A more likely change in the law is expected by jurists from the U.S. Supreme Court.

Two new appointees appear to represent more strait-laced backgrounds and as new pornography cases reach them, the narrow decisions by which some other court decisions became the law of the land may go the other way.

Until then, police are attempting to operate within the present intricacies of procedures designed to protect constitutional rights.

VERY SPECIFIC

For the private citizen—in many cases—the observation of Justice Douglas may be the best advice:

"People are left to pick and choose. There is no compulsion to take and read what is repulsive."

That should be appropriate for adults.

For children, New York State's law against selling minors indecent material has been held constitutional. It is very specific—even specifying the amount of female anatomy that must be bared to constitute nudity.

And yet, according to Judge Kasler, there has been a report from one of the state's Appellate Divisions of a case in which a young boy was shown a filthy movie by a store owner.

Since the owner didn't charge—he was doing it, police said, because he was a sexual deviate—he couldn't be charged with disseminating indecent material to a minor.

SENATE—*Monday, September 22, 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:

Almighty God, who has made and preserved us a nation, make Thy ways known to us that the divine intention may be fulfilled in all men. Give Thy higher wisdom to the President, and to all who in Thy name serve in the executive, legislative, judicial, and military branches of this Government.

O Lord, look upon our divided and discordant world and make us instruments of Thy peace.

Where there is hatred, let us sow love;
Where there is injury, pardon;
Where there is discord, union;
Where there is doubt, faith;
Where there is despair, hope;
Where there is darkness, light;
Where there is sadness, joy;
For Thy mercy and for Thy truth's sake.

Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 19, 1969, be dispensed with.

The PRESIDENT pro tempore. 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. 13763) making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore.

H.R. 9526. An act to amend the District of Columbia Unemployment Compensation Act to provide that employer contributions do not have to be made under that act with respect to service performed in the employ of certain public international organizations; and

H.R. 11582. An act making appropriations for the Treasury and Post Office Departments, the Executive office of the President, and certain independent agencies for the fiscal year ending June 30, 1970, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 13763) making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar, under rule VIII, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. 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 (Mr. HUGHES in the chair). Without objection, it is so ordered.

TYPICAL SAIGON CORRUPTION

Mr. YOUNG of Ohio. Mr. President, American taxpayers seem to be on the losing end constantly when it comes to our involvement in an ugly civil war in South Vietnam. Recently, the Defense Minister of the Saigon militarist regime, which is in power due solely to the bravery of more than 500,000 Americans fighting in Vietnam against the forces of the National Liberation Front and those Vietcong who have infiltrated from North Vietnam, offered for sale to the highest bidder, 202,887 rifles, machineguns, and small arms given in recent years to the Saigon regime. These weapons, furnished by the United States from 1963 to 1966, presumably to be used to fight the Vietcong, are now being sold for a sum which may amount to several million dollars. This entire amount will go personally to corrupt leaders of the Saigon regime President Johnson and President Nixon have maintained in power. How can our leaders justify giving these people arms to sell in the open international market? Then Ky and other officials fatten their unlisted bank accounts in Hong Kong and Switzerland with more millions.

HOW ABOUT PUTTING A MAN FROM A SLUM INTO A HOME INSTEAD OF A MAN ON MARS?

Mr. YOUNG of Ohio. Mr. President, the Vietnam war is the longest and most unpopular war in U.S. history. More than $115 billion has been wasted; more than 50,000 Americans killed; and more than 250,000 wounded. While peace negotiations drag on, more than 600,000 Americans remain in Southeast Asia. Meanwhile our domestic problems multiply. Hunger, poverty, and disease continue to afflict millions of Americans. As our gross national product approaches $1 trillion a year, 8,400,000 Americans remain on welfare. While we land a man on the moon, 16 percent of our young men have been found unfit for military service because of educational deficiencies. Today, 28 percent of our youngsters are high school dropouts. The number has increased to 700,000 a year—seven major cities have dropout rates in excess of 30 percent. Dirty air costs the economy more than $11 billion a year, but the Federal Government spends only $78 million a year on air pollution abatement. Crime costs between $20 and $50 billion each year, but we invest less than $5 billion a year for crime prevention and law enforcement—about the same amount Americans spend on toiletries. Twelve times as much is spent for alcoholic beverages and tobacco than is

budgeted for the Office of Economic Opportunity. Only $338 million on food for the poor is spent each year by our State and Federal Governments. We Americans really spend six times that much for our family pets.

Humanity and decency call on the Congress to give top priority to solving problems of malnutrition, hunger, bad housing confronting us everywhere in our country. The grim chain of urban sprawl and rural decline, of individual poverty, wasted resources, and of our environmental decay can be broken only if we set priorities and make commitments to meet them.

It was a tremendous unparalleled achievement of advanced science coupled with human courage and bravery that we landed men on the moon. Americans have reason to be proud and happy that throughout our country there was tremendous good feeling and rejoicing over this achievement. Very definitely, however, instead of chanting "on to Mars," and spending additional billions of dollars of taxpayers' money seeking to make a landing on the planet Mars, which could not under any circumstances be accomplished before 1983, we should speak out that it is high time we concentrate the brains and resources of the United States to our dire problems here in our own country, end pollution of air and water, and end starvation in any part of America. How about putting a man from a slum into a home instead of landing a man on Mars?

THE GREEN BERETS

Mr. HOLLINGS. Mr. President, some weeks ago it was announced that eight members of the Green Berets, including their commander, were being held in Vietnam on a charge of murder. For weeks, they were held in inhuman conditions in the stockade in Long Bihn, conditions that would be grounds for release in America's criminal courts. And now, many weeks later, we have received the news that six of these men are actually to be tried for murder. Additionally, the Secretary of the Army has made the determination not to intervene and to leave the matter in the hands of the Army.

From the press accounts the American people have seen, they are being asked to believe that career soldiers—officers in command of thousands of troops—did conspire and commit common murder. I personally do not believe that is the case. Action against an enemy agent is by no stretch of the imagination murder and, in war, the primary objective is to destroy the enemy. In fulfilling this objective, errors in judgment are possible, but an error in judgment does not constitute murder, nor is it grounds for the kind of treatment these men have received. For weeks, these officers were kept in solitary confinement in airless sweatboxes that would be illegal as a detention facility in any State in the Union and which would violate the agreed treatment for prisoners of war. And yet, these men are career soldiers, officers, West Point graduates, and men in whose charge we have placed the lives of thousands of American boys.

Mr. President, there is a great deal at stake here; far more than a proceeding against a group of men. Standing trial with these six officers will be the reputation of the Green Berets and, as a consequence, their effectiveness in the future. Our intelligence system will be tried and, any way you view it, covert activities will be jeopardized merely by being put to trial. And, like it or not, the U.S. Army will be brought to trial. No good can come from this procedure.

Mr. President, as an aside, it could be well conceived that a local Senator or Representative would take an interest in this problem. Maj. Thomas Middleton was involved. However, while that is one of my concerns, my concern is greater because it is almost impossible to get the attention of the Department of Defense as to the seriousness of the entire proceeding.

As I set out in a letter to the Secretary of Defense last week:

I ask that you give this letter your personal attention. My earlier telegrams were treated in routine fashion, explaining the manual of Courts Martial and other matters that were not of primary interest. While I do have a constituent in the Green Beret case whose welfare concerns me, my primary interest is in fairness and our intelligence system.

The decision of the Secretary of the Army that I have just received ordering trial for murder of the Green Berets is unfair to those charged and will have a disastrous effect upon our intelligence system. Perhaps disciplinary action is warranted but a trial for murder doesn't do anyone any good. My understanding is that this case was triggered by a "rat in the pack" of Berets and by General Abrams being given the cover story by Colonel Rheault rather than the truth. Even though it is not acceptable, one can readily understand Colonel Rheault's effort to protect his men. The "rat in the pack" can be transfererd to lighter duty and the Colonel can be reprimanded and reassigned but executive action against an enemy agent is necessary when you work in the front lines of intelligence. When a soldier kills the enemy, he is not charged with murder.

Apparently, General Abrams, General Mabry and the colonels making the investigation all act as if the test is whether or not they have acted in accordance with the manual of Courts Martial. However, your responsibility is to protect our men and government. We can't go around using these men as a scapegoat because of overreaction and otherwise permanently injuring our intelligence service.

I strongly urge that you reverse the decision of the Secretary immediately.

Mr. President, I have yet to hear from that letter.

Mr. President, one of the grevious experiences of the Vietnam war is to witness America's best flying down the gun barrel blindfolded. I observed from the carrier *Kittyhawk* these Navy pilots taking off in adverse conditions, having telegraphed ahead of time their target, trying to dodge the flak and SAM's and adhering to a Pentagon-enforced manual of restrictions against targets, all to hit a wheelbarrow or a footpath. The same type asinine barriers have been applied to our ground forces. The best that I could determine, these barriers and restrictions were imposed by the Secretary of Defense and the White House. In effect, America has come to believe that its airpower is ineffective and that its soldiers, with superior equipment and training, cannot prevail on the field of battle. This is bad enough to take, but now when it comes to maligning good soldiers and the best in Vietnam, our Green Berets, because the general wants to show who is in charge of the Berets and the CIA, then the Congress should put a stop to this. Obviously the general is in charge, but we do not have to make a public spectacle of ourselves, ruin our intelligence operations, and our fighting finest in order to prove it.

ORDER OF BUSINESS

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

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED AMENDMENT OF MILITARY SELECTIVE SERVICE ACT OF 1967

A letter from the Director, Selective Service System, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967 to authorize modifications of the system of selecting persons for induction into the Armed Forces under this act (with an accompanying paper); to the Committee on Armed Services.

REPORT OF RESEARCH AND DEVELOPMENT PROCUREMENT ACTIONS, DEPARTMENT OF THE NAVY

A letter from the Deputy Chief of Naval Material (Procurement and Production), Department of the Navy, transmitting, pursuant to law, a semiannual report of research and development procurement actions of $50,000 and over, for the period January 1 through June 30, 1969 (with an accompanying report); to the Committee on Armed Services.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the Kilmer Job Corps Center for men under the Economic Opportunity Act of 1964, Edison, N.J., Office of Economic Opportunity, dated September 19, 1969 (with an accompanying report); to the Committee on Government Operations.

NOTICE OF PROPOSED CONTINUANCE OF CLASSIFICATION FOR TRANSFER OUT OF FEDERAL OWNERSHIP BY EXCHANGE

A letter from the State Director, Bureau of Land Management, Phoenix, Ariz., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register to continue in effect classification of certain lands in southwestern Arizona for exchange in furtherance of a Federal land program (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A resolution adopted by the Elizabeth City Council, Elizabeth, N.J., praying for the enactment of legislation to liberalize truck size and weight limits on interstate highways; to the Committee on Commerce.

A resolution adopted by the Caddo Parish Police Jury, Shreveport, La., praying for the enactment of legislation relating to the freedom of choice method of school attendance throughout the nation; to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. YOUNG, of North Dakota, from the Committee on Agriculture and Forestry, with an amendment:

S. 2226. A bill to amend the Agricultural Adjustment Act of 1938 to provide that review committee members may be appointed from any county within a State and that the Secretary of Agriculture may institute proceedings in court to obtain a review of any review committee determination (Rept. No. 91-421).

EXECUTIVE REPORT OF A COMMITTEE

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

By Mr. PASTORE, from the Joint Committee on Atomic Energy;

Glenn T. Seaborg, of California, to be the representative of the United States of America to the 13th session of the General Conference of the International Atomic Energy Agency; and

Verne B. Lewis, of Maryland, James T. Ramey, of Illinois, Henry DeWolf Smyth, of New Jersey, and Theos J. Thompson, of Massachusetts, to be alternate representatives of the United States of America to the 13th session of the General Conference of the International Atomic Energy Agency.

BILLS AND A JOINT RESOLUTION INTRODUCED

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

By Mr. SCOTT (for himself and Mr. SCHWEIKER):

S. 2940. A bill to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park; to the Committee on Interior and Insular Affairs.

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

By Mr. TYDINGS:

S. 2941. A bill to establish a Department of Mental Health as a new independent agency of the District of Columbia government and for other purposes; to the Committee on the District of Columbia.

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

By Mr. EAGLETON:

S. 2942. A bill for the relief of Zenaida Galang Kampuris; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 2943. A bill to amend 43 U.S.C. 1181f, the act of August 28, 1937, ch. 876, title II, sec. 201, 50 Stat. 875; and June 24, 1954, ch. 357, sec. 1(b), 68 Stat. 271 with respect to the annual distribution of moneys in the special fund of the U.S. Treasury designated as the "Oregon and California land-grant fund"; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. PROXMIRE on this bill appear later in the RECORD in connection with the debate on the Interior Department appropriation bill.)

By Mr. MATHIAS:

S. 2944. A bill for the relief of Guy B. Dompierre; to the Committee on the Judiciary.

By Mr. BROOKE:

S. 2945. A bill for the relief of Chan Yeung Lam; and

S. 2946. A bill for the relief of Chan Kang Kwun; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. HANSEN):

S. 2947. A bill to establish the Women's Hall of Fame Study Commission; to the Committee on the Judiciary.

By Mr. EAGLETON (for himself, Mr. BENNETT, Mr. BROOKE, Mr. CRANSTON, Mr. DODD, Mr. FONG, Mr. GOLDWATER, Mr. GOODELL, Mr. HARRIS, Mr. HOLLINGS, Mr. HUGHES, Mr. JACKSON, Mr. JAVITS, Mr. McGEE, Mr. MONDALE, Mr. MURPHY, Mr. PACKWOOD, Mr. PROUTY, Mr. RANDOLPH, Mr. SAXBE, Mr. THURMOND, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio):

S.J. Res. 154. Joint resolution to authorize and request the President to proclaim the month of January of each year as "National Blood Donor Month"; to the Committee on the Judiciary.

(The remarks of Mr. EAGLETON when he introduced the joint resolution appear later in the RECORD under the appropriate heading.)

S. 2940—INTRODUCTION OF A BILL AUTHORIZING THE PURCHASE OF ADDITIONAL PROPERTY FOR THE INDEPENDENCE NATIONAL HISTORICAL PARK

Mr. SCOTT. Mr. President, I introduce for myself and the distinguished junior Senator from Pennsylvania (Mr. SCHWEIKER) a bill to authorize the purchase of additional property needed to complete Philadelphia's Independence National Historical Park. I am pleased to note that this legislation has been sought by the U.S. Park Service and the Department of Interior as an official administration request.

My bill, Mr. President, would amend the act which Congress wisely passed in 1948 to establish and guarantee the preservation of this important site as a national historical park. Today, Independence Hall, Carpenters' Hall, Philosophical Hall, Library Hall, the First and Second Banks of the United States, and all other related historical buildings within the Park's boundaries, are all owned by the Federal Government, the Commonwealth of Pennsylvania, the city of Philadelphia, or private, nonprofit organizations. Unfortunately, three buildings completely unrelated to the park's historical significance, yet located within its boundaries at the northwest corner of Walnut and Fourth Streets, remain as an exception. An authorization for the demolition of these buildings exists, but the structures must first be acquired. My bill would make this possible by increasing to $11,200,000 the $7,950,000 authorization contained in the original act.

Mr. President, the need for this additional legislation is both critical and timely. The structures in question, the 16-story Irvin building and two smaller adjacent buildings, are all owned by the Reliance Insurance Co., of Philadelphia. On April 21, 1967, Reliance executed an option giving the Federal Government an opportunity to purchase this property at a value, based on a 1966 appraisal, of $3,250,000. This is the amount provided by my bill. This option, which has been once extended, will now expire on October 21 of this year. Obviously, prompt action on my bill is needed in order to avoid risking the loss of an opportunity to make this purchase at what appears to be a very reasonable price, especially in view of continually rising real estate costs elsewhere in the area.

Equally important are the longer range considerations as America looks forward, just a little over 6 years from now, to the 1976 bicentennial celebration commemorating the 200th anniversary of the independence which grew out of the July 4 declaration signed at Independence Hall. Plans for the city of Philadelphia, having nationwide implications, are well in progress and will be the subject of even more extensive cooperation between the city and the States immediately involved, Pennsylvania, New Jersey, and Delaware, in the months to come.

National planning for the 1976 bicentennial is also well underway by the American Revolution Bicentennial Commission, to which the Philadelphia 1976 Bicentennial Corp., and similar planning groups representing other interested cities and regions, will make their formal presentations here in Washington this week. No matter in what detail the Commission's plans finally evolve, a major role for Independence National Historical Park is inescapable in the Bicentennial period. Visitations to the park, which in recent years have been around 3 million annually, can be expected to increase dramatically in the bicentennial decade. Not only for this great number of Americans, but as well for the foreign tourists who will take away lasting impressions, the historical

integrity of Independence Park must be finally guaranteed. My bill is designed to make this possible, and I urge its immediate and favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2940) to amend the act of June 28, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park, introduced by Mr. SCOTT, for himself and Mr. SCHWEIKER, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2941—INTRODUCTION OF A BILL ESTABLISHING A DEPARTMENT OF MENTAL HEALTH IN THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, I introduce for appropriate reference, a bill to create a Department of Mental Health in the District of Columbia.

Within the past 20 years, a great awakening has occurred in the area of mental health.

For more than a century, mental health services were merely custodial. The mentally ill were stored away in large mental health hospitals, financed and regulated by State mental health hospital systems. Real treatment was the exception rather than the rule.

Then the treatment revolution began to occur. Professionals in mental health began to forget the past and look to the future. They realized that mental health patients did not have to be committed to large, impersonal and ineffective mental health hospitals. Rather, the mentally ill—like the physically ill—could be treated effectively in their own communities and returned to a useful place in society.

That movement received needed impetus from the Federal Government in February 1963, when President Kennedy proposed the Community Mental Health Centers Act.

President Kennedy said:

> We need a new type of health facility, one which will return mental health care to the main stream of American medicine, and at the same time upgrade mental health services.

The Congress responded to the President's challenge by enacting the legislation he proposed.

The States, too, have responded to the reawakened need to treat our mentally ill. State after State, in the past 20 years, has recognized the need for specialized mental health services by creating separate mental health departments to administer them. These mental health departments have been either autonomous departments standing on their own or separate mental health departments under umbrella agencies.

The trend among the States is irreversible. The States with aggressive mental health programs have taken the responsibility for administering them away from their public health departments. In 1947, mental health programs in 31 States came under the aegis of the public health departments. Today, in 42 States they are the responsibility of separate mental health departments. In only eight States and three territories do public health departments still retain the authority to administer mental health programs.

One of the jurisdictions bucking that trend is the District of Columbia. Despite the fact that President Kennedy in 1963 called upon the District government "to play a leadership role" in the development of mental health programs, the National Capital has fallen behind most of the rest of the Nation in that area.

To rectify that situation, I am today introducing legislation to create a separate department of mental health in the District of Columbia. The purpose of this legislation is to relieve an already overburdened public health department of one area of responsibility that it has found difficult to handle. At the same time, this legislation will bring the National Capital into the mainstream of mental health programing throughout the Nation.

I first became aware of the need for this legislation earlier this summer when I saw the horrors of patient life at St. Elizabeths Hospital. I was appalled to learn that because of the obstinance of the District Department of Health—the agency supposed to be responsible for mental health care in Washington—nearly 1,000 patients are forced to live in overcrowded and obsolete buildings, some of which were built before the Civil War.

It was because that experience caused me to doubt the competence of the Department of Health to administer mental health programs that I vigorously opposed the transfer of St. Elizabeths from NIMH to the District of Columbia Health Department. I firmly believe, as I believed at that time, that the National Institute of Mental Health must be allowed to convert St. Elizabeths from an old style mental hospital to a modern, model treatment center. This bill will not affect my position on that matter. It will merely create a viable agency within the District government capable of administering mental health programs efficiently if and when NIMH decides to give up the hospital.

There are other compelling reasons for immediate passage of this legislation. The District of Columbia Department of Public Health carries a far heavier burden than do most of its counterparts in other urban areas. In the city of Baltimore, for example, the public health department employs less than one-third the number of employees as does the D.C. department. In other cities, the hospitals, tubercular, and other special programs, in addition to mental health programs are often run by separate authorities. In the National Capital all are the responsibility of a single department—the Department of Public Health.

The result of an overburdened Department of Public Health attempting to administer mental health programs has been, to say the least, unfortunate. My Senate Committee on the District of Columbia has already conducted oversight hearings on the health department's operation of one vital aspect of mental health—the treatment of persons addicted to narcotic drugs. The committee's findings were appalling. The one drug addiction program operated by the Department of Public Health has been ineffective and cannot even guarantee that its patients are not taking drugs during treatment. The Health Department has not even been able to recuit a full-time psychiatrist for that program.

Those results are in direct contrast to the results achieved by a program in Baltimore run under the auspices of the autonomous Department of Mental Hygiene in my home State of Maryland. In that program, it is possible to find out the progress of any patient at any time.

Even in its community mental health centers—the core of the mental health program in the Nation's Capital—the Department of Public Health has found it difficult to administer successful programs. So ineffective is the treatment at its principal community mental health center that a recent judicial conference report revealed that insurance companies will not pay claims of patients being treated there. "The insurance companies," the report read, "took the attitude that such care as could be proved to have been given was merely custodial."

Recently, I asked the National Institute of Mental Health, which funds the community mental health centers to undertake for me an evaluation of the areas B and C centers. The NIMH report, written by a group of distinguished psychiatrists from across the Nation, concluded that the efforts of the medical personnel in the centers were being hampered by inefficient administration. The report stated:

> The clinical personnel at the operating level appear to be competent professionals, motivated to give service to patients, and also intensely interested in exploring new methods of delivering service to the community. This represents a powerful potential contribution to service development, but unfortunately a potential which has been either unused or misused by administration.

While the rest of the country moves forward, exploring new and better ways to treat the mentally ill, the Nation's Capital lingers in the dark ages of mental health care—providing its patients with little more than custodial care.

We can no longer allow that situation to exist. The Capital of this Nation must take the leadership in the development of innovative modes of treatment for its mentally ill. Its mental health programs must not continue to suffer because their importance is submerged in the bureaucracy of an overburdened Department of Public Health.

My legislation will rescue mental health from the mire of that bureaucracy. It will establish a streamlined structure to effectively administer mental health services in the District of Columbia.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2941) to establish a De-

partment of Mental Health as a new independent agency of the District of Columbia government and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on the District of Columbia.

SENATE JOINT RESOLUTION 154—INTRODUCTION OF A JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO PROCLAIM JANUARY AS "NATIONAL BLOOD DONOR MONTH"

Mr. EAGLETON. Mr. President, I introduce, for appropriate reference, a joint resolution authorizing the President to proclaim the month of January of each year as "National Blood Donor Month."

Each year, nearly 6 million units of blood are needed for transfusion in the United States. This number increases approximately 10 percent annually. The United States has repeatedly faced critical shortages of blood in the month of January when the number of potential donors is reduced by various wintertime illnesses.

The voluntary blood donor is the chief source of human blood, but only 3 to 5 percent of those eligible to donate blood in the United States are donors. Others would become donors if they were made aware of the blood requirements, the facilities available for blood donations, and the protection against future blood needs available to donors and their families. This resolution is designed to create such public awareness.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 154) to authorize and request the President to proclaim the month of January of each year as "National Blood Donor Month," introduced by Mr. EAGLETON, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSOR OF BILL

S. 2893

Mr. MOSS. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Idaho (Mr. CHURCH) be added as a cosponsor of S. 2893, to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data.

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

SENATE RESOLUTION 262—RESOLUTION RELATING TO PRINTING OF ADDITIONAL COPIES OF S. DOC. 39

Mr. MANSFIELD submitted the following resolution (S. Res. 262); which was referred to the Committee on Rules and Administration:

S. RES. 262

Resolved, That there be printed for the use of the Senate, 20,600 additional copies of S. Doc. 39, 90th Congress first session, entitled "Enactment of a Law."

IMPROVEMENT OF HEALTH AND SAFETY CONDITIONS OF PERSONS WORKING IN THE COAL MINING INDUSTRY—AMENDMENTS

AMENDMENT NO. 177

Mr. METCALF submitted amendments, intended to be proposed by him, to the bill (S. 2917) to improve the health and safety conditions of persons working in the coal mining industry of the United States, which were ordered to lie on the table and to be printed.

AMENDMENT OF FEDERAL WATER POLLUTION CONTROL ACT—AMENDMENTS

AMENDMENT NO. 178

Mr. TYDINGS. Mr. President, I submit an amendment intended to be proposed by me to S. 7, the Water Qualtiy Improvement Act of 1969.

The amendment is designed to provide urgently required financial relief to those States that have advanced the Federal share of construction costs for water quality treatment plants and have not yet received reimbursements from the Federal Government.

The amendment allocates up to $300 million from the annual appropriations to those States eligible for reimbursement.

The principal method to restore the quality of our waters is by construction of water treatment facilities. This is an enormous task, for many plants are required. Recognizing this, in 1966, Congress passed the Clean Water Restoration Act authorizing $4.7 billion in grants over a period of 6 years to States with pollution programs for construction of such facilities.

To receive Federal assistance, States were required to have their own program. A Federal-State partnership was thus created to clean up our waters.

Unfortunately, Federal funds were not forthcoming in the amounts either anticipated or required. In fiscal year 1966, $150 million was authorized, $121 million was appropriated. In fiscal year 1967, $150 million was again authorized and this time actually appropriated. But in fiscal year 1968, $450 million was authorized and less than half, $203 million appropriated. In fiscal year 1969, $700 million was authorized, only $214 million appropriated. For fiscal year 1970, a full $1 billion had been authorized yet the appropriation request is for only $214 million. Thus, there is a great gap between the authorizations and the money actually spent.

The result has been a severe setback for pollution control.

Congress did recognize, however, that immediate appropriation of all construction grant funds was not likely and that several States, New York and Maryland, to name just two, were prepared to move ahead on their own more rapidly than the availability of Federal funds. These States recognized the danger of water pollution and had set aside money to help abate it. Yet they were understandably reluctant to forge ahead without sufficient Federal assistance if other States, by waiting until both the scale of authorizations and level of actual funding increased, would receive greater financial support.

These States would then have been penalized for being progressive.

Congress, therefore, included in the 1966 act a provision permitting Federal reimbursement of those projects, approved by both the State water pollution agency and Secretary of the Interior, for which the State had advanced the Federal share of project cost. In their partnership with the Federal Government, several States prefinanced the Federal share so as not to lose momentum and time in the task of cleaning up the waters.

They did so, of course, with the understanding and belief that the Federal Government would honor the partnership, live up to the bargain, and repay the amounts advanced.

The Federal Government has not done so. Reimbursables, in the sum of nearly $300 million, have not been forthcoming.

The inevitable result has been financial chaos for those States which have shown initiative and progress. They have not been repaid, and their water pollution programs are thereby in jeopardy.

The States affected are Connecticut, owed $60,900,000; New York, owed $150,315,000; Maine, owed $3,500,000; Massachusetts, due $8,500,000; Vermont, due $677,000; Pennsylvania, $16,095,000; and Maryland, owed $52,957,000. The Federal Government owes these seven States a total of $292,944,000.

It is ironic that in a time when State governments are receiving increased attention and responsibilities, we are penalizing those very States we should be rewarding.

These seven States should be paid back. Fair play demands it.

My amendment, if passed, would do it.

It provides for an allotment of up to $300 million to States eligible for reimbursement.

Section 8 of the Federal Water Pollution Control Act deals with construction grants. Subsection (d) provides the authorizations for grants till fiscal year 1971. Subsection (c) determines how funds appropriated will be distributed. It also includes the reimbursement provision and is the section of the act I wish to amend.

