cent listed the opportunities for outdoor recreation.

I find these figures most encouraging and believe they indicate that Alaskans will vigorously oppose the sort of carelessness and ignorance that have transformed vast areas of this nation into virtually uninhabitable industrial wastelands and vigorously support the kind of responsible regulations that can serve the causes of both industry and conservation.

But overconfidence would be a mistake for, as Klein noted, one of the historic paradoxes of human nature is at work here, as it has been in other places in the past:

"The developing oil, fisheries and timber industries will place tremendous stresses on the natural resources, and conflicts of interest between these industries and scenic, wildlife, wilderness and recreation values are already competing.

"It is bitter irony that Alaskans, motivated by the pioneer spirit to conquer a new frontier, appear to be destroying what they value most."

And high officials in state government are still hypnotized by the questionable hypothesis that almost any sort of industrial development is good, as Thomas E. Kelly, commissioner of natural resources, made clear when he told me in reference to the North Slope, that, "To say it's tundra today and should be tundra forever when tundra has no economic value doesn't make sense."

Fortunately, there are men with more moderate views in important positions, too.

"If anything, I think we ought to err on the side of conservation rather than the

other way around," state Sen. Lowell Thomas Jr. told me. "We don't have to develop the state overnight.

"Why not do it a little more slowly so we don't ruin the tundra and wreck the scenic beauty of the state. The resources are going to be there forever."

If we fail to heed this perfectly reasonable proposal we certainly shall receive—and justly deserve—the approbrium of history.

#### LOW-COST FARM PRODUCTION METHODS

Mr. DOLE. Mr. President, the small profit margin on which today's farmer operates necessitates the employment of the most sophisticated low cost production methods yet devised.

One ingenious farmer who has demonstrated that the cost-price squeeze does not necessarily spell the economic doom of agriculture is Mr. Lyle Seymour, of Bird City, Kans. Lyle, whom I am privileged to know personally, has devised a unique but efficient method of growing bumper corn crops in an area where rainfall is short and soil moisture is supplemented through irrigation. His technique has drawn such widespread attention that it has become the subject of a feature article of the July-August 1969 issue of Irrigation Age written by John Mette.

Both the Seymours are very active in American Legion affairs. Dora has taken a leading role in auxiliary activities at both the State and National levels and Lyle is now the State commander.

Mr. President, I ask unanimous consent that the article concerning Mr. and Mrs. Seymour be printed in the RECORD.

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

#### LOW-COST FARM PRODUCTION

"THIS BANKER sent a farmer out here with his books. This fellow is a new irrigator. He had just irrigated for a year—maybe two years. The banker had him stop by to compare costs, because I presume all banks have an interest in this sort of thing. So we just brought out our books and this gentleman sat right over there and he worked for an hour. He would ask us questions occasionally. And we'd answer them. And he had our depreciation sheets and the whole bit. He was figuring more or less everything. Finally he came out and he says, 'I come up with a difference of \$59 per acre on costs.' It was almost \$60 difference between what it cost him to make a corn crop and what it cost us. And that was rather an eye opener for us, too, because we had been figuring on \$40 an acre—40 dollars difference between what it now costs us to grow corn and what it used to cost us to grow it."

THERE IS something you should know about Lyle Seymour, his wife Dora and their son-in-law John. They are unusual corn growers. So unusual, in fact, that more traditional growers are very apt to observe how they go about making a crop and end up genuinely thinking this whole clan has slipped a cog—or two. Alas, the Kansas sun is having its effect on the Seymours.

Their farming approach is, indeed, unique. But no grower can argue with the results they are getting.

We have come to visit these folks, this late spring day. Just yesterday, the heavens sprung a leak over Bird City, Kan., and the earth is saturated with moisture. Some crops are barely seeded. Some are up and doing well. Some ground is prepared, unseeded and waiting. And some seeded ground has washed out and will have to be replanted again be-

fore wishes for a prosperous season can even begin to materialize.

To get here, we have "scientifically" maneuvered rain saturated farm roads. And the experience has been unnerving. These roads are built high, to resist snow drifts in winter. And although most of them are pretty well packed, by persistent farm-to-town-to-farm traffic, they have their slick spots.

Just moments ago, on our way to the Seymour farm, we slipped from one of these roads and high centered on the precipice—unnervingly close to plunging on downward into the too deep and too muddy bar ditch below. A very friendly and very accommodating tractor had dislodged us from our precarious position.

The Seymours are at home. Packing. Lyle Seymour has just been named Kansas State Commander of the American Legion. He and his wife are moving to Topeka for a year, to be more conveniently situated for the coming year's business and social schedule. Son-in-law John, whom we've missed seeing today, will capably tend the farm.

Dora Seymour accepts our muddy feet, with graciousness, and the warmth of the environment—home and home folk—help blot out the realization that we will, when we leave, have to once again face that muddy road.

Our visiting numbers are three. Dean Topliff of Goodland, Kan., an area supervisor for Garst & Thomas Hybrid Corn Company; Irrigation Age's Director of Photography, Nelda Thomas; and I. On Dean Topliff's lead, we have anxiously sought company with these people—to talk corn and the unusual practices they employ to make a crop.

For 11 consecutive years—counting good years and bad—they've averaged 132 bushel corn on up to 500 acres. They are optimum—not maximum—growers. Thus they demonstrate quite a bit more than average concern about what it costs to make bigger yields—yields that, when all the bills are finally paid, may have more bragging potential than actual cash-in-the-pocket assurance.

The last six of their 11 consecutive corn years, the Seymours have met and bested farming's challenges using "minimum tillage" practices. How minimum? Very minimum. In the fall they pick their corn. Then they don't touch the stalks—not even to graze them off—until weather permits them to begin shredding. They come in with a double-knifed stalk shredder, when the stalks are dry, and literally pulverize the residues. Stalks are of a fine dust consistency after the shredder gets through dealing with them.

Then they plant. And when the corn is 10 to 12 inches high they will cultivate and, finally, they will "ditch". Normally, that's it. Four times across the field, plus harvesting.

We talked with the Seymours about their unusual habits:

IA. Prior to six seasons ago, when you decided to work toward reduced tillage, what were your typical corn growing practices?

L. SEYMOUR. We usually plowed the whole thing and it would take nine or 10 total operations. If we didn't prewater, we would go in and try to find enough moisture to plant in. We even built shovels to get the loose dirt out of the ground so we could try to get down to moisture to plant our corn in. If we went another way, if we plowed and prewatered and then farmed the furrows down and didn't get a rain, then we had our furrows full of dry dirt. If we got off and got to planting down in the furrow, then we still planted in dry dirt.

IA. What finally coaxed you into trying another route—something less traditional?

L. SEYMOUR. We had 20 acres down here that we had prewatered for milo. We just let that sit there and it got a lot of weeds on it. A that time we were using 24B unit planters and they had discs attached to the front of

them—18-inch furrowing discs, I believe. We went down there to plant, running these discs with a little old frog right between them to knock off what the discs would miss. And we found that made the nicest little place to plant. We flattened them off about 14 inches wide and, of course, that left a row of weeds down the shoulders. But we sure had a beautiful place to plant that milo. So the next year we decided we would try this same approach down here, just on this quarter—out in the middle of the section. We were just cutting the (corn) stalks and planting.

IA. You planted corn just like you planted the milo?

L. SEYMOUR. Yes, just like a milo ground we prewatered. Only this corn ground wasn't prewatered. The ridges were made just like a water furrow. And that worked pretty well. That same year we had 80 acres up west that we previously had in corn that we wanted to put in milo. Well, we had been through this corn-milo thing with volunteer in the milo, you know.

IA. Then when did you go this minimum tillage route all the way?

L. SEYMOUR. The following year.

IA. Could you tell any difference in your corn, planting it this way as opposed to your old method of tillage?

L. SEYMOUR. Yes, we could that first year. We had a six bushel difference.

IA. In favor of the old method?

L. SEYMOUR. No, in favor of the reduced tillage.

TOPLIFF. Now correct me if I'm wrong, Lyle, but I recall you saying one time about some water coming down. You had a big rain and it ran out across the road into the edge of your field.

L. SEYMOUR. You know that hill you were coming down, west of here?

IA. We'll never forget it.

L. SEYMOUR. Our neighbor farmed that, planting feed in that, and he had it summer fallowed all summer and winter. It was laying over there in the southwest corner of that quarter, just south of the road up there. That was the year that we had about six inches of rain in a week. About three or four years ago. It just flooded everywhere and it washed down through the field. But, you know, there was never any water ran off of our fields. We had the stalks ready and that was all that was there. It (water) caught up there in that trash someplace.

TOPLIFF. The water ran off this summer fallowed field, into your cornstalks, and it just soaked into the ground. As I recall, it was about the only field in this country that water didn't run off.

L. SEYMOUR. Yes, as far as I know.

IA. Is all of your corn up now?

L. SEYMOUR. Every bit of it. No problems.

IA. Has it been this way since you started this minimum tillage?

L. SEYMOUR. One man can do all of this with no problems. We aren't working late into the evening or going out early in the morning.

*Corn is the Seymours' predominant crop, but they also farm wheat. In the past, they have also grown milo and some soybeans. Altogether, there are eight quarters—four of which are irrigated.*

IA. What kind of corn yields have you made?

D. SEYMOUR. Our 11 year average is 132 or 133 bushels. Now this is some years real good and some years not very good.

IA. Let's talk about your soil structure under minimum tillage practices. What have you noticed about the tilth of your soil, comparing your old approach to this minimum approach?

L. SEYMOUR. The soil is getting fantastic. Would you believe it? No, you wouldn't believe it.

IA. We like to think we're the kind of people who keep our minds open to the possibility anything is believable in farming.

L. SEYMOUR. We can go out here in the

spring, after we have cut stalks, and we can just start digging down in one of those ridges. John has done this many springs while we were planting. He would dig pretty deep and he said he didn't know how much further he could dig just with his hand. It was just as mellow as it could be. Fish-worms . . . they were just all over. Of course they are good for the soil.

D. SEYMOUR. They (many other farmers) think Lyle Seymour is crazy. But we don't care.

L. SEYMOUR. It does look kind of bad (the way we farm). And we do have some problems.

IA. What kind of problems?

L. SEYMOUR. Oh, we will plug up occasionally, planting in trash. We weren't bothered that way much this year. Oh, in a few places we were. I wouldn't say it is a battle, but it is sometimes something to contend with.

IA. Then the possibility of plugging up is something a fellow should be alert to at all times?

L. SEYMOUR. Yes. We will be running down through the field and we may have been planting for two days and never plug up once. But there is that stalk we missed. We didn't get it picked up and shredded. And all of a sudden we have a big trash problem.

*We would later—in June—talk with John Hooper (The Seymours' son-in-law) and he would say: "I think our approach to minimum tillage requires what I choose to call a little finesse. We just can't get out in the field and disc up our mistakes. If we're going to do that we might as well go to plowing. It does require that we have a little patience, when we are first learning what we are doing. And it requires that we do things right because we never have an opportunity to tear up our mistakes. If we're going to say this is the way we're going to farm, then every operation has to be done reasonably well. We can't just say, we'll go out and cut those stalks on this windy day or this cold day. They won't cut up well on this kind of day. And if they don't cut up, we won't be able to get through them with the planter . . . or if we could, we might not be able to get through them with the cultivator. Everything just depends upon the operation preceding it."*

IA. So how you handle the stalks is very important.

D. SEYMOUR. That's his first secret, getting the stalks cut clear to the ground.

L. SEYMOUR. Yes. I have found a stalk shredder that will do it. And that's a John Deere 707. It has double knives and we just sit that down on top of the ridges until we are just cutting dirt. We put our tallgate on it too. And the anti-windrow device. And it does a beautiful job. But it takes a lot of horsepower. We are using a John Deere 720 (tractor) now. And another thing, don't go to the field if it is damp. That is one nice thing about this type of farming. We can do all of our farming from 11 o'clock to 5 o'clock.

IA. Then it is very important that a farmer use a shredder that will really pulverize the stalks.

L. SEYMOUR. Powder them.

D. SEYMOUR. Farmers will come over here, look at our stalks and say, "We can't cut our stalks that way."

L. SEYMOUR. You are not going to cut them that way without the right equipment. And you can't go nine miles an hour. It is more like three miles an hour. That is about all the faster that our tractor will pull it and that is about as fast as we want to run.

TOPLIFF. With a 4020, we run about four miles an hour.

L. SEYMOUR. You don't want to get any more speed than that. We cut a few (stalks) once in awhile at four miles an hour, but unless they are just power dry, that is too fast. I don't mean horsepower-wise. You just don't want to grind them up that fast. You really want to powder them. Not just shred them and make a hay field, but powder them.

IA. Do these powdered stalks seem to decompose rapidly enough?

L. SEYMOUR. Oh, goodness gracious yes.

IA. Do you think you are drawing nitrogen from the air for their decomposition process?

L. SEYMOUR. I don't really know. No, I would suppose it is just because of what is in the stalks with adequate moisture. For in this country, you will about have to get a little dirt on them. In other farms, when we plant, that is the first time we start getting any decomposition (of newly powdered stalks). There isn't a heck of a lot of residue left when we get done with the cutter.

IA. Actually, then, you throw just what little dirt you take off the ridge over the top of the residues because they are down in the furrow.

L. SEYMOUR. All this residue will end up down in the bottom of the furrow. Fact is, looking across the ridges, you wouldn't ever think it has been a corn field because all you see is bare ridges. You don't see this trash down in the furrow after it settles down . . . after we get two or three damp evenings to settle it.

IA. You never graze your stalks?

L. SEYMOUR. We don't and the reason is because, again, if we get a nice week in December I may want to be out there cutting stalks and if there is a bunch of livestock out there, I won't be doing it.

D. SEYMOUR. And cattle ruin our ridges.

L. SEYMOUR. Yes, they walk them down. Compaction. I don't know whether we could get enough out of the grazing to make up for that.

IA. We find this interesting, that you are a farmer more concerned about the "timing" of your main crop practices and of your soil condition than the additional income you would derive from grazing.

L. SEYMOUR. We have to handle our stalks according to the weather. Either that or we have to have one heck of a lot of horsepower. I don't know what it would take to go out here and pound up stalks that were damp and expect to do a good job.

IA. Then you shred as you can, anytime after harvest that you get a chance?

L. SEYMOUR. Yes, whenever it is dry.

D. SEYMOUR. Well, for instance, we had this whole quarter done by January.

L. SEYMOUR. In the forepart of December, actually. When weather is permitting, we can get about 40 acres a day—30 to 40 acres with the shredder, which is comparable to a good, big plow.

TOPLIFF. You'd have to have a big plow, alright, to turn over 30 to 40 acres a day.

IA. What is the maximum acreage that one man could handle if he went this minimum tillage route?

L. SEYMOUR. Well, again, that would be relative. It depends upon how hard somebody wants to work. I don't like to work very hard. I would think about three quarters, readily. We got into a jackpot one year, and this is one of our problems. We got a wet spell like this year. We got all the rain and this ground wouldn't dry out. We tried to cultivate. We'd drive the tractor out there on the field and the first three times we went out it would just pull the front wheels off into the rows and they just kept going right on down, clear to the front axle. Well, we'd back out and wait. And the weeds were growing real well. On bare farm ground, other farmers were just farming the heck out of it. But we couldn't get into the field. Well, finally one day it happened. We got the front wheels off and we got stuck. We went to get the other tractor and when we got back, water had seeped up around the tires. This was two weeks after it last rained.

TOPLIFF. Well, there is no run-off and darn little evaporation.

L. SEYMOUR. And the dang trash is just like a mulch you know. It just holds water. And in some years this is a bad point. One year we made a set of leaf lifters—just a piece of

bent half-inch pipe—and I made standards and stuck them on a tool bar. You can buy those kind of things now. We just went down the side of the row and picked the leaves up and then we put a nozzle right underneath that and we just 2-4D'd the heck out of those weeds. Well, it took us about two days I guess. It got dry enough so that we could run with the bare tractor and just the tool bar and the sprayer on.

One day late in June, when the last of The Seymour's corn was being cultivated and ditched, we went back to look at the crop and check its progress. We talked with son-in-law John Hooper about weeds and minimum tillage:

IA. The further you get into minimum tillage, do you feel you have an increasing weed problem?

HOOPER. No, I don't think so. The only problem here is just my lack of experience in learning how to set a cultivator. Now you see a bunch of weeds there. This is an area that we had leveled last year and we couldn't make any ridges in it last year so that is really not representative.

IA. I can look over the fields and see that it isn't.

HOOPER. We do have some weed problems and I don't think they are caused by minimum tillage. I don't think they are. I think any problems we do have are not problems with the method, but rather our execution of it.

IA. You've told me you use a conventional cultivator, when the corn is 10 to 12 inches high. Do you use other means of cultivation to cope with weeds?

HOOPER. This year we ran some little half sweeps alongside the planter runner—six inches off to the side—to take care of a problem we've had. You see, alongside of this ridge the sweep will cut over some of these weeds and we've been trying to kill them by either cutting them off or covering them up with soil. But we've either cut over them or didn't get enough dirt on them to kill them. So we've used the little half sweeps and they seem to work nicely.

IA. I see that in some rows there seems to be more noticeable trash than in others. Why is this?

HOOPER. This does need some explanation. Because of all this trash, we just simply ignored the centers of all the rows but the tractor rows. The tractor rows compact easier and so in them I do run a little tiny sweep down the center. The non-tractor rows just ball up with trash if we try to run anything in the center. So we just leave those centers alone and we try to clean up 10 inches either side of the row, leaving half the center clean and half of it not clean. And then we just go ditch it out.

IA. Do you have volunteer corn problems?

HOOPER. We don't even worry about volunteer. Because of the discs we use at planting time and at ditching, all of the volunteer is thrown out into the center of the row. We won't even have any volunteer up close to the row.

IA. How about water penetration. Does water penetrate faster in the tractor rows or the non-tractor rows?

HOOPER. The water will go through the non-tractor rows much slower than it will through the tractor rows. And this tells us something about compaction.

IA. I notice some trash accumulation, here and there. Is that where you've failed to get the stalks pulverized as you like them to be?

HOOPER. Well, yes and no. We have an anti-windrow device on our cutter and I think the center row gets a little more trash into it. And then, too, we don't drive anything on it (the center row) and so it never gets packed down in there. If for instance we didn't get any rain in the spring—which happens sometimes—it wouldn't rot at all I don't believe. All the trash gets dirt on top of

it, but where the tractor wheels compress it down, I think that causes it to deteriorate more rapidly.

IA. Then you are aware that you have some problems, but you're working on them.