Essentially, three patterns or bases of distribution are apparent in 8(c). The first is population. Of the sums appropriated the first $50 million and all funds in excess of $100 million are distributed on the basis of population. The specific basis is "the ratio that the population of each State bears to the population of all the States." The second pattern is per capita income. Of the first $100 million appropriated the second $50 million is distributed "in the ratio that the quotient obtained by dividing the per capita income of the United States by the per capita income of each State bears to the sum of such quotients for all the States." What this means, in simple language, is that the poorer States get more. The third pattern of distribution is what I

shall call for lack of a better term Federal involvement. There is a provision in 8(c) which provides additional funds for a State whose pollution problem is heightened by the presence of Federal installations or construction activities.

In a sense there is another pattern, found in 8(d). There, a provision states that of the first $100 million appropriated for water pollution construction grants at least half shall go to municipalities with populations of 125,000 or under.

The amendment I submit today eliminates none of these patterns of distribution. Funds appropriated would still be allocated on the basis of population, per capita income, Federal involvement, and size of municipality.

What it does is to add another pattern. Funds appropriated would also be distributed on the basis of the amount of the Federal share a State has advanced in anticipation of reimbursement.

The amendment provides that the second, third, and fourth hundred million dollars appropriated, thus a sum of up to $300 million, shall be allotted to States eligible for reimbursement from the Federal Government. The specific basis for distribution of these moneys—whether it be $300 million, $200 million, or $100,000—is the ratio that the amount each State has prefinanced bears to the total amount of prefinancing done by all the States.

For example, if a State has prefinanced X and the sum total of all the prefinancing is Y, then the amount the State receives under my amendment is Xk/y where k is the money appropriated and allocated by this amendment. In no case, however, could y be over $300 million. It might be less, depending on the 8(d) appropriation.

To make it clearer I have prepared a small chart entitled "Allocations of Reimbursement Funds Under Proposed Tydings Amendment" for which I ask unanimous consent that it be printed in the RECORD at the end of my prepared statement. The chart shows how my amendment would work.

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

(See exhibit 1.)

Mr. TYDINGS. Mr. President, looking at it we see that Maine has prefinanced $3.5 million for water pollution control. This represents the Federal portion of Maine's program which the State has advanced on her own. It is the amount she is eligible for reimbursement. It represents 1.29 percent of the $292,944,000 total prefinancing by seven States.

Under my amendment, which allocates "all sums in excess of $100 million and not in excess of $400 million appropriated pursuant to subsection (d)," Maine would receive $3,870,000 if the appropriation were $400 million or more. If this were the case $300 million would be allotted for reimbursement. Maine's program would be paid for.

The chart indicates that under the maximum amount permitted by the amendment, $300 million—which will be available as long as the 8(d) appropriation exceeds $400 million—some of the seven States would be allotted funds a little over the amount they actually prefinanced.

The purpose of my amendment is to insure the Federal Government pays what it owes to these States. It is not to get them additional funds above and beyond what they prefinanced. Thus, there is language in the amendment which says that any reimbursement "shall not exceed the sum advanced."

In cases where there are funds left over, where the amendment allocates money that is not obligated, provision is made for these funds to be redistributed by the Secretary according to regulations he promulgates.

Maryland is another example of a State that would justly benefit from this amendment. Conscious of how important her water resources are, Maryland embarked on a major effort to restore their quality. The State has prefinanced 79 projects worth $52,975,000, a significant sum for Maryland. Like the other six she is waiting for the Federal Government to pay her back.

Should the section 8(d) appropriation be $300 million, the amendment would provide $200 million for reimbursement.

Maryland's percentage of total prefinancing is 11.84 percent. She would thus receive 11.84 percent of the funds available—$200 million—which is $23,680,000.

I wish to make it clear that the amendment does not affect the level of fiscal year 1970 appropriations for water quality treatment facilities. This is found in the public works appropriation bill which should come to the floor late in the session. My amendment affects title I of S. 7 which amends the Federal Water Pollution Control Act.

I am concerned, with this amendment, not with the level of appropriations but the distribution of whatever funds are appropriated.

The present appropriation request is $214 million. This is clearly inadequate as the Citizens Crusade for Clean Water has pointed out. It is likely that the Senate committee will up the $214 million to $600 million. I would fully support such an increase and feel it is required if we are ever to clean up our waters.

The amendment thus does not alter the level of appropriations.

Neither does it eliminate the present distribution pattern of appropriated funds. Population, per capita income, Federal involvement, and size of municipality all remain.

Nor does it remove the flexibility granted the Secretary to reallocate funds not obligated.

Nor does it lock up all the funds in a new distribution pattern, leaving the other three high and dry. Per capita income and size of municipality are allotted funds prior to the amendment's taking effect. So, in part, is population, although some funds for this pattern could be diverted for reimbursement. Yet, with the expected $600 million appropriation there will be ample funds for both population and reimbursement patterns.

Nor does the amendment make forever permanent the section 8(c) distribution patterns. The 8(d) authorizations expire at the end of fiscal year 1971. Renewal will require extensive hearings at which further consideration can be given to the prefinancing problem. Section 8(c) could be changed at this time. In the meantime, however, seven State water pollution programs are in financial jeopardy. They should be reimbursed now, without having to wait any further.

They require and deserve immediate reimbursement.

Such repayment by the Federal Government is essential. Without it the financial integrity and stability of these programs are threatened. The success and continuity of the national effort to clean our waters depend on our paying for the water treatment facilities we construct.

The amendment will help us pay what we owe, some $292,944,000. It will help restore the confidence of the States in the grant programs of the Federal Government. This confidence has been severely shaken by instances such as this where the Federal Government fails to reimburse and violates the State/Federal partnership.

The amendment will reward State initiative and provide an incentive for other States to move ahead.

State government must now play a greater role in our affairs. We have learned that the Federal Government cannot do everything. Yet State responsibility for water quality control has always been primary, as the act's declaration of policy specifically states. Some States have met this responsibility and require now only that the Federal Government keep its part of the bargain. My amendment will bring this about. It puts the money where the action is.

In determining which projects are to receive Federal assistance, the Secretary is required in section 8(c) to consider "the propriety of Federal aid." Surely there are no projects more deserving of such assistance than those whose Federal share of costs have been advanced by the States.

It should be noted that section 8(d) contains the statement, "neither a finding by the Secretary that a project meets the requirements of this subsection, nor any other provision of this subsection, shall be construed to constitute a commitment or obligation of the United States to provide funds to make or pay any grant for such project." But with the acceptance of the reimbursement provision, a promise was undertaken and an agreement made.

The term used in drafting the provision was "prefinancing." The use of the preface indicates that the States were financing before the Federal Government paid its share, not instead of the share itself. Were that the case there would be no need for a partnership.

Maine, Maryland, and the other five States advanced the Federal share of projects costs; they did not assume the share.

The 1966 report on S. 2947—Report No. 1367, 89th Congress, second session,

July 11, 1966—in its section on reimbursement speaks of a "prefinancing provision" that will provide the Federal share "as it becomes available." The sentence does not read, "If it becomes available." The presumption is that it will and that the States will be paid back. But they have not been. My amendment merely provides that they are and is consistent with the philosophy of the water pollution legislation.

The "certain risk" which the report says is assumed by States which prefinance refers to a delay in reimbursement, not to the issue of whether reimbursement takes place. It is a time risk rather than a payment risk.

The seven Staates have waited long enough. It is high time they are reimbursed for the funds they advanced in order to have progressive, worthwhile water pollution control programs.

It is the purpose and effect of my amendment to provide these funds.

Mr. President, I ask unanimous consent that following the printing in the RECORD of the chart referred to in my speech, a second chart entitled "State Funds Advanced in Lieu of Federal Funds for Construction of Sewage Treatment Facilities" be printed in the RECORD. This chart offers additional information about the prefinancing problem. I also ask unanimous consent that text of my amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment and chart will be printed in the RECORD.

The amendment (No. 178) is as follows:

On page 73, between lines 15 and 16, insert the following:

"SEC. 106. Subsection (c) of section 8 of the Federal Water Pollution Control Act is amended to read as follows:

"'(c) In determining the desirability of projects for treatment works and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for such Federal financial aid for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof. The sums appropriated pursuant to subsection (d) for each fiscal year ending on or before June 30, 1965, and the first $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965, shall be allotted by the Secretary from time to time, in accordance with regulations, as follows: (1) 50 per centum of such sums in the ratio that the population of each State bears to the population of all the States, and (2) 50 per centum of such sums in the ratio that the quotient obtained by dividing the per capita income of the United States by the per capita income of each State bears to the sum of such quotients for all the States. All sums in excess of $100,000,000 and not in excess of $400,000,000 appropriated pursuant to subsection (d) for any fiscal year beginning after June 30, 1969, shall be allotted among the States eligible for reimbursement pursuant to the seventh and eighth sentences of this subsection in the proportion that the amount each State is so eligible to receive on the first day of such fiscal year bears to the total such amounts on such day for all States, and such allotment shall not exceed the sum advanced and shall be available until the termination of six months following the fiscal year for which made only for the purpose of reimbursing such State pursuant to the seventh and eighth sentences of this subsection. All sums in excess of $400,000,000 appropriated pursuant to subsection (d) for each fiscal year ending after June 30, 1969, shall be allotted by the Secretary from time to time, in accordance with regulations, in the ratio that the population of each State bears to the population of all States. Sums allotted to a State under the three preceding sentences which are not obligated within six months following the end of the fiscal year for which they were allotted because of a lack of projects which have been approved by the State water pollution control agency under subsection (b)(1) of this section and certified as entitled to priority under subsection (b)(4) of this section, or for other reasons, shall be reallotted by the Secretary, on such basis as he determines to be reasonable and equitable and in accordance with regulations promulgated by him, to States having projects approved under this section for which grants have not been made for lack of funds: *Provided, however,* That whenever a State has funds subject to reallocation and the Secretary finds that the need for a project in a community in such State is due in part to any Federal institution or Federal construction activity, he may, prior to such reallocation, make an additional grant with respect to such project which will in his judgment reflect an equitable contribution for the need caused by such Federal institution or activity. Any sum made available to a State by reallotment under the preceding sentence shall be in addition to any funds otherwise allotted to such State under this Act. The allotments of a State under the second, fourth, and fifth sentences of this subsection shall be available, in accordance with the provisions of this section, for payments with respect to projects in such State which have been approved under this section, except that in the case of any project on which construction was initiated in such State after June 30, 1966, which was approved by the appropriate State water pollution control agency and which the Secretary finds meets the requirements of this section but was constructed without such assistance, such allotments for any fiscal year shall also be available, together with the allotments under the third sentence of this subsection, for payments in reimbursement of State or local funds used for such project to the extent that assistance could have been provided under this section if such project had been approved pursuant to this section and adequate funds had been available. In the case of any project on which construction was initiated in such State after June 30, 1966, and which was constructed with assistance pursuant to this section but the amount of such assistance was a lesser per centum of the cost of construction than was allowable pursuant to this section, such allotments shall also be available for payments in reimbursement of State or local funds used for such project to the extent that assistance could have been provided under this section if adequate funds had been available. Neither a finding by the Secretary that a project meets the requirements of this subsection, nor any other provision of this subsection, shall be construed to constitute a commitment or obligation of the United States to provide funds to make or pay any grant for such project. For purposes of this section, population shall be determined on the basis of the latest decennial census for which figures are available, as certified by the Secretary of Commerce, and per capita income for each State and for the United States shall be determined on the basis of the average of the per capita incomes of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce.'"

On page 73, lines 16, 19, and 23, redesignate sections 106, 107, and 108 as sections 107, 108, and 109, respectively.

The chart, presented by Mr. TYDINGS, is as follows:

STATE FUNDS ADVANCED IN LIEU OF FEDERAL FUNDS FOR CONSTRUCTION OF SEWAGE TREATMENT FACILITIES

States	Number of projects	Cost	Federal grant entitlement	Federal grants made	State funds advanced (eligible to be reimbursed)
Total	295	$948,787,000	$334,077,000	$41,133,000	$292,944,000
Connecticut	38	121,400,000	64,280,000	3,380,000	60,900,000
New York	70	548,000,000	165,823,000	15,508,000	150,315,000
Maine	7	11,700,000	6,300,000	2,800,000	3,500,000
Massachusetts	12	20,800,000	9,900,000	1,400,000	8,500,000
Vermont	3	2,400,000	1,287,000	610,000	677,000
Pennsylvania	86	125,493,000	27,063,000	10,968,000	16,095,000
Maryland	79	118,994,000	59,424,000	6,467,000	52,957,000

EXHIBIT 1

ALLOCATIONS OF REIMBURSEMENT FUNDS UNDER PROPOSED TYDINGS AMENDMENT

States	States funds advanced	Percentage of total prefinancing	Possible appropriations		
			$300,000,000	$200,000,000	$100,000,000
Connecticut	$60,900,000	22.37	$67,110,000	$44,740,000	22,370,000
New York	150,315,000	55.22	165,660,000	11 ,440,000	55,220,000
Maine	3,500,000	1.29	3,870,000	2,580, 00	1,290,000
Massachusetts	8,500,000	3.12	9,360,000	6,240,000	3,120,000
Vermont	677,000	.25	750,000	500,000	250,000
Pennsylvania	16,095,000	5.91	17, 30,000	11,820, 00	5,910,000
Maryland	52,957,000	11.84	35,520,000	23,680,000	11,840,000

HOUSING AND URBAN DEVELOPMENT ACT OF 1969—AMENDMENT

AMENDMENT NO. 179

Mr. HOLLINGS submitted an amendment, intended to be proposed by him, to the bill (S. 2864) to amend and extend laws relating to housing and urban development, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 199

Mr. TOWER (for himself, Mr. DOLE, Mr. PACKWOOD, Mr. PERCY, Mr. FANNIN, and Mr. GURNEY) submitted an amendment, intended to be proposed by him, to Senate bill 2864, supra, which was ordered to lie on the table and to be printed.

AMENDMENT OF FOOD STAMP ACT OF 1964—AMENDMENTS

AMENDMENTS NOS. 180 THROUGH 196

Mr. McGOVERN. Mr. President, on Wednesday the Senate will be considering S. 2547, amendments to the Food Stamp Act of 1964. S. 2547, as reported by the Committee on Agriculture, takes a major step to meet the problems of hunger and malnutrition by reforming the present food stamp program. But the committee bill goes less than half way to make the reforms necessary to fill the gap between food and income for the Nation's poor. If, as President Nixon stated on May 6, 1969, the time has now come to put an end to hunger in America for all time, I believe we must pass a food stamp reform bill this week that will accomplish that objective.

The Select Committee on Nutrition and Human Needs has studied the food stamp and our other food programs for nearly 10 months. I believe its hearings and its field trips have demonstrated the inadequacies of the existing food stamp program. I believe that they have also demonstrated what we must do to reform the program if we seriously expect to make it an effective vehicle for the elimination of poverty related hunger in America. The time for promising an end to hunger has clearly passed. The time for us to fulfill that promise is now.

A number of proposals will be made to amend S. 2547 on the floor this week by me and by other Senators. So that the Members of the Senate will have a chance to study between now and Wednesday a series of amendments which I believe will make substantial improvements in the reported bill. I now send to the desk a number of amendments to S. 2547. Several of these amendments may be sponsored by other members of the committee when the debate begins later this week.

I ask unanimous consent that these amendments be printed and lie on the table.

I also ask unanimous consent that the amendments be printed in the RECORD, along with an explanation in tabular form briefly describing how each would change or add to the provisions of S. 2547 as reported by the Senate Agriculture Committee.

I also ask unanimous consent that there be printed in the RECORD following this table my individual views which will be found beginning on page 22 of the Agriculture Committee report accompanying S. 2547.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table; and, without objection, the amendments, table, and individual views will be printed in the RECORD.

The amendments, submitted by Mr. McGOVERN, are as follows:

AMENDMENT NO. 180

On page 1 between lines 2 and 3 insert the following:

"PURPOSE OF THE ACT

"SEC. 1. Section 2 of the Food Stamp Act of 1964 is amended as follows:

"'SEC. 2. It is hereby declared to be the policy of Congress, in order to promote the general welfare, that the Nation's abundance of food should be utilized cooperatively by the States, the Federal Government, local governmental units, and other agencies to the maximum extent to safeguard the health and well-being of the Nation's population and provide adequate levels of food consumption and nutrition among low-income households. The Congress hereby finds that increased utilization of foods in establishing and maintaining adequate levels of food consumption and nutrition will tend to cause the distribution in a beneficial manner of our agricultural abundances and will strengthen our agricultural economy, as well as result in more orderly marketing and distribution of food. To effectuate the policy of Congress and the purpose of this Act, a food stamp program, which will permit those households with low incomes to receive a share of the Nation's food abundance sufficient to provide them with adequate levels of food consumption and nutrition, is herein authorized.'

"ESTABLISHMENT OF THE FOOD STAMP PROGRAM

"SEC. 2. Section 4(a) of the Food Stamp Act of 1964 is amended by striking out the first sentence and inserting in lieu thereof the following:

"'The Secretary is authorized to formulate and administer a food stamp program under which eligible households within a State will be provided with coupon allotments of sufficient monetary value to enable them to purchase a nutritionally adequate diet. Such program shall be carried out in any State at the request of the appropriate State agency of such State or pursuant to section 10(f) of this Act.'"

Renumber the sections of the bill accordingly.

AMENDMENT NO. 181

On page 1 between lines 2 and 3 insert the following:

"PURCHASE OF SANITATION PRODUCTS

"SEC. 1. Subsection (b) of section 3 of the Food Stamp Act of 1964 is amended by adding at the end thereof a new sentence to read as follows:

"'The term "food" also means such products as the Secretary may determine to be necessary for personal cleanliness, hygiene, and home sanitation.'"

Renumber the sections of the bill accordingly.

AMENDMENT NO. 182

On page 1 between lines 2 and 3 insert the following:

"AREAS COVERED

"SEC. 1. Subsection (j) of section 3 of the Food Stamp Act of 1964 is amended to read as follows:

"'(j) The term "State" means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the Trust Territory of the Pacific Islands.'"

Renumber the sections of the bill accordingly.

AMENDMENT NO. 183

On page 1 beginning with line 3 strike all the material through line 2 on page 2 and insert in lieu thereof the following:

"CONCURRENT FOOD DISTRIBUTION

"SEC. 1. Section 4(b) of the Food Stamp Act of 1964 is amended to read as follows:

"'(b) Nothing in this or any other Act shall be construed as prohibiting the Secretary from distributing federally owned foods, under any other federally authorized program, to households in any area in which a food stamp program is in effect. In any county where a food stamp program is being initiated and where federally owned foods have been distributed to households during any one of the three months immediately prior to initiation of a food stamp program, the Secretary shall take such actions as may be necessary to insure that federally owned foods shall continue to be distributed to needy families until such time as the number of persons participating in a food stamp program exceeds the monthly average number of persons who received federally owned foods during the three month period immediately prior to initiation of a food stamp program.'"

AMENDMENT NO. 184

On page 2, strike lines 3 through 20 and insert in lieu thereof the following:

"ELIGIBILITY

"SEC. 2. Section 5 of the Food Stamp Act of 1964 is amended to read as follows:

"SEC. 5. (a) Households whose income is determined, as provided in this subsection, to be insufficient to permit them to purchase a nutritionally adequate diet shall be eligible to participate in the food stamp program. The Secretary shall prescribe, not less often than once a year, the minimum level of income a household must have in order to purchase a nutritionally adequate diet for the members of such household and be financially able to meet the other normal living expenses of a household. He shall prescribe such level of income for households composed of varying numbers of individuals, but in no case shall the minimum income level prescribed by the Secretary be less for any household than the equivalent of $4,000 per year for a household composed of four persons. In prescribing minimum income levels for households under this subsection the Secretary may take into consideration such relevant factors as the regional variations in the cost of food described in the low-cost food plan published by the Agricultural Research Service of the United States Department of Agriculture or such other relevant factors as he deems appropriate but may not consider the availability of appropriations to carry out this Act. The Secretary shall also prescribe the maximum level of income for households composed of varying numbers of individuals above which households shall be ineligible to participate in the food stamp program. Income limitations prescribed under this subsection shall be revised annually to reflect any increase in the cost of living, as determined on the basis of the Consumer Price Index (all items, United States city average) published monthly by the Bureau of Labor Statistics, Department of Labor.

"'(b) In complying with the limitations on participation set forth in subsection (a) above, each State agency shall establish standards to determine the eligibility of applicant households. Such eligibility standards shall comply with the maximum and minimum income levels prescribed by the Secretary under subsection (a) of this section and shall also place a limitation on the resources to be allowed eligible households, but such limitation shall apply to the income, if any, realized from such resources and not to an income which might be realized through liquidation of such resources. The standards of eligibility to be used by each State for the food stamp program shall be subject to the approval of the Secretary.'"

AMENDMENT NO. 185

On page 2 beginning with line 21, strike all the material through line 5 on page 3 and insert in lieu thereof the following:

"VALUE OF COUPON ALLOTMENT

"SEC. 3. Section 7(a) of the Food Stamp Act of 1964 is amended to read as follows:

"'(a) The face value of the coupon allotment which is issued to any household certified as eligible to participate in the food stamp program shall be not less than the amount necessary to purchase a nutritionally adequate diet for the members of such household. The amount necessary to purchase a nutritionally adequate diet for households composed of varying numbers of individuals shall be determined by the Secretary and shall be revised annually by the Secretary. In determining the amount necessary to purchase a nutritionally adequate diet for any household the Secretary shall take into consideration such relevant factors as he deems appropriate but may not consider the availability or expected availability of appropriations to carry out this Act. In no event shall the amount determined by the Secretary to be necessary to purchase a nutritionally adequate diet for any household be less than the amount which the Agricultural Research Service of the United States Department of Agriculture determines to be necessary to permit a household of comparable size to purchase the kinds and amounts of food contained in the low-cost food plan established by the Agricultural Research Service of the United States Department of Agriculture and published in the "Family Economics Review." The Agricultural Research Service shall revise and published the amount which it determines to be necessary to purchase such food at least annually so as to reflect changes in the prices of food published by the Bureau of Labor Statistics in the Department of Labor.'"

AMENDMENT NO. 186

On page 3 strike lines 6 through 23 and insert in lieu thereof the following:

"COST OF COUPON ALLOTMENT

"SEC. 4. Section 7(b) of the Food Stamp Act of 1964 is amended to read as follows:

"'(b) Households shall be charged such portion of the face value of the coupon allotment issued to them as is determined not to exceed a reasonable investment on the part of the household: *Provided,* That (1) any eligible household whose income is less than two-thirds the current amount necessary to purchase a nutritionally adequate diet, determined by the Secretary under subsection (a) of this section shall not be charged any amount for such coupon allotment; and (2) in no case shall any eligible household be charged an amount greater than an amount equal to 25 per centum of the income of such household for such coupon allotment.'"

AMENDMENT NO. 187

On page 3 strike lines 12 through 23 and insert in lieu thereof the following: "household, but in no event more than 25 per centum of the household's income."

AMENDMENT NO. 188

On page 3 line 16 strike "30" and insert in lieu thereof "25".

AMENDMENT NO. 189

On page 4 insert between lines 15 and 16 the following:

"CERTIFICATION OF HOUSEHOLDS

"SEC. 5. (a) Section 10(c) of the Food Stamp Act of 1964 is amended by inserting immediately preceding the first sentence the following:

"'Any household making application for the benefits of this Act shall be certified for eligibility solely by execution of an affidavit, in such form as the Secretary may prescribe, by the member of such household making application—except for fraud. Certification of a household as eligible in any political subdivision shall, in the event of removal of such household to another political subdivision in which the food stamp program is operating, remain valid for participation in the food stamp program for a period of sixty days from the date of such removal.'

"(b) Section 10(e) of the Food Stamp Act of 1964 is amended by striking clause (2) and inserting in lieu thereof the following:

"'(2) that the State agency shall make every possible effort to insure that all households who meet the eligibility requirements set forth in this Act are certified to participate in the food stamp program'."

On page 4 strike line 1, everything before "Issuance" in line 2, everything following the colon in line 7, lines 8 and 9, everything before "Coupons" in line 10.

Renumber the sections of the bill accordingly.

AMENDMENT NO. 190

On page 4 insert between lines 15 and 16 the following:

"PURCHASE AND ISSUANCE OF COUPONS

"SEC. 5. (a) Section 10(d) of the Food Stamp Act of 1964 is amended by inserting immediately preceding the first sentence the following:

"'Notwithstanding any other provision of this Act, a household may, if it so elects, purchase any amount of coupons less than the full coupon allotment it is entitled to purchase. The amount charged any household for any portion of a coupon allotment less than the full coupon allotment shall be an amount which bears the same ratio to the amount which would have been charged such household for the full coupon allotment as such portion of the full coupon allotment bears to the full coupon allotment such household was entitled to purchase. The Secretary shall prescribe general guidelines and minimum requirements with respect to the quality of certification and issuance services to be provided by State agencies to eligible households, including, but not limited to, matters relating to the places, times, and frequency of coupon issuance services in political subdivisions approved for participation in the food stamp program. Such general guidelines and minimum requirements shall include at least the following provisions (1) that the issuance of coupons shall take place no less often than once per week and (2) that at each issuance of coupons any household may purchase the entire monthly coupon allotment to which it is entitled or any portion of that coupon allotment which it has not previously purchased. The State agency shall, notwithstand any other provision of law, institute procedures under which any household participating in the food stamp program shall be entitled, if it so elects, to have the charges, if any, for its coupon allotment deducted from any grant or payment such household may be entitled to receive under any federally aided public assistance program, and have its coupon allotment distributed to it with such grant or payment.'

"(b) Section 10(b) of the Food Stamp Act of 1964 is amended by striking everything following the colon and inserting in lieu thereof the following:

"'*Provided,* That the State agency shall comply with the requirements of clauses (2) and (3) of section 10(e) of this Act. The operating agency may delegate its responsibility for the issuance of coupons and the collection of the amounts charged from eligible households to the United States post offices, banks, credit unions or any other public agency or private nonprofit agency. There shall be kept such records as may be necessary to ascertain whether the program is being conducted in compliance with the provisions of this Act and the regulations issued pursuant to this Act. Such records shall be available for inspection and audit at any reasonable time and shall be preserved for such period of time, not in excess of three years, as may be specified in the regulations.'

"(c) Section 10(e) of the Food Stamp Act of 1964 is amended by striking '(3)' and '(4)' and inserting in lieu thereof '(4)' and '(5)' respectively and by inserting immediately following clause (2) the following:

"'(3) that the State agency shall arrange for the issuance of coupons to eligible households and for the collection of sums required from eligible households as payment therefor through the facilities of United States Post Offices direcly or by mail, through the facilities of participating retail food stores or in such other manner convenient to participating households as shall best insure their participation.'"

On page 4 strike everything following "Assistance" in lines 1 and 2, everything following the period in line 10 and lines 11 through 15.

Renumber the sections of the bill accordingly.

AMENDMENT NO. 191

On page 3, insert after line 23 the following:

"OUTREACH AND COUNSELING

"SEC. 5. Section 10(a) of the Food Stamp Act of 1964 is amended to read as follows:

"'SEC. 10. (a) The food stamp program shall be administered to insure that participants are afforded the opportunity to receive at schools, at approved retail food stores, in their homes, or at other appropriate places convenient to participants such instruction and counseling as will best assure that they are able to use their increased purchasing power to obtain those nutritious foods most likely to insure that they receive a nutritionally adequate diet. The food stamp program shall also be administered to insure that all households eligible to participate in the program are informed of its existence and given such assistance as may be required to enable them to make application for the benefits of this Act. In addition to such steps as may be taken administratively, the voluntary cooperation of existing Federal, State, local, or private agencies which carry out informational and educational programs for consumers shall be enlisted for the purpose of providing nutrition counseling and home economics services for eligible households using such authorities as may be available to the Secretary, or in cooperation with other agencies of the Federal Government or private agencies. The Secretary is authorized to use the educational potential of the national school lunch program and its extension to introduce better eating patterns and better nutrition to eligible households under this Act.'"

Renumber the sections of the bill accordingly.

AMENDMENT NO. 192

On page 6 beginning with line 9 strike all the material through line 2 on page 7 and insert in lieu thereof the following:

"ALTERNATE ADMINISTRATION IN CERTAIN AREAS

"Section 10(f) of the Food Stamp Act of 1964 is amended to read as follows:

"'(f) Notwithstanding any other provision of this Act, the Secretary shall administer a food stamp program through any private nonprofit organization or through any Federal, State, or county agency he deems appropriate in any political subdivision of a State if

"'(1) he determines that in the administration of the program in such political subdivision there is a failure by the State agency to comply with the provisions of this Act, or with the regulations issued thereunder, or with the State plan of operation approved by

the Secretary and he has informed such State agency of such failure and such failure has not been corrected after a reasonable period of time; or

"'(2) he determines that a food program is needed in such political subdivision and the appropriate officials of such political subdivision or the State have not requested a food stamp program for such political subdivision after the Secretary has made an offer of Federal payments as authorized by this section; or

"'(3) a food stamp program is not being operated, or is not being operated in accordance with the provisions of this Act, in such political subdivision on January 1, 1971, or thereafter; or

"'(4) he determines that the ratio of the number of persons participating in a food stamp program in such political subdivision to the number of persons classified by the Office of Economic Opportunity as low income in such political subdivision is not adequate to effectuate the policy of Congress and the purposes of this Act.

When the Secretary administers a food stamp program under the provisions of this subsection, he shall observe, or require the administering organization or agency to observe, all of the appropriate provisions of this Act and regulations issued pursuant thereto.'"

AMENDMENT NO. 193

On page 5 insert between lines 19 and 20 the following:

"ISSUANCE COSTS

"SEC. 7. Section 15 of the Food Stamp Act of 1964 is amended by adding at the end thereof the following new subsection:

"'(c) Notwithstanding the provisions of subsection (a) of this section, the Secretary shall pay to the State agency of a State the costs of issuing coupons to eligible households and of collecting the sums required from eligible households as payments therefor.'"

AMENDMENT NO. 194

On page 5 beginning with line 20 strike all the material through line 8 on page 6 and insert in lieu thereof the following:

"APPROPRIATIONS

"SEC. 7. Section 16 of the Food Stamp Act of 1964 is amended to read as follows:

"'SEC. 16. (a) To carry out the provisions of this Act, there is hereby authorized to be appropriated not in excess of $1,500,000,000 for the fiscal year ending June 30, 1970; not in excess of $2,500,000,000 for the fiscal year ending June 30, 1971; and not in excess of $3,500,000,000 for the fiscal year ending June 30, 1972. Such portion of any such appropriation as may be required to pay for the value of the coupon allotments issued to eligible households which is in excess of the charges paid by such households for such allotments shall be transferred to and made a part of the separate account created under section 7(d) of this Act. Sums appropriated under this section shall, notwithstanding the provisions of any other law, continue to remain available for purposes of this Act until expended.

"'(b) Upon written notification to the Congress of his intent to do so, the Secretary is authorized in any fiscal year to obligate sums in excess of the sums appropriated for such fiscal year pursuant to subsection (a) of this section, if such excess obligations are necessary to meet unanticipated increases in participation. In no event shall the amount of excess obligations in any fiscal year exceed an amount equal to 15 per centum of the sums appropriated for such fiscal year pursuant to subsection (a) of this section. The amount of any excess obligation incurred in any fiscal year shall be paid for out of funds appropriated to carry out this Act in the succeeding fiscal year.

"'(c) If the Secretary determines that any portion of the funds in the separate account created under section 7(d) of this Act are no longer required to carry out the provisions of this Act, such portion of such funds shall be paid into the miscellaneous receipts of the Treasury.'"

Renumber the other sections of the bill accordingly.

AMENDMENT NO. 195

On page 5 beginning with line 20 strike all material through line 8 on page 6 and insert in lieu thereof the following:

"APPROPRIATIONS

"SEC. 7. Section 16 of the Food Stamp Act of 1964 is amended to read as follows:

"'SEC. 16. (a) To carry out the provisions of this Act, there is hereby authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1970, and for each of the two succeeding fiscal years. Such portion of any such appropriation as may be required to pay for the value of the coupon allotments issued to eligible households which is in excess of the charges paid by such households for such allotments shall be transferred to and made a part of the separate account created under section 7(d) of this Act. Sums appropriated under this section shall, notwithstanding the provisions of any other law, continue to remain available for purposes of this Act until expended.

"'(b) Upon written notification to the Congress of his intent to do so, the Secretary is authorized in any fiscal year to obligate sums in excess of the sums appropriated for such fiscal year pursuant to subsection (a) of this section. If such excess obligations are necessary to meet unanticipated increases in participation. In no event shall the amount of excess obligations in any fiscal year exceed an amount equal to 15 per centum of the sums appropriated for such fiscal year pursuant to subsection (a) of this section. The amount of any excess obligation incurred in any fiscal year shall be paid for out of funds appropriated to carry out this Act in the succeeding fiscal year.

"'(c) If the Secretary determines that any of the funds in the separate account created under section 7(d) of this Act are no longer required to carry out the provisions of this Act, such portion of such funds shall be paid into the miscellaneous receipts of the Treasury.'"

Renumber the other sections of the bill accordingly.

AMENDMENT NO. 196

On page 8 after line 6 insert the following:

"APPROPRIATIONS FOR FOOD ASSISTANCE PROGRAMS

"SEC. 10. (a) There is hereby appropriated for each fiscal year beginning with the fiscal year ending June 30, 1970, an amount equal to 30 per centum of the gross receipts for duties collected under the customs laws during the period January 1 to December 31, both inclusive, preceding the beginning of each such fiscal year. Such sums shall be maintained in a separate fund and shall be used by the Secretary of Agriculture only in carrying out the provisions of (1) section 11 of the National School Lunch Act, (2) sections 4 and 5 of the Child Nutrition Act of 1966, (3) the Food Stamp Act of 1964, and (4) any other Act providing food assistance to needy persons. The funds appropriated by this section are in addition to any funds otherwise appropriated for carrying out such provisions and shall be available for expenditure for carrying out such provisions without regard to any dollar limitation prescribed for appropriations contained in such Acts. The funds appropriated by this section are also in addition to funds appropriated pursuant to section 32 of Public Law 320, Seventy-fourth Congress.

"(b) The sums appropriated under the first subsection (a) of this section shall be expended for one or more of the purposes specified in such subsection and shall be expended at such times, in such manner, and in such amounts as the Secretary of Agriculture determines will effectively carry out such purpose or purposes.

"(c) The sums appropriated under this section shall, notwithstanding the provisions of any other law, continue to remain available for the purposes of this section until expended; but any excess of the amount remaining unexpended at the end of any fiscal year over $500,000,000 shall, in the same manner as though it had been appropriated for the service of such fiscal year, be subject to the provisions of the Surplus Fund-Certified Claims Act of 1949 (63 Stat. 407; 31 U.S.C. 712a)."

The table, presented by Mr. McGOVERN, is as follows:

EXPLANATION OF FOOD STAMP AMENDMENTS

The following table presents a brief comparison of the major provisions of the Senate Agriculture Committee Food Stamp Bill (S. 2547) and a series of amendments to that bill introduced by Senator McGovern.

Item	Agriculture Committee bill	Amendments
Policy and establishment of program	To raise levels of nutrition among low-income households.	To provide adequate levels of food consumption and nutrition among low-income households.
Level of funding	Fiscal year 1970—$750,000,000 Fiscal year 1971—$1,500,000,000 Fiscal year 1972—$1,500,000,000	Such sums as are necessary to carry out the provisions of the act for fiscal years 1970-72. Also allows obligation of 10 percent over amount appropriated expenses.
Carryover of unexpended funds	Unspent funds available until June 30, 1972.	Unspent funds available until spent.
National income eligibility standards	The State agency is directed to set eligibility standards within unspecified national minimum and maximum standards to be set by the Secretary.	The Secretary is directed to establish a minimum national income eligibility standard of $4,000 per year for a family of 4. This standard was recommended by Secretary of Agriculture Hardin before the Nutrition Committee on Sept. 15, 1969. The Secretary is also directed to establish maximum standards and to revise all standards annually to reflect changes in costs of living. In setting eligibility standards, regional variations in food prices are to be considered. The States will set specific standards within the guidelines set by the Secretary.
Method of certification	Same as present except certification may be granted to public assistance recipients without further investigation if the State agency so chooses.	Certification by personal declaration in the form of an affidavit.

Item	Agriculture Committee bill	Amendments
Total coupon allotment	Provides a total allotment equal to the amount which the Secretary determines to be equal to the "cost of an adequate diet." Secretary Hardin has said that this amount will be $100 per month for a family of 4, the cost of USDA's "economy" diet, which USDA has said adequately feeds only 10 percent of those that have little to spend on food.	Provides a total allotment equal in value to the cost of USDA's "low cost" food plan. This amount now stands at $125 per month as a national average, but varies by region to reflect differences in actual food prices.
Free coupons	Free stamps prohibited; minimum charge required.	Free coupons would be provided to families whose total income is less than ¾ the cost of puchasing an adequate diet.
Coupon purchase price	No family can be charged over 30 percent of their total income for their stamps.	No family can be charged over 25 percent of their total income for their stamps. The average American family spends 17 percent of its income on food.
Alternate local or Federal operation	The Secretary may operate a program directly if 3 conditions are met: (1) The Secretary finds an urgent need for stamps; (2) The State agency refuses for 90 days to request a stamp program; (3) The Governor of the State requests that the Secretary intervene.	The Secretary is required to operate a stamp program either directly or through any private or public agency he deems appropriate when any 1 of 3 conditions applies: (1) Local officials refuse to request a program in an area where the Secretary finds a need for such program; (2) No stamp program exists as of Jan. 1, 1971; (3) Participation in the program is token.
Establishing a national stamp program	None	Requires a stamp program in every county by Jan. 1, 1971.
Simultaneous commodity and stamp programs.	Prohibits except for 90 days after transition to stamps if the State agency requests and pays for it.	Requires simultaneous programs during the transition from commodities to stamps until participation in the stamp program equals previous participation in the commodity program.
Administrative costs	No change from present	The Secretary pays coupon issuance costs but pays other administrative costs under the present formula.
Coupon issuance to welfare recepients	Permits deduction of purchase price from welfare payments if household so chooses. Requires twice monthly issuance.	Permits both deduction of purchase price from welfare check and mailing of stamps with check. Requires weekly issuance.
Variable purchase	No provision	Permits purchase of any amount of stamps up to full allotment at any scheduled time of issuance. This provision is now favored by the administration.
Participation by migrants	No change	Encourages migrant participation by providing that a person certified as eligible in a county shall be eligible in any other county for 60 days after leaving the county in which he was certified.
Areas covered	do	Includes Puerto Rico, Guam, Virgin Islands, etc.
Purchase of sanitation products	No provision	Permits use of stamps to purchase such products as the Secretary determines are necessary to personal cleanliness and home sanitation.
Outreach and counseling	No change	Requires outreach by State and local agencies to inform eligible families and help them become certified. Also requires instruction and counseling on nutrition education and use of stamps.

The individual views of Mr. McGOVERN are as follows:

INDIVIDUAL VIEWS OF MR. MCGOVERN

More than 5 million Americans live in families whose yearly household income is less than the total amount they must have for food alone—less than the equivalent of $1,200 a year for a family of four, the amount the Department of Agriculture says is the minimum cost of an "emergency economy" diet. More than a million Americans have *no cash income* at all.

Another 9 million of our citizens live in families with incomes between $1,200 and $2,400. They cannot spend more than half their income on food and still clothe their children, pay the landlord, the electric company or gas company, and meet their other fixed expenses of living.

These 14 million "hard-core" poor have inadequate diets; many, perhaps millions, suffer from chronic and severe hunger and malnutrition—for one overriding reason. They haven't the money to purchase a nutritious diet.

The committee has taken a major step to meet this problem. The reported bill includes many reforms in the present Food Stamp Act which, if properly administered, will begin to make the food stamp program what it was promised to be—our first line of defense against poverty-related hunger and manutrition. The reported bill will—

Permit commodities to be distributed free in counties that have just transferred from that program to food stamps;

Authorize the Secretary of Agriculture to set a range of eligibility standards for participating in the food stamp program;

Raise the value of food stamps to the "cost of an adequate diet";

Place a ceiling on the purchase price of stamps of 30 percent of a family's income;

Require the issuance of stamps at least twice monthly; and

More than double the funds authorized for fiscal year 1970 and double that again in 1971.

I commend my colleagues on the committee and particularly its chairman whose personal efforts have been primarily responsible for the new lease on life which the food stamp program has received from the committee.

But the committee has gone less than half way to fill the gap between food and income among the Nation's poor. America should not be satisfied to meet the problem only halfway.

FREE STAMPS

Some 1.3 million Americans have no cash income at all. OEO estimates that 561,000 are unrelated individuals; 770,000 live in families of varying size.

The committee not only rejected a proposal to authorize free stamps to families with incomes of less than $40 a month, it wrote into present law a minimum charge of 50 cents per person per month—a provision more restrictive than present law which, at least technically, authorizes free stamps to households with no "normal expenditures for food."

To require that families with no income pay for their stamps will simply write out of the program 1.3 million poor with no cash income, on the false assumption that the poor need some incentive to save their money for food and learn to budget their food dollar.

More than 5 million poor people live in families or by themselves with incomes less than the amount the Department of Agriculture has determined they must have *for food alone*—less than the equivalent of $100 a month for a family of four. Food is the first necessity of life which they need desperately. Food is what they buy with the money they have left over—if they have any left—after they pay to keep from being evicted by the landlord, to keep their lights from being shut off, and to keep from freezing in winter. It is cruel to ask such a family to choose between food and medicine and other necessities and call that choice an education in effective budgeting.

We have given free food to poor families for decades under the commodity donation program. Yet we don't call that program welfare. Instead, we use the rationalization that we need to dispose of the surplus our farmers produce. We provide free education for American families whether they are poor or rich. We provide income supplements in the form of public assistance based, theoretically, on a family's minimum basic living expenses, including food, and we do not ask the poor to pay into those programs on a "let's not give something for nothing" rationalization. Yet the food stamp program is the only Federal poverty program that requires the poor to pay an admission fee—a token fee for those who cannot pay, designed to put us safely on record against "the dole."

We should have the compassion and decency to waive that admission fee for those whose incomes and standards of living are so low that they are in a state of hopeless poverty. A family whose income forces it into a perpetual state of hunger and malnutrition should receive its food stamps free.

COMMODITIES IN FOOD STAMP COUNTIES

The committee bill permits the distribution of commodities in food stamp counties at the request of the State agency for up to 90 days when a county switches from commodities to food stamps. The Food Stamp Act now authorizes commodity distribution in food stamp areas only "during emergency situations caused by a national or other disaster as determined by the Secretary." No Secretary of Agriculture has been willing to declare severe hunger or malnutrition an emergency under this provision.

The food stamp program has never succeeded in reaching a significant number of low income families. It has simply failed to reach the poor of this Nation. In those counties that have a food stamp program, the Department of Agriculture figures show that the program reaches an average of only 16 percent of the poor who are in need of assistance. This low participation is the result of four factors:

First, the present program is so designed that most of those in need cannot afford to participate. They cannot afford the purchase price of stamps, and even where they can, the stamps they buy are not worth the cost of an adequate diet.

Second, certification procedures are so cumbersome as to discourage application by eligible households.

Third, few eligible low income families even know about the program. There has never been an effective "outreach" effort by Federal, State, or local authorities.

Finally, the program has never been adequately funded.

Until the purchase price of stamps and

their bonus value are in line with what the poor can afford to pay and what they need to purchase a nutritious diet, until effective outreach is undertaken, and until enough funds are provided to enable all eligible families to participate, commodities should be made available wherever the Secretary finds there is a need.

There is a special need for commodity distribution in counties that transfer from commodities to food stamps. In those counties that have switched to food stamps in the past, there are today 40 percent fewer people on food stamps than were on commodities before transfer. More than a million people who were receiving commodities are not receiving food stamps.

The committee provision limiting commodity distribution to a 90-day-period switchover will not significantly help alleviate this situation. In the past, only about 3 percent of the initial decline in participation has been made up. USDA figures show that in counties that have changed from commodities to food stamps:

Persons receiving commodities just before transfer	2,783,108
Persons receiving food stamps just after transfer	1,478,568
Persons receiving food stamps in January 1969	1,698,891

At the very least, therefore, the Secretary of Agriculture should be given authority, if not directed, to distribute commodities in all food stamp counties until the participation in the stamp program reaches the previous level of participation in the commodity program.

PURCHASE OF SOAPS AND SANITATION PRODUCTS

The committee rejected an amendment to permit the purchase of soaps and other products necessary for personal hygiene and home sanitation. It seems to me self-defeating to deny poor people the few products necessary to enable them to eat off clean dishes, with clean hands. Round worms and other parasites may not be eradicated solely through personal hygiene and home sanitation, but they won't be eradicated without it either. If we are to spend millions to help people eat, we should protect this investment by giving them the means to keep themselves and their homes clean and sanitary.

The key to success of the food stamp program is its ability to provide an adequate diet for those who participate. By lowering the coupon purchase requirement and raising the bonus so that the value of the stamps received equals the cost of an adequate diet, the committee bill goes a long way toward meeting this criteria. The committee bill also authorizes the Secretary to set uniform minimum and maximum standards of eligibility for food stamp participation—a provision which will help eliminate the present incredibly complex array of inconsistent eligibility restrictions.

However, these provisions are generally deficient in two respects. First, taken together, they fail to prescribe the kind of formula for eligibility, purchase, and bonus criteria that is needed for a successful program. Second, each lacks the specificity and flexibility necessary for efficient operation.

A. The need for a formula pegged to the cost of an adequate diet

If the purpose of the food stamp program, as the committee bill implicitly recognizes, is to provide participants with an adequate diet, the eligibility, purchase, and bonus criteria in the act should flow from that premise. The Secretary of Agriculture should be required to establish the cost of an adequate diet for different-sized families. The amount so established should be the amount of the coupon value of stamps received by all recipients. It should also be the basis for setting standards of eligibility and purchase requirements.

The Federal Government's "poverty index" is established by multiplying by three, the cost of an adequate diet for a family of four. Thus, if it costs a family of four $1,200 a year to buy food, it is classified as being a low income family if its income is $3,600 a year or less. The classification should be used to determine eligibility for food stamps just as it is used for determining eligibility for other antipoverty programs. The Secretary of Agriculture should be required to set uniform national standards using the poverty index formula. The States should then be permitted to exceed that standard if local costs of living or other conditions warrant.

The purchase price of food stamps should then be set so that those families in the lowest income categories (those, for example, whose income is less than the cost of food alone) receive their stamps without charge, and so that charges for other families are graduated in a way that participating families can afford.

S. 2014 provides this kind of formula. The Secretary would set the cost of an adequate diet at not less than $120 per month for a family of four. Families with incomes of $360 (3×$120) a month or less would be eligible. (The States could exceed that minimum.) Those with incomes of $80 or less (two-thirds the diet cost) would receive their stamps free. Families with incomes of between $80 and $120 would pay up to 15 percent of their income, and families with income between $120 and $360 a month would pay no more than 25 percent of their income for food stamps.

B. Need for specific, flexible requirements

1. *Stamp value.*—The committee bill requires that the coupon value of food stamps be in the amount the Secretary determines to be the cost of a nutritionally adequate diet. Secretary Hardin has testified that the amount to be used will be USDA's "economy diet" which was established for use in emergencies—approximately $100 a month for a family of four. This amount will not provide a nutritionally adequate diet. USDA stated in 1968 that "the cost of this plan is not a reasonable measure of basic money needs for a good diet." USDA has established four food budget plans. The so-called low budget plan, at $120 a month for a family of four, is a more accurate measure of food costs for low income families. The bill should be amended to establish the low-budget plan as the criteria for determining the cost of a nutritionally adequate diet and to require that the amount be revised yearly to reflect changes in the cost of living.

2. *National eligibility standards.*—The need for national eligibility standards has been recognized by the committee. The bill requires the States to "comply with national minimum and maximum standards of eligibility" prescribed by the Secretary. Present State eligibility requirements vary between $140 a month in South Carolina and $325 a month in Alaska for a family of four. Few States set their eligibility levels at or near the poverty index.

The committee bill should be revised to set a specific income amount below which the States could not set their requirements, but which they could exceed if standards of living in a particular area warrant. The present poverty index of $3,335 per year for a family of four is the minimum national standard that should be set. Three times the cost of USDA's low budget diet, or $4,320 a year would be a standard more commensurate with the food needs of low income families in most areas. The standard could be set at varying levels for regions of the country to account for differences in costs of living, but the level in each area should be high enough to make eligible all families who need food assistance.

3. *Purchase requirements.*—The committee bill places a ceiling on the purchase price of food stamps at 30 percent of family income. Both Senator Talmadge and former Secretary of Agriculture Freeman have recommended a ceiling of 25 percent. The average American family spends about 17 percent of its income for food. A 25-percent ceiling is more commensurate with what the poor can afford. They should not have to pay more.

AUTHORIZATION AND FUNDING

Twenty-three million poor people need food assistance. According to the Urban Affairs Council, half, 11.5 million, would be expected to participate in an adequately funded, reformed food stamp program. With a 30-percent purchase price ceiling and a $100 stamp value for a four-member family the committee bill would cost more than $2 billion to enable half the poor to participate and more than $4 billion if all the poor were served.

The bill provides an authorization increase of $410 million over the present annualized expenditures.

This increase compares with the following costs of reforms recommended by the committee:

	Millions
Cost of a $100 per month stamp value for all 3 million present participants	$55
Cost of lowering purchase price to not less than 30 percent of family income for all 3 million present participants	270
Total	325

Thus, of the $410 million increase, $325 million will have to be spent just to raise the present bonus and lower the purchase price *for present* participants. Only $85 million will be available for expansion of the program to new participants, either in present food stamp counties or in some of the more than 400 counties presently without any family food assistance program.

That $85 million will enable expansion of the program on a yearly basis by only 400,000 new participants—either in presently participating counties or in about 100 new counties now without a family food program—a total participation of 3.6 million after the first year of operation as compared with the April 1969 participation of 3.2 million persons.

The 1971 authorization of $1.5 billion while more commensurate with need is likewise inadequate. To serve half the poor under the committee bill would require an annual expenditure of approximately $2.17 billion. $1.5 billion will serve about 7.5 million food stamp participants, approximately half the number of hard-core poor who desperately need food assistance, or a third of all the poor.

The very least we can do is fund the new program at a level commensurate with the problem it is designed to solve.

In providing adequate funds, we should provide for the kind of flexible, automatic funding which is necessary to meet the costs of a program in which all those who are eligible and want can participate. Limited appropriations can only mean limited participation.

If the time has come to put an end to hunger in America, let us not make promises and then provide a sixth of the funds necessary the first year and a third the next 2 years to keep them.

The Congress has provided the kind of flexible funding necessary to stabilize farm prices. It has done so through the Commodity Credit Corporation. We should use that or some similar mechanism to help the poor obtain an adequate diet.

At the very least, we should adopt an open end authorization for the food stamp program as we have for the school lunch program.

PURCHASE OF LESS THAN A FULL ALLOTMENT OF STAMPS

In most areas food stamp recipients are now required to purchase all their stamps at one time. They must not only buy all the stamps they are entitled to; they must also scrape together at one time, usually at the beginning of each month, the lump sum necessary to buy their stamps. Few poor families can afford to meet their other fixed expenses and still have enough money at one time in the month to buy food stamps. Temporary financial emergencies often compound the problem and prevent families from participating for a month or more. In most areas, if a family fails to buy stamps for a few months (usually three) it is dropped from the program.

The committee bill should be amended to permit a family to purchase less than its full allotment of stamps with a proportionate reduction in stamp value. This provision should be coupled with a requirement that all recipients be permitted to purchase their stamps at least weekly so that families can buy stamps in installments as they have the money to pay the purchase price.

SIMPLIFIED CERTIFICATION OF ELIGIBLE HOUSEHOLDS

Local procedures are now so complicated and cumbersome that it often takes several months for applicant households to become certified for the program. Long complex application forms must be filled out; investigations are made to check the accuracy of the applicants' answers; applicants are forced to produce wage statements from their employers covering a long period of time; and applicants are made to feel the burden is on them to prove the statements they make are not false—at least until borne out by a caseworker's investigation. Moreover, the applicant is often informed in big, bold type that any error he makes in the application form may result in a fine or imprisonment.

The best that can be said for the present certification procedures is that it discourages participation. Worse still, it destroys whatever dignity and self-respect the applicant had left before he sought help, and it forces a family which may be in desperate need of food to remain hungry while the certification process is completed.

Certification should be simplified so that applicant households are afforded immediate assistance and treated with dignity and respect. The present act should be amended to provide for certification by personal declaration in the form of an affidavit containing the essential information necessary to determine, on the spot, whether a household can be presumed eligible for food stamps. Such a procedure would not eliminate whatever investigations are needed to determine the accuracy of statements made by the applicant, but they would occur after the applicant is given help. If the information given by the applicant is found to be inaccurate, the level of assistance can immediately be adjusted. Such a procedure should be instituted immediately at least on a pilot basis if not in every food stamp area.

LOCAL OPTION: ADMINISTRATION BY FEDERAL OR OTHER LOCAL AGENCIES

The committee bill authorizes direct Federal administration in counties that refuse to accept a food stamp program. But the committee provision is so encumbered by conditions and restrictions as to be almost totally ineffective. First, the Secretary must find and notify the State welfare agency that there is a "manifest and urgent need" for the program. Then, if the State agency "fails and refuses" to request a program for the area concerned for 90 days, *and if* the Governor requests, the Secretary may administer a program directly.

Not only does this provision seem to require that the Secretary all but declare an emergency before finding need for a program, it makes the State welfare agency responsible for the recalcitrance of local county officials and then puts the Governor in the position of having to overrule his own welfare department and invite Federal intervention.

If we are going to recognize that there is a problem in a few counties that refuse to help their own citizens, we should deal with it effectively, not by writing laws that will never be used. The Secretary of Agriculture should have authority not only to operate programs directly, but to use other local public and private agencies in the administration of the food stamp program. That authority should be invoked, after a reasonable time is afforded for compliance, when local officials refuse a program, when local administrators fail to comply with the law, and where the program is a "token" program and fails to adequately serve those in need.

PAYMENT OF LOCAL ADMINISTRATIVE COSTS

Lack of adequate funds and trained personnel presently limit the capacity of local welfare offices to certify and serve a significant proportion of eligible food stamp recipients. The administrative burdens of every local office will be increased as a result of an expanded food stamp program. The capacity and capability of local administrators may well determine the ultimate success of the reforms recommended by the committee.

Those counties that are unable to meet the administrative costs of the program should receive Federal assistance. USDA now has authority to pay all such costs for the commodity distribution program. The present Food Stamp Act permits payment of only a portion of the salaries of local personnel used in certifying nonpublic assistance households and the travel costs for post-interview field investigations of such households. The act should be amended to permit the Secretary of Agriculture to pay the State agency up to the full administrative cost of operating a food stamp program wherever the lack of adequate funds or personnel are limiting factors in the successful operation of the program.

OUTREACH, COUNSELING, AND EDUCATION

The committee bill strengthens the present Food Stamp Act's requirement that State agencies enlist the cooperation of other agencies to help participants make the best use of their food stamps. The bill would require that the State plan provide that the State agency "undertake effective action" to inform eligible families of the program and insure their participation.

The lack of effective outreach is one of the major reasons the food stamp program has failed to reach a significant number of low income families. While the committee amendment may formally commit the States in writing to inform households of the program, a stronger mandate is needed.

The Select Committee on Nutrition, the National Nutrition Survey, and many Members of Congress in their own States have found substantial numbers of families who are totally unaware of the existence of the food stamp program. Many who have heard of food stamps have no idea how to become certified.