HOOPER. Yes, we still have our problems. We should have some of our rows cleaner and because we don't we're being hurt, yield-wise. We do need to do more work on our weed control. I know that people report varied results with Atrazine, but I wonder if it probably isn't the best answer?

IA. Let's talk about fall tillage. Prior to your depth introduction into minimum tillage, as you practice it now, how much emphasis did you place on soil compaction?

L. SEYMOUR. Well, we didn't think about it a great lot. Although, we started thinking about it last year we plowed fully. We had a five acre plot down here . . . gosh how long has it been? A long time ago. We cleaned the volunteer off before we planted it. We couldn't get water in that cotton pickin' ground. We had a heck of a time trying to get enough water in there just to keep the crop alive. So I guess that is the first time we ever started thinking about compaction—what happens to ground when we pull something through when the ground is too wet, for example.

TOPLIFF. And the more times you go over it, the more compaction you get. The more we work soil, the tighter it gets.

L. SEYMOUR. Yes, sir. What was it . . . I wish I could remember the figures they were saying up here at that meeting the other day. Kansas State boy. They had some pretty good figures compiled on compaction—figures that I wasn't at all versed on. I believe twice over you take out 30 percent of the ability of water to penetrate soil . . . and it keeps climbing.

TOPLIFF. It goes up to about 87 or 90 percent reduction of soil intake rates. I saw these figures and I can't remember them either.

IA. What have you noticed about water usage, comparing this minimum tillage approach to those practices you followed before? Do you save water?

L. SEYMOUR. Oh gracious yes. We are pumping just about half of what we used to pump. We never pump over 18 inches of water per acre a year now. Before we would put on nearly three feet—two feet during the growing season and the rest prewater.

IA. What is your average rainfall here?

L. SEYMOUR. Seventeen inches, but of course we haven't been getting that for several years.

IA. Then you don't prewater at all any more?

L. SEYMOUR. We don't.

D. SEYMOUR. If we do we can't get into the fields.

L. SEYMOUR. That's right. We did prewater 40 acres last year, but that was land where we were short of water last year due to some shut-off problems we had on our gas line. One of the best blessings of all this is, I don't care when we go to plant we have a beautiful garden-type seedbed to plant in. It is always moist. Fact is, it is sometimes a little too moist.

IA. A little too wet?

L. SEYMOUR. Yes, a little too wet. But we never have to worry about getting moisture to put our seeds in. It's there. We take about two or two and one-half inches off the top of the ridge, just slicing the ridges in two, and get a space about 16 inches wide to plant in. It's the most lovely, mulched up mellow soil you ever saw. There is no other way we could farm it to get it like that. Oh, the soil just gets to be something.

IA. Let's look back once more to your pre-plant practices. You don't fall or spring irrigate at all.

L. SEYMOUR. Not for years we haven't. We try to water one more time around in the fall before we pick.

TOPLIFF. That gets plenty of moisture into the root zone.

L. SEYMOUR. We found out that if we pre-irrigate it is always too wet to plant. So we are going to try to keep the moisture level down a little.

TOPLIFF. Do you feel that this extra watering in the fall allows you to get freezing-and-thawing through the winter and helps mellow the ground too?

L. SEYMOUR. Yes.

TOPLIFF. Pulling the water off too soon in the fall can be more of a detriment than anything.

L. SEYMOUR. Yes. Besides that, we are already set-up and its already out there and I don't know as it makes much difference what time we put this water in the ground, actually.

TOPLIFF. To me, it has been rather interesting that you have had very little maturity problems here. Your corn always matures up well. We find that the fellows who have trouble maturing corn are generally guys who pull their water off too early. That practice delays the maturity of corn.

L. SEYMOUR. I have read about that. Good point.

TOPLIFF. Actually, to me you seem to accomplish two things in one. You get moisture into the ground that will stay there through the winter and you get good maturity on the corn.

IA. Your farmyard is void of machinery. I've never seen an operation of any size with less machinery sitting around.

L. SEYMOUR. An economist sat down with us and we started listing the machinery that "we don't own". And my gracious we went up to \$30,000.

IA. For as little as you apparently use a tractor, it should last you 10 years.

L. SEYMOUR. We actually cannot afford to own a tractor. We wish we had a place we could lease one when we wanted it. That 320 did everything last year. It has farmed two years and has a half year of stalk cutting on it and we just turned over 1050 hours. That was two and one-half years of farming, including our wheat summer fallow.

IA. How about reviewing your fertility program on a step by step basis?

L. SEYMOUR. All our fertilizer goes on either when we plant or sidedress when we cultivate the corn at 10 to 12 inches high. Because we are lazy, we use liquid. We use little feedpoints, placing the liquid on either side of the to-be-planted (or planted) row, up on the side of the ridge.

IA. Do you use soil testing?

L. SEYMOUR. Yes. We were—in the past—using about 40 to 50 pounds of phosphorus, 20 pounds of potash and 125 pounds of nitrogen. Actual units of nutrients. Last year our soil samples came back and the fertilizer man said we were in bad trouble . . . "because we didn't need much fertilizer". And this year is more or less the same.

IA. When your soil tests come back and your fertilizer man says you are in the position that you don't need additional fertilizer, do you think your soil environment is enhancing the efficiency of the fertilizing you do—or have—applied?

L. SEYMOUR. I think that must be so. I don't know whether you have read it or not, a report on what plain old garden-type fishworms do to the soil? Did you read that report?

IA. Yes, I've read some of those reports.

L. SEYMOUR. We have fishworms out here by the billions. I mean, literally.

D. SEYMOUR. We have never had them before (before reduced tillage).

L. SEYMOUR. Fact is, after we water—two days afterwards—we go back and look where we watered. They (earthworms) will have worked this area just like they do out here in the garden after a rain. They just work that (area) all up, right up the rows. It is amazing. We do some ditch watering—carrying water from field to field. We may have

to quit those ditches because the fishworms are getting into them until they fall apart.

D. SEYMOUR. They just catacomb them and we never used to have that.

IA. You told us a bit ago that you are watering differently now than you used to. Will you elaborate on this?

L. SEYMOUR. We started out four years ago watering every other row, each time around. We still feel like it helps on the water situation and we are keeping the top part of the root zone watered more often. We are not driving water as deep.

IA. Can you give us a specific example?

L. SEYMOUR. Alright. For instance, it used to take us 12 days to go around this particular quarter. So that meant wherever we started it was going to be 12 days before we got back there with water—if everything went fine. If we got into trouble, it was 13 or 14 days. Well, now we get around the field in six days and then we start again, watering the rows we skipped before. So we are not putting water on as deep and we keep that top two or three feet in better moisture shape and we don't drive the fertilizer down. We are putting our fertilizer up on the side of the ridge and our water is down in the furrow and I don't believe we ever get a leaching situation.

TOPLIFF. Well, if it leaches it leaches into the root system of the plants.

L. SEYMOUR. Because water moves toward it.

TOPLIFF. Which is where you want it.

L. SEYMOUR. Yes. Make the roots work a little less.

TOPLIFF. I thoroughly agree with your method of irrigation. Number one is that you are only reducing your ground temperature half as much, watering every other row as you do. And reduced ground temperature, due to temperature of your well water, is important—in my opinion. I think ground temperature out here is one of the reasons why we are not raising as high of yields with irrigation well water as they do out of the dam projects up in Nebraska.

L. SEYMOUR. Right.

TOPLIFF. Because the (well) water is colder—54 degrees. I can't get any figures on ground temperatures and what relative effect they have on the growth of a corn plant, but I am sure that it has some effect. The other thing (favoring skip row irrigation) is that I am sure the corn plant takes 60 percent of its water out of the top foot of the soil.

L. SEYMOUR. Oh, I think so.

TOPLIFF. A minimum 60 percent. And consequently a lot of us do not water often enough. I believe it is not how much water we put on, but rather it is how often we get around.

IA. Would there be a possibility that you are getting more efficient use of plant food with this approach—watering every other row, more often?

L. SEYMOUR. When we used to water every row and we put on six inches or thereabouts, we had a 50 percent soil capacity when we were watering. We were putting that down about six or seven feet. If we had been farming such that we put our fertilizer down the center of the row and we put our water on top of that, we know part of that plant food is going to have to go as deep as the water goes.

TOPLIFF. Half the depth.

L. SEYMOUR. Well, half then.

TOPLIFF. This is what they are kind of proving, that the nitrogen travels half the distance of the water. But if it takes it down three feet and your water is down six feet, it is quite a long ways from the basic ends of the root system. Which is still the point you are trying to bring out.

L. SEYMOUR. Yes. I think the way we are watering and where we are putting the fertilizer . . . I can't see why we should get much downward travel of the fertilizer to

start with because, basically, the fertilizer is above where the irrigation water is.

IA. I was thinking, while you were saying where you place your fertilizer and where your water is and the fact you light water more often, that you do indeed tend to keep your fertility in the area of the plant's maximum roots. According to your soil tests your plant nutrient demands are not as great as they used to be. Water is the carrier of nutrients to the plants. Do you think that by this fertilizer placement-watering method, coupled with improved soil tillth owed to minimum tillage, you are making your fertility work more efficiently and perhaps you are releasing nutrients previously tied up in the soil?

L. SEYMOUR. I think this must be so.

IA. When you first tried this minimum tillage concept, Lyle, did you relate your intentions to nature's own cycles?

L. SEYMOUR. No. It gets back to that basic thing that we were trying to find a way to plant a crop without having to worry about where we were planting it. In other words, moisture conditions at planting time was the whole basic start of it.

IA. Having enough moisture available to plant your crop?

L. SEYMOUR. Yes. That was the thing that actually started us on it, wanting to have a good moist seed bed to plant in. We had this problem in dry years with plowing and so we would have to prewater it.

IA. I am not trying to put words in your mouth, but I am sitting here and listening and thinking. In this minimum tillage approach you are getting back, very close, to the natural cycle of things. Survival of the fittest . . . and corn is certainly one of the ancient crops that has survived. Watching out for its kind. Perpetuating the cycle. In many ways, I sometimes think that man has come in and fouled up the works (the natural cycle) to such a degree that we have got away from some of the basics we can't afford to neglect.

L. SEYMOUR. I'll buy that. You know, there are a couple of good thoughts there. We try to make things complicated. We are not happy unless things can be complicated. Right? I mean that is human nature. If it is simple it is not good enough. For instance, we went out to ditch here two or three years ago and it was a dry spring and we knew we were going to have problems. So we redid our thinking on the whole ditching process—putting rolling cultivators out in front, a different type sweep and all this on a different bar. We got just about 20 yards and we were all plugged up the first time. We cleaned it out, adjusted it and tried again. We got just a few feet. Plugged again. Backed out of the field, came down to the yard and put our old frog on the middle of the disc and went back to the field and went to work. We were trying to make it better. I think you are right. Maybe we have got a long way away from what it takes to grow a plant.

D. SEYMOUR. Sure, the Indians just dug a hole and put the corn seed in the ground.

IA. Don't forget the fish. Lyle, your greatly reduced tillage approach really cuts down on field operations and, thus, minimizes chance of compaction. How often do you remake your planting ridges?

L. SEYMOUR. These ridges haven't had a machine on them for . . . well, this will be the start of the seventh year on some of them that they haven't had a wheel track of any kind pass over them.

IA. Not any equipment down the ridge where the corn is planted?

L. SEYMOUR. Yes, this planting area is 16 inches wide and hasn't had a tool on it other than a planter for seven years. And we just try to keep it that way. In fact, we don't drive a truck in the field.

D. SEYMOUR. He makes them put the trucks at the ends and the middles of the field. They might ruin his ridges.

L. SEYMOUR. If we let trucks into the field, one set of duals has got to go down a ridge. If we let them break the ridges down, we have to spend one year's hard work and we don't like to work. If the ridges are broken down just a little, we can't cut the stalks with that front pull. If we can't pick up those stalks and get them pulverized, then we are in trouble. So the trucks stay out of the field. Even at that, two people is all that ever harvests our crop—combines it, dries it and puts it away.

On the way back to the main highway I got to thinking how thin the division is between a man's dreams and the realities he can build from them, if only he'll try. The Lyle Seymours proved that point to themselves, several seasons ago . . . and went a long way, this day, proving it to me. In fact, they did such a good job—in their matter-of-fact manner—that whether the roads had dried out any or not just didn't carry that much importance anymore.

#### CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

#### 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 Senate proceed to the consideration of calendar No. 281, S. 2546.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A 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.

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

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. BYRD of West Virginia. 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. SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

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

#### ORDER FOR ADJOURNMENT FROM TOMORROW TO 11 A.M. ON MONDAY, SEPTEMBER 8, 1969—ORDER FOR RECOGNITION OF SENATOR SYMINGTON ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on tomorrow, it stand in adjournment until 11 o'clock Monday morning next.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the prayer and the disposition of the Journal on Monday, there be a period for the transaction of routine morning business, not to exceed 20 minutes.

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

Mr. MANSFIELD. Immediately thereafter, I ask unanimous consent that the distinguished Senator from Missouri (Mr. SYMINGTON), be recognized for not to exceed 40 minutes.

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

#### UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that beginning at 12 o'clock noon on Monday, September 8, 1969, during the further consideration of S. 2546, there be a time limitation of 3 hours on the pending Proxmire amendment, the time to be equally divided between the distinguished Senator from Mississippi (Mr. STENNIS), the manager of the bill, and the distinguished Senator from Wisconsin (Mr. PROXMIRE), whose amendment is now pending. I repeat, if agreed to, this order would provide that the time from 12 o'clock noon to 3 p.m., would be equally divided with a vote contemplated on the amendment at 3 p.m.

Mr. President, I further ask unanimous consent that any amendments to the Proxmire amendment now pending also be considered on a time-limitation basis as follows: 1 hour for each such amendment, the time to be equally divided between the manager of the bill and the proponent of the amendment.

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

Mr. SCOTT. And there will be no vote until 3 o'clock.

Mr. MANSFIELD. In other words, there will be no vote until at least 3 o'clock Monday and there is every likelihood of a vote at that time. There will be other votes, in addition, on Monday, according to what we can now ascertain. I hope all Senators will be forewarned. They have had ample time and I hope they will be in the Chamber to fulfill their responsibility.

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

Mr. MANSFIELD. I yield.

Mr. STENNIS. As I understand, all of this matter has been agreed to already.

Mr. MANSFIELD. The Senator is correct.

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

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Mr. President, I understood the distinguished majority leader to say that, if an amendment is offered to my amendment, the manager of the bill will be in charge of the time in opposition to the amendment. Could that provision be reconsidered and modified to provide that, if I accept the amendment, then the manager of the bill will be in charge; but if I oppose the amendment, as the author of the original amendment, I be in charge of the time in opposition?

Mr. MANSFIELD. Yes; if the Senator is opposed he should be in control of the time in opposition. That is the understanding.

The PRESIDING OFFICER. The Chair has that understanding.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

Mr. STENNIS. Mr. President, I wish to ask the Senator from Wisconsin if he intended to say if he opposes the amendment.

Mr. MANSFIELD. The Senator is correct.

Mr. PROXMIRE. The Senator is correct.

Mr. STENNIS. Mr. President, if the Senator will yield to me I wish to make a further point.

Mr. MANSFIELD. I yield.

Mr. STENNIS. Mr. President, first I wish to thank the Senator from Wisconsin for his consideration in connection with the matter of getting to a vote on this important matter. I want to thank him for his interest, as far as he is concerned, in getting to other votes.

I understood that the majority leader, with reference to possibly other votes on Monday, was referring to other Proxmire amendments beyond the one pending now. Is that correct?

Mr. MANSFIELD. The Senator is correct.

Mr. STENNIS. I wish to thank the Senator in that regard. I also wish to thank the Senator from Wisconsin for his attitude in desiring to get all these amendments voted upon as soon as is reasonably possible, so that this bill can move along.

Mr. President, I wish to urge all authors of amendments, whatever they may be, to see if we cannot close ranks now on time. There has been a fine debate on this bill but I believe, with great respect to them, that the time has come now for us to stay here and get down to the heart of this matter and reach agreements as quickly as possible for a reasonable time limitation so that we can dispose of the matter.

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

Mr. STENNIS. I yield.

Mr. MANSFIELD. Mr. President, I wish to join wholeheartedly in the suggestion just made by the distinguished Senator from Mississippi. The Senate faces a great deal of business which must be attended to. We have spent a considerable amount of time on the pending legislation. The NASA authorization must be considered following this bill. That measure will provoke some debate. Practically all the appropriation bills are yet to be considered and some of them

will cause considerable debate. Then, there is the nomination of a Supreme Court Justice that will be before the Senate sometime this month or next. And there are a great many other matters that must be disposed of. So it appears to me that we have a schedule that could well take us into the Christmas holiday season.

If we do not reach some agreement on time limitations after reasonable debate—and certainly there has been reasonable debate on this legislation—we will go into next year with some legislation which should have been disposed of this year.

I agree with the Senator.

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

Mr. STENNIS. Mr. President, I am glad to yield to the distinguished Senator from Pennsylvania, the acting minority leader.

Mr. SCOTT. Mr. President, I listened with some foreboding to the "jingle bell" sound of the majority leader's prediction, but I certainly do join in what he said and what the distinguished Senator from Mississippi said about the importance of bringing consideration of this bill to an early end. We have been debating the pending bill since long before the recess.

Some of our fears are becoming justified that if we recessed before we finished this matter it might serve to extend it further. It is my hope also that Senators will regard seriously the admonitions here expressed with respect to the importance of being available and prepared for a number of votes next week.

I wish to address this question to the distinguished majority leader. I assume it is not expected that there will be any votes tomorrow, nor will we be diverting from this bill to consider other major legislation. Am I correct on that?

Mr. MANSFIELD. The acting minority leader is correct. If there is any non-controversial legislation, which is not objected to by either side, we would try to clear that from the calendar.

It is hoped that those Senators who are not able to speak during the time limitation on Monday will take advantage of the session tomorrow to make their views known, pro and con.

I do disagree most respectfully with the distinguished acting minority leader concerning his comment about the recess. I think this recess has proved its value, even though some Members have not returned. I know that the younger Members and some of the others who are older appreciate the respite, and those who had the opportunity enjoyed being with their families.

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

Mr. MANSFIELD. I yield.

Mr. SCOTT. Mr. President, I would not want to be so insincere as to indicate I was not grateful for the recess. I was hopeful that we could have finished the bill by staying in session a day or two longer. Now, we may be a week or two longer on the bill. The distinguished majority leader and I have the same objective: to get the bill disposed of as quickly as possible.

The PRESIDING OFFICER. The Chair

would like to have a clarification from the Senator from Montana. Would the 1-hour limitation apply to motions on the possible amendments, excluding a motion to table?

Mr. MANSFIELD. Yes; indeed.