Outreach and education should be coupled together and in an intensive effort in each State to assure both that all eligible families have the opportunity to participate and that they make the best use of the benefits of the program.

The committee bill should be strengthened by requiring that State and local administering agencies (1) seek out all eligible families, inform them of the program, and assist them in becoming certified; (2) enlist the services of private voluntary community agencies as well as other public agencies in outreach efforts; and (3) make use of the educational potential of the local school system and the National School Lunch Program to provide nutrition education and counseling for all participants.

ISSUANCE OF STAMPS THROUGH POST OFFICES

Senator Talmadge's bill, S. 1864, requires that local post offices be used as the stamp issuing agency. Present practice requires that stamp recipients either travel to a centrally located county welfare office or to a bank to purchase their stamps. Bank charges for this service are exorbitant. In Los Angeles, for example, banks charged 63 cents for each transaction. Neither banks nor welfare agencies are convenient places for the issuance of stamps. Nearly every town and village in the country has a local post office. Post offices should assume the responsibility for the issuance of stamps to certified participants. I urge that the committee bill be revised to include this provision.

INCLUSION OF POSSESSIONS AND TERRITORIES AS "STATES"

Some of the most disgraceful poverty conditions in the world exist in U.S. possessions and territories. Puerto Rico, Guam, the Virgin Islands, and the Pacific Trust Territories should be included in the food stamp program.

PURPOSE OF THE ACT

By establishing the cost of an adequate diet as the basis for determining the value of stamps received by food stamp program participants, the committee bill implicitly recognizes that the basic purpose of the Food Stamp Act is to provide adequate nutrition for low income families.

Having reformed the program and provided increased funds to implement those reforms, we should make the purpose of the act correspond with our intentions. The act's present statement of policy declares that the purpose of the act is to "raise levels of nutrition among low income families." The statement of purpose should be amended to make it clear that Congress intends the food stamp program to provide adequate nutrition for low income families and permit them to purchase an adequate diet.

The inescapable fact is that millions of our fellow citizens are caught in the grip of malnutrition now. The cost to our society in blighted lives, in billions of dollars of lost manpower, in more billions of dollars of chronic welfare costs—these costs and others too vast even to estimate are weakening both our economy and our social fabric.

The food stamp program was designed to help the poor obtain an adequate diet. For most it has failed. Today, a poor American family has only one chance in three of living in a county where stamps are distributed and even if it happens to have the good fortune to live in such a county, this family still has only one chance in six of actually receiving any stamps.

We now have a unique opportunity to remedy our past failures and put an end to hunger in America. I hope the Congress will respond by enacting a food stamp program that will close the gap between food and income for millions of Americans who cannot afford the most basic necessity of life.

TAX REFORM ACT OF 1969—AMENDMENTS

AMENDMENT NO. 197

Mr. YARBOROUGH. Mr. President, I submit an amendment to H.R. 13270 which would provide for an increase in the personal exemption of Federal income tax from $600 to $1,200. I intro-

duced this measure this year on March 27, 1969, as S. 1717. Since the introduction of S. 1717, the House has passed its tax bill, H.R. 13270; therefore, I feel it would be appropriate if my bill is incorporated as an amendment to H.R. 13270. This is not the first time I have introduced this proposal; I have introduced it on numerous times in the past 12 years that I have been in the Senate.

H.R. 13270 is a result of the demand from the American people for reform of this country's system of taxation. No tax reform program will be complete unless it includes a significant increase in the personal exemption. The present personal exemption has its genesis in the Revenue Act of 1948. Since its adoption over 21 years ago, the personal exemption has not been increased despite the fact that the cost of living in America has risen by 52.3 percent since 1948. The personal exemption, more than any other provision in the Internal Revenue Code, has the greatest impact on the lower- and middle-income taxpayer, I was disappointed that neither the House nor the President included an increase in the personal exemption as a part of the tax reform program.

The personal exemption is intended to accomplish three basic purposes: First, to exclude from taxation those individuals and families with the lowest incomes; second, to provide all taxpayers with a deduction from otherwise taxable income for essential living expenses; and, third, to provide an additional allowance to those taxpayers with dependents and for those who are aged and blind. At the present unrealistic amount of $600, the personal exemption is not fulfilling any of these purposes.

According to the figures compiled by the Social Security Administration, a nonfarm family with a yearly income of $3,335 or less is living in poverty. This means that such a family does not have the income necessary for a minimum diet and must also go without many of the necessities of life. Despite its conditions, such a family would have to pay $46 of income tax if they have an adjusted gross income of $3,335. This clearly demonstrates that the present personal exemption has failed to accomplish its purpose of exempting the poor from income taxation.

Not only is the present personal exemption not protecting the poor, it also is not providing the average taxpayer with a deduction for the cost of raising his family. During the years since 1948, the standard of living in America has risen greatly. According to the Bureau of Labor statistics, the cost of living for an urban family of four on the lowest budget possible would be $5,915. On a more moderate budget, the amount required would be $9,076. The personal exemptions however, for a family this size would total only $2,400. This would not even begin to approach the amount needed by such a family to meet the cost of living under the lowest possible budget. Certainly in this respect the present personal exemption has failed to accomplish its purpose.

When the present personal exemption is applied to taxpayers with children in college, the need for an increase becomes even more apparent. The U.S. Office of Education estimates that the average charges for tuition fees, and room and board for a full-time undergraduate student in a public 4-year university for the 1969–70 school year will total $1,288. In a private 4-year university the charges are estimated to be $2,777 and in private 4-year college they are $2,274. A college education in today's world is not a luxury but a necessity. Consequently, an increase in the personal exemption would greatly assist the parents who are struggling to help their children prepare for life in the 1970's.

An increase in the personal exemption for $600 to $1,200 is a necessity if Congress is to fulfill its responsibilities to the vast majority of citizens who are carrying our Nation's tax burden. Such an increase will also show that overtaxed lower- and middle-income taxpayers that Congress is truly concerned about their problems and not just those of big business. We must not let the 91st Congress be remembered in history as the Congress that turned its back on the needs of the average taxpayer.

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

The amendment (No. 197) was referred to the Committee on Finance.

AMENDMENT AND EXTENSION OF LAWS RELATING TO HOUSING AND URBAN DEVELOPMENT—AMENDMENTS

AMENDMENT NO. 198

Mr. CRANSTON submitted amendments, intended to be proposed by him, to the bill (S. 2864) to amend and extend laws relating to housing and urban development, and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF HEARING ON AMENDMENT TO SECTION 3(d) OF THE BANK HOLDING COMPANY ACT OF 1956

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold a hearing on S. 2569, a bill to amend section 3(d) of the Bank Holding Company Act of 1956.

The hearing will be held on Tuesday and Wednesday, October 7 and 8, 1969, and will begin at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this hearing should notify Mr. Hugh H. Smith, Jr., room 5300, New Senate Office Building, Washington, D.C., 20510; telephone 225–7391.

NOTICE OF HEARING ON NOMINATION OF EUGENE A. GULLEDGE

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold a hearing on Thursday, September 25, 1969, on the nomination of Eugene A. Gulledge, of North Carolina, to be Assistant Secretary of the Department of Housing and Urban Development.

The hearing will commence at 9:30 a.m. in room 5302, New Senate Office Building.

ANNOUNCEMENT OF HEARINGS ON PROPOSED AMENDMENTS TO THE NATIONAL SCHOOL LUNCH ACT AND THE CHILD NUTRITION ACT

Mr. ELLENDER. Mr. President, I announce to the Senate and to the public that the Committee on Agriculture and Forestry will hold hearings on all bills before it which amend the National School Lunch Act and the Child Nutrition Act on September 29 and 30. These bills include S. 2152 and S. 2548, as well as two House-passed bills, H.R. 515 and H.R. 11651.

NOTICE OF HEARING ON NOMINATIONS OF MAURICE B. MITCHELL AND STEPHEN HORN TO BE MEMBERS OF THE CIVIL RIGHTS COMMISSION

Mr. ERVIN. Mr. President, as chairman of an ad hoc subcommittee of the Committee on the Judiciary, I wish to announce that hearings will be held by the subcommittee on the nominations of Maurice B. Mitchell and Stephen Horn to be members of the Commission on Civil Rights.

The hearings are scheduled for October 9, 1969, at 10:30 a.m. in room 2228 of the New Senate Office Building. Any person who wishes to testify or submit statements pertaining to these nominations should send the request or prepared statement to the subcommittee, 102–B, Old Senate Office Building.

NOTICE OF ADDITIONAL HEARINGS ON NONJUDICIAL ACTIVITIES OF FEDERAL JUDGES

Mr. ERVIN. Mr. President, the Subcommittee on Separation of Powers has been engaged for more than a year in a most important undertaking: the study of the delicate and controversial subject of nonjudicial activities of Federal judges. In July of this year, the subcommittee held initial hearings on nonjudicial activities, and heard testimony from jurists, university professors, Members of Congress, and other distinguished persons.

I wish to announce that the subcommittee will hold additional hearings on this subject on September 30 and October 1 and 2. Once again, the subcommittee will hear a most distinguished group of witnesses. Indeed, I believe it may be a unique circumstance that the subcommittee will have before it in these 3 days of hearings four former Associate Justices of the Supreme Court of the United States: Justices Reed, Clark, Whittaker, and Goldberg. Their willingness voluntarily to appear and give these proceedings the benefit of their vast knowledge and experience, and their great prestige, attests to the importance of this inquiry. The subcommittee will hear also from outstanding representatives of the academic community, former

law clerks to Supreme Court Justices and lower Federal judges, and judges in the Federal judicial system.

These hearings are not intended to deal in personalities and alleged improprieties of any Federal judge. They are intended to provide a forum in which an opportunity can be given to some of our country's best legal minds, most learned scholars, and most experienced judges, to examine this problem, by delving into its most complex ramifications and weighing in calm deliberations the rights and expectations of the people and the individual rights of the judges themselves. Through these hearings, we expect to bring the problem into perspective and into the clear public view.

The American people expect the conduct of the Federal Judiciary to be beyond reproach. If even a few judges engage in activities that do not meet this high standard, then all are damaged in some measure by the flaws of a few. There could be no greater tragedy than for the people to lose respect for their judicial system. I believe that the overwhelming majority of our judges are men and women of good conscience and unquestionable ethics who would welcome a set of standards which could help guide their conduct. Such a set of standards is now sorely lacking.

These hearings have been long in the planning. Indeed, this is a subject that has been a serious concern of the Judiciary Committee for decades. It is by coincidence only, not by design, that these hearings follow closely the recent highly publicized nomination hearings. We do not seek sensationalism, but sagacity. We do not seek to judge, but to inquire. We do not seek to undermine, but to understand.

We hope that understanding will lead to a wise solution to long-standing problems. Whether that solution is to be found in new and stricter legislation is something that we must carefully consider in the coming days.

Persons desiring additional information regarding the hearings are requested to contact the office of the Subcommittee on Separation of Powers, room 1403, New Senate Office Building.

PRESIDENT NIXON'S ADDRESS TO THE UNITED NATIONS

Mr. SCOTT. Mr. President, I warmly congratulate our President for a most effective and appropriate address to the membership of the United Nations assembled in New York last week. It is my conviction that his statement was a most masterly and candid analysis of the long-range policy of this Nation toward steady and forthright progress for peace in the world.

Surely the President's appeal for diplomatic assistance from that distinguished body in our search for peace in Vietnam stated this country's position clearly and with a candor seldom seen in international diplomatic debate.

I cannot help but feel that his calm and deliberate statement of our quest for world peace—all over the world—will produce results from the United Nations and from the individual nations of the world.

I was extremely pleased with the urgent appeal the President made for peace in the Mideast which called for a "binding irrevocable commitment" for those nations to live together in peace.

The President's analysis of our quest for Vietnam peace was quiet, reasoned, and founded in a just and fair approach to a bad situation not of his making.

The emphasis has changed. In the last administration, emphasis was on how much force we were applying or going to apply to make the enemy accede to our display of our enormous power. The emphasis now is upon realism in the search for just solutions.

We have shown to the world that we have offered to Hanoi peace with honor and justice for both sides. President Nixon has presented an equation which does not rest upon simple threats. He has articulated a formula which does not rely upon bombast or ebullience. We are doing our best to make clear to the people of Asia and the world that we mean no harm to any person anywhere in the world; that we wish to disengage from an adversary situation; that we hope for peace; that we work for peace; that we are committed to peace; that we wait most anxiously for responsive signals; and that we do not only wait, we move. And as we move through deescalation we increase the urgency of the signals. And what about world opinion? Anti-American opinion 7 or 8 months ago is swinging around more sharply in our favor than it has swung for years. This says a great deal for the American effort and for American movement toward the "achievement of that true peace which the people of every land carry in their hearts and celebrate in their hopes."

CONTROVERSIAL MOTION PICTURES ON TELEVISION

Mr. McCLELLAN. Mr. President, the actress, Lucille Ball, said recently:

> A lot of dirty old men are making pictures. I'm talking about the people behind the scenes, the financial backers. They are exploiting youth as much as they can. And they are doing it for just one reason—money.

The prominent film director, John Ford, has observed that he would consider it a "mortal sin to direct the dirty pictures of today."

The critic, David Dempsey, wrote in the July 12 issue of the Saturday Review that:

> Almost anything goes in the movies, profane—even obscene—language is tolerated as a literary right.

These appraisals by an actress, director, and critic of the current situation in much of the film industry will come as no surprise to many Americans. It will come as no surprise to concerned parents who are finding it increasingly difficult to locate films suitable for family viewing. Anyone who scans the advertisements for new films in our daily newspapers is aware of the flood of movies wallowing in sex, perversion, and pornography.

It has been said that movies merely reflect our current morality and values, but I believe they also strongly influence it. Casual infidelity, couples living together outside of marriage, and unnatural personal relationships are depicted sympathetically, while the spiritual values and traditions cherished by most of our citizens are ignored or not infrequently portrayed in a manner likely to promote doubts as to their credibility. In my opinion, the widespread presentation of such themes may well exert a more insidious influence on the development of young people than the more discussed shock films with graphic scenes of sexual activity, or unnecessary violence.

But it is not my prime purpose today to reflect on the contribution of a segment of the film industry to this country's moral malaise. Nor am I concerned in these remarks with those films which until a few years ago would have been seized as obscene. I have previously commented on certain decisions by the Supreme Court which have effectively prevented State and local authorities from suppressing the public performance of films which by the application of the standards of a particular community would be found to be obscene. Rather, I wish to discuss briefly one issue which has come to my attention in connection with my legislative responsibilities as chairman of a subcommittee of the Committee on the Judiciary which has been considering legislation providing for the legal protection of motion pictures performed on television.

It has been represented by the motion picture producers and distributors that the revenues obtained from the sale of films to television for an exclusive first-run showing, and subsequently by repeated performances in various local markets, are a significant factor in determining whether a particular film production is a financial success, and results in an adequate profit being obtained. It, therefore, is reasonable to assume that many of the films currently being made are produced with the expectation that in a few years they will be offered for sale to television.

The film industry has endeavored to justify the controversial nature of many recent movies by indicating that the Motion Picture Association has voluntarily instituted a system of film classification. It is contended that by consulting the classification of a film a parent may ascertain whether a particular movie is suitable for minors. During a recent week, of the 50 top-grossing films—even by the rather liberal standards of the Motion Picture Association of America Production Code and Rating Administration—only 13 motion pictures were rated by the Code and Rating Administration as acceptable for all audiences, without consideration of age or maturity. Nine motion pictures were classified "M," which means that because of their theme, content or treatment, more mature judgment is required by viewers, and parents should exercise discretion in determining whether to allow their children to see these films. Eleven motion pictures were categorized as "R," which

means that because of their theme, content or treatment, they should not be viewed by persons under 16 unless accompanied by a parent or adult guardian. Eight motion pictures were classified as "X," which means that because of the treatment of sex, violence, crime, or profanity, they did not qualify for a code seal, and are inappropriate for presentation to persons under 16. Classifications for the remaining nine films could not be obtained.

Of the 22 films currently being performed at the first-run theaters in Metropolitan Washington, only three were classified as suitable for all audiences. Seven films were rated "X," six were classified as "R," and three were listed as "M." Ratings are not available for three films.

Since there is no effective method to restrict minors' access to programs on television, there is a legitimate public interest in what films are made available for performance on television. I have noted that my concern is shared by Commissioner Robert E. Lee of the Federal Communications Commission. In a recent speech before the Association of Broadcasting Executives of Texas, he inquired:

What will happen 4 or 5 years hence when the television rights to current controversial movies become available? My first reaction is that . . . I'm afraid to look.

Many of the most sensational books and plays of today will be made into films in several years. Then a few more years later, these will be available for distribution to television. I shall refer today ony to a few examples of what we may expect to see on television unless the public is alerted to this impending pollution of the public airwaves. But the September issue of McCall's contains an article which succinctly summarizes the nature of current films. It states:

In a majority of the new films, naked sex scenes—heterosexual, incestuous, or homosexual—are staples, and in many of them, as in the theater, elements of sadomasochism are present.

The National Catholic Office for Motion Pictures, a widely respected independent evaluator of films, during the first 6 months of 1969 rated 21 films as morally objectionable compared to 27 films similarly classified for all of 1968.

Among the new breed of movies that by the Motion Picture Association's classification is not suitable for performance on television is, "The Wild Bunch." Of this film, the National Catholic Office said:

It raises inescapable questions about on-screen violence and "can only be recommended to a select audience."

The Ontario Province Censor Board refused to permit the exhibition of this film unless the amount of violence was reduced. An advertisement for this film flaunts its appeal to violence. It reads:

If a look at the face of violence disturbs you, stay away from The Wild Bunch.

Is this film to be sold to television?

Another much discussed recent film is "Medium Cool." According to a review of this film, it is noteworthy as the first film produced and distributed by a major American film company in which there is extensive use of "gutter language" and on-screen frontal nudity. Of this film, the National Catholic Office stated in its classification review that—

It is a shame the director chose to introduce total nudity in one bedroom romp that does not relate in any discernible way to characterization or dramatic progression.

Is this film to be sold to television?

The July 30 issue of Variety contained a large two-page advertisement of the Commonwealth United Co. One page of the advertisement read:

If your summer is suddenly cooling off, book the hot ones! Commonwealth United has three of them—ready, willing and able to heat up any frigid box office, right now!

99 Women—Lock 99 love-hungry females behind bars and you've got the kind of action that has people waiting in line throughout the country. Wouldn't you—for the raw truth about 99 women?

That Cold Day in the Park—The question is, how far will a 32-year-old spinster go to possess a wild, 19-year-old boy? The answer is top box office excitement, especially from the over-curious young set.

Paranoia—Love is the tool that strips a jet-set widow bare of her morals and her millions. And Carroll Baker is the beautiful plaything caught in a terrifying whirlpool called Paranoia. This one is money in the bank.

The facing page consists of three photographs which are appropriate to the description of the films. Are these movies to be sold to television?

Even more objectionable are various film projects currently in production, or announced for future production. According to press reports, several Arkansas college students and residents of Batesville, Ark., hired as extras in the filming of "Bloody Mama," walked off the job when the movie "really started getting gross." One of the students is quoted as saying:

"The people of Arkansas are gonna flip" when they see the nude scenes in the movie.

Will this film be sold to television?

The Wall Street Journal of August 6 contains an article by Steven M. Lovelady which is very informative concerning the artistic and moral standards of certain film producers. The article describes the current activities of Robert Aldrich, whose past productions included "The Killing of Sister George," "Whatever Happened to Baby Jane," and "The Dirty Dozen." Mr. Aldrich says he is spending $75,000 to produce a pilot film designed to attract the $2½ million he needs to produce his next film which he has titled, "The Greatest Mother of 'em All." Mr. Aldrich's pilot film, according to The Wall Street Journal article, will be filled "with provocative bedroom scenes" intended to interest investors to commit funds to the production. Will this film be sold to television?

Don Maclean, the erudite writer of the Washington Daily News, in his column of August 1, has some interesting observations on trends in the movie industry. While in Paris, he witnessed the filming of Henry Miller's "Tropic of Cancer" and met the producer, Joseph Strick. Mr. Maclean wrote that he told Mr. Strick that "I was 30 before I thought I was mature enough to read the book and I doubted if I'd ever be old enough to see the movie. Mr. Strick said that I was being hopelessly provincial and that movies are changing. I said, 'Maybe movies are changing, but people aren't. Whatever happened to cheerful movies, with happy folks dancing and singing?'"

Mr. Strick told Maclean:

Do you realize that Tropic of Cancer was the most banned book of all time? For years it couldn't even be sold in the United States. And now, we are making it into a movie . . . that is how far we've come!

Will movies such as the "Tropic of Cancer," "Myra Breckenridge," and "Portnoy's Complaint" be sold to television?

It is contended that these films represent artistic merit and that those of us who live west of the Hudson River do not have sufficient perception to appreciate the contributions made by the producers of these films. The complete invalidity of this argument was revealed recently in connection with the much publicized book, "Naked Came the Stranger." As an elaborate literary hoax, 25 writers undertook to write the most erotic novel that they could devise. All excellent writing was carefully and purposely eliminated from the work. Yet, according to the Associated Press, this book with its "unremitting emphasis on sex" sufficiently interested 18 motion picture companies that they were seeking the rights to produce a movie based on the novel. Many of these films clearly seek to exploit sex and violence, for commercial purposes.

The noted British journalist and former editor of Punch, Malcolm Muggeridge discussed current trends in the arts in an address recently at the Edinburgh Festival. He said, in part:

Let a collection of Yahoos but take off their clothes, cavort about the stage and yell obscenities, and a great breakthrough in dramatic art is announced and applauded. There is no need to be mesmerized by the motley procession of writers, critics, crazed clerics and other miscellaneous intelligentsia prepared at the drop of a hat to announce the latest outpouring of substandard smut an essential contribution of contemporary letters.

The distinguished senior Senator from Rhode Island (Mr. PASTORE) has made an outstanding contribution in his effort to eliminate excessive sex and violence in the programs which are specifically produced for showing on television. For this, he has been ridiculed in certain quarters. But I was pleased to learn that President Nixon has personally congratulated Senator PASTORE for his efforts.

In matters of censorship, there is ever present the necessity for a delicate balancing of interests. Merely because certain works may offend particular tastes or sensibilities is no justification by itself for their suppression. No such balancing of interests is presented by the problem which I am discussing today. Those who wish to patronize and see these films have the opportunity to do so in a motion picture theater. Therefore, it cannot be contended that the exhibition of these films on television is necessary in order to make them available to the public.

There are those who will contend that television programing will be quite banal if it is at a level suitable for viewing by children. Let there be no doubt as to my view of this matter. Television stations make use of the public airwaves and operate in the public interest. No programs performed on television should be harmful to children. My colleagues will recall the recent developments concerning the cancellation of cigarette advertising on television. The justification advanced for the elimination of such advertising has been that television unavoidably reaches a large number of children. Likewise with respect to programing, there is no effective means of restricting what programs are viewed by children.

The responsibility of the television industry was effectively expressed recently by Richard W. Jencks, president of the CBS Broadcast Group. Mr. Jencks said:

> Television clearly has a responsibility in matters of taste different from that of any other medium.

He said:

> Television has a duty to exercise editorial judgment according to standards of some sort.

He indicated that the exercise of that function does not involve censorship in any first amendment sense and that those who apply that word merely confuse the issue.

It is appropriate to recall the first paragraph of the Preamble to the Television Code of the National Association of Broadcasters:

> Television is seen and heard in every type of American home. These homes include children and adults of all ages, embrace all races and all varieties of religious faith, and reach those of every educational background. It is the responsibility of television to bear constantly in mind that the audience is primarily a home audience, and consequently that television's relationship to the viewers is that between guest and host.

Television, therefore, is a guest in our homes and a guest has the responsibility to practice good manners.

The classification of films today apparently is being made on the basis of the overall impact or theme of a film. Therefore, the elimination of a few lines of dialog or the deletion of a few minutes of the film would not change the unsuitability of these films for showing on television.

I am preparing a questionnaire to be sent to the leading motion picture producers, and the Motion Picture Association inquiring as to whether they contemplate offering for sale to television those films which have been classified as unsuitable for viewing by minors. I am also sending a questionnaire to the National Association of Broadcasters, the National Cable Television Association, the networks, and every commercial UHF and VHF station inquiring whether they believe that the showing on television of a film which has been classified as not suitable for viewing by minors would be consistent with their responsibility to act in the public interest. I shall at a later date report to the Senate concerning the responses to the questionnaires that I have received. The Congress may then consider whether any legislative action will be necessary.

In the meantime, I invite concerned parents and all Americans who value decency and reject cultural decadence to raise their voice in protest against the possibility of the airwaves being polluted. We talked frequently about air pollution or water pollution but as one of the candidates for Mayor of New York City has commended recently, "moral pollution" is a considerably greater danger to this Nation.

Mr. President, as soon as I have these questionnaires returned to me and have them evaluated, I shall make a further report to the Senate on this matter which I consider to be of great importance.

NATIONAL RIVERS AND HARBORS CONGRESS SUPPORTS A COMPREHENSIVE WATER RESOURCES DEVELOPMENT PROGRAM

Mr. BAYH. Mr. President, since the early days of this century, the National Rivers and Harbors Congress has been a prime leader in the movement to develop and conserve the Nation's water resources. This nonprofit and nonpartisan organization, whose membership includes public and private groups as well as individuals representing all sections of the country, has earned widespread respect and confidence for its dedicated service to the general welfare. All aspects of water resources development—flood control, irrigation, reclamation, navigation, water quality, saline water research, pollution and recreation—have long been advocated by and received its careful attention.

Because of its devotion to and position of leadership in this field, I was very interested in a statement which the chairman of the resolutions committee of the National Rivers and Harbors Congress, William J. Hull, presented on September 10 to the Water Resources Council. It seems to me that Mr. Hull correctly pointed out the "imperative need for an accelerated program of comprehensive water resource development" and expressed serious doubts about the value of "increasingly restrictive criteria for project evaluation."

Mr. Hull subscribes to a broader concept of benefits for use in project evaluation and argues that most water resources projects produce valuable and measurable benefits which are often overlooked and not properly credited as byproducts. Furthermore, he calls on Congress to determine national water resource goals and objectives according to value judgments not based solely on economic factors. He also suggests that careful consideration must be given to authorization of programs on a river basin approach rather than a project-by-project basis, and raises questions about the interest-discount rate system for project evaluation.

Mr. President, I ask unanimous consent that the complete statement made by Mr. Hull for the National Rivers and Harbors Congress be printed in the RECORD.

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

NATIONAL RIVERS AND HARBORS CONGRESS SUPPORTS A COMPREHENSIVE WATER RESOURCES DEVELOPMENT PROGRAM

(By William J. Hull)

My name is William J. Hull. I reside in Washington, D.C. I am Chairman of the Resolutions Committee of the National Rivers and Harbors Congress and in that capacity I have the honor to present this statement in its behalf.

This Congress, founded in 1901, has been dedicated throughout its existence to the full development of the water and related land resources of the Nation. Its central conviction is that such development is a positive force for economic growth and human welfare.

The 1968 Summary Report of the Water Resources Council entitled, "The Nation's Water Resources", as well as other recent studies, underscores the imperative need for an accelerated program of comprehensive water resource development to meet the rising water requirements of a rapidly increasing population and an expanding economy.

In the face of these facts, the declining trend in the rate of federal investment in water resource development and the recent tendency toward increasingly restrictive criteria for project evaluation have been occasions for grave concern. Retardation of the program is, in our view, directly contrary to the national interest. The Task Force Report of June 1969 on *Procedures for Evaluation of Water and Related Land Resources Projects*, constitutes, we believe, a desirable first step in the direction of giving proper weight to those beneficial effects of water resource development which are not reflected in the values derived by the economic procedures presently in effect.

Our comments with respect to the Task Force Report are, accordingly, presented in the hope that they may provide additional emphasis where that seems indicated or suggest supplemental considerations designed to assist in making the Task Force proposals more effective.