The unanimous-consent agreement later reduced to writing is as follows:

*Ordered*, That effective on Monday September 8, 1969, at 12 o'clock noon, further debate on the pending amendment (No. 108) by the Senator from Wisconsin (Mr. PROXMIRE) be limited to 3 hours to be equally divided and controlled by the Senator from Wisconsin (Mr. PROXMIRE) and the Senator from Mississippi (Mr. STENNIS). *Ordered Further*, That debate on any amendment to amendment No. 108 or motion, except a motion to table, shall be limited to 1 hour to be equally divided and controlled by the mover of the amendment and the Senator from Wisconsin (Mr. PROXMIRE). *Provided*, however, That in the event the Senator from Wisconsin (Mr. PROXMIRE) favors such amendment or motion, the time in opposition shall be controlled by the Senator from Mississippi (Mr. STENNIS).

Mr. STENNIS. Mr. President, I wish to add the following point. With regard to those who wish to reduce the amount of money expended by the Department of Defense as to all programs existing now, we are continuing to pass continuing resolutions for authorizations and appropriations automatically at the same level as last year. So those who wish to reduce the money being spent, the quicker this bill becomes law, the better. Until then, it is going on at the old rate of last year.

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

Mr. STENNIS. I yield.

Mr. SCOTT. Mr. President, I would like to make another observation. I believe some 60 Senators at one time or another have signed one resolution or another to bring the boys home from Vietnam, according to the different terminal dates in the resolutions.

If they are that anxious—and I accept the fact that they are—to find a way to bring the soldiers home they should seriously consider the importance of the amendment now being discussed because if they want to bring the boys home there must be vehicles in which to bring them home, and the C-5A is the largest available vehicle. Therefore, if they want to bring the Armed Forces back the means had better be provided and this proposal would contribute to the accomplishment of that purpose.

Mr. STENNIS. I thank the Senator. I have the names of quite a few Senators who wish to speak, some on this amendment and some on other amendments. There is no controlled time today or tomorrow, but there will be enough time for everyone to wait until Monday to speak. I would be glad to cooperate with them, even though the time is not controlled, in lining up speakers and seeing that Senators are recognized near the time they wish to speak.

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

Mr. STENNIS. I am happy to yield to the Senator from Wisconsin, or I could yield the floor.

Mr. PROXMIRE. No, that is not necessary. While no one can speak for Sen-

ators offering amendments to the bill, I have had a chance to speak with a number of Senators who are doing so.

I am convinced that they, also, are very anxious to cooperate and bring the bill to a conclusion and vote. I think that, beginning next Monday, we should have a series of votes with every hope that within a relatively short time after next Monday we can bring the bill to final passage.

Mr. STENNIS. The Senator's remarks are quite encouraging, indeed. I certainly appreciate them, as I know many others in this body do.

Mr. President, I yield the floor.

#### ORDER OF BUSINESS

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

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

#### PRESIDENT NIXON'S NOMINATION OF JUDGE CLEMENT F. HAYNSWORTH TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT

Mr. FANNIN. Mr. President, on the day when the White House announced President Nixon's nomination of Judge Clement F. Haynsworth for the post of Associate Justice of the Supreme Court, I said:

Once again the President has nominated a man of proven ability and qualifications to sit on the bench of the Nation's highest tribunal. Judge Haynsworth's record as an attorney and a jurist fulfill the President's stated desire to see men serve on the Court who are concerned with interpreting rather than making law. In nominating Judge Haynsworth, I feel the President has selected a man of character and integrity and I feel sure the Senate will agree.

Mr. President, I am still of the same opinion, even though there have been some scurrilous attacks and halfhearted innuendoes cast forth in an irresponsible manner. I am sure, Mr. President, that Judge Haynsworth will be able to properly respond to the Judiciary Committee in the hearings which are presently set for September 9. My concern is simply that the reputation of a distinguished jurist, and more importantly the integrity of the Court, not be tarnished by those who, without thought, are scatter gunning their charges and thus besmirching the Court.

First, I would remind those vociferous critics of the enjoiner voiced last year by some of my colleagues on the Judiciary Committee to the effect that we should not take a man's ethnic background or geographical origination, or friends and associates into account, but consider, rather, if he is a distinguished lawyer with the intellectual capacity to effectively serve on the Supreme Court.

It is my opinion, and one which is obviously shared by the President, that Judge Haynsworth is such a man.

It is my understanding that the ABA, the NAACP, the AFL-CIO, and other similar organizations have voiced their public intention to oppose the President's nomination. That is certainly their prerogative. However, it should be noted that former attorneys for all these organizations have been proposed, and incidentally confirmed, for seats on the Supreme Court. Opposition to those appointments, where it developed, was not primarily concerned with their supposed ideological alignment, or the views of their former clients. It is at least unbecoming of these organizations to apply a different standard of conduct to their own actions—actions which they do not tolerate in others.

Mr. President, it is notable that the AFL-CIO has given credence to a charge put forth by a pair of Washington columnists involving an alleged conflict of interest on the part of Judge Haynsworth.

It is perhaps understandable why they should be concerned since a member union has been before Judge Haynsworth and the Fourth Circuit Court several times. But it is difficult to understand why such charges are credited by those in possession of the facts, particularly when the charges originated with a columnist who was formerly an aide, the press secretary, of one of the principals involved.

Mr. President, I think it is important that some of the facts that bear on these so-called conflict-of-interest charges be brought to wider attention. I ask unanimous consent that an article from the AFL-CIO News, August 30, be printed in the RECORD at the end of my remarks, followed by an article from Human Events, September 6, as exhibits 1 and 2. A reading of both of the articles should acquaint one with the major points seemingly at issue here.

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

(See exhibits 1 and 2.)

Mr. FANNIN. Mr. President, the allegation has been raised that Judge Haynsworth violated canon 26 of the Code of Judicial Ethics.

I think these facts should be noted:

First. Judge Haynsworth became a one-seventh partner in the company in question—Carolina Vend-A-Matic—while still an attorney—some 7 years before coming on the Federal bench.

Second. He disposed of his directorships in publicly held companies well in advance of the issuance of canon 26. Furthermore, he disposed of this non-controlling, one-seventh stock partnership, to use the words of the canon, "disposing of them without serious losses," namely when the entire company was sold to another company. He took the stock in the new publicly held company and then sold it at the prevailing market price.

Third. The company in which the judge was a one-seventh partner was not before his court; the company which was before the court—Darlington Manufacturing Co.—did not do business with the company in which the judge held an interest. The closest connection was that Vend-A-Matic—the company in which Judge Haynsworth held a one-sev-

enth interest—was doing less than 3 percent of its gross business with two plants in which there was some portions of common ownership with the Darlington Manufacturing Co. That seems to me to be a pretty far removed interest which was completely cleared by the then Chief Judge Simon Sobeloff—who is well known for his liberal views—and the then Attorney General Robert F. Kennedy, now deceased, who was even better known.

Fourth. Finally, all the comment about Judge Haynsworth and his supposed conflict of interest with the Darlington interests, completely ignores the fact that Darlington finally lost the case before the Fourth Circuit Court at the time Judge Haynsworth was chief judge, and furthermore that he voted with the majority against Darlington in that decision.

Once again, Mr. President, I commend President Nixon for what I believe to be a fine choice and I am sure his judgment will be vindicated by the Senate.

#### EXHIBIT 1

[From the AFL-CIO News, Aug. 30, 1969]

#### HIGH COURT NOMINEE HIT BY CHARGES

A serious conflict of interest charge added new fuel to the controversy over Pres. Nixon's nomination of Appeals Court Judge Clement F. Haynsworth, Jr., to fill a Supreme Court vacancy.

Haynsworth confirmed a newspaper report that he was a major stockholder in a vending machine firm doing substantial business with the Deering Milliken textile chain at the time he cast a tie-breaking vote upholding Deering Milliken in a landmark labor case.

During part of the time the case was before the court, Haynsworth was an officer of the firm, which was then bidding for additional Deering Milliken contracts.

"But I did not recognize then or now, any impropriety," Haynsworth told reporters.

The 3-2 decision in which Haynsworth participated upheld the right of Deering Milliken to shut down its Darlington, S.C., textile mill after workers had voted for union representation.

A unanimous Supreme Court ruling later reversed the key part of the decision, thus enabling some 500 fired workers and the Textile Workers Union of America to pursue claims for back pay and jobs at other Deering Milliken mills.

Even before the conflict of interest issue surfaced, the nomination of Haynsworth had come under fire from the AFL-CIO and civil rights groups.

The conservative South Carolina jurist had been frequently reversed by the Supreme Court on decisions upholding management in labor relations cases and allowing a foot-dragging approach to school desegregation and civil rights enforcement.

It was the White House which first publicized the issue of Haynsworth's involvement in the Deering Milliken case by releasing excerpts from correspondence that seemed to indicate that Haynsworth had been completely absolved of impropriety and that the Textile Workers had apologized for questioning his impartiality.

TWUA Pres. William Pollock then released the entire file of correspondence of late 1963 and 1964 to correct what he termed "misleading characterizations" of the case by White House Press Sec. Ronald Zeigler.

The correspondence revealed that in December 1963, after the Darlington decision, the TWUA had received a call informing them that Haynsworth was first vice president of the Carolina Vend-A-Matic Co., and that Deering Milliken had cancelled contracts with other vending machine firms and

was throwing its business to Haynsworth's firm.

The union's attorney reported the allegation to the chief judge of the 4th Circuit Court of Appeals, asking an investigation and noting that the union had no way of obtaining the full facts in the case.

The investigation disclosed that Carolina Vend-A-Matic had obtained one additional Deering Milliken contract while the case was before the court—doubling its business with the textile chain to about \$100,000 a year—through legitimate competitive bidding. It had also failed to obtain two other contracts at other Deering Milliken plants.

Therefore the union concluded that there was no deliberate attempt to reward Haynsworth's firm and the union attorney expressed regret for any trouble caused.

But, Pollock stressed, the episode did not go into the conflict of interest principle as to whether Haynsworth should have disqualified himself because of his close connection with a company doing business with a party to the case.

He said the TWUA did not pursue that aspect at the time because the more serious charge had been proven false. "It was evident that the judges were not pleased with the union; and the union would inevitably be a litigant before those judges for years to come."

Federal law leaves it up to a judge to decide whether to disqualify himself—and Pollock observed that Arthur J. Goldberg, then on the Supreme Court, had disqualified himself when the case came before the high court for review because he had represented the TWUA some years earlier when he was in private practice.

Pollock noted that a New York Times story on Aug. 19 reported that Haynsworth declined to answer when asked by a reporter whether he had owned shares in the Vend-A-Matic firm at the time of the Darlington decision.

"We believe that the country and the United States Senate are entitled to an answer," Pollock said.

A story by William J. Eaton of the Washington bureau of the Chicago Daily News, provided the answer based on a check of Securities & Exchange Commission records.

It showed that the Carolina company, started by Haynsworth and other businessmen in 1950 with an "authorized capital" of \$30,000, had been acquired by the Automatic Retailers of America, Inc., in April of 1964, more than six months after the Deering Milliken decision. At the time, records disclosed Haynsworth received 14,173 shares of ARA stock in exchange for his interest in the Carolina firm.

Haynsworth then sold the stock for about \$450,000.

Syndicated columnists Frank Mankiewicz and Tom Braden, commenting on the failure of Haynsworth to disqualify himself in the case and his silence on his business ties during its consideration, termed the judge's action "a clear violation of the canons of ethics" of the American Bar Association.

They quoted Canon 26, which reads: "A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court, and after his accession to the bench, he should not retain such investments previously made longer than a period sufficient to enable him to dispose of them without serious loss."

Haynsworth, they noted, retained his directorship and heavy stock holdings in the vending firm for more than seven years after becoming a judge.

They noted that it was conflict of interest allegations which led to the resignation of Justice Abe Fortas—creating the Supreme Court vacancy for which Haynsworth was nominated.

In a television interview on a network news program, AFL-CIO Associate General

Counsel Thomas E. Harris gave this summary of Haynsworth's labor decisions:

"He has sat on five labor cases that went to the Supreme Court. In all five, he voted against the union. All five cases were reversed by the Supreme Court and only one Supreme Court judge in one case voted the way that Judge Haynsworth did in these cases."

Earlier, NAACP Executive Dir. Roy Wilkins charged that Haynsworth "voted for racial segregation" in four cases involving schools.

A statement by I. W. Abel, president of the Steelworkers and of the AFL-CIO Industrial Union Dept., called for Senate rejection of the nomination.

"Nomination to the nation's highest court," Abel said, "should be the climax of a distinguished legal career during which the nominee has served justice by protecting and advancing the rights of those seeking justice."

Pres. Paul Jennings of the Electrical, Radio & Machine Workers, termed Haynsworth "a poor choice" whose record is one of opposition to "civil rights progress and the rights of working people."

The Senate Judiciary Committee will hold hearings on the nomination. Mississippi Sen. James O. Eastland, chairman of the committee, has already praised the appointment.

#### EXHIBIT 2

[From Human Events, Sept. 6, 1969]

#### HAYNSWORTH AND VEND-A-MATIC

Stung by President Nixon's firm decision to weed out the Warrens and the Fortases from the Supreme Court and replace them with conservatives and "strict constructionists," the liberal apparatus has decided to try to torpedo the nomination of Clement F. Haynsworth Jr., chief judge of the U.S. Court of Appeals for the Fourth Circuit, to fill the Fortas vacancy.

Americans for Democratic Action Vice-Chairman Joseph Rauh, who insists Haynsworth is a "hard-core segregationist" (a statement denied by even the *New Republic*), is spearheading a liberal assault on the South Carolinian, while AFL-CIO chieftain George Meany has been rounding up "labor" senators to oppose the Haynsworth nomination.

Rauh and Meany are frantically appealing to such lawmakers as Senators Joseph Tydings (D.-Md.) and Philip Hart (D.-Mich.)—both members of the powerful Judiciary Committee which will consider Haynsworth's nomination—to oppose the judge on ideological grounds, though in the past Tydings and Hart have decried efforts to block liberal justices because of their philosophical persuasions.

Since ideology and "strict constructionist" rulings are weak issues on which to hang Haynsworth, his opponents are now hurling, with more heat than light, a deadlier charge: "conflict of interest."

Syndicated columnists Frank Mankiewicz and Tom Braden, who represent the Kennedy wing of the Democratic party, leveled a heavy broadside at the judge last week for his former connection with Carolina Vend-A-Matic. The headline over their column in the *Washington Post*, the Capital's morning newspaper, read: "Haynsworth Was in Clear Violation of Canons of Ethics for Ten Years." The clear intent of the column was to try to fan Haynsworth's business dealings into another Fortas affair.

Boiled down to essentials, the Mankiewicz-Braden claim is this: Haynsworth helped form the Carolina Vend-A-Matic firm in 1950, took 15 per cent of the stock, was made first vice president and served as a member of the board of directors. Appointed to the Court of Appeals in 1957 by Ike, he kept his stock until April 1964.

In February 1963 Judge Haynsworth's court began considering an unfair labor prac-

tice charge against the Darlington Manufacturing Co., a subsidiary of Deering-Milliken, a large Southern company owning several textile mills. Deering-Milliken used Carolina Vend-A-Matic machines in three of its plants. Hence, when Haynsworth, in November 1963, wrote the 3-to-2 decision of the court siding with Darlington, he had, Mankiewicz and Braden smugly asserted, violated the conflict-of-interest code laid down by the American Bar Association—Canon 26 of the Code of Judicial Ethics. Canon 26 states: "A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court and after his accession to the bench, he should not retain such investments previously made longer than a period sufficient to enable him to dispose of them without serious losses."

Contrary to Mankiewicz-Braden, an analysis of the Haynsworth deal does not disclose any violation of Canon 26. The Canon should be read carefully. "A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court..." (emphasis added). Haynsworth hardly violated this, since he had made his investment seven years before he became a judge.

Furthermore, no one claims that Carolina Vend-A-Matic was involved in any litigation either before or after Haynsworth's accession to the court. Certainly it was not involved in the Darlington case, since Darlington didn't even use Vend-A-Matic machines.

In addition, there has been no convincing evidence that Haynsworth acted unethically by holding on to his part of Vend-A-Matic; many judges, including those on the Supreme Court, continue to have important financial holdings. Since selling a minority (one-seventh) interest in a company that is not publicly traded is often extremely difficult, Haynsworth waited to sell his stock when the entire company was sold.

Contrary to the impression conveyed by Mankiewicz and Braden, moreover, Vend-A-Matic's worth was not significantly tied to its dealings with Deering-Milliken.

While the vending machine company was grossing over \$3 million a year, for instance, Deering-Milliken, with some 40 plants, mostly in South Carolina, had placed Vend-A-Matic food and beverage machines in only two plants by early 1963, one which was installed at the Marietta, S.C., plant in 1952, the other at Jonesville in 1958. Together they grossed only \$50,000 yearly, with the profit margin estimated at not more than 10 per cent. In August 1963 Deering-Milliken, on the basis of a competitive bid, awarded Carolina Vend-A-Matic another contract worth \$50,000 a year, but turned down two other Vend-A-Matic bids.

Hence, when Haynsworth ruled in Darlington's favor in November 1963, Deering-Milliken plants provided Vend-A-Matic between only 2 to 3 per cent of its gross sales—and Darlington was not one of those plants. Thus Haynsworth hardly appears to have been guilty of a massive conflict of interest.

Some observers point out, however, that since Vend-A-Matic did receive revenue from Deering-Milliken enterprises, Haynsworth, in order to remove even the faintest suspicion of bias on his part, might have been wiser to have stayed off the case. In retrospect, this would have been the more prudent course, but that does not mean he was in violation of any judicial code of ethics.

Indeed, Haynsworth's conduct on the court has been a model of judicial rectitude. When he went on the bench in 1957, for instance, he voluntarily—and six years in advance of ethical standards put forth by the prestigious U.S. Judicial Conference—resigned directorships in all publicly owned corporations (Vend-A-Matic was not publicly owned) on the grounds that holding such directorships might produce a conflict of interest.

Going further than most judges, he has also made it a rule to disqualify himself from any case in which his family law firm is involved. Many judges only disqualify themselves from cases on which they personally worked.

He has also been quick to adhere to standards issued by fellow judges. When the U.S. Judicial Conference, comprised of appellate court judges, passed a resolution in September 1963 against the holding of corporate office by federal judges, Haynsworth resigned his directorship in Vend-A-Matic.

The Darlington case, in fact, helped to underscore his integrity. On Dec. 17, 1963, Patricia Eames, an attorney for the Textile Workers Union, with which Darlington had had its dispute, addressed a letter to Simon E. Sobeloff, then the chief judge of the Fourth Circuit Court of Appeals. According to the letter, the message of an anonymous caller charged that Deering-Milliken, before the Darlington decision had been handed down by Haynsworth, had, in effect, offered to give Vend-A-Matic all the vending machine business in Deering-Milliken plants in exchange for Haynsworth's vote. At that time Deering-Milliken plants were using 10 different vending companies.

As requested by the letter, Judge Sobeloff immediately undertook an investigation of the matter. On Feb. 6, 1964, the union's attorney advised Judge Sobeloff as follows: "My letter to you caused trouble. I am genuinely sorry for that. Since we now know that the allegation made to our union was inaccurate, we know that the trouble was unnecessary."

On Feb. 18, 1964, Judge Sobeloff, at the request of Judge Haynsworth and with the concurrence of the entire court, transmitted his file concerning the matter to Atty. Gen. Robert Kennedy. In the letter of transmittal Judge Sobeloff stated that the attorney for the union "has acknowledged that the assertions and insinuations about Judge Haynsworth made to her by some anonymous person in a telephone call are without foundation, but I wish to add on behalf of the members of the court that our independent investigation has convinced us that there is no warrant whatever for these assertions and insinuations and we express our complete confidence in Judge Haynsworth."

On Feb. 28, 1964, Kennedy wrote to Judge Sobeloff, stating: "Your thorough and complete investigation reflects that the charges were without foundation. I share your expression of complete confidence in Judge Haynsworth."

Thus, unless there are some new and startling revelations in the weeks ahead, the liberals, hard as they might try, will find it exceedingly difficult to knock Haynsworth out of his job on a "conflict-of-interest" charge.

#### BRENNAN CASE A PARALLEL

While Mankiewicz and Braden were roasting Haynsworth last week for his supposed violation of Canon 26 and his failure to relinquish important investments while on the court, Capitol Hill observers were wondering where the dynamic duo were earlier this year when it was revealed that Supreme Court Justice William Brennan Jr. owned a 1.4 per cent interest as a limited partner in Concord Village, a garden apartment complex in Arlington, Va.

Brennan's partners included Abe Fortas; Fortas' wife, tax lawyer Carolyn Agger; Chief Judge David L. Bazelon of the U.S. Circuit Court of Appeals in Washington; Judge J. Skelly Wright, also of the Circuit Court and former Justice Arthur J. Goldberg. If Haynsworth violated any legal Canon for holding on to his stock after he came on the court, then why no hue and cry about Brennan, et al., for having, after they were on the bench, entered into a financial arrangement that also could become involved in future "litigation"?

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

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

THE C-5A

Mr. MURPHY. Mr. President, I rise at this point to make some remarks pertaining to the aircraft, the C-5A, which has been under discussion in this Chamber for some time. I am sorry that the distinguished Senator from Mississippi, the chairman of the committee, is not present, because I should like personally to thank him and to have him hear my remarks about the admirable and most capable way in which, in my opinion, he has managed this important defense procurement bill.

Before I proceed with specific remarks, I should like to compliment the chairman for his tireless efforts, both in the committee and here in the Chamber. I have never seen more dedicated attention. He has never lost sight of his main objective—the security and safety of our country—in spite of what seems to be an endless, continuous effort to fill this procurement bill with gaps and holes and weaken it in other ways, by well-intentioned colleagues who seem to find the necessity to continue to fund a strong national military posture a frustrating experience.

I assure the Senate that I, too, am frustrated at times by the costs, the military pressures, and the needs brought to bear by conditions in the world and by the unfortunate insistence on the imposition of their will by the Communist governments, which create most of these needs. I join the Senator from Mississippi in the conviction that we must never be forced to deal from weakness in this great country of ours, particularly when dealing with the Communists. We can never hope to convince them with words alone—particularly those who would desire, as they have said on many occasions, to overcome force by force if necessary. We should never so dilute our power as to be in doubt of our capability to provide protection for our citizens all over the world.

The chairman of the Committee on

Armed Services has spent long hours in this Chamber, during the debate on this bill, without taking time out for meals or rest; and this devotion to his responsibility, I think, is worthy of our complete respect.

Mr. President, I believe it will be recognized that in my lifetime I have had the opportunity to become more familiar than most people with publicity or promotional campaigns and the pitfalls that are associated with them. In Hollywood, in the old days, sometimes it was the practice of some of the less ethical to distort and exaggerate and to tell part truths or untruths to promote a motion picture, or a performer or television program or to create an image which they hoped somehow or other would attract attention to some picture or performer, and thereby, as we used to say, "Get them some publicity" or "Get them some exposure," regardless of how it was achieved.

I have thought and said over the years that many of those badly conceived publicity campaigns were shoddy and unworthy; yet, nonetheless, from time to time they were effective in creating an illusion that helped promote whatever it was one was trying to sell. It was part of a condition that I refer to quite often as "contrived confusion." There is much of that in these days in which we live. As an "insider," I remained skeptical of some Hollywood publicity campaigns and came to be suspicious of the image they created.

Now I find that here in Washington, some 6 years later and 3,000 miles away, I have witnessed what I consider a typical publicity campaign, against an aircraft called the C-5A, that would rival anything that the Hollywood press agents ever put on in the old days, and I must say I have been just as skeptical about this campaign, and, I believe, with good reason.

All of us in the Senate have a proper interest in the C-5A, but I have had a special interest as a member of the Armed Services Committee. Of course, the airplane is built in Georgia, at a division of Lockheed—the Lockheed-Georgia Co.—which is the largest employer in the southeastern part of the United States. But the home headquarters for Lockheed Corp. is in my State—the Lockheed Corp. in Burbank, Calif.

So I have an additional interest in Lockheed and have become acquainted with Lockheed's officials, with many of their employees, and with their union officials. I am more than normally aware of their many fine projects of the past. I can remember, back in the old days, when they came up with something called the P-38, when it was badly needed, the U-2, which was highly publicized, and later on the Polaris and Poseidon missiles, and the P-3 antisubmarine airplane, the Agena space vehicles, the fabulous SR-71, the world's fastest and highest flying airplane, and many others in the long and honorable history of this fine company.

This company enjoys an outstanding performance record and has earned respect for its integrity throughout the Government and throughout industry. Because I knew something about Lock-

heed and the reputation for integrity of both their people and their products, I was more than normally skeptical about the things that were being said about them and about their product, the C-5A. Things which by innuendo and implication seemed to allege that there was some sort of dishonesty afoot, that there was at least bad performance, that somebody had been deceiving the Government, that there had been some sly activities. Fortunately, my committee membership gave me access to information that would provide a complete and balanced story. I was able, I think, to put together all the pieces and at long last to get a fairly true, dependable, and factual picture.

First we were led to believe that there was to be an overrun, an overcharge, or a financial mistake of \$2 billion. This turned out to be a slight exaggeration by several hundred million dollars at least. But the comparisons were made including spare parts and other items not included in one figure, but included in another. It was some new type of book-keeping which I do not understand and which I would rather not understand because I do not think it serves good purpose.

This business of comparing apples with oranges is a time-worn technique. And it is a dangerous one. But, as I said the day before we adjourned, it seems to work in our Nation's Capital. And a great deal of confusion was caused. A great uproar was stirred up about the C-5A. It became known throughout the Nation almost immediately.

We were told by a Washington newspaper that the C-5A contract contained a "special agreement for Lockheed," with all the innuendo and implication that goes with that kind of a charge. This, of course, turned out to be totally untrue. Instead, the repricing clause referred to was a clause which had been offered identically to all three competitors—Boeing, Douglas, and Lockheed—at the time they were competing for the C-5A award.

But even yet, we hear that there was something that is referred to as the "golden handshake," a phrase invented by one of the newspapers and especially designed to perpetuate a false image, some sort of special term, some written agreement, and again some sly means of bringing out a contract that is not in the best interests of our country.

After the same publication printed a story about one congressional hearing on the C-5, Lockheed issued a public statement calling attention to the "startling difference between that report and the actual transcript of the hearings." But unfortunately the statement which would have clarified the condition as needed by Lockheed representatives did not get printed.

Next we heard that there was something called "a reverse incentive" in the contract which, somehow or other, would encourage Lockheed needlessly to run the initial costs up so that they could profit more later. One reporter even made a detailed analysis showing how this would work. The only trouble was that it did not seem to work. The reverse incentive turned out to be theoretical only and

not very practical in practice or in fact the way it really happened.

Then we were told that the contractor was building the C-5 in a plant owned by the Government, and, therefore, had no risk capital at stake. This turned out to be only about 40 percent true, for the figures show the contractor already had invested 60 percent of the dollars needed to establish the plant in Georgia, and had indeed offered to buy the rest of it.

The next charge was that Lockheed had been somehow excused from meeting all the exacting specifications for the airplane. But no one bothered to add that these changes were made as a part of a trade-off, with the Air Force receiving some changes they wanted in return. And, in any event, we learn now, the changes were minor and the basic high performance requirements for the airplane were not lowered or changed at all.

And so it has gone, one charge after another. Each one forcing endless examinations and endless explanations of a very complicated subject.

But the innuendos and images created on those front pages of Washington newspapers linger on, continuing to do damage and disservice to the past fine reputation of Lockheed. Tens of thousands of those people live and work in my State, and in their behalf I hope in the future the distortions and part truths and untruths will be avoided in the publicity about the C-5A or any future projects that happen to come under the aegis of the military and the Defense Department.

A publicity campaign is one thing, but a campaign directed against the C-5A is something else, dealing as it does with a matter of substantial importance to our defense posture, and dealing as it does with the reputations and livelihoods of tens of thousands of people, inside and outside of Government.

For these reasons, I also will hope that in the future we can avoid excessive language and excessive claims as we discuss these matters of great importance to our Nation.

Mr. President, I think it is unfortunate that the present administration is saddled by the mistakes of the past and that this Congress may be forced to look into matters that should have been taken care of by former Congresses. However, that is the way it is, and that is the way I suppose that it has to be.

I want to join with the distinguished chairman of the Committee on Armed Services in his praise for Secretary of Defense Laird. Secretary Laird is one of our old friends and associates—he comes to his present post from the Congress where he was a leader in cost reduction in defense programs. He was not silent. His voice was heard many times over the years in objection to programs that he thought were too costly or unnecessary. He certainly should be contrasted with the evasive man who headed the Defense Department for most of the past 8 years. He is responsive to our questions and has shown great willingness to work with the Congress. He has shown great willingness to work with Congress. He has

shown certainly great concern for cutting costs and cutting the procurement of unnecessary items not merely since he became Secretary of Defense, but also in his own history in Congress preceding that.

Therefore, I must point out that the C-5A contracts were let during the McNamara years by the men who dreamed up a so-called total package procurement technique which has so far proved to work a hardship on manufacturers, and certainly on the hard-working, overburdened taxpayers. I might add at this point that they did a pretty good job of confusing the Congress as well. And the matter of overruns should not come as a surprise to this Congress this year and at this time. There have been warnings and evidence of it last year and certainly even in the years before then.

It should be further noted that these were policies dictated by the civilians in the top Defense Department jobs and not by the military or Air Force officers who are so often publicly scolded these days. Nor are the originators and those in charge of building the C-5A responsible for this type of contract. I hope that we will keep this in mind along with the outstanding performance figures that the Senator from Mississippi has already had placed in the RECORD with regard to this particular aircraft.

Mr. President, we should also not forget that under the leadership of Philip N. Whittaker, who is presently Assistant Secretary of the Air Force for Installation and Logistics, a full and complete review of this program has been made for Air Force Secretary Seamans. This review is to be supplemented by a report from an outside independent advisory council of public spirited by disinterested citizens. The Defense Department will make more reviews and reports, and certainly the Committee on Armed Services and other Members of the Senate will be most alert to costs on the C-5A and will have full information available to them when these in depth and carefully planned studies have been completed.

We all regret cost overruns on this plane. Had we been able to deal on a fair or more clearly understood basis with the Department of Defense over the past 8 years, this might never have happened. But that is not the question before us. The question, as I see it, is, do we need this aircraft? Is it a good aircraft? How can we make certain that the cost of the aircraft is completely controlled and properly scrutinized by the members of the committee? I, for one, believe that it is an important component of our overall defense posture and I have heard nothing different from anyone in this Chamber. So it is possible to submit that the amendment offered by the distinguished Senator from Wisconsin—commendable as his efforts to economize may be—would have the effect of eliminating fiscal 1970 funding for 23 aircraft; and, as the chairman of the committee has pointed out, these 23 aircraft are needed to perform an important mission in our airlift capability and should be funded this year. These 23 aircraft would provide for a total of only 81 planes as opposed to the 120 planes needed as a mini-

mum requirement to permit the phasing out of the obsolete and inefficient C-124's and C-133's in an acceptable time period. Certainly, we do not need an airline expert to tell us of the economies possible by these new aircraft through reduced operating costs per-ton mile. This point has been effectively made on several occasions in the Chamber, so I will not belabor it.

The attendant publicity to which I have referred notwithstanding, the C-5A program for the past several months has been the subject of a detailed and penetrating scrutiny—one of the most thorough reviews of any single program ever conducted by Congress.

Every facet of the program has been looked at and studied in depth. The question as to how many aircraft are required—do we need three squadrons, or four, or six?—has been one subject for review. The costs and performance of the airplane have been examined. And finally, of course, the contract itself, with its now well-known "reverse incentive," has been carefully reviewed. I would like to discuss the substance of each of these elements in more detail to explain why I have concluded that funds for the fourth squadron of C-5As should be included in the fiscal year 1970 budget.

Congress has already approved funds for three squadrons, and a limited amount of money in the fiscal year 1969 budget for long leadtime items required for the fiscal year 1970 buy. The Air Force has consistently stated that at least six squadrons were required to accomplish its mission in support of JCS contingency plans. Secretary Seamans has recently stated that he is reserving a decision on the fifth and sixth squadrons pending the outcome of current negotiations with Lockheed. However, both he and Secretary of Defense Laird have recently reaffirmed that a definite requirement exists for six squadrons.

Requirements to support our national defense objectives and our international commitments can be quantified to only a limited degree of precision. The very nature of the threat we may face can take such varied forms that planning for the forces needed to counter any unforeseeable threat in the future must of necessity be a function of judgment which gives due consideration to what we call an enlightened estimation of possible developments, or what I call simply a good, safe, honest, educated guess. Perhaps six squadrons of C-5As are more than needed. Perhaps we only need five, or possibly four. This judgment can be made in due course. However, available information quite strongly indicates that three would not be adequate. We must have four, quite possibly should have five, and very well might have an absolute need for six.

I am, of course, concerned over the estimated cost growth for the entire 120 aircraft program. Whether the increase is \$2 billion, or \$1.3 billion as has been suggested—this is still an awful lot of money. However, the basic program initially involved a great amount of money, and I think we must consider this cost

growth in the framework of the overall Defense programs. Unfortunately, Department of Defense weapons historically cost more in the end than was predicted in the beginning. I do not want to create the impression that I condone this. I most certainly do not. Quite to the contrary, I agree that we must insist on improvements and safeguards in the techniques of pricing new weapon systems in the future that will produce more realistic cost estimates and improved visibility in identifying unforeseen cost growth.

I also think that the distinguished Senator from Pennsylvania has offered an excellent amendment which will make it impossible for overruns to come as a surprise in the future. What it envisions is a close scrutiny and a careful check and a month-by-month audit, to find out exactly how these contracts are progressing.

I would just point out that the percentage increase in cost of this program compares very favorably with that encountered on many other programs, and that, even with this cost increase, the C-5A is still a good buy. Based on the latest cost estimates, the 10-year operating cost per ton-mile capability is 12 cents compared with 16 cents per ton-mile for the C-141. The disparity in costs per ton-mile is even greater when we compare the C-5 with the aging, slow, costly to maintain C-124's and C-133's—the only other aircraft that possess a capability to carry much of the outside cargo of an Army division.

I do not quote these figures to in any way downgrade the performance of the C-124 or the C-133. They served their purpose and they did an excellent job. However, we have now advanced in the state of the art and we can do a better job with new equipment.

I do not want to take up the Senate's time reciting a lot of statistics concerning the C-5A's performance. Suffice it to say C-5A's performance is excellent. This is well known to the Senate. It was designed to satisfy a requirement to rapidly deploy fully equipped Army troops anywhere in the world without the need for intermediate servicing stops or sophisticated airport facilities at the destination. The airplanes in the flight test fleet have completed over 600 flying hours to date and all preliminary data indicates it will meet or exceed all of the significant mission related performance guarantees in the contract.

Now, as to the contract itself. No one is denying that the contract contains undesirable features and ambiguities that are subject to interpretation. Certainly the reverse incentive possibility could work to the detriment of the Government. However, the Air Force has stated it is their intention to revise the contract and remove the reverse incentive possibility. Since this reverse incentive does not take effect until beyond the fourth squadron, Congress will have adequate time to assure itself that any disadvantage of this feature has been eliminated before authorizing funds beyond the fourth squadron. I would like to re-emphasize that this reverse incentive aspect of the contract which is so repugnant to all of us does not effect the 23

aircraft to be procured with fiscal year 1970 funds.

The C-5A represents a major step forward in improving our capability for global military deployment in support of our national interests while reducing our dependence on overseas bases. It insures that Army units being deployed will be accompanied by all of their heavy equipment and arrive in minimum time as a fully effective force. Approval of the fourth squadron will insure a continued orderly progression toward obtaining a minimum essential strategic airlift capability without committing to the fifth and sixth squadrons until the validity of the requirement for these two squadrons can be examined in more detail.

As much as I dislike to disagree with my good friend, the Senator from Wisconsin, I regret that I must oppose his amendment, and I must do all I can to urge Senators to join me in this opposition and accept the proposal contained in the authorization military procurement bill for 1970.

I yield the floor.

Mr. PROXMIRE. Mr. President, there are overwhelming reasons why the amendment I propose to cut out \$533 million for 23 planes of run B of the C-5A airplane should be agreed to. The reasons fall in two principal categories.

First, the contract for the plane is one of the greatest fiscal disasters in the history of military procurement. Second, given the strategic position of the military, studies by the Department of Defense itself question the need for the additional planes. Both the facts about the excessive costs of the plane and the data that question the need for additional planes were developed by the Department of Defense itself.

The study by the Office of Systems Analysis was not done by an outside force. It was done within the Office of the Secretary. Both of those studies conclude, on the basis of the testimony in my office yesterday by representatives of the Department of Defense, that the fourth squadron was not cost effective.

We brought out yesterday the fact that the Secretary of Defense rejected that finding, as did the Assistant Secretary of Defense in charge of systems analysis.

#### THE FUNDAMENTAL QUESTION

But the basic question and the overriding issue is what are these planes needed for in the first place? Why do we have to have these additional planes? Fifty-eight are already authorized. What are the rapid deployment military objectives which they are designed to meet?