1. The Task Force proposals would realistically broaden the concept of benefits to be considered in project evaluation, classifying them in accordance with designated national interest objectives. This is fully consistent with the intent of Congress as evidenced by the report of the House Committee on Interior and Insular Affairs on H.R. 1111 which with amendments became the Water Resources Planning Act of 1965, where the following comment appears:

"Thus, we must plan the use of our nation's water supplies to provide *maximum benefits* to all purposes . . . controlling floods and preventing pollution, providing water for irrigation, assisting navigation, providing hydroelectric power and energy, and providing outdoor recreation opportunities and fish and wildlife conservation and enhancement." *House Report No. 169, 89th Congress, 1st Session* (Emphasis Supplied).

The actual experience accumulated over many years as to benefits resulting from the Nation's water resource development program provides the most convincing evidence of the propriety of a more inclusive approach to benefit determination. Thus, improved navigation facilities, adequate irrigation, flood control and water supply provide a powerful stimulus to new investment in job producing industrial and processing plants—a benefit omitted from consideration in traditional evaluation procedures. Data compiled by the American Waterway Operators, Inc., disclose that since 1952 about $131 billion has been invested in industrial production and related facilities at waterside locations in the United States. Commenting on this record, Lt. General William F. Cassidy,

then Chief of Engineers, U.S. Army, in testimony in March 1968 before the Public Works Appropriations Subcommittee of the Senate stated:

"Comparably, the Nation's total capital investment in all navigation work to date—for harbors, inland waterways and the navigation share of multiple-purpose developments is less than $5 billion. This represents an investment ratio of more than 26 to 1, and the result has been more jobs for more people while reducing the cost of goods and services to consumers."

"It is a program in our Nation's welfare where the direct benefits exceed the direct costs, and where the indirect benefits from the public investment multiply the economic values many times."

Similarly, in the field of flood control, in accordance with traditional analysis, projects costing $5.4 billion have resulted in direct benefits of $18 billion in the form of property damage averted—or a favorable ratio of more than three to one. But these computations take no account of the enormous values involved in prevention of losses of income and production during periods of inundation, nor do they recognize the contribution of flood protection to economic development, quite apart from its incalculable benefits in the prevention of disease and the saving of human life.

It is respectfully urged, therefore, that a survey be undertaken to determine, insofar as practicable, types and quantities of benefits derived and costs incurred with respect to representative existing projects and that such data, adjusted to reflect altered circumstances, be employed as an index in evaluating comparable new projects. Such procedure should help to assure that all benefits are realistically considered. It should also reduce in some measure the margin of error in estimating and at the same time simplify the work of the field personnel in charge of the study.

2. A single purpose water resource project is an extreme rarity. Nearly all projects, even though justified and approved for a single purpose, actually serve other purposes or contribute to other resource objectives. For example, in the context of comprehensive development, significant benefits may properly be assigned to navigation improvements for their contribution to flood protection, water supply, soil conservation, or recreation. Thus, the navigation dams on the Ohio, the Upper Mississippi, and many other rivers provide stable pools for water supply upon which countless communities and industries depend and without which economic and population growth potential in the affected regions would have been sharply curtailed. The pools created by these "navigation" dams also perform a major public service in recharging underground aquifers and these same pools provide artificial lakes used by millions of citizens for recreational purposes. Again, bank stabilization programs which provide stable channels for navigation contribute directly to soil conservation and flood protection.

Upstream reservoirs often include low-flow augmentation features which permit releases in dry weather. These reservoirs, some of which were constructed primarily on the basis of navigation values, not only enhance water supply for downstream communities and industries, but they contribute importantly to pollution control through flushing and dilution of wastes, as well as to navigation through maintenance of water levels. For example, during the drought of 1963, for a period of time, over 50 percent of the flow of the lower Ohio River was provided by releases from upstream reservoirs. Similarly, a flood control reservoir may contribute to navigation by reducing flood heights and regulating rates of flow and provide, in addition, important benefits to recreation and fish and wildlife enhancement.

The individual water resource project, when viewed in isolation, tends to be conceived as a "single-purpose" undertaking, and recognition of its multiple public values and benefits is correspondingly fragmentary. But, the recognized public values and benefits of the same project, when regarded as an element in a comprehensive basin-wide program, are materially broadened. Properly conceived, the several projects of a comprehensive program will mutually support and enhance the values of the other projects and the whole may be greater than the sum of its parts. Thus, a navigation lock and dam may eliminate a bottleneck on a river system which will permit projects previously constructed on the system to render greater service. Clearly, any new project constituting an element in a development program should be credited with any benefits (not therefore considered) which its construction enables previously constructed elements to bestow. Failure to do so would result in understatement of the values of the entire program.

We earnestly commend to the Council, therefore, the importance of counting *all* benefits, whether or not directly related to authorized project purposes, as proposed by the Task Force, and of recognizing the added values attributable to particular projects as elements in a comprehensive program.

3. In proposing four very broad categories of national objectives, the Task Force has properly recognized that "the details of these objectives are continually changing as national goals are defined" and that indeed "new objectives might emerge". The effects of water resource development would be classified as benefits or costs as they contribute to or obstruct the attainment of stated national objectives. We think it is clear that economic analysis cannot define national goals or objectives. The science can assist in predicting the consequences of certain policies and programs and in that sense it can contribute to the choice of policy. But the selection of goals and objectives involves judgments of value preeminently political in character and, consequently, within the legislative province reserved by the Constitution to the Congress. See *Oklahoma* v. *Atkinson*, 313 U.S. 508, 527.

By its own inherent logic, therefore, the Task Force report implicitly calls for a Congressional determination of water resource objectives. The four general categories of objectives proposed would apparently include numerous specific goals apart from, or in addition to, heightened efficiency or growth of the national economy. They would include, fully as much, such goals as the promotion of public health, the national defense, the balance of payments, improved population distribution, the relief of poverty, regional rehabilitation, community security against natural disasters, and the preservation of scenic, historic, and other environmental values. Because these, and other public interest objectives of which these are only examples, involve broad issues of public policy which are essentially legislative in character, a Congressional determination, having the force and authority of legislative enactment, is essential to give effect to the four general categories of national interest proposed by the Task Force.

We trust that the Task Force will proceed with more precise and detailed definition of the public interest objectives represented by the four categories it has so suitably designated and that procedures will be developed for identifying, evaluating, and weighing these objectives in their hearing on particular programs and projects. But, beyond this, we most earnestly urge that identifications, standards, and procedures, so refined, be submitted to the proper committees of the Congress with the recommendation that, in whatever form the Congress may choose to modify them, they be given the force and authority or statutory enactment. Such Congressional action would be highly consistent with past Congressional practice in this field. For, over many generations, Congress has utilized waterway improvement and, in later years, water resource development as an instrument for the attainment of a variety of national policy goals. The results of Congressional practice in this regard have been summed up as follows:

"Water resources development has been undertaken to provide employment opportunities in time of depression, to raise living standards in depressed areas, and to foster the settlement of underdeveloped regions. In brief it is evident that water resources development has been viewed as one means of helping to provide the economic opportunity, so security and personal freedom accepted as among the goals of our democratic society." [1]

Examples of Congressional practice are scattered through River and Harbor Acts and other legislation over the years. There is lacking any unified, clear-cut definition of Congressional policy with regard to the national objectives to be served by water resource development. Such a definition, more precise and detailed, would give point and direction to the comprehensive benefit evaluation technique proposed by the Task Force. It would assist materially in eliminating existing ambiquity and confusion as to the proper role of water resource development in relation to other national programs—transportation and agriculture, for example. By this means, also, Congress could be reasonably assured of information and expert comment on the great issues of national policy involved in authorizing and funding our water resources programs. Even more important, the public could confidently expect that the fulfillment of our growing water needs would not be frustrated by unduly restrictive standards or inadequate attention to all pertinent factors.

We, therefore, respectfully urge the Council to consider most seriously the possibility of recommending to the Congress enactment of legislation defining water resource objectives more explicitly in terms pursuant to the four categories proposed. We believe that such legislative statement of objectives should reflect the urgent national need for accelerated comprehensive development to provide for water requirements for all purposes and to assist in dealing with other national problems of pressing concern.

4. While the Water Resources Planning Act accepts the principle of a river basin approach to water resource planning, it appears to contemplate no change in existing procedures under which improvements are authorized, primarily on a project-by-project basis. There are, of course, numerous and recent examples of Congressional authorization of basin-wide programs. But, by and large, authorization relates to individual projects. This procedure has been both severely criticized and eloquently defended. President Truman's Commission on Water Resources Policy in its 1950 Report entitled, *A Water Policy for the American People*, vigorously urged basin program authorization in these words:

"Congress should direct the responsible Federal agencies to submit new proposals for water resources development to Congress only in the form of basin programs which deal with entire basins as units and which take into account all relevant purposes in water and land development. This multiple-purpose basin approach should apply to the whole

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[1] Article: *National Water Policy Issues*, Irvin K. Fox, Law and Contemporary Problems, Water Resources, Duke University, Summer 1957. See also, *The Origin and Development of the Waterways Policy of the United States*, p. 47, published by the National Waterways Conference (1967). For a recent example, note Section 206(a), Appalachian Regional Development Act of 1965.

process by which water resources projects move from the survey to the authorization and appropriation stages. It would enable Congress and the people concerned to have a clear picture of the entire program for each basin and its relation to the economic and social development of the region and the Nation."

Because of our concern for accelerated, comprehensive development of the Nation's water resources and growing evidence that the individual project approach tends to fragment evaluation standards in a manner injurious to broader program objectives, we respectfully suggest that the Council review and evaluate this issue, making recommendations to the cognizant committees of Congress if and when appropriate.

5. The question of the interest-discount rate for use in project evaluation continues to be agitated by those who favor the so-called "opportunity cost" principle of discount rate determination. While the matter is not strictly germane to these hearings, it is evident that an interest-discount rate at such levels—say 7–15%—would largely nullify the constructive effects of the principles of cost and benefit analysis proposed by the Task Force. The opportunity cost principle—as some recent advocates propose to apply it—constitutes a false analogy of investment in commercial undertaking with Federal investment designed to conserve and develop natural resources for the benefit of future generations and to serve the broadest objectives of national policy. Government should certainly not put itself in the position of giving the same weight to the production of luxury items as it gives to the provision of schools, highways, resource developments, and all the other undertaking by which it meets the fundamental needs of its citizens. This would constitute an abdication by the Federal government from its essential public interest responsibilities. We earnestly recommend unconditional rejection of this opportunity cost approach as a basis for determination of the interest-discount rate in Federal water resource project evaluation.

We believe, further, that any market rate of interest on long-term debt which may be used as a standard for determination of the interest-discount rate is subject to a serious defect. Future continued inflation in the general price level is a common expectation in the private investment markets. This expectation means that investors in long-term securities contemplate the high probability of eventual collection at maturity in dollars of substantially reduced purchasing power. The rate of interest exacted in the market is consequently higher to allow for this disadvantage.

By contrast, the projection of future benefits attributable to a water resource project is in dollars of constant purchasing power as of the date of the evaluation. Future inflation, as it will expand the dollar value of benefits, has already been excluded from the estimates. To reduce the estimated benefits still further with the market rate of interest on long-term securities, therefore, is, in some measure, to doubly deflate project benefits with respect to expectation of future inflation.

We commend to the Council's favorable consideration, the analysis and recommendation of a rate of return approach by Professor Marvin J. Barloon of Case Western Reserve University at the Louisville, Kentucky, hearing on August 22.

Again, the National Rivers and Harbors Congress expresses its sincere commendation of the Task Force Report as a highly constructive step toward improved project evaluation. We invite the full and careful consideration of this Council to our comments and recommendations. We are grateful for this opportunity to be heard on issues which so vitally affect the future of our country.

ASSISTANCE TO FOOTWEAR WORKERS OF UNITED STATES

Mrs. SMITH of Maine. Mr. President, on Tuesday morning the case of the beleaguered domestic footwear workers and industry suffering from foreign footwear imports will be carried directly to the President at the White House by Members of Congress and representatives of the footwear manufacturers and workers.

I am deeply grateful to Members of the Senate for the amazing unity that they have displayed in fighting for the footwear workers of our Nation. Never before have so many responded so well. For 72 Senators have signed the petition that I circulated requesting the President of the United States to take steps to enter into negotiations with principal foreign supplying nations directed toward the establishment of voluntary import limitations so that both now and in the future the shoe manufacturing industry of the United States may continue as a healthy and viable segment of our economy.

This is a truly remarkable outpouring of championing for the shoe workers and industry for such support of them has thus been registered not only by the overwhelming majority of the Senate but as well by Senators from 43 of our 50 States. Only six Senators refused to sign the petition—and only 22 Senators failed to make any response—and only seven States are not represented on the petition.

The following is a list of the signers of the petition for the shoe workers and industry:

Margaret Chase Smith, George D. Aiken, James B. Allen, Clinton P. Anderson, Howard H. Baker, Jr., Wallace F. Bennett, Alan Bible, J. Caleb Boggs, Edward W. Brooke.

Harry F. Byrd, Jr., Robert C. Byrd, Howard W. Cannon, Clifford P. Case, Frank Church, Marlow W. Cook, Norris Cotton, Carl T. Curtis, Everett M. Dirksen.

Thomas J. Dodd, Robert Dole, Peter H. Dominick, Thomas F. Eagleton, James O. Eastland, Allen J. Ellender, Sam J. Ervin, Jr., Paul J. Fannin, J. W. Fulbright.

Barry Goldwater, Edward J. Gurney, Clifford P. Hansen, Vance Hartke, Spessard L. Holland, Ernest F. Hollings, Roman L. Hruska, Daniel K. Inouye, Henry M. Jackson.

B. Everett Jordan, Len B. Jordan, Edward M. Kennedy, Warren G. Magnuson, Charles McC. Mathias, Jr., John L. McClellan, Thomas J. McIntyre, Joseph M. Montoya, Frank E. Moss.

Karl E. Mundt, George Murphy, Edmund S. Muskie, Gaylord Nelson, John O. Pastore, James B. Pearson, Claiborne Pell, Winston L. Prouty, William Proxmire.

Jennings Randolph, Abraham Ribicoff, Richard B. Russell, William B. Saxbe, Richard S. Schweiker, Hugh Scott, John Sparkman, William B. Spong, Jr., John Stennis.

Ted Stevens, Stuart Symington, Herman E. Talmadge, Strom Thurmond, John G. Tower, Harrison A. Williams, Jr., Ralph Yarborough, Milton R. Young.

Mr. President, I ask unanimous consent to place in the RECORD at this point the language of the petition and the language of the letter I wrote Members of the Senate requesting them to join on the petition. I express my deep appreciation to each of them for what they have done for the shoe workers and to say that I know how much the workers and the industry appreciate the manner in which they have gone to bat for them on this matter.

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

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., May 27, 1969.

DEAR SENATOR: Footwear imports have now reached a critical level. In 1968 over 21 percent of domestic consumption of leather and vinyl footwear has been supplied by imports. In March 1969 imports were 40 percent higher than they were in 1968. Recent forecasts indicate that by 1975, 50 percent of our domestic footwear market will be lost to imports. It is now plain that this projection is conservative. I believe the time has come for action.

The leather and vinyl footwear industry largely consists of small and medium-sized companies. There are 1,100 shoe factories in 600 cities and towns in the United States. Many of these factories are in impacted urban areas of low employment. Many are in rural communities where they are the only industrial employer.

The 400,000 workers in the footwear manufacturing and supplying industries are competing with foreign shoe workers who earn from 30 cents to $1.00 per hour. These wages would be illegal in the United States, and yet last year's imports of 175.4 million pairs represents the export of 64,200 job opportunities.

No other U.S. industry which now enjoys import limitation or even the promise of import limitation can show market penetration of 21 percent. Seven shoe plants closed in New England during the first four months of 1969, with imports cited as a major factor in each case.

I ask you to join with me and other Senators who are concerned about this problem in signing the enclosed petition. I propose to present this petition to the President as the first step toward prompt and meaningful relief for the leather and vinyl footwear industries.

If you are willing to sign the petition, I would appreciate it if your office would notify Mrs. Bartlett of my staff on Extension 2524.

Sincerely yours,
MARGARET CHASE SMITH,
U.S. Senator.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The undersigned have become acutely aware of the intensive foreign competition now facing the United States shoes manufacturing industry. We are particularly interested in this industry because of its high labor content. There are over 1100 factories located in over 600 communities—the vast majority of which are small towns where shoe manufacturing is the major source of income and employment. There are already signs of the damage which has been done to medium and small manufacturers—the backbone of this employment.

The full magnitude of this problem and the threat which it presents is apparent and becoming increasingly severe. In the first half of 1969 seven New England shoe factories closed, with imports an important factor in each case. Evidence indicates that there will be more. Total imports of foreign leather shoes (non-rubber) which entered the United States in 1968 were over 36 percent greater than in 1967. Since 1960 shoe imports have increased by 600 percent. Imports equalled almost 28 percent of the total domestic pro-

duction in 1968. We have every reason to believe that, if unchecked, this rate of increase in shoe imports will continue to absorb the industry's growth in domestic footwear production and will continue to cause a loss of job opportunities for American shoe workers.

This problem is of immediate and critical proportions. We therefore, respectfully ask that you take steps to enter into negotiations with principal foreign supplying nations directed toward the establishment of voluntary import limitations so that both now and in the future the shoe manufacturing industry of the United States may continue as a healthy and viable segment of our economy.

To quote Secretary Stans in a different although related context, "we do not seek to close our market. We do seek to establish some order in the marketing process that will permit all suppliers, foreign and domestic, to share equitably in the growing demand."

Sincerely,

_____ _____.

PRESIDENT NIXON'S DRAFT POLICY

Mr. SCHWEIKER. Mr. President, on Friday President Nixon announced that because of Vietnam troop withdrawals, he is suspending draft calls for November and December of this year. He also repeated his call for congressional action on draft reform, and served notice that if Congress did not live up to its responsibility in this vital area, he would take action to reform the draft via Executive order.

As a member of the Committee on Armed Services, and as one long interested in draft reform, I commend the President for taking this worthwhile initiative, both in lowering draft calls and bringing about draft reform, and I add my voice again to the call for congressional activity.

In the President's message to Congress on draft reform, of May 13, 1969, he endorsed the principles of "youngest first" selection, 1-year eligibility for all registrants, and a lottery system.

While the President can designate 19 years as the prime age group for draft calls by Executive order, this raises the possibility of the inequitable situation that college students currently deferred and young men over 20, would be totally exempt from the draft.

However, there is nothing the President can do about effectuating a random selection system because of section 5(a) of the Military Selective Service Act of 1967, which specifically prohibits any change in the order of selection within any age group, other than the oldest-first by date of birth system in effect at the time of the enactment of that act.

Now is the time for the repeal of this prohibitory language, thereby allowing the President to implement the random birthday method he outlined in his May 13 message.

Mr. President, all of these ideas—1-year eligibility, youngest first, and random selection—are essential if we are to have an equitable draft system. Many of us wanted to implement these proposals in 1967, when the existing draft law was about to expire, but we ended up merely reenacting the same system which had been in effect since World War II began.

We now have an outstanding opportunity, in conjunction with the withdrawal of American troops from the Vietnam war, and hopefully corresponding reductions of overall American troop levels, to bring about meaningful revisions of the draft system.

The President has put the leadership of the White House squarely behind the revisions, and now it is up to Congress to follow this leadership.

The necessity for this action comes at a time when many are concerned by the attitudes of our young men and women toward our Government, and toward many of our institutions. There has been much unrest on our campuses, and unfortunately, a number of outbreaks of violence. Our young people are restless, and do not think their Government leaders are being responsive to many of the urgent problems we face today.

Young people are particularly concerned with our military policies, especially the Vietnam war, and there is no governmental institution which affects them, and their lives, more directly than the draft.

The President's action today can go a long way toward demonstrating to these young people his administration's concern with the current draft system, and his genuine interest in making it more equitable. But he needs congressional help to carry out these intentions. He needs the support of members of both parties in Congress to insure that we have the strongest possible draft reform.

I was privileged to have the bipartisan support of 12 Senators who are cosponsoring my own draft reform bill, S. 1433, and thus know firsthand that this interest in draft reform goes beyond party lines.

My bill includes the President's recommendations, but also calls for binding national standards, to be applied equally by all local draft boards, for deferments and exemptions, for a national manpower pool, which would eliminate the inequities on draft selection existing by virtue of geographical differences of the local boards, and for a 6-year term for the Director of the National Selective Service System.

I strongly believe in all these reforms and hope to see them all enacted. But at present I am lending my full support to immediate attention to the President's reforms.

The President is taking major steps, and I strongly urge all Senators to give serious attention and thought to the need for these reforms, to consider the national effect if we merely continue the inequitable draft system we are now using, and to help pave the way for immediate consideration and passage of the President's proposals.

NATIONAL AND INTERNATIONAL RESPONSIBILITY TO PROMOTE HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, there is a natural and obvious connection between maintaining world peace and observing human rights. This tenet has been incorporated domestically in our Bill of Rights and internationally in the Charter of the United Nations. When the charter was drafted in San Francisco in 1945, and as ratified by the United States, its references to the recognition of human rights was so clear as to leave no doubt that human rights were within the province of the United Nations.

The President of the United States, in June 1945, at the closing session at San Francisco said:

> Under this document (the Charter) we have good reason to expect the framing of an international Bill of Rights, acceptable to all the nations involved. That Bill of Rights will be as much a part of international life as our own Bill of Rights is a part of our Constitution. The Charter is dedicated to the achievement and observance of human rights and freedoms, and unless we can attain these objectives for all men and women everywhere—without regard to race, language or religion—we cannot have permanent peace and security.

Again and again the charter speaks of human rights. The purpose clause (ch. I, art. 1) asserts that the United Nations is created to promote "respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion."

The General Assembly (ch. IV, art. 13) is required to assist in the realization of these rights and freedoms and by article 55 and 56 of chapter IX, each member nation is requred to promote observance of these rights and freedoms. Indeed, the Economic and Social Council (ch. X, art. 68) is directed to set up appropriate commissions "for the promotion of human rights." The United States, by its acceptance of and constitutional ratification of the charter, has recognized these obligations.

It is little wonder that Gen. George Marshall, while Secretary of State, when referring to the significance to intentional peace of the obligation upon all States to observe human rights, commented that—

> Governments which systematically disregard the rights of their own people are not likely to respect the rights of other governments and other people and are likely to seek their objectives by coercion and force in the international field.

Mr. President, the Government of the United States must recognize its national responsibilities to its citizens to respect the rights of our own people and as a formidable international power must do everything we can to see that the rights of all peoples are respected.

Minimally, we can begin by ratifying the pending human rights conventions against genocide and forced labor and for the political rights of women.

FREEDOM OF CHOICE IN SCHOOLS OF THE SOUTH

Mr. ALLEN. Mr. President, with each passing day, new voices are joining a chorus of opposition to arbitrary, unreasonable, and impractical racial solutions involving schoolchildren and public schools which are being imposed by the Department of Health, Education, and Welfare and by Federal courts.

Mr. President, the Montgomery Advertiser, Montgomery, Ala., is well known for its moderate position on the public school controversy. For this reason, we think it significant that on September

18, 1969, the Advertiser editorially addressed itself to the problem of clarifying the factual situation as it relates to freedom of choice in schools of the South and has a few choice words to say on the absurd propaganda promulgated by the Civil Rights Commission on this issue.

Mr. President, we believe that Members of the Senate and the public at large will be constructively enlightened by reading the editorial. I ask unanimous consent that it be printed in the RECORD.

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

[From the Montgomery Advertiser, Sept. 18, 1969]

WITH MALICE AND MISINFORMATION

Obviously, neither the U.S. Civil Rights Commission nor its head, Father Hesburgh of Notre Dame, nor the New York Times has ever heard of the Fifth Circuit Court of Appeals.

If they had, they wouldn't be gnashing their teeth over the Nixon Administration's supposed retreat from school desegregation. They all call it a retreat because (1) the Nixon Administration has switched emphasis (if indeed it *has* switched—the various pronouncements are contradictory) from purse-snatching by HEW to judicial enforcement; and (2) the government gave 33 Mississippi school districts a 90-day delay.

Echoing the Commission's complaint that the Administration is "permitting a major retreat in the struggle to achieve meaningful school desegregation," and Father Hesburgh's pious outrage, The Times said in a Sunday editorial:

"The Commission properly points out that the Administration's shift from the administrative enforcement of (HEW) guidelines to reliance on court orders is a segregationist victory. Federal judges who, in the South, are frequently unsympathetic to desegregation pose less of a threat than termination of federal funds by Administration ruling."

That may sound plausible in New York, where it is supposed that most southern federal judges simply exchanged their white robes of the klan for the black robes of the federal bench (up there, they believe *anything*), but it brings a bitter laugh in the Deep South harried by the most extreme Fifth Circuit orders imaginable.

As a direct consequence of the appellate court's ukase that if total mixing is not achieved by choice (as of course it never would be) it must be achieved by other means, we have zoning, pairing, and the mass transportation of Negro children into the cities where they did not choose to go and where many are unhappy to be sent. It amounts to conscription in the name of equality.

The Times goes on to say that the egregious Southerners have by now developed "high skills of evasion" in dealing with the courts. More laughter. The South has lost almost every case in recent years.

"Freedom of choice in white supremacy regions," the Times continues, utterly heedless of statistics, "offers no choice at all: intimidation and economic blackmail aimed at Negro parents who try to avail themselves of their 'freedom' make the plan meaningless."

Although such may have occurred in isolated instances, by and large freedom of choice has failed—if it has failed—*because most Negroes prefer their own schools.* The Civil Rights Commission, Father Hesburgh and The Times obviously deplore this and attempt to find reasons not to believe it. So they blame it on Nixon, unreconstructed southern federal judges and the southern white devil in general.

In answer to the Commission's ignorant criticism, HEW replied Saturday:

"More school desegregation is occurring this month than at any school opening in America's past." The department estimated that the number of Negroes attending schools with whites in the South jumped from 20 per cent last year to between 33 and 40 per cent this year.

The Commission could have found this out, but it seemed to confine its research to the reading of old Faulkner novels. Amazingly, the Times swallowed the nonsense and even embellished it, ignoring the 19-page HEW report released the day before the Times' bigoted and blindly uninformed Sunday editorial.

What both the Commission and the Times are obviously trying to do is to keep attention on the South and off the North, where *de facto* segregation has hardly been dented.

Since no *de jure* segregation (sanctioned by law) exists anywhere, all regions are now in the same legal position, but they are not treated the same. As Reconstruction II gallops in the South, threatening the whole structure of public education. Northern critics shake their heads and say, too slow, too slow, while their dual school systems remain virtually untouched by the scandal of cattle-car busing of Negroes to achieve racial quotas.

We would oppose this on principle in the North as well as the South, but as far as the eye can see northern segregation is pretty secure. Let's talk about the South, they say, as well they might: if Fifth Circuit rulings were widely applied and enforced in the North, the howl for preservation of "neighborhood schools" could be heard from the Atlantic to the Pacific. After all, it was northern support which outlawed busing to achieve racial balance.

But the South is fair game for those who partake of the heady wine of Big Brother egalitarianism.

Is it any wonder that Southerners—Alabamians, Montgomerians—who know the facts of heavy-handed judicial rule over the lives of their childern are bitter over the *sectional* application of the "law of the *land*" and the utterly contradictory criticisms that Southern courts haven't gone fast enough?

Will the northern experts on southern problems ever be satisfied? Will they be satisfied when once white schools become all Negro? Or will they then demand that the "white flight syndrome" (a northern coinage, by the way) be met with aggressive search and seizure missions to round up all the fleeing whites and bus *them* back whence they fled?

What really do they want—irreversible chaos? At times, we are convinced they will be satisfied with nothing less, such being the vindictive and mendacious attitude exemplified by the Commission's ridiculous report and the Times' acceptance of it.

SOUTH DAKOTA WOMAN LAWYER IS HIGHEST RANKING WOMAN IN THE 94 U.S. ATTORNEYS' OFFICES IN THE NATION.

Mr. MUNDT. Mr. President, it was with a great deal of personal pride that I was advised that Miss Sylvia Bacon, a native of my State, was named as executive assistant to the U.S. attorney for the District of Columbia; making her the highest ranking woman in the 94 U.S. attorneys' offices throughout the 50 States.

Miss Bacon's father, Julius Bacon, has for many years been a distinguished citizen of my State, and publisher of the Watertown, S. Dak., Public Opinion. He is a life-long, active Republican and will cerebrate his 90th birthday on November 10. I know that the progressive importance of the posts which his daughter has received since her graduation from Harvard Law School in 1957 has made him not only very proud, but also has made his friends, including myself, very happy for him indeed.

Miss Bacon is probably the best informed lawyer in the District of Columbia on the laws of the District and of the United States applicable to the District of Columbia, both civil and criminal. She has been law clerk to a U.S. district court judge; then assistant U.S. attorney; then in the civil division of the Department of Justice; and, until this most recent assignment, in the criminal division of the Department where she headed the drafting team on the District of Columbia Court and Criminal Justice Reorganization Act with respect to President Nixon's criminal justice program for the District.

In testimony to her competency, the U.S. District Court for the District of Columbia appointed her to the prestigious committee on admissions and grievances in 1968. Her colleagues at the bar have elected her to the association's board of directors and a director of its foundation. She has served on numerous association committees, most lately on its bail reform committee, headed by Judge George Hart, of the District court.

Miss Bacon is a professor of juvenile law at the Georgetown University Law Center.

In the not too distant future, I hope to see Miss Bacon become a member of the Federal judiciary of the District, a post for which she is eminently qualified and in which she would do an outstanding job.

The Washington Post of September 15 published an editorial on Miss Bacon's new assignment, I think it most appropriately headed "District of Columbia Legal Expert"; I ask unanimous consent that this well deserved commendation and article published in the Washington Evening Star of September 13 be printed in the RECORD.

I conclude my remarks with my congratulations to Sylvia and to her father and my long-time friend, Julius Bacon.

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

[From the Washington Post, Sept. 15, 1969]

DISTRICT OF COLUMBIA LEGAL EXPERT

By naming Attorney Sylvia Bacon as his executive assistant, U.S. Attorney Thomas A. Flannery added to his staff a Justice Department lawyer with a particularly deep background in District of Columbia legal problems. Among her duties in the Justice Department was keeping tabs on the way in which the city carried out the recommendations of the President's crime commission. She worked on the development of the administration's local court reform bill and served on a bar association committee that studied the bail reform act. It is significant that her duties will include management and administration. These are areas where our judicial system has fallen badly behind. No doubt she will have an important role in making sure that the U.S. Attorney's office keeps pace with the expansion of the courts.

[From the Washington Evening Star, Sept. 13, 1969]

SYLVIA BACON APPOINTED AIDE TO U.S. ATTORNEY

A woman lawyer has been named executive assistant U.S. attorney for the District.

U.S. Atty. Thomas A. Flannery appointed Sylvia Bacon, a Justice Department attorney, to the new post yesterday. He called the appointment part of a continuing effort to restructure his office as directed by President Nixon.

Flannery said Miss Bacon, with whom he worked "many many years" when they both were assistant U.S. attorneys, would assist him in over-all management and administration of the office.

Flannery said she will be the highest-ranking woman in the 94 U.S. attorney's offices throughout the nation.

Since Nixon called for a reorganization of the office Jan. 31, Flannery said he has hired six new law clerks and increased the number of assistants to 88, among other steps.

Miss Bacon, working for the Criminal division of Justice, headed the drafting team that prepared the D.C. Reorganization Act. Nixon's crime program for the District, the Public Defender Service Act and the Bail Agency and Bill Reform Act.

The District resident, while working in the U.S. attorney's office from 1957 to 1965, handled more than 600 civil cases in addition to performing special duties on legislative matters.

She received her LL. B. from Harvard Law School in 1956 and her LL. M. from Georgetown Law Center three years later. She currently is teaching juvenile court practice and procedure at Georgetown.

USING SYSTEMS ANALYSIS TO IMPROVE HEALTH SERVICES

Mr. NELSON. Mr. President, in calling for the creation of a National Health Corps, I told the Senate in June:

Without a comprehensive revision of the organization and delivery of health and medical care, millions of citizens will continue to receive no care at all or very marginal care at best.

It would be wise if this comprehensive revision took advantage of the methodology and techniques of systems analysis and operations research. However, it is important that the methodology be applied to the solution of the health-related problems, instead of applications being sought in the health field for the techniques that are available.

Mr. President, the health applications section of the Operations Research Society of America has taken an impressive lead in this much-needed endeavor. They recently held the first national symposium on health, at which the health and medical professionals outnumbered the systems and operations research professionals. A healthy dialog took place between the two groups at the National Bureau of Standards, May 14 to 16. The primary emphasis was upon the problems faced by the health industry and the means of finding solutions to them, instead of finding applications for operations research techniques in health.

I have the pleasure of writing a message to the members of the health application section for inclusion in the proceedings of this significant symposium, where I said in part:

By holding the First National Symposium on Health, you have initiated what I hope will be a creative exchange of ideas, and their innovative development, which would make the ideal of maximum health services to the maximum number a realistic goal, even as landing a man on the moon is an accomplished reality.

A short preface for the proceedings, prepared by the organization chairman of the symposium, Dr. George K. Chacko, TRW Systems Group, Washington, D.C., provides a résumé of the theme of the meeting, and the program plan reflects the dialog nature of the symposium. I ask unanimous consent that the preface and the program plan be printed in the RECORD.

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

PREFACE

(By George K. Chacko)

This work presents the dialogue between 215 health and medical professionals and operations research professionals on averting what President Nixon has subsequently described on July 10 as a "massive crisis" in the production and delivery of health services. The dialogue took place at the Operations Research Society of America Symposium on Health, held at the National Bureau of Standards, May 14–16, 1969. The primary emphasis was upon the problems faced by the health industry and means of finding solutions to them, instead of finding applications for operations research techniques in health.

In planning the Symposium, the Program Committee felt it appropriate that a professional society should respond to the efforts of two Presidential commissions: the National Advisory Commission on Health Manpower and the National Advisory Commission on Health Facilities. Five half-day sessions were held each devoted to one of the Panels of the Commission: The Role of the Consumer; Health Manpower; the Role of Technology; Hospital Care; and Organization of Health Services. The Chairman of the Panel, or a member of the Panel, addressed the Symposium, describing the special problems uncovered during the Commission work, as well as his updated thinking on the respective problems and approaches to solutions. In an earnest effort to fulfill the public responsibility of the professional society, the operations research viewpoint was then presented by a speaker, followed by two discussants who opened the floor for lively discussions.

The recognition of systems in health services being essentially an exploratory area, the Symposium presentations and exchanges are presented in a manner retaining as much of the flavor of the discussions as possible, with no effort made to present any unified position or consensus. Exchange is the object, not edict. Therefore, the reader will be able to pursue different approaches to and concepts of the production and delivery of health services. In addition to the text of the prepared presentations, the reader will find discussions pertaining to the different topics of the presentation on adjacent pages. Furthermore, where reference is made to the text of the Advisory Commissions Reports, the body of the text is displayed on the adjacent pages also. The Operations Research Society of America and its Health Applications Section do not endorse or advocate any one approach or concept, but merely makes the determination that these particular contributions to the crucial problem of the recognition of systems in health services are worthy of your attention.

HEALTH SYMPOSIUM PROGRAM

WEDNESDAY, MAY 14

Morning session

Greetings: Chairman, Charles D. Flagle, Dr. Eng., The Johns Hopkins University.

Welcome Address: Joseph Engel, Ph. D., Comsat Corporation.

The Role of the Consumer

Chairman, Dwight Bartlett, Society of Actuaries.

"The New Role of the Health Consumer," Jerome Pollack, Harvard Medical School.

"Some Elements and Implications of a Model," Gordon D. Shellard, FSA, Society of Actuaries.

"An Economic Model of the Medical Care Market," Paul J. Feldsten, Ph. D., University of Michigan.

"The Role of the Consumer—Financing Health Care," David W. Pettengill, FSA, Society of Actuaries.

Discussion: David Vairsky, Ph. D., City College of New York; Robert R. Fetter, Ph. D., Yale University.

Afternoon session

Health Manpower

Chairman, William W. Walton, Ph. D., Resource Management Corporation.

"Health Personnel Training and Supply," John H. Moxley, III, M.D., Harvard Medical School.

"Health Manpower—Some Needed Research and Analysis," Donald H. Strope, Resource Management Corporation.

Discussion: Edwin F. Rosinski, M.D., University of Connecticut; John M. Moss, Travelers Research Center; Mark S. Blumberg, M.D., University of California.

THURSDAY, MAY 15

Morning session

The Role of Technology

Chairman, Martin L. Ernst, Arthur D. Little, Inc.

"Impact of New Technologies on Health Services," Frank W. Lehan, Santa Barbara.

"The Potential of a Systems Analysis Approach to the Impact of New Technology on Health Care," Mark S. Blumberg, M.D., University of California.

Discussion: Charles D. Flagle, Dr. Eng., The Johns Hopkins University; N. Conant Webb, Jr., M.D., Arthur D. Little, Inc.

Afternoon session

Hospital Care

Chairman, Vincent D. Taylor, Ph.D., The Rand Corporation.

"Hospital Care," Russell A. Nelson, M.D., The Johns Hopkins Hospital.

"Quantitative Methodology for Medical Management," Herbert P. Galliher, Ph.D., University of Michigan.

"Quantitative Evaluation of Post-Surgical Care," James E. Eckles, Ph.D., The Rand Corporation.

"A Study of Obstetrical Facilities," Harry B. Wolfe, Ph.D., Arthur D. Little, Inc., Stanford University.

FRIDAY, MAY 16

Morning session

Organization of Health Services

Chairman, James G. Berry, M.D., TRW Systems Group.

"Organization of Health Services: Challenge to Operations Research," Mary Lee Ingbar, Ph.D., M.P.H.

"Health Care: Political Decisions and the Quality of American Life," Irving J. Lewis.

"Organization of Health Services," William L. Kissick, M.D., University of Pennsylvania.

"An Orderly Approach to Organizing the Health Services," George K. Chacko, Ph.D.,

Discussion: John R. Hall. National Center for Health, Services R&D; Andrew J. Schultz, Jr., Ph.D., Cornell University.

Afternoon session

The Operations Research Role in Health

Chairman, Walter E. Cushen, Ph.D., National Bureau of Standards.

"The Role of the Section," Charles D. Flagle, Dr. Eng.

Discussion: William J. Horvath, Ph.D., University of Michigan.

"No Easy Solutions," John P. Young, Dr. Eng., The Johns Hopkins University.

"A Health System Construct," C. Darwin Stolzenbach, Metro 2000.

S. 2625—A RESPONSE TO THE EDUCATION CRISIS, ENDORSED BY ST. LOUIS

Mr. MURPHY. Mr. President, continuing to share with the Senate and the country the great response that my bill, S. 2625, the Urban and Rural Education Act has received, I ask unanimous consent to have printed in the RECORD a most excellent and thoughtful letter that I received from Superintendent William Kottmeyer, of St. Louis, Mo.

Superintendent Kottmeyer said:

S. 2625, attacks the heart of the problem which exists in the City of St. Louis . . . your bill, which authorizes a 30 per cent addition to regular Title I funds the first year and a 40 per cent addition for second and succeeding years to districts with extremely high concentrations of low income children, would begin to provide some of the resources which these children need if they are to be adequately educated. Neither the children nor the country can afford to have it any other way.

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

ST. LOUIS PUBLIC SCHOOLS,
St. Louis, Mo., August 13, 1969.

Hon. GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: May I commend you for your efforts to help the sorely pressed urban and rural school districts across the Nation. Very few people realize the extent of the problems involved in educating children from the impoverished areas. Your bill, S. 2625, attacks the heart of the problem which exists in the City of St. Louis.

In the past quarter century St. Louis has had a net population loss of 130,000 or 15 percent. The school population, meanwhile, rose 24 percent. This period saw the school population change from 78 per cent white to 63 per cent Negro.

The rapidly rising ADC population is now 33,000 children, 45 per cent of the total ADC children in the State of Missouri.

Ten per cent of our pupils are in special classes for the mentally retarded, the hard of hearing, the partially sighted, the physically impaired, and other handicapped groups. There is evidence that another ten per cent who should have these services are struggling along in regular classrooms.

More than 750 school girls become pregnant each year and need special classroom instruction and health services.

The schools now provide nearly 8,000 free and partially paid meals each day for hungry children.

Two-thirds of the 71,200 children who live in our Title I eligible areas are academically retarded a half-year or more in reading, language, and arithmetic.

Pupils' mobility is very high. Some children are enrolled in a dozen different schools in a single school year.

There are constantly increasing numbers of pupils who need help for emotional, social and health problems which must be cared for by the schools because there is no other agency or organization available.

Most of these needs are not educational but, unless they are met, the children cannot learn. Unfortunately, the citizens of the city no longer have the financial capacity to pay for high cost education. Some of the reasons for this decline in ability to pay taxes are:

The City of St. Louis, in 1969, has an assessed property valuation which is actually less than it was a decade ago.

The city has lost 14 per cent of its wage earners in the past seven years.

High costs for other non-school municipal services add to the city resident's tax burden. In the city, 72.4 per cent of each tax dollar is used to pay for police, hospitals, welfare, and other non-school expenses; in St. Louis County, only 39.7 per cent is required for such services.

The average county householder had 86 per cent more money to spend last year than the average householder in the city.

More than 30 per cent of St. Louis voters are bearing the increased costs of private and parochial schools in addition to their usual tax burden. Recent announcements by Missouri bishops indicate that they are at a financial crossroads and that unless they get state support for parochial schools, they may have to close their schools and inundate the public schools with their pupils.

More than 20 per cent of city voters are on small, fixed incomes, are bitter and resentful about inflation, modern youth, and most of all, about taxes.

In commenting on St. Louis' plight Fortune said in it's January, 1968 issue:

On its own, St. Louis does not have the resources to cope with the problems of the north side and other poor areas. Despite its smaller tax bite, the county had sufficient funds to outspend the city by a wide margin on schools—$117 per capita, against the city's $86.

Skimping on education is a recipe for perpetuating poverty, but St. Louis has little choice. Its revenues, hard-won through tax rates that provide one more reason for business to leave town, are disproportionately committed to a whole range of public services linked to poverty, crime, and dilapidation.

Your bill, which authorizes a 30 percent addition to regular Title I funds the first year and a 40 per cent addition for second and succeeding years to districts with extremely high concentrations of low income children, would begin to provide some of the resources which these children need if they are to be adequately educated. Neither the children nor the country can afford to have it any other way.

Sincerely yours,

WILLIAM KOTTMEYER,
Superintendent of Schools.

PASSENGER TRAIN SERVICE NEEDS UPGRADING

Mr. HARTKE. Mr. President, tomorrow, September 23, 1969, the Subcommittee on Surface Transportation of the Committee on Commerce will begin 3 days of hearings on the increasingly difficult problem of passenger train service in the United States.

As chairman of the subcommittee, I have no wish to prejudge our findings or conclusions. But it is no secret either to my colleagues or to the witnesses who will come to testify before us that I have no intention of sitting by while passenger train service continues to deteriorate. With the increasing—and increasingly dangerous—congestion on our highways and in our airways, it is evident that railroads need once again to become a viable form of transportation for the movement of individuals between cities.

My own State of Indiana has been especially hard hit by train discontinuances. Pending before the Interstate Commerce Commission is a petition from the Penn Central to halt service on the last remaining train link between Chicago and Cincinnati by way of Indianapolis. A great train with a great name—the James Whitcomb Riley—is in danger of being consigned to transportation limbo. Last week, at hearings before the ICC examiner in Indianapolis, I added my voice to those of hundreds of others in protest of that proposed discontinuance. I am hopeful that the Commission will not permit the Penn Central to evade its responsibilities to the traveling public along this route.

Shortly before the opening of last week's hearings, the Indianapolis Star published a highly informative two-part article on the entire problem, with special attention to the pending discontinuance of the James Whitcomb Riley. Precisely because the situation in Indiana is not unique, and because the article is so illuminating as to the background and likely consequences of this sort of discontinuance, I ask unanimous consent that the article be printed in the RECORD.

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

[From the Indianapolis (Ind.) Star, Sept. 14, 1969]

HOOSIERS TO PLEAD FOR TRAIN

(By Al G. McCord)

Transportation-hungry Hoosiers intend to turn an Eastern-planned funeral for the James Whitcomb Riley—the last remaining daily passenger train linking Indianapolis and Chicago—into a revival.

They will have their final chance at Interstate Commerce Commission hearings to be held in four Indiana cities, starting tomorrow, on the Penn Central Transportation Company's petition for authority to drop the Riley from its schedule.

Hearings will be held tomorrow and Tuesday at Lafayette, Wednesday and Thursday in Indianapolis, Friday at Shelbyville and Monday, Sept. 22, at Greensburg.

Appearing to try to counter the Penn Central's deficit figures for the round-trip operations between Chicago and Cincinnati via Indianapolis will be a volunteer task force of "Riley-savers."

They include businessmen and industrialists, professional people, and a highly diversified group of just plain train passengers.

Their pleas as witnesses will be based on growing public need for train service, not mere nostalgia.

They will:

1. Charge that Penn Central is at least guilty of allowing service on the Riley to deteriorate to the detriment of patronage, and has done nothing to attract passengers.

2. Present evidence designed to show that both the traveling public and the railroad would benefit by upgrading and expanding passenger service in line with the trend to rail travel because of airline and highway congestion.

3. Stress the importance of increased, rather than curtailed passenger service, in the Mid-American Corridor in which the Riley operates and serves as a bridge for cross-country train passengers to terminals in Chicago, Indianapolis and Cincinnati.

"Save the Riley" forces do not intend to lose their case by default in a humdrum hearing with recitations of cold red ink figures by the railroad and the laments of a few rail fans, or persons who have to admit they have not ridden a train in years.

Banded together as the Committee for the Preservation of Rail Passenger Service (CPRPS), the pro-Riley group is counting on having enough witnesses to prove the point of public need. Under Federal law the burden in service abandonment cases is on the public, not the carrier.

CPRPS volunteers have been increasingly active for many weeks all along the Riley's 298-mile route, enlisting witnesses and gathering evidence for the Indiana hearings.

With the zeal of politicians getting out the vote, committee members have appealed to Riley riders of all ages and walks of life, on the train, in depots, in their homes, schools offices and factories, to attend at least one of the hearings.

And CPRPS will further bolster its case with cards signed by persons unable to attend hearings, telling how often and why they ride the Riley.

Detective work also has been an important part of committee strategy.

Ever since Penn Central petitioned the ICC for permission to drop the Riley, the train's friends have had its condition and operations under close surveillance.

Riding the train, talking privately with Penn Central employes, photographing rolling stock and keeping close tab on day-to-day adherence to schedule, these "Save the Riley" spies believe they have undisputable documentation to support their case.

State Public Counselor Carl E. Van Dorn, who will direct presentation of the public's case in the hearings, believes a strong point for consideration by the ICC is that the Riley has been well-patronized in spite of its frequent failure to reach destinations on time and its often dirty and ailing equipment.

While some Riley riders have expressed a willingness to take the stand and accuse Penn Central of "sabotaging" service to discourage passengers, Van Dorn concedes that "such a charge is very difficult to prove."

Evidence amassed by CPRPS volunteers includes photographs of cracked coach windows, dirty restrooms, loose light fixtures, seats without sanitary headrest covers and other signs of neglected maintenance.

Helping "Save the Riley" forces from the wings—for fear of being accused of having a mercenary interest in the issue, or other reprisals—are some members of the railroad unions.

Not so subtle has been J. H. Smith, Indiana legislative director of the Brotherhood of Locomotive Engineers. "Save the Riley" cards passed out on the train are addressed to him at his Zionsville home. CPRPS correspondence identifies Smith as its temporary chairman.

Penn Central officials, aware of the criticism the Riley case is generating, issued a press release in advance of the start of the hearings at Chicago last week, reporting that Riley rolled up a $240,000 deficit in 1968 and projecting this year's loss at $285,000.

Later, a statement replying to criticism of the Riley's equipment and performance was issued jointly by the company's public relations department at Philadelphia and the office of R. C. Harrison, regional general manager, in Indianapolis.

Cited were system-wide passenger service losses exceeding $100 million annually, making replacement of aging cars and locomotives unjustifiable, and loss of revenue as a result of withdrawal of railway postoffice cars and discontinuance by other railroads of connecting trains which provided passengers for the Riley.

"Save the Riley" train-watchers lost no time last week reporting what they termed a Penn Central image-improvement move which they said backfired.

When the Riley left Cincinnati Tuesday morning for Indianapolis four stainless steel coaches, gleaming inside and out, had replaced the usual dingy cars.

Suspicious, they checked the Cincinnati terminal grapevine and learned that the transformation took place after the Riley arrived from Chicago Monday night—when it was learned a television cameraman would be aboard the next day to record a "typical" passenger's ride on the Riley.

But someone else down the line must not have received the message, for the Riley was almost an hour behind time when it got to Indianapolis. The train was slowed by track work.

Pro-Riley witnesses hope to make a big point of the fact that the Riley—inaugurated so auspiciously in April, 1941, as a New York Central System steam-drawn streamliner—has received the "silent treatment" from Penn Central.

But Penn Central can produce deficit figures for the Riley for years before the NYC and the Pennsylvania Railroad merged to become the nation's and possibly the world's biggest railroad.

The Riley, a reserved seat train since its inception, is the only survivor of a dozen passenger trains which operated each way daily 15 years ago between Chicago and Indianapolis. The NYC had four besides the Riley, the Pennsylvania ran five and the Monon Railroad two.

Penn Central's explanation that passenger service still would be available to Indianapolis on alternate days on its Chicago-to-Florida South Wind, placates few Riley regulars. It operates through Logansport and Columbus, as well as Indianapolis, but not through Lafayette, Shelbyville or Greensburg.

National attention also is focused on the Riley case—regarded as a showdown before the ICC on the fate of intercity rail passenger service in the United States.

Representing the American Association of Railroad Passengers at the Indianapolis hearing will be its chairman, Anthony Haswell, a Chicago attorney who helped win an ICC reprieve recently for the Indiana-serving Wabash Cannonball passenger train.

The Riley is regarded by Haswell as far more justified than the Cannonball on the basis of the territory its services and its public necessity, but nobody is second-guessing how the Federal agency may rule in the Riley case.

Last week, the ICC took action in Washington indicating it was deeply concerned by the problem of intercity passenger transportation by rail.

The commission asked Congress to strengthen its powers to control abandonment of passenger trains and to authorize Secretary of Transportation John A. Volpe to conduct a nation-wide study of intercity rail passenger service.

Being the only daily passenger train left between three Midwestern metropolitan areas—and key connection between passenger terminals at each—the Riley's continuation, CPRPS spokesmen argue.

Actually, they contend, the Riley's schedule should be revised and speeded up, to give passengers more time to enjoy themselves or transact business in its terminals and to mesh better with connecting rail lines.

[From the Indianapolis (Ind.) Star, Sept. 15, 1969]

Hoosiers Ask Better Passenger Train Service as Riley Faces Halt

(By Al G. McCord)

Transportation paralysis, which is crippling densely populated centers, has begun to afflict Indiana seriously, particularly the burgeoning Indianapolis metropolitan area.

This is the consensus of a cross-section of concerned Hoosiers on the eve of the opening of Interstate Commerce Commission hearings in Indiana on proposed discontinuance of the last daily passenger train linking Indianapolis with Chicago and Cincinnati.

In its petition for authority to abandon the service of the James Whitcomb Riley, the Penn Central Transportation Company cites operating figures which show a deficit that increases annually.

The hearings, opening this morning at Lafayette and moving into Indianapolis Wednesday for two days, well may become the Great Debate of 1969 on the nation-wide problem of intercity transportation.

Articulate spokesmen for "Save-the-Riley" forces believe the public's growing frustration over increasing congestion in air and highway travel invalidate the railroad industry's argument that the passenger train is a victim of transportation progress.

Changing times and travel habits that have threatened to make the passenger train as much of a relic as the stage coach may resurrect it, spokesmen for the Indiana Committee for Preservation of Rail Passenger Service (ICPRPS) contend.

With highway jams worsening and airliners stacked higher and higher over airports, travelers are searching desperately for an alternative, they assert.

The transportation hang-up which prompted Penn Central to inaugurate its Metroliner service, high-speed electric passenger trains which reflect Jet Age technology, between New York City and Washington, is spreading to principal Midwestern centers like Indianapolis, ICPRPS leaders say.

Americans envious without such rail service are reminded by the railroads that some Federal money has gone into the Metroliner project, and that foreign carriers, like Japan's super-speed line, cost the taxpayers heavily.

While rescuing the Riley is its immediate goal, the ICPRPS backers are convinced that more frequent and speedier passenger train service could be the traveler's alternative in the transportation crisis.

They cite numerous advantages of rail travel over other forms, as listed by the American Association of Railroad Passengers, including:

1. Common carrier—Trains are available to anyone with a ticket. Not all persons are able to drive an automobile, or are able to afford to own a car or to gain access to one.

2. Safety—Based on fatalities per 100 million passenger miles, trains have by far the best safety record, with autos 20 times more dangerous, airplanes 2½ times more dangerous and buses 50 per cent more dangerous.

3. Dependability—Airline operations and highway travel are vulnerable to bad weather.

4. Economy—For short to medium-distance trips, travel by rail is cheaper than by plane, and cheaper than one-person-per-car trips by auto.

5. Relaxation—Highway travel is fatiguing, if not frightening. Train travelers are free to work, read, look out of the window or sleep. Granted, air passengers may enjoy the same benefits. The moment a motorist takes his eyes off the road he becomes a menace to himself as well as others on the highway.

Spearheading a campaign for community support of a program to win development of potentialities they see in improved and expanded rail passenger service for the Indianapolis area are men from varied fields.

Applying his know-how in the areas of industry, public relations and community service to the Riley-saving crusade is Floyd (Slats) Logan, field secretary of the James Whitcomb Riley Memorial Association and former Hygrade Food Products Corporation official.

The increasing frequency of airline delays and growing hazards of highway travel often given the Riley—even in its substandard condition and poor adherence to schedule—an edge as far as the Indianapolis-Chicago traveler is concerned, according to Logan.

He is among ICPRPS volunteers who feel that Penn Central as well as the traveling public would profit by improving and ex-

panding passenger service to share in the emergence of Indianapolis as a major metropolitan center.

To him, the fact that the train is a rolling memorial to the Hoosier poet is incidental.

Another ICPRPS member, Robert G. Moorhead, Indianapolis printing firm president and Indiana National Guard brigadier general, considers good intercity rail passenger service essential in peacetime as well as from a military logistics standpoint.

Proximity of Indianapolis' Union Station to the Indiana Convention-Exposition Center, which will embellish the city's increasingly impressive skyline, is a sure-fire passenger business getter, he believes.

He also envisions renovation of Union Station to serve as ticket offices for all major airlines and as a downtown terminal for a high-speed rail service to Weir Cook Municipal Airport.

Moorhead contends that railroads should not be permitted to abandon passenger trains like the Riley even if they are not money makers.

Moorhead argues, too, that railroads generally, and the Penn Central particularly, are carrying enough freight to absorb some passenger service losses.

But he believes an upgraded, on-time Riley could be a hit at the ticket office.

A frequent Riley rider, he recently rode the Grand Trunk Western Railroad's popular new Mohawk between Chicago and Detroit just for contrast, and was impressed by the Grand Trunk's "People's Train" bid for patronage.