This is classified information. We are not told. We are told only that, and I quote from the latest general review of the C-5A referred to as the Whittaker study—

The actual number of aircraft required to achieve rapid deployment objectives is dependent on the number of Army divisions, tactical air units, and support elements to be deployed; the destination of deployment; the time allowed for deployment; and the other modes of mobility available within the required time.

We are told by page 2 of attachment 3 of the Whittaker report that the need for

the plane is based on the total airlift requirements needed to deploy our general purpose forces in contingencies which might arise between 1970 and 1985. But we are told, "The details for arriving at the total force level are classified."

But if we are to act intelligently, we should know the answers to these questions.

How many Army divisions are we talking about? I repeat: How many Army divisions are we talking about? To know whether we are going to need the additional squadrons we should know that.

How many tactical air units and support elements are to be deployed? We should know that in addition to the number of divisions.

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

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. To keep the record clear, the Tactical Air Command provides its own airlift with the C-130. They will depend on this for their primary deployment.

Mr. PROXMIRE. The Whittaker study, which is what I just quoted from, originally was made at the request of the Secretary of Defense to determine his course on the C-5A. The Whittaker study stated:

The actual number of aircraft required to achieve rapid deployment objectives is dependent on the number of Army divisions, tactical air units, and support elements to be deployed; the destination of deployment; the time allowed for deployment; and the other modes of mobility available within the required time.

As I understand the point made by the Senator from Arizona, it is that the Tactical Air Command provides its own airlift and would not depend on the C-5A.

Mr. GOLDWATER. They have the C-130.

Mr. PROXMIRE. I understand that. But I understand that a number of these tactical air units would affect the other equipment that might be needed. I am sure the Senator is correct. The Senator is an expert in this area. The C-5A would not carry equipment for the tactical air units.

Mr. GOLDWATER. The Tactical Air Command is a highly mobile command that with the C-130 can and does provide its own airlift. In the event of the movement of the Air National Guard units we would probably have to resort to the C-5 or C-141.

I just wanted to make that record clear. I am not criticizing the Senator, because the study he is referring to could very well have been started at a time when TAC was dependent upon other units to a great extent.

Mr. PROXMIRE. My problem is that I am relying on the need as set forth by Mr. Whittaker, who is the expert appointed by the Secretary of Defense to study the C-5A and who has devoted so much of his time in the past year to studying the need for the C-5A and to determine whether the plane is needed or necessary and the extent to which it is needed.

If we are to act intelligently, we should know the answers to these questions:

We certainly should know what the destination of the units are. There is

nothing in the record to show where rapid deployment is to take place. How can we make a judgment if we do not know where the cargo is to be carried? There is no record and no knowledge of it.

How many Army divisions are we talking about? How many tactical air units and support elements are to be deployed?

What is the destination of these units? Where are we preparing to send or land such units? What are the consequences of doing that?

How much time do we need for deployment if we are to deploy huge numbers of divisions and the armored equipment to go with them? We have no record on that.

#### OTHER MODES?

What about the other modes of mobility? There are existing huge cargo planes. These are both military and commercial. We have huge ocean shipping tonnage available.

I discussed this point yesterday with the Senator from Arizona (Mr. GOLDWATER), that 65 percent of the equipment necessary for a division can be and presumably would be shipped by the C-141's. That is, 65 percent of the equipment could be airlifted. The other 35 percent would be shipped by the C-5A.

However, in addition, Mr. Whittaker told us in our office, that 40 of the C-5A planes—and we are going to have 58—are all needed in order to move the equipment that cannot be airlifted by other modes by the C-141's or other aircraft that would be available. Therefore, we come down to the point that we can determine by plain arithmetic whether we should buy additional C-5A squadrons.

The question is: Is this the most efficient, cheapest, and most economical way to move this cargo? The C-141 is also a jet plane which can travel at great speed.

The question is one that can be reduced to a problem for the Office of Systems Analysis to solve for us. They have tried to do that. They came up with the answer that we should not buy C-5A's. That was their conclusion. It was rejected by the Secretary of Defense. It was also rejected by the Assistant Secretary in charge of Systems Analysis. But that was the conclusion.

These are vital questions. They remain unanswered. We are asked to vote billions of dollars on the basis of classified information. Yet, we know that Defense Department economic and strategic analyses fail to support the Air Force's repeated request for the additional planes.

#### QUESTIONS—A NEW THAILAND?— A NEW VIETNAM?

Let me ask just a few more questions:

Are these planes to be used to deploy forces quickly to Thailand? Is that part of the classified information?

Are they to be used in another Vietnam? We have just been told by the President there are to be no more Vietnams. And, in any case, we did not need planes in Vietnam whose only justification was that they could move certain types of materials in 10 days or less.

Why would we need the plane for an outbreak in Korea? Do we not now have the heavy equipment on the spot in South Korea needed to defend there? If not, why not?

Do we need it in Europe? Surely we have the heavy armored equipment in place on the Continent of Europe which this plane could carry.

I emphasize that this is not a troop transport. It is not designed to be a troop transport. It can fly a few people to man the equipment but the purpose is to transport equipment and not to transport troops. Much of this equipment is already prepositioned.

Could the plane be used in Berlin? I give way to no man in my support for Berlin. But it is the Allied presence in Berlin which has saved that city. It would be foolish and futile to transport large numbers of tanks, cranes, cannons, and other huge weapons to that beleaguered and surrounded city if the Russians did attack. The Russians do not attack because they know that means war—nuclear war. But surely it would be military folly to send the vast amounts of equipment and armor, and the men this plane can carry into Berlin. And so far as airlifting supplies to Berlin, we obviously have that capacity based on our successes in the past.

Where is it to be used? Surely not the Congo.

Incidentally, that was one of the possible destinations the report suggested. It is hard for me to envision that we would have to move heavy equipment into the Congo.

#### WILL IT GET US IN TROUBLE OR OUT OF TROUBLE

Is it possible that this plane will get us into far more trouble than it will prevent? Will it involve us in new Vietnams before we have time to consider whether such action is truly in our national interest?

Will fast military deployment usurp the prerogatives of the President and the Congress and, on the grounds that since we have a certain capability we should use it, involve us in strife, civil wars, border contretemps, and antagonisms, where on second thought we would be better advised not to act?

We need to know what these planes are to be used for. How many Army divisions are needed to meet our "rapid deployment objectives?" What is their destination? How much time is allowed for deployment? What other modes are there?

These questions are at the heart of the matter. Congress should debate them. The military should defend them. The public should challenge them. The country must resolve them before we authorize more planes.

My amendment would give us that information. It would provide merely for delay until Congress could get that information. It would not delay, however, for 1 single day, production of the C-5A, because it is going to take more than 2 years to complete run A. That is already authorized. On the basis of present information, it will take at least 3 years to complete the C-5A. These are the facts for the second run are available

and funds for them are available at the present time.

Why, then, do we have to rush into this matter when we are not going to have it in production until 1971 or later on this run, especially when this additional information has not been provided and Congress has a right to get it?

#### WHAT IS THE NATIONAL POLICY?

The Air Force study calls these planes a major instrument of national policy.

This Senator asks, "What national policy?" Where are they to be used? In what circumstances are the troops and weapons they carry to be deployed?

That is the issue. And it is not enough to tell us that the answers are classified, that the Joint Chiefs of Staff know best, or that since we are already building them they must be necessary.

It has been said that this plane is the freight train of the skies. That is a beautiful phrase. It conjures up train whistles in the night, the nostalgia of a bygone day, and the excitement of trains roaring through villages and hamlets with cargo destined for the well-being of men and women everywhere.

But where is this freight train of the sky going? What is its destination? What cargo does it carry where? And at what cost? How many divisions, tactical air units, and huge weapons are involved?

These are the issues. That is the heart of the matter.

Now, let me return to the amendment itself, and a discussion of the general issues, before talking in detail.

#### THE AMENDMENT—WHAT IT DOES

Let us first make it clear what we are proposing.

The C-5A is a huge cargo-carrying plane which is being built by Lockheed Aircraft Co. The contract calls for a total of 120 planes.

Of the 120 planes, 58 of them are to be produced in what is called run A. This is the first part of the contract.

Another 62 may be produced under run B, the second part of the contract, if authorized by the Congress.

At this time only five planes, the five research and development planes called for under run A have been produced. The remaining 53 planes of run A will be produced at the rate of one to three per month over the next 2 to 2½ years.

The planes in run B have not been built. Except for a few long leadtime items, they have not even been started. In any case, it is up to Congress to decide whether they should be built. Our decision should not be usurped by any argument that the Air Force or the company has proceeded without authority.

This bill authorizes \$533 million to be spent for the first 23 planes of run B. My amendment knocks out those funds. That is what the argument is all about.

My amendment would not affect or stop run A. The first 58 planes to be delivered between now and 1972 are not in question. They will be produced. They have been authorized and funded. Some of them are in the early stages of production. But there have already been delays. The production of the airframes has been delayed 6 months. The final

qualifications tests for the engines have been delayed from the scheduled date of September 30, 1968, until the end of October 1969, or by 13 months.

The one thing that can be said about this contract is that there is no hurry. In view of the delays by the airframe contractor—Lockheed—in the qualifications tests of the engine, the fact that only five of the first 58 planes have been produced, and that the other 53 are not due for another 2 to 2½ years, the Senate should not be rushed into precipitate action. We have plenty of time.

There is no reason to authorize planes number 59 to 81, or the first 23 of run B, until we have taken a really good look at the facts. If the Congress will do that, in my judgment the planes will never be authorized.

There is no reason for the Senate to be swept off its feet. My amendment would delete the \$533 million in funds for the first 23 planes of run B at least until a series of questions about its costs, its need, and its airworthiness have been answered.

#### THE EXCESSIVE COSTS

The estimated costs for the C-5A airplanes have risen from \$3.4 billion to at least \$5.3 billion. The total of 120 planes, if built, will cost at least \$43 billion each.

This is an overrun of almost \$2 billion.

There are those who contest the amount of the overrun, principally the Air Force. I will show that the estimated costs of the planes by the Air Force when the planes were ordered, as compared with the latest cost estimate, have increased by almost \$2 billion. These are all Air Force figures.

But while there may be arguments about the size of the increase, there is no question about the actual cost of the planes.

When General Crow and General Jeffreys were before the House Appropriation Committee, they were asked how much the first 58 planes would cost.

Their reply was that the cost would be about \$2.5 billion.

When former Secretary Charles, the father of the ill-fated C-5A contract, held a press conference on May 5, he published figures that the total cost of the 120 planes, including their replenishment spares, would be \$5.3 billion.

The figures by Generals Crow and Jeffreys, for the first 58 planes, and the \$5.3 billion figure by Secretary Charles for the total, are almost precisely the figures revealed last November and again in January when the hearings before my Subcommittee on Economy in Government first exposed the huge C-5A overrun.

Thus, Senators should know that the 120 planes will cost at least \$5.3 billion. I say at least because the Air Force has produced no new cost estimates since the October 1968 figures, almost a year ago.

When Mr. Whittaker was in my office he conceded that there is a further cost growth. In other words, there is going to be a further overrun.

So we are still working with figures over 10 months old in a field where costs have risen by giant leaps.

The contract is a fiscal disaster because it contains provisions which are

unique in the history of military or civilian procurement.

Because of a scandalous "repricing formula," if run B is authorized, as the bill before us would do, the higher the costs rise, the more the contractor stands to gain. There is a patent reverse incentive.

If the costs of the first 58 planes exceed the original estimates, the contractor is rewarded. The additional planes will cost more, not less. The contract gives incentives for excessive costs and inefficiencies.

It is a contract in which the reverse incentive provisions become effective if any part of the second run of planes beyond the original 58 is authorized.

This is the "golden handshake" in which millions are at stake. My amendment would at least prevent the worst abuses in the contract from going into effect.

In the past, we have been able to do very little or nothing about huge cost overruns. Aircraft, missiles, carriers, and tanks have all suffered from them.

But in most cases we found this out after the fact. Nothing could be done. It was all a fait accompli.

But this case is different. We can do something about it. We can do something now. We can save billions of dollars. We can save those dollars without affecting, by studies made in the Pentagon itself, our fundamental military capability.

If we fail to stop this request and authorize or trigger 23 or more planes of run B, we will have only ourselves to blame.

Senators will act with their eyes open. They will have voted hundreds of millions of dollars under a contract which is fiscally unsound and for at least 23, and probably 62, additional planes which are not needed.

#### THE ECONOMIC ISSUES

Now let me return to the question of costs and overruns. This subject is more important than the dry-as-dust facts would indicate. It is important because the actual investment costs of this plane must enter into any calculation of whether it is cost effective.

Whether the plane is economically justified in various situations, certainly depends on the costs of the plane. That is why the costs and the overruns, while at times boring and uninteresting, are of vital importance.

There has been an almost \$2 billion overrun on the C-5A. The Air Force has been reluctant and even unwilling to admit this. They have cited figures much smaller. They have alleged that the increase is only \$1.4 billion.

They are the figures put out by former Secretary Charles in a desperate attempt to justify the faulty contract. Their figures are both misleading and wrong. Secretary Charles used as his base a 1964 estimate based on a technical development plan for a different plane than the final C-5A. In addition, the initial figures do not include the costs of the replenishment spares. But they must be included if any proper comparison is to be made.

The correct figures must be based on the April 1965 Air Force independent cost estimate—ICE. That study was prepared at the time the three contractors—Lockheed, Boeing, and McDonnell-Douglas—were preparing their proposals.

That estimate is based on the plane that was contracted for in October 1965. That estimate included a figure for replenishment spares.

In the statement made by former Air Force Assistant Secretary Charles on May 2, 1969, on the costs of the plane, he repeated the cost errors he had made time and time before. First he used the October 1964 Air Force estimates. This was for a plane which was never produced.

Second, he failed to include \$307 million in replenishment spares in the figure of \$3.116 billion. The spare parts figure was, however, given in the original estimates. Because it suited his purposes, he deleted the replenishment spares. He concludes, therefore, that the increase has been from \$3.116 billion to \$4.34 billion, or only \$1.2 billion. He compounds his error by leaving out the \$855 million in replenishment spare parts in the October 1968 figures. That raises the total to \$5.2 billion.

The only proper method of judging the cost overrun is to compare the April 1965 estimate, the Air Force estimate prepared on the plane that was contracted for at the time the contract was let, with the official October 1968 Air Force figures.

When those figures are compared with the actual Air Force figures of October 1968, the increase in costs is from an original April 1965 independent cost estimate of \$3.371 to \$5.330 billion, or an increase of \$1.959 billion.

I ask unanimous consent that a table I have prepared giving the original estimates and the latest official estimates—both of them official Air Force figures—for the plane, be printed in the RECORD. The figures include the original and latest figures for research and development, run A, run B, and the AFLC investment—replenishment spares and other equipment. These figures include the estimates for both the Lockheed portion of the contract, airframes, and the General Electric portion of the contract, engines. However, Lockheed is responsible for the entire plane.

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

TABLE 1.—C-5A PROGRAM GROWTH  
(In millions of dollars)

	Original <sup>1</sup> estimate	October 1968 estimate <sup>2</sup>	Difference
<b>R. &amp; D. (5 aircraft):</b>			
Lockheed.....	514.1	607.0	92.9
GE.....	242.7	285.9	43.2
Add.....	220.2	109.8	(-110.4)
<b>Total.....</b>	<b>977.0</b>	<b>1,002.7</b>	<b>25.7</b>
<b>Run A (53 aircraft):</b>			
Lockheed.....	892.4	1,157.4	265.0
GE.....	216.0	236.7	20.7
Add.....	101.6	157.0	55.4
<b>Total.....</b>	<b>\$1,210.0</b>	<b>1,551.1</b>	<b>341.1</b>
<b>Total R. &amp; D. + run A.....</b>	<b>2,187.0</b>	<b>2,553.8</b>	<b>366.8</b>

TABLE 1.—C-5A PROGRAM GROWTH

[In millions of dollars]

	Original estimate <sup>1</sup>	October 1968 estimate <sup>2</sup>	Difference
<b>Run B (62 aircraft):</b>			
Lockheed.....	538.8		
Add (5) <sup>3</sup> .....	61.0		
<b>Total Lockheed.....</b>	<b>599.8</b>	<b>1,404.3</b>	<b>804.5</b>
GE.....	172.9		
Add (5) <sup>4</sup> .....	12.5		
<b>Total GE.....</b>	<b>185.4</b>	<b>230.3</b>	<b>44.9</b>
<b>Total add.....</b>	<b>105.8</b>	<b>173.7</b>	<b>67.9</b>
<b>Total run B.....</b>	<b>891.0</b>	<b>1,808.3</b>	<b>917.3</b>
AFLC investment.....	293.0	968.0	675.0
<b>Total program.....</b>	<b>3,371.0</b>	<b>5,330.1</b>	<b>1,959.1</b>

<sup>1</sup> Total figures based upon April 1965 independent cost estimate except as shown in footnote 5. Contractor amounts are contract values as of October 1965. Add is the residual between ICE and contract values.

<sup>2</sup> Total figures are obtained from October 1968 C-5A cost trace summary. Estimated contractor prices to be paid by the Government ASD cost team estimate of October 1968 which indicates anticipated Air Force price at that time, except as noted in footnote 4. Add figures are a residual between cost trace and contractor prices.

<sup>3</sup> Since the add figures are a residual between program cost estimates and estimated contractor cost to the Government they can be expected to decrease as the program progresses.

<sup>4</sup> Figures for GE current estimated price to the Government has been made to reconcile to \$467,000,000 as shown on the C-5A program cost estimate October 1968 funding requirements versus August 1968 PCR for production run A, run B, and 5 run C. This amount is \$76,400,000 under what is shown as the price to the Government at that time. As near as can be determined, the difference is the result of not including the 69 spare engines which were one of the production options (i.e., 69/564 x \$631,000,000) as shown on p. 1-5 of the Whittaker report.

<sup>5</sup> Run A totals have been reduced from the independent cost estimate figure by \$23,000,000—the average cost of 1 aircraft and 1 set of engines since the ICE run A was for 54 aircraft rather than the present 53 aircraft.

<sup>6</sup> \$61,000,000 and \$12,500,000 have been added to the contract amounts to add in the last 5 aircraft which brings the total up to 120 craft. They were shown as run C at the time of the independent cost estimate.

Mr. PROXMIRE. These Air Force figures, both based on the actual plane built, both including replenishment spares, give the actual estimated costs for the plane at the time this plane was bought and the latest official Air Force estimates. These latter estimates are the October 1968 estimates and include the costs for replenishment spares as did the independent cost estimate of April 1965.

**RUN B TRIGGERS REPRICING FORMULA**

One of the worst features of the C-5A contract is the repricing formula. When run B is started, the repricing formula takes effect.

The effect of this formula, as I have said, is to make it possible for Lockheed to recoup on run B a great deal of the extra costs which they would otherwise have to absorb themselves.

If only run A is built, the cost above the contract target cost and below the ceiling cost is split 70-30 between the Government and Lockheed.

The costs above the ceiling are costs which Lockheed is responsible for.

However, when run B begins, many of these costs are recouped by the company. That is why the option for run B is referred to as the "golden handshake." Lockheed can vastly cut its losses on run A if run B goes into effect.

I have been able to work out the results of this for the entire 120 planes. The results are quite spectacular. The result is to make the unit cost of each plane in run B almost as expensive as the planes in run A. Because of the repricing formula this almost unheard of effect will occur.

It is unique in both this industry and in any other industry that the unit costs do not decrease very greatly as each additional unit is produced. After all, you normally amortize your initial costs as you go along; the subsequent units of production are produced, usually, for a far lower per unit cost.

In this case, the unit costs of run A, not counting R. & D. and spare parts, is \$29.3 million per plane for the 53 planes in run A and \$29.2 million per plane for the 62 planes in run B.

To put it another way, while the original cost of run A, was \$22.8 million per plane, and only \$14.4 million per plane for run B, the normal situation in which the unit costs dropped as a larger number of units was produced, because of the repricing formula, the final unit costs on both runs are almost identical.

I ask unanimous consent that a table giving the details be printed in the RECORD at this point.

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

TABLE 2.—UNIT COSTS DERIVED FROM PROGRAM ESTIMATE

	Original estimate	October 1968 estimate	Original unit cost	October 1968 unit cost
R. & D. (5).....	977	1,002.7		
Run A (53).....	1,210	1,551.1	22.8	29.3
Run B (62).....	891	1,808.3	14.4	29.2
Spares (AFLC).....	293	968.0		
<b>Total, including (120) R. &amp; D. ....</b>	<b>3,371</b>	<b>5,330.1</b>	<b>28.1</b>	<b>43.4</b>

Mr. PROXMIRE. This table also shows that the unit cost for all the planes will have risen from \$28.1 million—this includes, of course, at this point, research and development and evaluation—to \$43.4 million per plane.

**LOCKHEED'S UNIT COSTS ACTUALLY INCREASE**

While Lockheed Aircraft is the prime contractor and responsible for the plane, the engines are produced by General Electric while Lockheed is responsible for the airframe and the remaining aspects of the plane.

When Lockheed's costs per unit are calculated on the basis of the original cost and the October 1968 official Air Force estimate of cost, an even more amazing thing occurs.

Under the provisions of this contract, the unit costs of the plane for which Lockheed is responsible, excluding spare parts, will actually increase for the second run of 62 planes as compared with the unit costs for the 53 planes in run A.

That is a phenomenon almost unheard of in manufacturing history.

Because of the repricing formula, the unit costs of that portion of the 62 planes in run B for which Lockheed is responsible, will increase from \$18.7 million per plane in run A to \$22.7 million in run B. This is unheard of.

The original estimates were that under this portion of the contract, run A planes would cost \$16.8 million and run B planes would cost \$9.7 million. But given the latest Air Force figures for cost, the Lockheed portion of the plane will ac-

tually cost more per unit in the second run than in the first run.

I ask unanimous consent that table 3, giving the details of the situation be printed in the RECORD at this point.

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

TABLE 3.—UNIT COSTS (LOCKHEED ONLY)

[Excluding spares]

	Original contract	October 1968 estimated cost to Government	Original unit cost	October 1968 estimated unit cost
R. & D. (5).....	514.1	607.0		
Run A (53).....	892.4	1,157.4	16.8	18.7
Run B (62).....	599.8	1,404.3	9.7	22.7
<b>Total, including R. &amp; D. (120).....</b>	<b>2,006.3</b>	<b>3,168.7</b>	<b>16.7</b>	<b>26.4</b>

<sup>1</sup> Includes \$61,000,000 for run C-5 aircraft.

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

Mr. PROXMIRE. I am happy to yield to the Senator from California.

Mr. MURPHY. I do not know the figures, but I recall hearing the Senator state that this is an unheard of overrun. I really cannot say, but it seems to me that the figures on the TFX were far greater than those in this instance, unless I am mistaken. Does the Senator have those figures, by chance?

Mr. PROXMIRE. What I am talking about is not the proportional overrun. There have been much bigger per-contract overruns. There was the submersible rescue unit, for example, which went from the original estimate of \$3 million per unit up to \$80 million per unit. That is something else that is in this bill, incidentally.

What I am talking about is that this is the first time, to my knowledge, that we had a contract where, as they produce more of the planes, the cost goes up instead of down. Normally, the more you produce, the less the cost is, because you can write off so much of your overhead, and so forth. Here it is going the other way.

Mr. MURPHY. That used to be considered to be good business practice.

Mr. PROXMIRE. That is always the case.

Mr. MURPHY. It is not always the case now.

Mr. PROXMIRE. It is always the case if you have a proper allocation of costs.

Mr. MURPHY. They no longer have fixed costs. That has gone out of the business. Now all of the labor contracts, for example, have escalation clauses that rise anywhere from 12 to 30 percent a year, some of them higher than that. So that would have an effect at anytime during the long leadtime, which I am told is one of the causes for this overrun. At the outset, their estimates, of course, were guesstimates. There was nothing to gage their estimates by, this being an entirely new type of aircraft; and when they finally got into the construction, they found that many of the areas in the aerospace industry where they thought they could get help quickly had been filled up; they were full of

orders, and they had to wait longer. The longer they waited, the more the costs rose. I am not defending overruns, but—

Mr. PROXMIRE. However, may I say to the Senator from California that estimates as to labor cost increases, and so forth, were taken into account in the original figure. They knew there would be increases, and they allowed for them. That item is in the original estimate. They did not assume they would be able to pay wages at the same level throughout the term of the contract.

Mr. MURPHY. Have there not been new wage negotiations since the original contract?

Mr. PROXMIRE. There may have been; but, as I understand, the wage costs were not far off target. There was not a significant difference because of that factor.

Mr. MURPHY. I wish I could tell how they could gage it that far in advance. They vary a good deal.

Mr. PROXMIRE. They do vary, but we have had this kind of change for many years. It is not something that started in the last few months. It is something that has been going on for a long time.

Mr. MURPHY. I was wondering about another matter. The TFX, as I understand it, certainly did not become lower in cost per unit as the production increased.

Mr. PROXMIRE. I think the Senator is correct. That was a serious blunder. However, it was a mistake of a different kind. Here we have a contract in which there is an incentive for the contractor to increase his cost and to pour as much of his cost into run A as possible. The higher the cost, the greater the price he will receive on run B. It is a bad incentive.

Mr. MURPHY. That is to be eliminated from the contract under the plan contained in the pending bill.

Mr. PROXMIRE. It is going to take a lot of hard-nosed bargaining on the part of the Government to eliminate that. It is in the interest of Lockheed to retain that provision.

One of the purposes of my amendment is to greatly strengthen the hand of the Government if we go ahead with securing additional planes. This is an amendment to negotiate from strength.

Mr. MURPHY. There are two things that concern me that we must consider. The first is whether we negotiated a bad contract in the beginning and whether the people who are responsible should take the responsibility. The second concern is with the posture of the military, which has said it needs the plane.

We sat for many years and talked about an aircraft that should not be designated. However, we finally found that it is the only one we have to talk about. We have no other plane.

I cannot understand why my colleagues have been so silent over the years on so many of these things. I cannot put this together.

Mr. PROXMIRE. If we agree to my amendment and if the GAO report indicates that it is not cost effective to proceed and if we form the judgment that

we should not proceed with the fourth squadron, we will have the 23 C-5A's and 13 or 14 squadrons of the 141's. It would be double the airlift we had 3 or 4 years ago. We would be in a much stronger position.

The overwhelming amount of transportation will still be by shipping. It is much cheaper. The rapid deployment will be by aircraft.

Mr. MURPHY. This is the first time I have ever heard the Senator from Wisconsin talking about taking a step backward. There is still movement needed in the field of the merchant marine, which we also do not have. The conditions affect each other.

I am not going to leave the military consideration of national security up to some of the bookkeepers.

I agree that there may be mistakes in the contract. As I stated in my remarks, I find it hard to understand that a company that has been enjoying a very good reputation should be subjected to harassment. I do not understand it. The management has not changed. The engineering capabilities are excellent, as they have built an outstanding aircraft.

Mr. PROXMIRE. I have never accused Lockheed of rascality at all. I stated it was a bad contract. If I were in their position, I would be arguing to maintain the contract. At the same time, I think we ought to recognize that the contract is a very bad one and we ought to act in the interest of the Federal Government.

If we need the 23 planes, we should get them and reject the amendment.

It is my conviction on the basis of testimony that we do not need them. We have sufficient systems analysis studies to show that we do not need them.

Mr. MURPHY. That is not the testimony that we had in the Armed Services Committee. This item would not be included in the bill if that were the case. The testimony was to the effect that we did need them and that if we did not do this quickly we would suffer.

Mr. PROXMIRE. I have a lot of faith in the Armed Services Committee. I think it is a great committee. I agree that they did spend a lot of time and did listen to a great deal of testimony. However, I think it is a serious mistake for Senators to accept the recommendations of any committee carte blanche when the recommendations amount to billions and billions of dollars.

It is our responsibility to challenge and debate the issues on the floor and on appropriate occasion to disagree with the committee.

I think that too rarely in the past we have done this. I think that is why what we are trying to do today and will be trying to do in the next few days is very helpful in achieving not only a better fiscal posture and perhaps easing the burden on the taxpayers, but also, and I think far more importantly, it will strengthen and better the military.

Mr. MURPHY. There is not any question concerning the burden on the taxpayers. I have talked about this matter for 15 years, ever since I saw the situation in which we found ourselves with regard to the military.

The thing that has amazed me is what

I consider to be the damage that has been done to our military posture in the past several years because we have not had the equipment. There has been a lot of research and development, but we have not had replacements. We have not done a good job of supplying the equipment to our fighting people.

As I said 3 weeks ago, before our recess, if the diplomats had done their job in the past as well as the military had, we would not have the problems we have today. In my lifetime I have watched this Nation win three big wars and lose them at the bargaining table later.

Mr. PROXMIRE. I agree with the Senator. We can certainly make a great improvement in the way we have handled our equipment in the past. But I do not think the answer is to continue to appropriate billions and billions of additional dollars without much greater discrimination on our part and a willingness to determine whether we are convinced that a weapons system is right. We should challenge it if we do not think it is the best way in which to spend the money. Congress has not done this. If we do this, I think we will have a stronger military force and a sounder economy and a sounder country.

Is not the Senator concerned about the fact that the shortage of equipment to which he refers comes after we have had very substantial appropriations for the military force?

Mr. MURPHY. I am, indeed.

Mr. PROXMIRE. And why is that?

Mr. MURPHY. I do not yet know.

Mr. PROXMIRE. I think the Secretary of Defense has made mistakes in the past. I do not think that this Secretary has been in office long enough to do so. However, I think that past Secretaries and past Congresses have done so. I think that we are all to blame. That is why we should examine this budget as we have examined civilian budgets which were far smaller.

Mr. MURPHY. We are engaged in the longest war in our history. We have lost a lot of aircraft. However, that is beside the point.

My concern is that in worrying about problems that may have been created by this contract or this particular new concept of an aircraft, there are no guidelines to go by. We may make the Air Force shorthanded and not have the capabilities we should have simply because we are guided by mistakes that have been made in the past.

The main thing is that they have a good aircraft. It is an excellent aircraft. And that is different from the case of the TFX which I mentioned before. I am not convinced yet that that plane is a good aircraft. I think the cost per unit has gone up much higher than in the case of the C-5A.

I thank my distinguished colleague.

Mr. PROXMIRE. I thank the Senator from California.

#### COSTS OF 23 PLANES

The \$533 million for the 23 planes of the second run of the C-5A airplane contained in this bill is just a downpayment on these planes. They are this year's payment.

Based on the October 1968 Air Force

estimates, these additional 23 planes will ultimately cost \$756 million. And this figure does not include the spares. If one prices the spares on the basis of an equal amount per plane for all 120 planes, the spares for these 23 planes will cost about \$185 million or 19 percent of the \$968 million now estimated by the Air Force for the spare parts. Because of the vastly complicated nature of the contract, this is admittedly an estimate, but it is a most reasonable estimate. In fact the experts tell me that because of the repricing formula, it is most likely an underestimate.

Therefore, we are talking about a cost of \$756 million for these 23 planes plus spare parts costing about \$185 million. The total comes to \$941 million for these 23 planes. That is the amount to which we are committing ourselves if this amendment is adopted.

The original Air Force estimate for the first 23 aircraft of run B amounted to \$402 million, not including spares. This took into account the so-called learning curve which ordinarily would provide a lower cost per unit as the number of units increased.

The difference between the original estimate of \$402 million and the latest estimate of \$756 million is a growth or overrun of \$354 million.

As is shown clearly in table 1, which I have already submitted for the RECORD, the estimated overrun to the Government for research and development and run A, is \$367 million.

When we commit ourselves to an additional 23 planes in run B, by approving the "downpayment" on those planes in this bill, we commit ourselves to an additional overrun which will amount to at least \$354 million. This figure is low because I have not included the spares in it. The spare costs have risen from \$293 to \$968 million for the full 120 planes. The additional spare costs for 23 planes is, therefore, at least \$129 million. This means a total additional cost for these 23 planes over their original estimate of approximately \$483 million. I repeat, the overrun on the 23 planes now at stake is itself \$483 million.

What are the termination charges if we buy only 58 planes? The Senator from Mississippi, in a speech on August 13, estimated that if we buy only 58 planes, if we adopt my amendment, the termination charges would be slightly more than \$100 million. Of these, \$70 million he said was for long leadtime items and \$30 million in charges due under the contract for termination.

(At this point Mr. MURPHY assumed the chair.)

In fact, many of the long leadtime items in the \$70 million can be used for the first 58 planes or for spares for the first 58 planes. These items would not be lost if the contract were terminated. Much of the \$70 million in long leadtime items could be used.

But let us assume the termination costs, including long leadtime items, were \$100 million. The overrun on the 23 planes is at least \$354 million plus spare parts of \$129 million, or \$483 million.

We do not lose the \$100 million. We would save at least the overrun on the

23 planes and their spare parts, or from three and one-half to almost five times the \$100 million.

Senators should not be rushed into voting for the added 23 planes on grounds that the Government will lose. The Government will save many times more on the additional overrun which will not be incurred if this amendment is adopted.

#### TWENTY-THREE PLANES NOT NEEDED

Yesterday, I was briefed in my office on the two Office of Systems studies of the C-5A. The first study was made last November 7. It was an economic study. It concluded that the additional wing of the C-5A's and run B were not needed. It stated that by using the existing 58 planes more intensively; namely, at the rate of 15 hours per day during the first few days of an emergency—than was originally proposed, the remaining planes would not be needed. It is only during the first few days of an emergency in any case where this plane can do anything that other forms of air and sea lift cannot do.

I might say in passing that this does not seem unreasonable. Commercial aircraft do perform routinely at that rate. In addition, the C-5A's principal function is to perform in the first few days of an emergency. If we buy this plane and it is then used only 5 hours or so a day during the emergency period it was designed especially to meet, I would be greatly alarmed. This plane ought to be more ready than other planes. So, the first study said it was unneeded.

The second study was performed in June 1969. It was entitled "Major Program Memorandum for Strategic Mobility Forces." It, too, concluded that the fourth wing of the C-5A was not needed. In fact, the officials of the Defense Department representing the Secretary of Defense informed me in my office yesterday that when the funds for the second run of the plane and for the 23 planes for the fourth squadron were discounted at 10 percent, the plane was "cost ineffective."

"Discounting" is the term used—in the case of the Defense Department it is routinely 10 percent—to indicate the costs of the funds going to the project based on those funds' alternative uses. If they were invested elsewhere, put out at interest, and so forth, they would obviously earn amounts which must be calculated in the cost of any project. This is done routinely. Most departments use a higher figure of 12 and sometimes 15 percent. In the case of public works, it is a lower figure.

The fact is that the "Major Program Memorandum" clearly showed that with discounting the fourth wing was not economic. Both studies themselves opposed the fourth wing of 23 planes as well as the planes in run B.

The letter which I received from the Secretary of Defense, and which the Senator from Mississippi placed in the RECORD yesterday, must be read very carefully on this point.

It states that—

After a critical examination of this issue, he (the Assistant Secretary of Defense for Systems Analysis) firmly recommends and supports a fourth squadron.

I say this must be read carefully. The studies of the Office of System Analysis opposed the fourth and additional squadrons.

The Assistant Secretary, who did author the studies, finally recommended a fourth squadron. But the studies opposed them and concluded that with intensive use or when discounting was applied, these planes were not cost effective.

When the Senator from Mississippi stated that he had seen the June study and that it recommended the fourth squadron, I have every reason to believe he was referring not to the conclusion of the study itself but to the recommendation of the Assistant Secretary.

What happened, in my judgment, was that the Assistant Secretary was a "good soldier."

Mr. Nossiter's article in last Sunday's Post on this subject was correct. I pointedly asked the Secretary of Defense's representatives if it was correct and read passages to them. They agreed that it was correct in its statement as to the results of the two studies.

#### NEGOTIATE FROM STRENGTH

Let me make one further argument why we should not approve the \$553 million downpayment in this bill for the 23 planes of run B of the C-5A aircraft.

The Whittaker report on the C-5A makes a number of specific recommendations for the future. Among these is No. 6, which is found on page 36. It states, under the heading of "Reform Portions of the Contract":

Before any further exercise of options, we should promptly negotiate revisions to the contracts to eliminate ambiguities, resolve differences of interpretation, and remove the reverse incentive specter.

This is the point the distinguished Presiding Officer, the Senator from California (Mr. MURPHY), made earlier when he said we should eliminate the reverse incentive. I think we agree that that is a bad provision.

I repeat that they recommend that the Air Force "remove the reverse incentive specter."

But how is that to be accomplished? Under the contract, the start of run B triggers the reverse incentive. All the things wrong with the contract come into effect.

If the Senate approves this money and run B begins, what negotiating strength has the Air Force got? How can they bargain with the company?

I do not think we need run B. The systems analysis studies indicate we do not need run B. The Whittaker report indicates that the reverse incentive specter must be removed. Yet the action the committee is asking us to take would put these provisions into effect.