In the opinion of Othmar G. Grueninger, an Indianapolis travel agency owner, the Riley has remained a well-patronized train despite Penn Central's "business-discouraging policies."

Earlier, the state public counselor, Carl E. Van Dorn, in charge of presentation of the rider's case at the hearings, said he felt that the ICC should give special consideration to figures showing that the Riley has continued to attract riders despite frequent complaints of failure to keep the train modern, clean and on time.

Grueninger charges that the Riley lost at least 800 passengers a year when Penn Central severed relations with an association composed of 4,000 travel agencies throughout the United States.

Under such an arrangement, a railroad pays an agency a commission to route travelers over its line. Penn Central has no method of attracting many such riders, according to Grueninger.

Grueninger, who owns three sleeping cars, says he began having trouble arranging tours using his cars soon after Penn Central was formed by the merger of the New York Central and Pennsylvania railroads.

Penn Central controls a majority of the approximately 6,500 miles of trackage in Indiana, he reminds.

Another critic of Penn Central's "incongruous" public relations policies is Howard B. Morris, public relations manager at the Indiana University Medical Center and railroad history enthusiast.

While advertisements for trains like the Riley—inaugurated with fanfare in 1941 by the NYC—noticeably are absent from travel pages, P.C.'s Eastern press agents promote a "glamour" train running between New York City and Philadelphia, the railroad's headquarters, Morris comments.

He questions the interest of Eastern women in the train's special features—free fashion shows, hair-styling clinics and wine-tasting parties.

A long-time Riley patron, Richard C. Vonnegut, retired executive of the Vonnegut hardware firm, continues to ride the train on trips to the Southwest, but is puzzled when the train is delayed by "slow orders" on relatively new high-speed-type rail with welded, non-clicking joints.

P. C. employes who insist that their names not be divulged readily say that Riley's rolling stock often has been below standard and its adherence to schedule erratic. But they say they are not to blame, that the fault lies in manpower cutbacks ordered by railroad management.

Anyone can see, they say, that a solid train of coal bound for the steel mills at Gary often gets trackage priority over the Riley.

They also attributed to a labor shortage the Riley's stranding two weeks ago at Kankakee, Ill., when its diesel locomotive ran out of fuel. Air-conditioners in the coaches naturally quit operating, making the two-hour unscheduled stop seem even more distressing to passengers.

B. C. Wesselman, Union Station stationmaster and ticket agent, first makes it clear that he is not questioning Penn Central's policies, but believes he can foresee better times ahead in his bailiwick of 30 years.

Ticket sales for Riley seats assigned to Indianapolis still are good, and bad weather which grounds planes finds travelers converging on Union Station for that old standby, the passenger train, he says. The convention center could revive the special business, he believes.

Expanded, accelerated rail passenger service also is a local method of meeting the transportation crisis for other reasons, ICPRPS spokesmen assert, for example:

1. Land usage—Highways and airports are ravenous consumers of real estate, costing the public millions, taking land off the tax rolls and forcing families to find new homes. Tracks already are there, with one track able to handle as many travelers as 10 to 20 lanes of highway. Also, Federal road spending is being curtailed as an anti-inflation measure.

2. Air pollution—A diesel locomotive causes far less pollution per passenger than either cars—the major source of air-fouling—or planes, and an electric train causes no air pollution.

3. Noise—Residents of areas near some airports already have forced alterations in landing and takeoff patterns because of intolerable noise. If and when the proposed SST airliner is built, its sonic boom will limit its use, some authorities say.

Advocates of reviving rail passenger service emphasize that new expressways cost a minimum of $1 million a mile through the countryside and upwards of $10 in built-up urban areas.

For contrast, they report that in 1963 the New York Central completely rebuilt 50 miles of track in Ohio between Youngstown and Ashtabula for $1 million.

And the rash of freight train derailments, they assert, means that the railroads will have to spend money to rebuild and maintain their tracks whether or not they run passenger trains.

So ICRPS members call for a green signal for passenger service, and say they intend to provide good reasons to Robert M. Glennon, ICC examiner, who is presiding at the hearings and will submit evidence to the decision-making commission at Washington.

THE PESTICIDE PERIL—LIII

Mr. NELSON. Mr. President, proponents of the continued use of DDT and related pesticides argue that there is no effective alternative to these pesticides and that without them the entire agricultural industry would be seriously threatened. However, evidence has shown a number of effective alternatives are already available—the most successful and promising being some form of biological control.

In an article published in This Week section of the Washington Sunday Star of September 21 Leslie Lieber presented an interesting report on a new weapon to fight insects. The method involves the spraying of insects with their own hormones at the wrong state of development so that they "destroy themselves with their own body chemistry—by creating an imbalance of their own hormones against which they can develop no defense or immunity."

Although the research is still continuing on this new substance, all that is known thus far is so encouraging that scientists predict it will be on the market within 4 years. As Dr. Carroll M. Williams, Bussey professor of biology at Harvard, said:

> We will no longer try to kill insects . . . We will force them to commit insecticide!

I ask unanimous consent that the article, entitled "The Battle of the Bugs," be printed in the RECORD.

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

THE BATTLE OF THE BUGS: SCIENTISTS WORK TO REPLACE DEADLY DDT WITH NEW SELECTIVE KILLER

(By Leslie Lieber)

For the last 25 years, dichloro-diphenyl-trichloroethane has been killing mosquitoes, flies, beetles, and all the billion six-legged creatures who conspire to ravish man's food crop and make him ill, and ultimately to inherit this planet.

After World War II everyone called it DDT and used it everywhere.

Then scientists found that the new generations of insects were building up immunity to the poison. And worse yet, this marvelous insecticide has turned out to be a contaminator. It has polluted our environment, accumulating in deadly amounts in plant, bird, fish, and animal life. The food we eat now comes garnished with DDT. Mankind itself could be the ultimate victim of its super bug spray.

So steps are being taken. Germany, France, Sweden, and Denmark have already outlawed DDT. A dozen states in the U.S. have banned or limited its use. On the recommendation of the National Academy of Science, the U.S. Department of Agriculture recently suspended the use of DDT, pending the outcome of a 30-day study.

In a recent editorial, the *New York Times* bluntly summed it up: "DDT's harmful effects are by now scarcely more debatable than the use of ground glass in the public reservoirs."

Fortunately, at this moment when the phasing out of DDT could tip the scales in favor of insects, scientists are on the track of a spectacular control that promises to be the ultimate weapon—a biological H-bomb for bugs (the "H" standing for hormone).

Scientists are now working on what they call "third-generation pesticides" (so-called because they represent a third completely different approach to insect control). These pesticides would make harmful insects destroy themselves with their own body chemistry—by creating an imbalance of their own hormones against which they can develop no defense or immunity.

"We will no longer try to kill insects," says Dr. Carroll M. Williams, Bussey Professor of Biology at Harvard, father of the term "third-generation pesticide," and a prime mover in the research. "We will force them to commit insecticide! The principle is to give them their own hormone at the wrong stage of development so as to completely derange and upset their growth processes, stagnating them in the egg, larva, or pupa stage and

blocking the development of viable, sexual adults."

The chemical agent in this program is called "juvenile hormone"—a substance secreted by all insects to regulate growth and the metamorphosis from larva to pupa to adult. Juvenile hormone must be amply present in the early larval stages. But for the larva to develop into the next stage—*juvenile hormone must be shut off.* If an insect's own juvenile hormone is artificially applied late in the larva stage, it ends further maturing.

The discoveries that have brought science to the brink of a new breakthrough in insect control read like an international mystery story.

It all began in 1920 in the cluttered laboratory of a Polish biologist named Stefan Kopec, a man who was intrigued with such questions as what makes ticks tick. Kopec was fascinated by the dramatic transformation of the caterpillar into butterfly. He tied a string tightly around the "fuselage" of a caterpillar, and watched as the head section went on to molt and pupate into the head of a moth. But the part of the body to the rear of Kopec's tourniquet remained a caterpillar.

Kopec deducted that the genes governing growth in the head section had been normally activated to carry out its growth mission, whereas the string around the belly was preventing the ingredient vital to growth from reaching the hind end. He concluded that the head region must be secreting a hormone essential to an insect's growth and development. Without that crucial secretion, the caterpillar tail had died.

It was Sir Vincent Wigglesworth, the famed entomologist of Cambridge University, who discovered an insect glandular secretion that he christened "juvenile hormone" because it must be present to regulate growth in the early larval stage and absent in later states or the creature will turn into a grotesque and unworkable monster. Wigglesworth traced the origin of juvenile hormone to a pair of tiny glands near the brain called the *corpora allata.* The removal of these glands caused larvae to go precariously out of control and then turn into nonsexual, midget adults. When these glands were grafted into larvae well on their way to adulthood, they burst into giant larvae, stagnating at that plateau without ever becoming adults. In other words: Wigglesworth discovered that the juvenile hormone blocks growing up until the creature is ready for the next stage. Remove that hormone, the brakes are released—and the insect rushes to destruction.

All this hormone study coming from science labs didn't make too much practical sense until Dr. Williams, when he was studying under Wigglesworth at Cambridge on a Guggenheim Fellowship, extracted the world's first supply of juvenile hormone. He found it in the abdomen of the American silkworm moth Cecropia—his pet experimental insect. Using an ether solution in a blender, Williams was successful in obtaining a "golden oil" from the abdomens of male Cecropia. It proved to be a crude but potent concentration of the elusive hormone.

Williams was the first to see the enormous potentialities of hormones as the ultimate weapon against insects. He surmised that juvenile hormone was the chemical regulating growth—not just for moths, *but for every species of insect on earth.*

With DDT on the skids, entomologists were racing against time to perfect their H-bomb. But one gap had to be bridged before biologists would dare try this new weapon: they had to be sure that on its mission of extermination, the golden oil could be made to discriminate between the bad guys like flies, mosquitoes, boll weevils, and the destructive Gypsy moths (the rogues who comprise only one-tenth of one per cent or 3,000 species of the insect population) and the millions of species of good little samaritan insects like the silkworms and the honeybees who, intentionally or not, contribute to man's happiness.

"Any reckless use of these materials on a large scale could constitute an ecological disaster of the first rank," said Dr. Williams.

But it was again in Dr. Williams' lab at Harvard that an almost uncanny stroke of luck allowed a breakthrough. The problem was how to get juvenile hormone tailor-made to attack only *certain predetermined pests.* In the summer of 1964, a brilliant young Czech entomologist named Slama came to Harvard from Prague for a six-month period of postdoctoral study under Williams. He brought with him a batch of European larvae of the linden bug family. The linden bug (Pyrrhocoris Apterus), which feeds harmlessly on the fallen seeds of the linden tree, is a common laboratory specimen in Europe.

Williams and Slama proceeded to grow the foreign larvae in cages. But to their complete astonishment every bug stopped midway in its progress toward maturity and died. A new batch of linden bugs was shipped from Prague. They too failed to grow beyond the larval stage. This had never happened with thousands of generations of linden bugs in Prague.

"It was evident to us," said Dr. Williams, "that these bugs had access to some unknown source of juvenile hormone. Our frustrating search for that source finally focussed on a fragment of paper toweling that had been placed in each dish for the bugs to walk on. In Prague, Slama had always used filter paper. We were astonished to find that when the toweling was removed, the bugs developed normally. This led to a correspondence with the paper company to find out what kind of chemicals had been added to the product. All we learned was that the toweling was made from paper pulp."

The baffled biologists then placed the bugs on a page from a local Boston newspaper. Again, all the bugs died before they became adults. New bugs were then placed on newspapers and magazines from all over the United States. Twenty different brands of toweling, napkins, and bathroom tissues were placed in the cages. All the American toweling, newspapers and journals had the same effect. Japanese and European papers allowed the bugs to develop normally.

Obviously the American-made paper was coated with juvenile hormone which it was passing on to the linden bugs, throwing their growth processes into disarray.

Detective work led to a fantastic explanation of the mystery: juvenile hormone is synthesized by the balsam fir, principal source of all paper in the northeastern United States. It accompanies the pulp all the way to the printed page. Its chemical formula was later found and purified by William S. Bowers of the U.S. Department of Agriculture's Insect Physiology Laboratory at Beltsville, Md.

What did the lucky "accident" in Williams' lab prove?

For the first time it provided evidence that not all juvenile hormone attacks all insects indiscriminately: the balsam fir's synthetic hormone was deadly, strangely enough, only for the European pyrrhocorid species to which the Czechoslovakian linden bug belongs. It has had no effect on any of the American insects tested so far.

What else did the amazing balsam fir-linden bug coincidence prove? That somewhere back in the primeval ooze, some prehistoric pyrrhocorid predator inhabited the balsam fir tree. The balsam fir didn't like the parasite making its home in its bark and eating its greenery. So through some remarkable survival instinct, the balsam fir developed a chemical facsimile of the hormone that could destroy this enemy—the same substance, juvenile hormone, that man now has stumbled upon.

Even though the balsam's bug finally died off from hyperhormonism—or escaped extinction by moving out and living on other tree species that weren't so smart—the balsam fir still carries a biochemical memento of the juvenile hormone that once saved its life.

Bowers called this substance "juvabione," and soon investigators in several other countries were looking for other plants and trees that might also contain counterfeit hormones as a built-in defense.

Entomologists at Tohuku University in Japan have discovered an ersatz hormone in the yew tree. John H. Law, while a professor at Harvard, synthesized a hormone substance 1,000 times more biologically active than the golden oil from the bellies of the Cecropia. And at Beltsville, Md., an agricultural team under Bowers has also artificially synthesized a high-potency compound only two carbon atoms—almost a "carbon" copy—away from the true juvenile hormone. Researchers now hope to develop highly selective insecticides from wholesale sources of hormone—crude or synthetic.

How close is our insect-plagued DDT-clogged planet to being rescued by this new potion? Will juvenile hormone be ready in time to keep us from being DDT-ed, stung, bitten, and loused to death?

Indications now are that the new substances will be in the spraying cans by 1973. Last year the Syntex Corporation spun off a new company, the Zoecon Corporation whose specific mission is the development of the economic potential of a wide range of third-generation pesticides. Their business is to discover compounds which are copies of natural hormones which will zero in on target insects while leaving other life unharmed.

The staff of over 35 scientists already at work in Zoeson's labs in Stanford University's Industrial Park in Palo Alto, Calif., will expand to 100 within five years. One of their main items of research: to make sure, by overdosing animals with insect's juvenile hormone, that no possible harm can come to higher forms of life when the earth gets doused with hormones a few years hence. The verdict thus far: vertebrates are completely immune.

"There are still bugs in our research, if you'll pardon the expression," says one biologist with a shy, scientific smile. "But we're working them out. And just in time, too. *Dichloro-diphenyl-trichloroethane* has become a dirty word in every language."

GOVERNOR REAGAN LAUNCHES PUBLIC EDUCATION PROGRAM ON DRUG ABUSE

Mr. MURPHY. Mr. President, in a September 18 special news conference, Governor Reagan outlined the State's efforts to mobilize public opinion on the important matter of drug abuse. Certainly, drug abuse is one of the most critical problems facing our Nation and California today.

The Governor feels that the magnitude of the problem is so great that we must tap the talents and energies of not only Government agencies but also private organizations and individuals. Three months ago, as a part of the Governor's continued campaign to prevent drug abuse he launched a "mass media public education program." I ask unanimous consent that the complete text of Governor Reagan's statement on this subject be printed in the RECORD.

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

STATEMENT BY GOVERNOR REAGAN

In my state-of-the state message in January, considerable emphasis was placed on the growing crisis of drug abuse in California, particularly among our young people. From January through June, nearly 65,000 persons were arrested in this state on drug abuse charges; some 20,500 of them were youngsters under 18 years of age. This is a 50 percent increase over arrests for a similar period in 1968, and indicates that drug abuse is nearing epidemic proportions in California.

In addition to activities conducted by various departments of state government, my office, and the office of the lieutenant governor, have been taking steps during the past year to develop solutions to this critical problem with emphasis on utilizing the resources of the private and volunteer sectors.

In August 1968, we began working with the California PTA, California Medicial Association and California Peace Officers Association to encourage formation of drug abuse committees in high schools and junior high schools.

In October of last year, we formed, in conjunction with the California Medical Association, the interagency council on drug abuse, which is designed to bring together representatives of public and private agencies in an effort to develop coordinated solutions.

Just three months ago, in June, another approach to this serious problem began in California—a mass media public education program. The program conducted by Grey Advertising of San Francisco in cooperation with my office and the California Medical Association, was launched after more than nine months of planning. It represents an outstanding example of a cooperative commitment by government and the private sector to work together to help solve the problems of our citizens.

Experts point out that there is a desperate need to set the record straight on the subject of drug abuse. A program such as this is designed to help enlighten both parents and youngsters. Our citizens must be able to define the extent of the problem and learn what they can do about it before they can act appropriately, without emotion, to help stop further advancement of the drug culture.

The first objective is to reduce the information vacuum about the effects of dangerous drugs with informative material that is direct, accurate and medically-sound. Initial newspaper advertisements and radio and television announcments have been produced and distributed to media throughout the State. Additional material is being developed and will be provided the communications media in the future.

Some 55 business firms associations and foundations have contributed to the expense budget established by the advertising agency to sustain the program. Other companies and individuals are contributing production assistance, talent and services without charge or "at cost." Well-known spokesmen dedicated to public service, like Jack Webb and Robin King, have provided their talents without charge. Private citizens, broadcast stations, newspapers and firms whose activities relate to the mass media have offered to donate their services.

Acceptance of the program by broadcast and print media, individually and through associations, has been gratifying. Pledges of support have been made by the California Newspaper Publishers Association, California Broadcasters Association, Southern California Broadcasters Association and the California Outdoor Advertising Association. The entire program is a testimonial to the ability and willingness of the private sector to work for the betterment of California's human environment.

MEMORANDUM OF BUSINESS EXECUTIVES MOVE FOR PEACE

Mr. McGOVERN. Mr. President, a short time ago a delegation representing Business Executives Move for Vietnam Peace met at the White House with John Holdridge of the National Security Council to express their urgent hope for a prompt end to the war in Vietnam.

The memorandum which they left, addressed to President Nixon's assistant for National Security Affairs, Dr. Henry Kissinger, is an unusually concise and lucid statement of the reasons why it is in our interest to announce and carry out a phased withdrawal of all American forces from Vietnam.

Like many other groups, BEM is growing increasingly impatient with the lack of discernible progress toward peace. Troop withdrawals designed to change the mix of United States and South Vietnamese forces in combat will not satisfy opposition to the war in this country, particularly when American deaths each week are numbered in the hundreds. It is time to advise the Thieu-Ky government that if the war is to continue it must be without billions of American dollars and thousands of American lives.

Mr. President, I ask unanimous consent that the memorandum be inserted in the RECORD.

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

PEACE IN VIETNAM

We believe that the President can gain united support of the people by announcing that, in the best interests of the United States and the world, he is ending American participation in the Vietnam War and promptly taking significant actions to implement his decision. We make the following points in support of this position:

1. *Announcement of phased withdrawal could be made without loss of face.*

The United States has proved its scientific and technical ability by putting a man on the moon. We intend to use our abilities for human development rather than for destruction and we intend to build peace in the world. Our military power is such that within a few hours we could utterly destroy Haiphong and Hanoi. However, such use of our power is not necessary to protect our country. It would be opposed by many Americans and would alienate us from the rest of the world. It would not eliminate the Viet Cong, who have the support of many non-Communist nationalists against the "foreign devils" and so the war would continue in South Vietman unless it, too, were utterly destroyed. Furthermore, escalation by the United States could, temporarily at least, unify Moscow and Peking because each, in its struggle for leadership in the Communist world, has promised not to stand idly by and see Hanoi destroyed. Probably responses to American escalation in Vietnam would be more sophisticated weapons from the U.S.S.R. for the Viet Cong and North Vietnamese and stepped-up fighting in Laos, Thailand, and North Korea, thus broadening the war.

We are not defeated militarily. We have chosen not to go all out with our full destructive power and therefore we have decided to stop further loss of American lives by ending our part in the war.

2. *The strategic interests of the United States are better served by ending our involvement in Vietnam.*

Since the end of World War II the State Department has been preoccupied with containing the Communist threat. The Vietnam War was looked upon as an attempt by monolithic Communism to seize Asia in a campaign to destroy the United States. However, the Communist world has become fragmented with schisms of incredible variety and the two major Communist powers are at each other's throats. Relations between Hanoi and Peking are cool—they have been enemies for 1000 years—and Soviet influence on North Vietnam is limited. The Vietnamese want no foreign domination and the program of the National Liberation Front calls for a neutralist foreign policy. Of greater importance, from the U.S. point of view, is that our involvement in Vietnam limits our options in the Middle East and Latin America where we have vital interests and it handicaps us in dealing with the U.S.S.R., with China, and with the rest of the world.

3. *We cannot have both guns and butter.*

The flow of funds to Vietnam imperils the stability of the dollar. The high rate of inflation can be traced directly to the major escalation, beginning in August 1964. Education, housing, mass transportation, the war on poverty, the cleansing of our water and our air have fallen victims to the costs of fighting in Vietnam. Taxes have been raised at all levels of government to an almost intolerable point. People are demanding tax reforms and the use of a larger share of taxes for social purposes and not for war.

The budget requests of the various government agencies reflect the demands of the people. They cannot be denied without political hazard.

4. *Even if there were a government in Saigon which was heavily influenced or dominated by Communists, it would not threaten the safety of the United States.*

As we have learned, the presence of a Communist government in Yugoslavia and Romania, or even in Cuba, does not seriously threaten the United States, Europe or Latin America. Diplomacy, trade and know-how may be far more persuasive than guns.

5. *The "honeymoon" period is ended and the President must make good his promise to end the war on his ability to govern will be impaired.*

It is questionable whether the Government can continue to have the loyalty of the people if it continues to go against what the majority wish and what was promised them,—namely, an end to the war.

Recent months have been quiet on the campuses because it is vacation time, but students are planning protests this fall. There is more and more unrest among the G.I.'s, many of whom regard themselves as conscripts forced to fight in an unnecessary and immoral war. The general respect for the military and for military men has sunk to a new low. Continued fighting in Vietnam makes all these situations worse.

A TRIBUTE WELL DESERVED

Mr. GRIFFIN. Mr. President, her colleagues are keenly aware of the great service rendered in this body by the distinguished senior Senator from Maine, the honorable MARGARET CHASE SMITH.

We are particularly indebted to her for her wise counsel and outstanding leadership in connection with complex issues involving national defense.

Accordingly, it was most gratifying to read a well-deserved tribute to Senator SMITH, written by Holmes Alexander of the McNaught Syndicate, and published recently in the press. I ask unanimous consent that Mr. Alexander's column, as

it appeared in the Alexandria, Va., Gazette, be printed in the RECORD.

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

HER LOGIC OF WOMANHOOD

(By Holmes Alexander)

WASHINGTON.—The U.S. Senate isn't a gentleman's club, just a genteel club, for the most part. Margaret Chase Smith, Republican of Maine, is a reason why.

For most of her tenure, Sen. Smith has been the lone lady member, and it is her ladylikeness which counts the most. Not only is she beautiful and bright, but she has the relentless logic of womanhood at its finest and she inspires a chivalry that keeps 99 gentlemen genteel.

When the Senate's debate on the Safeguard ABM reached its climax, Aug. 6–7, she was the star, and the men were only players by comparison. "Maggie's exercise in futility," said somebody in the too-noisy press gallery, as time approached to vote on her amendment which would have abolished Safeguard and spent the money on general research for "another" ABM. This wasn't an altogether sensible idea, and it perished 89–11 in the voting, but Sen. Smith wasn't finished. She accepted modifying language, by Senators Gore and Case, and tried another amendment which lost by a tie vote, 50–50, but her ultimate good sense came through in her main speech if not in the countdown.

Unlike others who voted with her, Mrs. Smith did not "trust the Russians." To the contrary. She didn't believe that Safeguard would stop Russian missiles, but she did believe that fear of America's offensive weapons would do so, and that a better ABM could be developed by use of laser beams.

It was in her estimate of Soviet psychology that Mrs. Smith surpassed all other members in sensibility. She made mincemeat of male arguments which came before and after. Only "Our offensive arsensal," she said, has restrained the Soviets. Nothing else but respect for American nuclear might "has stayed their hands" at every confrontation from Berlin to Cuba. If "the Russian Kremlin leaders" (she gave no names) could advantageously get away with an attack, they would let loose "all of their devastating weapons on cities as well as missile sites."

Mrs. Smith demolished the argument, by Senator Ted Kennedy and others, that upcoming arms-talks with Russia could make Safeguard and other weapons unnecessary. The Soviet Union had achieved great-power status among nations "by developing devastating weapons in great secrecy." The USSR had celebrated so-called peaceful May Day, year after year by "boastfully parading" arms which our intelligence forces have failed to anticipate. Russia has consistently refused inspection procedures on both the nuclear treaties with the USA.

Sen. Smith's psychoanalysis of Soviet Russia now hit its high point. The Kremlin leaders, although without conscience or remorse, had other reasons for not launching an attack. She said that "dissent . . . violence . . . anarchy . . ." in the USA was a reason the Russians wouldn't shoot their missiles at us. Those men in the Kremlin, she said, had "confidence" that they can complete "a Communist conquest of the United States without firing a shot. "So why should the Kremlin leaders destroy American resources which they "avidly covet," when it appeared that "Americans would ultimately deliver this country to them."

This part of Sen. Smith's speech, the part that made it so exceptional, went largely unreported in the press. Her anti-Safeguard amendment which so nearly won, got most of the play. But her ferocious feminine instinct on Soviet mentally, and American social vulnerability to Communism, was where she shone the brightest.

That was Maggie Smith's finest hour.

TRIBUTE TO JAMES F. HOGE, JR.

Mr. METCALF. Mr. President, since 1955 I have been pleased to participate in and have been an enthusiastic supporter of the American Political Science Association congressional fellowship program. During these years I have had 13 such interns in my office and it has been a source of immense satisfaction and pride to me and my staff when each of these 13 has gone on to distinguish himself.

Among them is Jim Hoge, Jr., an APSA intern in my office in 1962 and now editor of the Chicago Sun-Times. The October issue of Playboy magazine includes a vignette on Jim and his success which I would like to share with Senators.

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:

JAMES F. HOGE, JR.: AHEAD OF THE TIMES

Although The Chicago Sun-Times dubbed itself "the bright one" several years ago, the tag gained real significance only last October, when James F. Hoge, Jr., became the paper's editor. Hoge's awareness of what's happening—and his commitment to enlightening the public—has made the Sun-Times an exciting, civic-minded newspaper in the great muckraking tradition. Rampant hunger in the ghetto and deplorable conditions at Cook County's jail and hospital were not even officially recognized until the Sun-Times brought them to light. Hoge says, "We've become a little more independent, a little more liberal and a lot more attentive to new voices. We want to present both sides of a story—by having local experts write about civic problems and setting up debates and forums in print; and we've increased the number of political columnists, whose viewpoints cover the spectrum, to give wide-ranging coverage to national issues." New York-born Hoge has always wanted to be involved in public affairs: After leaving Yale with a political-science degree, he entered the University of Chicago's graduate school and went job hunting. "Management at the Sun-Times," he recalls, "agreed to adapt my working hours to my course schedule, so I started as a police reporter. All night I'd wait for a story to break, then drag back in back in time for an early class. It was the dreariest period of my life." Armed with a master's degree in modern history, he went to Washington, D.C., under an American Political Science Association fellowship and, a year later, rejoined the Sun-Times at the Washington bureau. Then editor Emmett Dedmon brought him back to Chicago as assistant city editor in 1964, and Hoge moved up fast through the ranks. When Dedmon became ditorial director, Hoge took over his chair. Now 33, he is the youngest editor of any major metropolitan newspaper in the country. "I have no unfulfilled desires," he says. "I've got all I can handle riding this tiger."