The Air Force, which has not exactly shown any degree of backbone, in negotiations with Lockheed in any case, would have no weapons at all with which to bargain over these disputed clauses.

They would bargain from weakness. Both hands would be tied behind their back. They would go to Lockheed hat in hand.

#### NO SECURITY AT STAKE

Yesterday, the Senator from Mississippi claimed that he feared for the se-

curity of the country if some of these amendments were passed. That is an interesting argument.

Frankly, I doubt that very much.

When the Defense Department finally canceled the MOL contract, not a single Senator rose to state that the security of our country was at stake. That was a duplicating effort, extremely costly, and entirely unneeded. The group of Senators I have been working with attacked it many months ago. Now the Defense Department has canceled it. We were right.

But no one claims the security of the country is at stake now.

The same is true of the Cheyenne helicopter. It, too, was on our list. It, too, was canceled. But no one has said stopping that contract has harmed the security of the country. Yet that project was approved by the Defense Department. It was authorized by Congress. Senators argued for it in committee and on the floor. But now it has been canceled. It should have been canceled. The security of the country is not at stake.

I say that if the Secretary of Defense had followed the conclusions of his systems analysis studies of the C-5A, and had canceled the planes for the fourth squadron, no one would have complained. Of course, Lockheed would have complained, but I do not think Senators would have. No one would have said our security was jeopardized. And, if that happens tomorrow, no serious claim to that effect will be made.

The fact is that with 58 C-5A's we have as many planes as we need for the missions that are to be done. What those missions are and whether they should be carried out is, of course, an equally important question. But let us not be rushed into approving this plane on grounds of national security.

The same general arguments made by the Senator from Georgia (Mr. RUSSELL) against the fast-deployment ships a year ago apply equally well to the C-5A.

Before we rush into this \$533 million downpayment on 23 planes which will cost almost \$1 billion, let us at least establish the crucial facts.

I call for that in my amendment. It would take only a short time to determine. Now there is great controversy over them.

We have time. The first planes are still two to two and a half years from delivery. Termination costs would be far less than the overrun charges on these 23 planes.

Let us look before we leap. Billions of dollars are at stake. In fact, far more is at stake in this one amendment than the entire public works cutback proposed by the President.

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

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, it has been interesting listening to the comments of my friend from Wisconsin. I might offer a couple of remarks in answer to part of his argument, a part that is of deep concern to me.

The Senator asked several times where these aircraft would be deployed. I can-

not answer that. However, I can say what I have said time and time again. We have 56 treaties involving the North Atlantic Treaty, the Rio Treaty, the Southeast Asia Treaty, the Anzus Treaty, the Republic of Korea Treaty, the Republic of China Treaty, the Philippine Treaty, and the Japanese Treaty.

While not all of these treaties call for explicit war action, some of them do. The others are doubtful. We would use anything from military assistance to what we could do under our constitutional processes. But 15 of these treaties and possibly 17 of these treaties definitely commit this Nation to war. Therefore, in answer to the Senator's question as to where we would go I would mention these treaties and the NATO countries, without question, unless we say we are not going to live up to the terms of our treaties.

This concerns me as it does the Senator from Wisconsin. As I said yesterday, I think that we are owed and the American people are owed a declaration of what we are going to do about the observance of these treaties. Only at that time can we find an answer to the Senator's question.

Mr. PROXMIRE. Will the Senator yield so I may reply on that point?

Mr. GOLDWATER. I yield.

Mr. PROXMIRE. I think this is an excellent point and I am sure it is in the minds of Senators who support the committee and oppose the amendment. However, after all, should we not have details in this regard? With regard to the fact that there are 15 to 17 treaties that may involve our commitment to defense, we should see how the C-5A fourth squadron would contribute to that situation. It is my contention that in case after case we have prepositioned our equipment now. I understand we have 300,000 troops and equipment in Europe, we have equipment and troops in South Korea and other parts of Asia. If there is a place where we need a fourth squadron of C-5A's to make rapid deployment we should know where it is and we should have some idea with respect to what it is to be used for. My position is that there is no such place. We have all these treaties but that does not prove there is a specific instance in which we can use the C-5A.

Mr. GOLDWATER. I might reply to the Senator with respect to that portion of his answer. If we became involved in the satisfaction of any treaty with the NATO countries today we would not have adequate forces in NATO to handle it. We do not have adequate equipment. We have prestocked equipment and moved much of it to South Vietnam.

The Senator asked where we might use these aircraft. There is a possibility in any of the 56 countries in the treaties I mentioned. We cannot answer the question until we know the intentions of this country relative to our treaties.

I wish to add one other point. I recall a little disturbance that happened in Lebanon a number of years ago when we had to move personnel and equipment rapidly by air and sea. We have twice moved Air National Guard equipment into Europe to answer what might

have turned into a crisis. Nowhere on earth except in South Vietnam do we have enough equipment or personnel to carry out the mission.

I think the answer to the question is found in what I have said time and time again on the floor of the Senate: What are our intentions?

Mr. PROXMIRE. Is there any documentation to show we need more than three squadrons plus the other cargo planes and ships we now have? Why do we need a fourth squadron? This has not been documented or established anywhere that I have seen.

Mr. GOLDWATER. I think a very good case has been made by the Air Force and the Army. I cannot offer testimony on that today. However, in all probability tomorrow the Army requirements on the C-5A will be made known. The Air Force, I think, made a good case for six squadrons but I am not going to say we need a sixth squadron until this Secretary of Defense has a year to get his feet on the ground and tell us whether it should be five or six squadrons. The reasons for reducing to three squadrons have not borne up.

The discussion yesterday brings out the fact that the figure of 15 hours a day cannot be applied. More than 70 percent of them cannot be kept in flying condition. We could not do that because we have procedural training and operational training. You cannot fly 15 hours a day, nobody can.

Some of the best squadrons in the Air Force might hit 82 percent of readiness but 100 percent of readiness cannot be maintained. No airline can do it, no commercial fleet can do it, no taxi fleet can do it, and no automobile company can do it.

When we talk about figures, this cost analysis group in the Pentagon are the leading experts. Dr. Selin came around and said yesterday he recommends a fourth squadron.

Mr. PROXMIRE. The Senator knows the answer to that.

Mr. GOLDWATER. No, because he is not of this administration. He is a hand-me-down from the past—pardon the expression—God-awful administration we had in the Pentagon. I do not think his best interests lie with this administration, if my judgment means anything, and I do not know that it does. I think he would have stood pat on the original position of three squadrons until he was convinced of the need for four.

If the Senator wants to proceed on the earlier outline in his paper about flying 15 hours a day, I do not buy that. I defy him to defend it.

Mr. PROXMIRE. The Senator does not argue he would expect people in the Defense Department not to accept the discipline of their office. Anyone in the Department of Defense in a subordinate position to the Secretary of Defense should follow the policies of the Secretary or get out. If this were a big enough issue to the Assistant Secretary, I am sure the Assistant Secretary would do that. I am sure if the Senator from Arizona had become President in 1965, which many millions of Americans thought he should have been, he would have expected that kind of loyalty from

people under him. He would not have tolerated people in the executive branch disagreeing with him. If he had, he would have had chaos.

Mr. GOLDWATER. I cannot agree with that. If a man works under me and does not believe what I am advocating, he should tell me that.

Mr. PROXMIRE. That is true. Privately. But publicly as long as he is your subordinate he will say, "Whatever you say, I will go along with in public, but privately you are wrong."

It seems to me that is what the study showed. The study showed the fourth C-5A squadron was not cost effective. But when the Secretary rejected that study one would expect subordinates in the Department of Defense to accept the decisions of the Secretary of Defense. What would you expect?

Mr. GOLDWATER. I think the gentleman's name is Fitzgerald.

Mr. PROXMIRE. There are exceptions.

Mr. GOLDWATER. I see. This gentleman should not be an exception, but Fitzgerald, who laid out the entire affair, that is all right.

Mr. PROXMIRE. What Fitzgerald did was to answer questions, however, posed by a congressional committee.

Mr. GOLDWATER. I have to believe that Dr. Selin is an honest man, although I have not always agreed with him. He is educated and intelligent. I think he came to an honest decision that an intelligent man would have come to. I accept that. I do not accept somebody twisting his arm. I have even recommended he not be kept. I think it would kill the Washington Post, and one of their reporters, to plug up a big leak in the dike. I am all for it, but I have to believe that he has come to a very sound conclusion. In fact, I think after tomorrow, when I present the Army figures, the Senator will have to agree that the case is solid for the four squadrons. We will worry about the rest next year.

Mr. PROXMIRE. I certainly appreciate that, and I shall be looking forward to seeing how the case is made. Everything I have seen so far indicates that the cost effectiveness of the C-5A fourth squadron is negative. If there is another study that concludes this is a good investment, I should like to see it. The Secretary and the Assistant Secretary have taken their position. I think it is proper for the Senate to go behind the decision and challenge them.

I think the Senator makes a strong case against the November 7, 1968, study I do not agree with the Senator but he makes a strong case. But there was another study in June 1969 which concluded the same thing, that the fourth squadron is a bad investment. That was not based on intensive use of aircraft but on the availability of other equipment. On that basis, the Office of Systems Analysis concludes that we could not economically justify the fourth squadron.

Mr. GOLDWATER. I might say this, it may be difficult for any person to argue on the basis of the cost effectiveness of any weapons system. I think this idea of cost effectiveness, as developed by the genius of the Ford Motor Co. helped to create the disaster he created over there.

Who can say that a cannon is cost effective? Who can say that a ship is cost effective?

I am not arguing for waste, but I do not think we can apply the sound reasoning of cost effectiveness to military equipment as we apply it in business. There might be some fallout from it. I think the example of the space program, as to the billions of dollars we have spent on it, and those who said that money has been wasted, I can cite one instance of a spinoff, or fallout, whatever we wish to call it, that in my humble opinion has fully justified the expenditure of those billions of dollars. It has nothing to do with getting to the moon.

Thus, I do not join in this great enthusiasm for cost effectiveness. I do not think we can effectively say that this weapon is good because it costs so much, because we do not have anything to relate it to other than our ability to protect ourselves and to defend our people.

Mr. PROXMIRE. I would agree with the distinguished Senator that we cannot apply cost effectiveness and accept whatever the cost effectiveness formula comes up with. We have to discriminate. There are some cases when we cannot apply it. It is a military decision and all one can do is to tell what the economic results will be. My argument is that the Whittaker studies show that 40 C-5A's, not the 58, but 40, will be enough to handle all of the big equipment that cannot be carried in other transports.

Once we recognize that, then, it seems to me, it is logical to apply cost effectiveness to determine whether we should go ahead with the C-141's or some other form of airlift instead of the C-5A's.

If the other form of airlift is more cost effective, it makes sense to continue with it. If the C-5A is, then we should go ahead and spend money on it. So long as there is no military weakness involved in proceeding with the cost effectiveness formula, I am convinced that we should follow it. And in this case there is no military argument against moving on cost performance. There is no argument against it. But the Senator is absolutely right. Security must come first.

Mr. GOLDWATER. Cost effectiveness as applied in the past 7 years prior to this year in procurement of weapons has resulted in this Nation's coming very close to reaching the point of not being able to maintain its position in the world. We heard the arguments on cost effectiveness and we saw weapons systems knocked out in the inventory. We have not had a carry-on fighter or a carry-on bomber.

I say frankly to the Senator, as I have sat here day after day for 2 long months, that if anything comes out of this whole debate, to me it is the complete absurdity, stupidity, and ineffectiveness with which the Department of Defense was run under Robert S. McNamara.

I am grateful to the Senator, and I am grateful to other Senators who have helped say, "GOLDWATER has been right all the time." [Laughter.] I like to hear it from people in whom I have so much confidence. I have expressed all this many times before. I am happy, now, to

see that "old GOLDIE was right." [More laughter.] It took a long time.

One more point, if the Senator will allow me: In discussing page 3 of the Whittaker report, as to the number of aircraft needed, I think the language is rather broad. It does not spell out the C-5A. It says the actual number of aircraft required to achieve rapid deployment, that the number of aircraft is dependent upon the number of Army divisions, tactical air and support elements to be deployed, and so forth. It does not say anything as to the number of C-5A's. It says "number of aircraft." This, of course, includes the C-141's and the C-130's in the tactical air force itself, plus the C-5's of the Air Force.

Mr. PROXMIRE. The Senator is correct. That is a very useful and proper correction. I appreciate it.

Mr. GOLDWATER. I thank the Senator very much for allowing me to make my observations. I hope they have not been offensive. I just meant them to be honest.

Mr. PROXMIRE. The Senator from Arizona is never offensive. He is a gentleman as well as a forceful and capable Senator.

Mr. President, I yield the floor.

Mr. DOMINICK. Mr. President, I am not going to take long. Let me say to the Senator from Indiana (Mr. HARTKE) that I just want to make some observations on the bill and on the amendments with which we are faced.

I did not have the opportunity to be here during the whole of the time that the Senator from Wisconsin talked on the C-5A. Unfortunately, I had to leave the floor during part of the colloquy between the Senator from Wisconsin and the Senator from Arizona; but one of the things that interested me on the C-5A was the point the Senator from Wisconsin made as to where these freight trains of the air are going.

I would suggest, Mr. President (Mr. GOLDWATER in the chair), that there are a great number of us who feel it is time we get some of our troops out of Western Europe.

I have said this over and over again. As a matter of fact, I believe I was the first Republican who joined in the resolution of the Senator from Montana (Mr. MANSFIELD) for this purpose. We have been there for a quarter of a century now and have fulfilled our NATO obligations. Our allies, in fact, have never met their obligations under their agreement to do so. They have withdrawn some of their own forces in major proportions from time to time. We have a dollar problem, an extraordinary problem with our balance of payments, and after 25 years the most prosperous area in the world outside of the United States should, I believe, be able now, to take up more of the brunt of its own defense.

It seemed to me that one of the best ways to do this was to say that we were going to go along with our NATO allies on their defense capability and continue our commitments under NATO, but do it on the basis that we would retain in the United States a large portion of our forces dedicated to those commitments.

Obviously, we cannot deploy as quick-

ly by ship as we can with the C-5A. We cannot deploy by any other method in large quantities as fast as we can by a so-called freight car of the air. It strikes me that, even though we may have prepositioned some of our stocks and supplies in that area, when we move a large number of troops back in, in case of an imminent threat from the Soviets, or whoever else it might be, then the C-5A will be invaluable, not only to ourselves but also to our allies.

Thus, it is on that basis, among others—and others being that it seems to me time we brought the transport capability of our Air Force up to the level it should be with our modern technology—that I favor retaining the committee version of the C-5A backed up by memorandums and the letter from the Secretary of Defense which was referred to extensively yesterday by the Senator from Mississippi (Mr. STENNIS) in his colloquy with the Senator from Wisconsin (Mr. PROXMIRE). It has been backed up by the planners over a long period of time.

I must say that I go along with the Senator from Wisconsin on one thing. I do not like the contract. I wish it had not been in this form. I wish we had not started on the project of this size, but we did—and we did it, I might say, under the previous Secretary of Defense, Mr. McNamara, as the distinguished Senator from Arizona (Mr. GOLDWATER) has been pointing out—if we do have problems, this is where the blame and the responsibility for that problem should lie.

In addition to the C-5A, we are going to have some other—

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. DOMINICK. Yes; I am happy to yield.

Mr. PROXMIRE. I recognize the distinguished Senator from Colorado as a leader on withdrawing troops from Europe. As far as I know, he was the first one to make a speech on the floor of the Senate in favor of withdrawing our troops from Europe. I subscribed to it. I think he was the original author of the resolution on that subject. He has taken a position of leadership in this matter, and I have spoken several times on the desirability of doing that. If we are going to withdraw our troops from Europe, we should consider how we shall support NATO.

I think one alternative, as the Senator from Colorado has said, would be to place ourselves in the position of sending troops back to Europe very, very quickly if they are needed. Another, however, would be to confine our support to a nuclear umbrella, naval support, air support, and with reserve support, within a somewhat longer period of time. The C-5A is not a troop transport. It would move equipment, not troops. We could remove most of our troops but preposition our heavy equipment.

Very realistically, we must recognize what kind of war it would be. It would be with Russia. I do not know with what other enemy it would be. In that event, the use of conventional troops would be rather limited. They would be used for a short period of time. Under those cir-

cumstances, it might be more logical and more sensible to rely on confining our support to Europe in the other areas which I have described.

However, I think the Senator makes an excellent point. I know many people feel that way. They feel that if we withdraw our troops from Europe, we should be prepared to move them back rapidly. If that is the case for the C-5A, which is not a troop carrier it should be spelled out. This is the first time I have heard it mentioned in detail by a Member of the Senate. The Senator from Colorado is a member of the committee. He is very competent in the area of national defense. We have not had an analysis to show whether we need four squadrons rather than three squadrons to do the European job. We ought to have it, on the basis that, if we are going to move our troops out, it would be helpful.

Finally, are we going to evacuate Europe? There has been no disposition on the part of the executive branch—there was not one on the part of the previous administration, and I do not know of one on the part of this administration—to move in that direction. There seems to be no plan—no long-range or short-range plan—to withdraw our troops from Europe.

Mr. DOMINICK. I thank the Senator. I do not know that I would go as far as his last sentence, but that certainly has not been the major support for the C-5A by the Pentagon in our hearings. I think, however, they have to think in terms of its contingencies and its possibilities.

Prior to the Czechoslovakian situation, when the Russians moved with great strength into Czechoslovakia, I know there had been talks and agreements with the Germans, the English, possibly other allies, and ourselves, with respect to withdrawal of some of our troops back to England and possibly back to the United States. That was in the mill for discussion at the time of the Czechoslovakian invasion, which "tightened" everybody up for fear it might spread into East Germany and West Germany and result in having the problem there. As a result, no action was taken at that time.

My feeling is—and this is a purely personal feeling—that no matter whether we do it now or next year, we are talking in terms of the C-5A for 1971, 1972, or 1973—in that area—as we get them into operational capacity. Therefore, we have to plan on something that will occur in that time interval.

On some other points, having been a member of the committee for a considerable period of time now, and having watched with delight and admiration the Senator from Mississippi analyze the various proposals and bring them up before the committee for further study, I am satisfied with the bill as it was presented.

I think we have room for further study and probably a more careful analysis on some of the research, development, test, and evaluation programs going on. I think we may have some room for analysis on what commitments are going to be made by the civilian authorities and

what the military is going to require in the future to try to put our military procurement in line with it. But one of the things that has disturbed me in this whole debate is the constant emphasis—and the Senator from Wisconsin and I had a colloquy on this prior to the recess—the constant emphasis or feeling that goes out through the media that this is a military problem.

It is not a military problem. Every single one of the decisions which have resulted in the problems we have had in military procurement has been made by the civilians. Some have resulted from the commitments and treaties which have been approved by the Foreign Relations Committee. Some from decisions by the civilian officials of the Department of Defense. Not the military, but the Department of Defense says this is what we need. And over and over again the military gets the blame, when all they are trying to do is say, "This is what we are going to need if you give us this responsibility to fulfill."

Whether it was under President Johnson or under Secretary McNamara or Secretary Rusk, or whoever it is in our administration, the commitments fundamentally are civilian commitments for which the military have to have the necessary tools so they can fulfill their mission.

What is the purpose of the military as a whole? Really and fundamentally, to have a strong military, the purpose of which is to give enough negotiating room so that the leaders of our country can avoid getting embroiled in a war. There is no purpose in our military just going to war. This country does not do that. Its purpose is to have enough strength and enough muscle to give us some negotiating room in the diplomatic field.

We see efforts to stop the F-14 plane. There is a move to say we are not going to have the F-14; that we are not going to start the F-14, or the Main Battle Tank, or some of the others. They say, "No, we are not going forward with them." We have all these amendments saying, "No; Congress is not going to authorize them." This does not make sense to me at all.

The F-14 is a necessary outgrowth, in order to take care of the F-111B, the old TFX for the carrier, which everybody on the Joint Chiefs of Staff said was no good, but which was forced down the throat of everybody in this country.

After spending a great deal of money trying to make it work on a carrier, so we could have the idea of commonality as between the Air Force and the Navy, the committee finally came to the conclusion at last—and I participated in it—that it should kill that program entirely, because the F-111B could not be used on aircraft carriers. The Navy never wanted it. It could not work. It was too heavy. It was the wrong machine. It cost a great amount of money—all because of a former Secretary of Defense.

We need the F-14. We have the F-4. It is a good plane, was designed in 1954, was operational, as far as the Navy is concerned, in 1961. Since that time, the Soviet Union has put in the air eight new

types of fighters. In the Vietnam war, where the F-4 has been used as an air superiority aircraft, the kill ratio between the F-4 and the Mig-21 has been 1 to 1. Why? Because the aircraft was not designed to be an air-to-air superiority fighter. It was designed to be an interceptor aircraft. Now it is used as an air-to-air fighter, and it is the best thing we have. The Mig-21, the earlier version that we met in North Vietnam, was almost as good as the F-4; and the later version of the Mig-21, the Foxbat and the rest they developed, are infinitely better than the F-4. So we come up with the F-14.

Someone has said it is a specialty, non-solicited contract, put in by Grumman. The fact is that Grumman put in a non-solicited proposal on this aircraft, but there were five companies which were evaluated before a contract was entered into with Grumman. The F-14 will supply air superiority for the fleet and for friendly land forces.

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 for that particular mission. So it 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.

It seems to me that if we go forward with this, we shall have something worthwhile. I have heard the argument made, "You should not do this, because if we do not authorize the new nuclear carrier, you are not going to be able to use the F-14."

The fact of the matter is that even if we do not authorize the new nuclear carrier—and I think we are going to; I am certainly in favor of it—we still will have 12 of our existing carriers which will need replacement of their planes, and they are all of a size suitable for the F-14. So it seems to me sound and practical to go forward with the F-14 at this time, instead of further study, further stretchout, further evaluation, and further expense, and then to find ourselves back in the same position as we were from 1961 to 1969, when we did nothing but study, evaluate, and discard, spend billions of dollars of the taxpayers' money, and wind up with no better defense at all. It seems to me to be ridiculous to repeat that whole performance the way we were doing it before.

Mr. President, the F-14A is a low-risk development. That is what we are talking about in this bill. It utilizes already-proven engines and an already-proven weapons control system. The weapons control system has been reconfigured for compatibility with the F-14 airframe.

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.

I believe the F-14 is going to prove to be a multipurpose airplane which will be

of enormous significance as we go on facing the 1970's and the threats that may then exist.

As I said earlier, it is my own belief that a nuclear carrier, as authorized in this bill, is of substantial use in our present-day worldwide support capacity. I do not think there are any of us who want the United States to be a world policeman. Certainly I do not. I do not think this administration does, and I do not think anyone else in the country wants us to be a world policeman. Nevertheless, we have to assume the role of leadership in the free world, and we have to be able to provide support for our allies in the event that they are threatened or attacked.

There are a number of ways we can do this. We can do it by the C-5A bringing men and equipment very rapidly to their aid, if they need it; or we can do it in conjunction or alternatively with our fleet and our carrier forces. It would seem to me only practical to go forward and bring our carrier forces, if we are going to use them at all, into the nuclear world, so that we will have fewer problems with our propulsion systems, so that we will have longer range, and so that we will have greater speed. Granted it is expensive; it does seem to me if we are going to deal in modern-day terms with modern technology, we might as well start using it, instead of saying that, cost effectively, it would be better to use a buggy rather than an automobile, or a canoe rather than a nuclear carrier.

So I hopefully support the committee position on that matter as well. As a matter of fact, since I am on the floor, and taking these positions on a number of items that are going to come up, because I will be forced to be away and will not be able to make as many statements as I would like to in the process of the debate, I should like to say right now, Mr. President, that I anticipate I would support the committee throughout against these amendments, because I feel that, fundamentally, the proposed amendments represent a state of mind in which people are attacking the military, who have been asked by the people of this country to provide a defense for them.

If you are going to have a military at all that is going to provide a defense, you had better give them the equipment with which they can do it. If you do not do that, you cannot ask them to provide the defense. It seems very simple to me to analyze the issue on that basis.

This does not mean we have to do everything they want, or do it all at once. But it does mean we ought to go forward with the production of usable weaponry and modern technology, and do it, rather than simply study it for the next 5 years before we get going on any production models.

It is for that reason, among others, that I am happy to support the committee, happy to support the Senator from Arizona in his discussion of the C-5A, and happy to support the committee against the other amendments involving the weaponry systems which will be brought up for consideration.

I yield the floor.

#### PRESIDENT NIXON HAS FORGOTTEN THE FORGOTTEN AMERICANS

Mr. HARTKE. Mr. President, I was startled at the Finance Committee hearings on the tax reform bill of 1969 when Secretary of the Treasury David Kennedy recommended reducing by half the relief provided in this bill to the middle and lower tax bracket taxpayer. The ordinary taxpayer believes reform means tax relief and Congress must demonstrate to the average taxpayer that these many months of talk about tax reform will have meaning and consequence for him. Only by providing tax relief can those who favor tax reform create a constituency for further tax reform.

Shockingly, not only does the administration suggest reducing tax relief for the average citizen, but the administration claims it is necessary to reduce tax relief for the average citizen in order to grant additional tax benefits to corporations.

In substance, the administration proposal would decrease the tax relief provided in the bill to the average taxpayer by \$1.7 billion while increasing tax benefits to corporations by \$1.6 billion.

In other words, what they are going to do is increase, over the House passed bill, the taxes for the ordinary taxpayer, the individual, by \$1.7 billion, and at the same time they will decrease the amount of taxes which corporations would have to pay, under the House passed bill, by \$1.6 billion. Apparently President Nixon believes that his forgotten American is a president of a corporation.

I think perhaps we can define the forgotten American. The forgotten American can be defined as the American who pays the National, State, and local taxes. The forgotten American works every working day. He pays his bills, and he does not riot. He educates his children, and he bears the major portion of the burden of paying the tax bills of America.

I think the forgotten American is in a mood of becoming the leader in a tax revolt. He looked upon the tax reform bill of the House of Representatives as somewhat of an answer to his cries for tax reform, and he thought it was a major victory for the forgotten American. He believed that the House of Representatives passed bill was a meaningful tax reform bill.

He really believed that the tax reform package, as passed by the House of Representatives, meant tax relief.

He believed that tax reform meant a reality of equity.

He believed that tax reform meant that those who are not paying any taxes and those who do not pay their fair share of taxes should pay their fair share.

He believes that balance in a tax bill does not mean to hold onto the old inequitable imbalances.

He believes that a brighter life for the ordinary taxpayer means that the present discrimination against the ordinary taxpayer should be ended.

To a great extent, the tax reform bill which was passed in the House did provide real tax relief for the ordinary tax-paying individual.

The key sentence in Secretary Ken-

nedey's testimony reveals the absurd proposal that the forgotten American is apparently, as I said before, a corporation president. Secretary Kennedy states:

The long-run revenue loss in the bill of approximately \$2.4 billion should be scaled down by about half.

This is the Nixon administration's indirect way of reducing the tax relief to the average citizen by 50 percent. In other words, the tax on the forgotten American will be increased by 50 percent over the House-passed bill.

Later, Secretary Kennedy states:

The administration strongly recommends that the tax rate on corporate profits be reduced by 1 point in 1971, and an additional point in 1972.

These two proposals almost balance each other out. While the individual taxpayer will be required under the proposal of the administration, in relation to the House-passed bill, to pay out an additional \$1.7 billion, the corporations will pay out \$1.6 billion less. The effect upon the revenue to Uncle Sam is about the same.

The only imbalance in the bill is the increasing burden on the average taxpayer. I shall vigorously oppose any tax increase for the individual by a reduction in tax relief to the average taxpayer as presently provided in the bill pending before the Senate Finance Committee.

Unfortunately, it appears that under our present tax code we are destroying incentive and are in fact destroying or threatening to destroy the very existence of our middle-class Americans.

As Lord Bacon said—the power to tax is the power to destroy. Certainly it should not be an active part of our national policy to destroy the great American middle class.

Tax relief to the lower- and middle-income taxpayer will do more to achieve social goals and to contribute to the health of our economy than any Government program or measure. Tax relief, therefore, is not only just, but it is also economically sound. While the Government must, of course, be concerned about the effect on revenue that any tax change would cause, the simple fact remains that there is no effective change in revenue under the policy which the Secretary of the Treasury submitted this morning.

The most unfair, inequitable, and absurd provision of our present tax code is the \$600 personal exemption; \$600 in no way reflects the present cost of raising a child. And, of course, present inflation compounds the lunacy of this present limited exemption.

As the Senator from Tennessee (Mr. GORE) stated in the hearings this morning, before World War II a couple had an exemption of \$2,000. Surely we can recognize that the cost of living has increased since 1940.

I have proposed repeatedly in the past raising the personal exemption from \$600 to \$1,000. This proposal, I know, has great support both in the Senate and in the House. And I plan to submit the proposal as an amendment to the tax reform bill. I previously introduced the proposal in the Senate as Senate bill 1735 on April 1, 1969.

I think every parent knows that the feeding of a child has certainly increased more than \$400 for each child since 1940.

The administration uses several rationales for today's bizarre proposal. One is that the tax reform bill should be balanced. That is, that it should take in as much money as it disburses. The administration in its technical concern for a balanced bill reveals a lack of concern for the forgotten American. In balancing the bill, it perpetuates and continues the existing imbalance in our tax code. An imbalance which with inflation and the surtax, so ruthlessly advocated by the administration, is crushing the average taxpayer. In this context, I believe tax relief is a legitimate and necessary national priority. I believe it is in the prerogative of Congress to determine that tax relief, even if it causes an imbalanced bill in 1971 or 1972, to be necessary and desirable.

It should be clearly understood that a balanced tax bill is not necessary to combat inflation. Up to 1971, the tax reform bill will produce more revenue than it loses. This bill causes a revenue loss only in 1971 and 1972, not before.

Does the administration mean to tell us that its anti-inflationary monetary and fiscal policies will not have been effective by 1971 and 1972? If the administration has such little faith in its own policy, then I suggest Congress has an obligation to change it.

Whatever imbalance results from this bill can be easily handled by the national automatic increases in our revenue due to an expanding economy. Even the Nixon administration admits that it anticipates an expanding economy with real rather than inflationary growth.

Finally, the administration claims this action is necessary because of the threatened decreased productivity of American industry in 1972 and in years beyond. But, as national policy, relief for corporations should not be achieved at the expense of the average taxpayer. It should not be forgotten that it is the Nixon administration that has constantly urged repeal of the investment tax credit which is one of the few tax provisions devised to encourage increased productivity in American industry and devised to make our Nation competitive with foreign manufacturers.

I, myself, believe that measures are necessary to increase the productivity of American industry so that we do not have a stagnate economy as we did in the 1950's.

While I have recommended suspension of the investment tax credit instead of repeal so that it will be available when needed, I recognize that the investment tax credit is not the only way to enhance productivity. When the investment tax credit was considered in 1962, I proposed a reinvestment depreciation allowance bill. At today's hearing Secretary Kennedy admitted that this proposal deserved "serious consideration."

In sum, there are various ways to increase industrial productivity but we should not try to achieve this goal by sacrificing the average taxpayer. I shall oppose any additional tax burdens to the taxpayer of middle or lower income tax brackets. I can only hope that President

Nixon, when he returns from California, will remember his forgotten Americans.

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. 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.

#### ORDER FOR RECOGNITION OF SENATOR HARTKE TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, when the pending business is laid before the Senate as the unfinished business, the able Senator from Indiana (Mr. HARTKE) be recognized for not to exceed 30 minutes.

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, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Until what time tomorrow will the Senate adjourn?

The PRESIDING OFFICER. The Senate will adjourn until 12 o'clock noon tomorrow.

Mr. STENNIS. I thank the Chair. I will not be able to be in the Chamber until approximately 12:30 p.m.

Mr. President, I want especially to thank the Senator from Wisconsin for the way he worked toward getting a vote on the C-5A amendment. We were disappointed that we could not get a vote on it today. But he did work on it, and he worked out the agreement we had this morning for the vote on the C-5A on Monday, and also his other three amendments. We have agreed generally upon a limitation of debate, although not formally, when his other amendments are taken up, there will be a limitation of time; and that will also move this bill forward very well.

I also wish to thank him for announcing that he is interested in the bill moving forward also as to the other amendments of which he is not the author. The Senator from Wisconsin has taken interest in virtually all the amendments that have been defeated. I

feel that the authors of the other amendments—although I have not yet had a chance to talk with them—will be willing for the bill to move forward and the amendment be voted on. I hope we can dispose of this bill next week, beyond all doubt.

I mentioned today that so far as the rate of spending is concerned, the longer the bill lingers here or anywhere else and fails to reach the President, the more money will be spent at the same rate at least as last year, because we have continuing resolutions that not only authorize all the going programs but also automatically appropriate the money at the same time, at the same rate as last year, without any examination; and I do not believe that is a good way for Congress to run a railroad. I urge that we pass this bill next week.

Many questions and points are involved in the amendments that have been filed. The information, however, is available. I visited Secretary Laird before I left for the recess and discussed several matters with him that concerned me. He told me then about his plan for reductions in funds that he was going to make outside this procurement bill. Frankly, I told him that if he had in mind any reductions in the procurement bill, I wanted to know about them, before we continued this debate.

He assured me that he did not have any such reductions in mind. I also told him I was calling on him for additional

material; that I had examined the filed amendments fully as to all the points involved in them; that I had read the arguments made in favor of the amendments, and that we had to have the material ready, on the basic points involved, on my return here before the recess was over. He very readily agreed to furnish the information and material, and when I returned to Washington a week in advance of our reconvening date, the material had been sent to the committee except for one or two items. I called his office requesting these items and they promptly responded. The Department sent the additional material over. I mention this because it is available now for any Senator who is interested, on one side or the other, especially with respect to the amendments that have been filed.

We will proceed next week, I hope, with everyone who wishes to get the information, and we can move right along with the bill. I expressed myself yesterday with reference to how much I thought these proposed amendments cut into the very bone and muscle of our military capability. I believe that, as the debate goes on, this bill will become more and more evident to more and more Members of the Senate and to the young people of the Nation and that all weaponry amendments will be decisively defeated. This conclusion in my speech of yesterday was a conclusion based on my careful analysis of all the amendments while in my home State during the recess.

I have been in touch with Senators this week that I thought wanted to speak. I even called some Senators who are opposed to my position, to talk to them about getting ready. I believe everyone is going to be ready to move next week, that the bill will move along, and that we will dispose of it before the week is over.

I thank the Presiding Officer (Mr. GOLDWATER in the chair) and Members of the Senate.

Mr. President, I yield the floor.

#### ADJOURNMENT

Mr. BYRD of West Virginia, Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Friday, September 5, 1969, at 12 o'clock noon.

#### NOMINATIONS

Executive nominations received by the Senate September 4, 1969:

##### DIPLOMATIC AND FOREIGN SERVICE

Henry J. Tasca, of Pennsylvania, a Foreign Service Officer of the Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

## HOUSE OF REPRESENTATIVES—Thursday, September 4, 1969

The House met at 12 o'clock noon.

Rev. Haskell R. Deal, Wesley Methodist Church, Washington, D.C., offered the following prayer:

Eternal and almighty God, we Thy servants begin our day by seeking Thy blessing. Grant unto us wisdom and guidance in all that we do. We thank Thee for this great land of ours, with its abundance of all good things. In these days of great challenge, great problems, and great anxieties, give us insight, courage, strength, and patience. Empower us to meet the responsibilities of our Nation, and her relations to the world. Grant to us a due sense of pride, of responsibility, brotherhood, and a desire to live in peace with all men.

Give us clear minds and pure motives, as we face the real issues and obligations of our great Government. Enable us to direct our undertakings with wisdom and to seek the fulfillment of the best we know, through Christ our Lord. Amen.

#### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 12677. An act 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 Congregation and real property of the District of Columbia for the purpose of establishing a Jewish Historical Museum.

The message also announced that the Senate had passed the following resolution:

##### S. RES. 252

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Honorable Daniel J. Roman, 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 message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 855. An act to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes;

S. 2056. An act 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 of amounts paid for such annuity;

S. 2502. An act 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; and

S.J. Res. 121. Joint resolution to authorize appropriations for expenses of the National Council on Indian Opportunity.

#### THE LATE HON. EDWARD A. KELLY

(Mr. MURPHY of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Illinois. Mr. Speaker, it is with sadness that I rise today to pay my respects to the memory of the Honorable Edward A. Kelly, who represented the Third District of Illinois in the U.S. House of Representatives from 1931 to 1943 and again from 1945 to 1947.

Mr. Kelly, who died after a long illness, was born and educated in the city of Chicago. During the First World War, he served as a sergeant in Battery D of the 322d Field Artillery, with 9 months' service overseas. After his return from the service, he became active in the real estate and insurance brokerage business in the Chicago area. As a young man, Mr. Kelly also played professional baseball. After leaving the Congress in 1947, Mr. Kelly returned to his real estate practice. He also served as a member of the planning committee of Chicago and was active in community and civic affairs in the city of Chicago.

Mr. Speaker, Mrs. Murphy and I extend our heartfelt sympathy to his widow, Rosemary, on her tragic loss and ask that