OPPORTUNITY FOR THE UNITED NATIONS

Mr. MUNDT. Mr. President, last week, before the United Nations, President Nixon presented what I consider a most constructive and forthright statement with respect to what lies ahead for the world should we be able to attain what thus far has been unattainable—true and enduring peace.

The achievement of true and enduring peace is not going to be accomplished tomorrow. An end to the hostilities that plague the world is not in sight.

Nor will this goal, or the dream, as the President stated it, of "a world open at last to the light of justice, and reason," be attained so long as the double standard persists in which the United States continues to be a whipping boy for every ill and difficulty confronting the world.

President Nixon, in a speech, which could well be the laying down of a new charter for the nations of the world, set forth what I consider the first step for the beginning of a new foundation for peace. Without that first step, progress for lasting peace is denied.

That first step must come from the member countries of the United Nations in response to the call of President Nixon when he said:

> In the name of peace, I urge all of you here—representing 126 nations—to use your best diplomatic efforts to persuade Hanoi to move seriously into the negotiations which could end this war.

Will the members of the United Nations heed this appeal? Or will the United States once again be subjected to a further extension of the double standard applied to our Nation, a Nation which has responded—wisely or unwisely; no one can say with certainty—to appeals both at home and abroad to take steps which allegedly would result in a better climate for peace?

Mr. President, much more is at stake than what the President of the United States has suggested to the United Nations concerning the future of the world. At immediate issue is the future of the United Nations, for if the member nations cannot now make any effort to influence the North Vietnamese of the wisdom of meaningful negotiations after this Nation has more than walked the extra mile in response to such appeals, it seems to me the purposes for which the United Nations was established will have been all but abandoned. Its usefulness most certainly will have suffered a great deterioration.

THREAT TO DISMAL SWAMP

Mr. NELSON. Mr. President, an article published in the Washington Post's magazine Potomac last month deserves our attention. The article tells of the threat that industry and other developments pose to the ecological balance necessary for the preservation of the Great Dismal Swamp in the Norfolk, Va., area. One of the last great wilderness areas left in the United States, the Great Dismal is being considered for airports, subdivisions, and a source for lumber. This is another example of potential damage to our environment in the name of economic gain that we must be concerned about. 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 GREAT DISMAL

(By Mildred Payne)

Another wilderness is dying, but this time there's a difference. This 750-square mile tangle of loveliness will probably be cleared subdivided and paved before most people find out it ever existed, because the Great Dismal Swamp is the stepchild of the conservation movement.

Just 20 miles southwest of Norfolk, the Dismal is a paradox: on high ground rather than low, free of malaria and decay, a gently-flowing fountain rather than a catch-basin of stagnance and scum. It harbors a fantastic array of plants, the last black bears east of the Appalachians, and some of the biggest snakes anywhere. Its soil burns; its water boasts the color and clarity of brandy. It's larger than the Okefenokee of Georgia, wilder than the Florida Everglades, and many naturalists consider it our most valuable outdoor laboratory.

Yet 90 percent of the Dismal is owned by lumber companies and real estate developers, and neither North Carolina nor Virginia, whose adjacent borders it straddles, has acted effectively to save it. Ben H. Bolen, Commissioner of Parks for Virginia's Department of Conservation and Economic Department, says simply, "We've had a hard time figuring out what to do with the Dismal. For actual public recreation, it isn't worth too much."

Bolen headed the 1964 study commission that recommended acquiring 51,000 acres for $1.25 million to be set aside as a state park or wildlife management area. On April 5, 1968. Virginia's General Assemby finally saw fit to appropriate $50,000—four per cent of the recommend amount—for conservation of the Dismal.

Yet the garden clubbers, naturalists and interested citizens who worked so hard for this pittance continue to be frustrated. Although surveying, appraisal and negotiation with landowners are underway, the Department of Conservation has not yet acquired an acre of land in the Dismal.

Bolen blames the delay on difficulty in establishing property lines, and expects acquisition to begin shortly. But while bureaucratic wheels grind at a glacial pace, developers are strenuously promoting their schemes.

The latest involves a proposed airport to be built north of Lake Drummond on land owned by Union Camp Corporation, a paper manufacturer holding title to approximately 50 per cent of the swamp. The airport is the brainchild of Hunter A. Hogan, Norfolk real estate developer, and Edwin R. MacKethan of the Virginia National Bank, who proposed it as an alternative to expansion of Norfolk Municipal Airport.

Union Camp spokesmen are noncommital, but Hogan and MacKethan say they have reason to believe they can get an option on the 10,000-acre tract if the Norfolk Port and industrial Authority will agree to build on it immediately. Thus far, the Authority favors expansion of present facilities, as do governing bodies in Norfolk and Newport News, but the new airport enjoys considerable support in area communities without airport facilities.

When the Port Authority presents its plans for expanding Norfolk Municipal in a few weeks, debate will be long and loud. Considering the financial rewards at stake, the disruption of the Dismal's ecology by noise and pollution is not expected to carry much weight

Frederick Heutte, retired Superintendent of Parks in Norfolk and a renowned naturalist, has a plan for developing the Dismal that would preserve its character while satisfying the utilitarian instincts of conservative legislators.

He envisions a botanical garden along Route 17, which cuts through the swamp's eastern edge parallel to the Dismal Swamp Canal.

Because the swamp straddles the temperate and subtropic climate zones, an astounding assortment of northern and southern plants meet here in a rainbow-hued jungle. Magnolia, Myrtle, Jasmine, lilac and cherry trees flourish beside shrubs and flowers too numerous to name; Spanish moss festoons the trees.

By expanding Route 17 into a four-lane highway bracketing the Canal (part of the Intercoastal Waterway), Heutte's plan would create a 22-mile reflecting pool banked with a magnificent horticultural display. A network of winding canals through the swamp would enable visitors to enjoy its plant and animal life in comfort and safety.

Although certain death does not await visitors, the Dismal Swamp is no place for a Sunday stroll, as William Haywood and his son Alton can attest. On December 12, 1955 the two men and their small dog entered the Dismal to hunt squirrels, and walked into a nightmare.

Soon after the thick forest closed around them, their excited dog bolted into a thicket. Knowing that the dense swamp had swallowed hundreds of hunting dogs, the Haywoods plunged after him, calling and whistling, then stopped to listen for a telltale rustle, a beckoning bark. Engrossed in their search, they neglected to mark their trail. They finally found their pet, but they were hopelessly lost.

At nightfall the call went out: men lost in the Dismal. Four hundred men—Virginia state police, National Guardsmen, Marines, and two experienced Indian guides—methodically tramped the search area, shouting, firing shots, listening for a reply. Two helicopters criscrossed shadowy waterways and forests.

Finally, late on the third day, a tired searcher literally stumbled over the lost men, and William Haywood described their ordeal.

"We heard you fellows long ago! We called and called, but nobody answered." The dense vegetation—in December—had formed a one-way sound trap so effective that men passing 20 yards away had not heard a sound.

Of all the Dismal's terrors, the most vividly recounted are the snake stories. Most of them are exaggerated, but since reptiles grow until they die, some real giants inhabit this ideal environment.

Game Warden Norman Myers claims to have seen cottonmouth moccasins "as big around as your leg," rattlers, copperheads, and many nonpoisonous varieties. Local zoologists include the jointed snake, which breaks into two-and-a-half inch sections after death. Snakes are shy—jointed snakes being the shyest, of course—but visitors must be careful.

Indians believed the swamp was haunted; one legend described a fearsome fire bird whose abandoned nest became Lake Drummond, in the swamp's center. Fires have been known to burn for years in the peaty soil. The swamp is dotted with fire pits resulting from lightning fires, and they become effective traps when vines conceal them. Recently two forest rangers were ploughing through the undergrowth when one of them suddenly plummeted into a concealed pit. He was fortunate; he was not alone.

Early settlers drawn to the swamp's fringes by fertile soil and abundant game told harrowing stories of panthers, snakes, quicksand, and bears that herded pigs into the forest by slapping them on their rumps with huge paws. Colonial mothers issued dire warnings about ghosts to their adventurous offspring. The "ghosts" were probably smoking peat or ignited methane gas ("fox fire"—a byproduct of peat formation), but even today the local guides who ferry sportsmen into the Dismal speak more or less reverently of two tragic Indian lovers who roam the forest, he as a hunter, she as a snow-white doe with a crimson spot on her forehead. Often seen and followed, they vanish as suddenly as they appear.

Thomas Moore wrote his famous "Lake of the Dismal Swamp" after hearing the legend of a young bride who paddles a white canoe over Lake Drummond on dark nights, seeking her lover. Fog patches on the water? Perhaps, but she's part of Dismal lore, and no one is in a hurry to explain her away. (The Lake itself is believed to have been carved out by a glacier).

The Dismal is no respecter of reputations. North Carolina's first governor, William Drummond, plunged into the swamp in 1676, discovered and named the lake in its center, and stumbled out, lone survivor in his party, weeks later.

Virginia's aristocratic Colonel William Byrd II (who is generally credited with naming Dismal) nearly died surveying the Virginia-North Carolina line in 1728. His party ran out of food, lost its bearings, and fought through dense undergrowth, covering less than one mile a day, nearly eaten alive by vicious yellow flies (it's said a swarm of them can kill a mule). Colonel Byrd emerged cursing that "vast body of dirt and nastiness," and added alligators to its growing list of horrors, although no one else has ever seen them.

George Washington owned the swamp for years, and in 1765 formed the "Adventurers for Draining the Great Dismall Swamp," dug two drainage ditches—which are still in use today—and embarked on a series of disastrous agricultural projects. He grew 20-foot berryless blackberry vines, 10-foot cotton with blue and yellow bolls, and no rice at all, despite extensive and expensive attempts; he gave up in disgust and sold the swamp to Lighthorse Harry Lee. But Lee couldn't keep up the payments, and the land reverted to Washington, who ignored it thereafter.

In later years the Dismal attracted less illustrious developers. Halfway House, a spooky hostelry built in 1800 smack across the state line, drew shady characters of every description. One advertisement rhapsodized, "The Halfway House . . . is a stand fully applicable to all purposes of life, as eating, drinking, sleeping, marrying and duelling."

Duellers simply fired across the state boundary. If a sheriff appeared from either side sanctuary lay a few short leaps away. Even the most diligent lawmen, seeking to surprise a quarry in bed, often came away cursing. Criminals could leave either state by crossing the hall. Jurisdictional complications plus North Carolina's lax marriage laws made Halfway House a mecca for elopers.

By the 1850's the Dismal was a haven for runaway slaves. Most owners abandoned the wretched fugitives to its snakes and mires, but a few utilized hounds to track them down. North Carolina's legislature legalized shooting of runaways, paying owners two-thirds of the dead slaves' value. Many Negroes who escaped the dogs and the guns formed robber bands and wreaked grisly vengeance on canal and coach road travellers.

The desperadoes are gone now, but the Dismal remains a refuge. Most visitors enter the swamp on one of its brandy-colored canals, cruising between luxuriant forests. Frogs croak and birds flit, and it's hard to believe the southern tip of the Atlantic Coast megalopolis lies 20 miles away.

Suddenly you burst onto a sunlit circle of rust water beneath an unbroken vault of sky: the inundated plateau of Lake Drummond, highest point in the swamp. Cypress trees march into the water from the shore.

Only a few stilted fishing lodges remind you that others have been here.

Suddenly an auto horn sounds directly behind you; your guide assures you the highway is miles away, and his voice echoes clearly from the forest walls around you.

Lake Drummond's elevation explains its unusual acoustics as well as the abnormally large, choppy waves that whip up suddenly, out of proportion to the strength of the breeze. Summer storms lash it into rolling copper foam.

This water has been described as brandy-tea- or wine-colored, sediment-free and pleasant tasting. It takes its unique characteristics from the "juniper" (white cedar) and cypress trees that have been growing, dying and falling into it since the swamp's formation 6,000 years ago. Their acid bark dissolved, preventing bacterial growth and vegetational decay, and peat began to form. The Dismal Swamp is the only place in America where peat is forming today.

Eighteenth and 19th Century sailors swore Lake Drummond water prevented malaria; actually the Dismal is free of malaria because those terrible yellow flies feast on mosquito larvae. But its high acidity does prohibit stagnation, and thousands of ships put into Norfolk for it. Commodore Perry carried Lake Drummond water on his famous Open Door trip to Japan.

Today men want something much more critical from the Great Dismal Swamp—the land area it occupies. But the Norfolk-Virginia Beach League of Women Voters has taken up the fight, and woman power may stir some action in Richmond.

Meanwhile, the Dismal is fighting back. Its wildlife is retreating into its depths, and a game warden recently commented, "There's still a little bit of everything in there." The cussed wonderland has a chance, if its friends speak up now.

LAKE OF THE DISMAL SWAMP

(By Thomas Moore)

They made her a grave, too cold and damp
For a soul so warm and true;
And she's gone to the Lake of the Dismal Swamp,
Where, all night long, by a fire-fly lamp,
She paddles her white canoe.

And her fire-fly lamp I soon shall see,
And her paddle I soon shall hear;
Long and loving our life shall be,
And I'll hide the maid in a cypress tree,
When the footstep of death is near.

Away to the Dismal Swamp he speeds—
His path was rugged and sore.
Through tangled juniper, beds of reeds,
Through many a fen, where the serpent feeds,
And man never trod before.

And, when on the earth he sunk to sleep,
If slumber his eyelids knew,
He lay, where the deadly wine doth weep
Its venomous tear and nightly steep
The flesh with blistering dew!

And near him the she-wolf stirr'd the brake,
And the copper-snake breath'd in his ear,
Till he starting cried, from his dream awake,
'Oh! when shall I see the dusky Lake,
And the white canoe of my dear?'

He saw the lake, and a meteor bright
Quick over its surface play'd—
'Welcome,' he said, 'my dear one's light!'
And the dim shore echoed, for many a night,
The name of the death-cold maid.

Till he hollow'd a boat of the birchen bark,
Which carried him off from shore;
Far, far he follow'd the meteor spark,
The wind was high and the clouds were dark,
And the boat return'd no more.

But oft, from the Indian hunter's camp.
This lover and maid so true
Are seen at the hour of midnight damp
To cross the Lake by a fire-fly lamp,
And paddle their white canoe!

NATIONAL BELLAMY AWARD TO LEAD, S. DAK., HIGH SCHOOL

Mr. McGOVERN. Mr. President, in 1892 Francis Bellamy wrote the immortal words that were to become the Pledge of Allegiance to our flag and was responsible for the beginning of the event we celebrate as Flag Day.

In his honor, the National Bellamy Award has been established. It is given each year to one high school in one State for its outstanding role in molding and perpetuating America's ideals and goals.

It gives me great pleasure to say that the recipient of the award for this year is Lead High School of Lead, S. Dak. Among some of the accomplishments of that school which brought it the award were: The outstanding work of the school administration, the accomplishments of the school's alumni, the fine citizenship of the students, and the cooperation with the community.

I applaud the accomplishments of Lead High School and the efforts of those who make this award possible each year.

I ask unanimous consent that the article published in the Lead Daily Call be printed in the RECORD.

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

LEAD HIGH SCHOOL WINS NATIONAL HONOR

Lead High School has been named the National Bellamy Award School for 1970. Glenn Hogen, superintendent, made the announcement at a special student assembly Monday morning.

The National Bellamy Award is presented annually to a high school in one state. The school chosen is judged the most representative of all fine schools in that state and will be the standard-bearer for all schools in that state for a period of 50 years, until the honor again rotates.

Lead High earned the Bellamy Award as the result of 7 years of uninterrupted education, kindergarten through grade twelve, with the fundamental values of America's heritage stressed and implemented.

SHARE IN HISTORY

In this three quarters of a century, the history of America, its form of government, the study of its major and minor conflict, its glorious moments and its moment of near despair, all were made part of the students' background.

Through adult education, started in 1904, the Lead Public Schools initiated programs to make it possible for Lead's foreign-born residents to become Americans through Americanization classes.

Hogen congratulated Bill Ausmann, principal for his work in carrying out the traditions and high standards of the school and also C. C. Curran, principal from 1920 to 1952, and Don Fitcher, principal from 1953 to 1967, who with Ausmann who took over the reins in 1967, have served the school for nearly 50 years.

THIRTY-EIGHT COMPETE

Last January, Lead High School with 38 other schools in South Dakota and Montana, was invited to submit materials for consideration for the National Bellamy Award.

By March 1, the 14 required items were compiled and submitted.

These included a history of Lead High from 1895 to the present, biographies of the principal and superintendent, copies of the Nugget and Goldenlode a copy of the student and teachers' handbooks, lists of outstanding state and national honors won by faculty and students during the past two years and biographical sketches of 30 alumni who have achieved honor and distinction in their chosen fields.

From then on, the school has undergone a thorough study by members of the board of directors of the National Bellamy Award.

Last May 18, Lead High was advised that it was one of the top three schools being considered with the other two being Watertown, S.D., and Billings, Mont., both larger schools and with much newer facilities.

The materials on which the final decision was based for Lead High were prepared by Helen Morganti, director of public relations for the Lead system.

Hogen said, "This honor has not been won by any one group of students or administrators. Lead High School and the City of Lead share national recognition today.

"The Homestake Mining Company, the businessmen, parents, churches, service and fraternal organizations as well as the students and faculty of Lead High, are co-recipients of this honor, since through the years, the Lead schools have had the constant interest and cooperation of every group in the community."

Immediately following Hogen's announcement, the Lead High concert band under the direction of Paul Hedge played the National Anthem and the Lead High "Loyalty," which were sung by the audience.

ACCEPTS HONOR

Ausmann accepted the honor for the school and presented the ten major points on which Lead High merited the honor. These include the proficient performance of duty by the administration; the Board of Education Thom McAn Award, one of 24 given in the nation for outstanding work accomplished; teachers' honor and leadership in important positions; the philosophy of Lead High by keeping up with new methods and equipment; a versatile student body which excels in citizenship; school newspaper and yearbook national honors through the years; summer school program; close cooperation with the community; a functioning public relations department and accomplishments of the alumni.

The award honors Francis Bellamy of Rome, N.Y., minister and journalist, who is the author of the Pledge of Allegiance; the Pledge itself and the Flag of the United States.

The National Bellamy Award was originated by Dr. Margarette Miller of Portsmouth, Va., in 1942. Lead becomes the 29th school in the nation to receive this honor.

SPEARHEADS HOLIDAY

In 1892 through Bellamy's insistence and efforts, President Benjamin Harrison proclaimed that the 400th anniversary of the discovery of America should be celebrated throughout the schools in the nation.

As chairman of the national program, Bellamy wrote the original words to the Pledge for this occasion. However, through the years the Pledge grew in importance, but the name of the author was almost lost.

In 1936 Dr. Miller discovered that even the true identity of the author had become obscure. Through her efforts, all 50 states have now issued Flag Day proclamations declaring Francis Bellamy the true author.

The award not only honors Bellamy, but gives conspicuous acknowledgment to the

vital role the public school plays in molding and perpetuating America's ideals and goals.

FIRST PUBLISHED

Today's date is significant in that the first time the text of the Pledge of Allegiance appeared in print was Sept. 8, 1892, 77 years ago today, which was advance publicity to prepare all the schools for the national commemoration of Columbus' landing in the new world.

Hogen presented the platform guests which included Mrs. Mary Ellen McColley, president of the Lead Board of Education; Don Howe, public relations director and representing the Homestake Mining Company; Harold Ludeman, mayor of the City of Lead; Kermit Stell, president of the Lead Chamber of Commerce; James Keith, Seaton Publishing Company; Jack Rainey, president of the Lead Education Association and Curran and Fletcher, former principals.

Wade Hart, president of the Lead High Student Council, led the students in the Pledge of Allegiance at the opening of the assembly, a custom observed in Lead High for years.

Bill Nevin, editor of the Lead High Nugget presented the first copy of the National Bellamy Award Announcement edition to Ausmann who accepted it for the school.

ANNOUNCED IN NUGGET

While the band played "Concert Band Medley," the souvenir copies of the Nugget were distributed.

The national announcement was made today, but the formal three-day celebration when Dr. Miller, member of the National Bellamy Advisory Board, special musical groups, government officials and special speakers will be in Lead, Oct. 14–16, 1970.

The morning of Oct. 16, the formal presentation of the award will be made in Lead.

Holyoke High School, Holyoke, Mass., is the National Bellamy Award School for 1969. One school in New Hampshire will be chosen as the Award School in 1971.

Part of the requirements in order for Lead High School to qualify for the National Bellamy Award, was that a post card showing the school be printed.

For some unknown reason, post cards of Main Street, the Grier monument, Homestake and many other Lead scenes are abundant, but no one thought of making one of the most important businesses in town, the high school.

The post cards have arrived showing Lead High in a night shot and in full color and will be available in stores in Lead as well as the public relations department of the schools starting today.

The post cards will be available in Dunn's Pharmacy, Noeller's Stop and Shop, The Western Drug and Miles Variety Store. Decals of the American flag for use on cars, have been distributed to all school staff members as well as students requesting them.

OUR MERCHANT MARINE: GOING UNDER

Mr. TYDINGS. Mr. President, anyone who is familiar with maritime affairs knows the shocking condition of our merchant marine. Our fleet has deteriorated to a point where we shortly will no longer have a first-rate merchant fleet.

I will not recount the sad statistics. I will mention only that our balance of payments is adversely affected by the poor condition of the fleet, that contrary to popular opinion U.S. shipyards are among the most productive in the world, and that the United States leads in containerization, which is the mode of shipping for the future.

I need not mention that as a seapower we require a healthy merchant fleet for both our commerce and national security.

One of the best pieces I have yet read on the overall state of our merchant marine was written by Patrick J. McGarvey and published in the August issue of Government Executive. Mr. McGarvey, an associate editor, details accurately and concisely the decline of our fleet, stating that "neglect is fast sinking the Nation's merchant fleet."

Major legislation to provide the restoration of this fleet has been expected since last May. Hopefully, it will be submitted soon. The Senate will then consider it in depth and no doubt debate it fully. For this reason I ask unanimous consent that Mr. McGarvey's article, entitled "The American Merchant Marine: There Are Causes for Deep Concern, Militarily, Industrially, Politically," be printed in the RECORD.

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

THE AMERICAN MERCHANT MARINE: THERE ARE CAUSES FOR DEEP CONCERN MILITARILY, INDUSTRIALLY, POLITICALLY

(Patrick J. McGarvey, associate editor)

HIGHLIGHTS

1—U.S. today is carrying only about five percent of its foreign commerce on American flag bottoms.

2—Two-thirds of U.S. merchant ships are more than 20 years old; the active fleet today ranks sixth in world status, eleventh in merchant fleet construction.

3—For years the disparate needs of the industry and the unions have kept legislators and the Government in a haze.

4—The industry itself has been generally lax in educating the American public about its own potential.

5—The American Institute of Merchant Shipping (AIMS) may finally provide industry with a single voice.

6—Higher U.S. wages prevent domestic shipyards from competing on the international market.

7—The momentum and scope of the Soviet maritime program, rather than the specific achievements, are the main challenge to the U.S.

8.—In the long term, the Soviet Union might be in a position to dictate terms and determine shipping rates in selected shipping conferences and radically restructure them in the interests of Soviet objectives.

9—The military implications of a powerful Soviet merchant marine cannot be overstressed.

10—The Japanese have prescribed that their merchant marine should carry 60 percent of Japan's exports and 70 percent of its imports by 1975. Existing Japanese merchant marine ships are less than 15 years old.

"As far as I'm concerned, I joined the Nixon team and came to Washington for a single purpose—to put our merchant fleet back on the map of the world."

These remarks, made by the new Maritime Administrator, Andrew E. Gibson, an ex-merchant ship master, underscore the mood of optimism that today prevails in Washington. Despite the pathetic condition of today's Merchant Marine, the Nixon Administration has injected much needed vitality into this area of Government. Gibson is determined to bring about changes in the merchant fleet. He recognizes the difficulties that lie ahead and he speaks of them frankly. He is not dismayed however.

Since taking office last winter, Gibson and others have devoted almost their entire efforts to formulating a new program for the Merchant Marine. They are reluctant to speak of the forthcoming program in great detail at this time; however, the broad outline can be seen in their public remarks since taking office. The time is drawing near when this new program will be promulgated. Gibson has set the deadline for mid-August, Rocco C. Siciliano, Under Secretary of Commerce, said it will be late summer, " . . . not Indian summer either." The smart money says that between August 15 and September 15 they will unveil this program.

Before discussing the probable shape of the program, it will be helpful to explore just what is meant when we talk of the pathetic condition of today's merchant fleet, and examine the evolution of the U.S. Merchant Marine. Moreover, some of the problems caused by industry and labor play an important part of any examination of today's merchant fleet as well as the fundamental changes in ship design that have been developed in the past few years. A comparison of Soviet and Japanese shipping policies and objectives will reveal the weakened competitive position of the U.S. fleet.

THE SINKING U.S. MERCHANT FLEET

Neglect is fast sinking the Nation's merchant fleet. A review of its current status is disheartening to say the least. The U.S. today is carrying only about five percent of its foreign commerce on American flag bottoms. This percentage has been dropping sharply every year from a high of 57.5 percent in 1960. Today the U.S. ranks a weak eleventh in merchant ship construction in the world. A few ships are under construction with Federal aid as called for by law, but the industry is far in arrears in replacement tonnage. The average age of the U.S. merchant fleet is 23 years; in another two years, more than two out of three ships in the fleet will be over 25 years old and totally uneconomical. The U.S. active fleet today ranks sixth in status in the world. Long-range planning is at a standstill. The passenger fleet of the United States, on which prestige rode in past decades, is disappearing as far as major liners are concerned. While this is happening, the Soviet Union, which has the advantage of unswerving purpose, is pushing hard for maritime prominence—even supremacy.

Today's privately owned U.S. merchant fleet numbers about 960 vessels. Twenty-five of these are passenger cargo ships, about 660 are freighters and 275 are tankers. About 300 of the private vessels are subsidized. Approximately 15 new ships a year are being added to the fleet. The Government has about 1,100 ships in its reserve fleet of which 170 are of the passenger-cargo variety, 900 are freighters and 30 are tankers. These figures are misleading though as Maritime officials reveal that less than 200 of the vessels in the so-called reserve fleet are in any condition to make their activation economically feasible. The others are in very poor condition and barely worth scrapping.

Another important aspect of today's problems concerns the changes in shipping patterns that have evolved since last this country undertook a long-range shipbuilding program. Forty years ago, 85 percent of international trade was carried in general cargo vessels or freighters. Today, however, the situation has reversed to a point where nearly 80 percent of trade is carried in bulk carriers such as tankers and grain and ore carriers. The U.S. fleet then is simply not configured to compete in today's trading environment.

There is no one reason for the plight of today's fleet. For years the disparate needs of the industry and the unions have kept legislators and the Government in a haze. The maritime industry has long been unable to achieve a united front. Subsidized lines frequently joust with unsubsidized concerns. Tankermen had their unique problems. Domestic operators and nearby offshore shipping

men had different viewpoints. West Coast men thought differently than those on the East Coast. Independent tramp operators had their own set of ideas. Some of the industry favored putting the Maritime Administration under the Transportation Department; other segments insisted that it be brought out of the Commerce Department and established as an independent agency.

Former Defense Secretary Robert S. McNamara downgraded the value of shipping as a naval auxiliary arm just when the industry itself was beginning to accept military utility as a great argument for a strong commercial shipping fleet. The official view of the Defense Department was that the airplane had come into its own and that jet air fleets would carry supplies to future trouble sites. This was not borne out by the Vietnam experience, however; nearly 500 ships had to be chartered or brought out of the reserve fleet.

The U.S. fleet has long been plagued with critical interunion bickering. Loss of confidence in the American export community naturally resulted as the threats of interrupted shipping schedules through strikes were brandished.

THE FLEET IN PERSPECTIVE

The industry itself has been generally lax in educating the American public about its own potential. Of course, it is fighting several popular myths concerning "cheaper" foreign shipping rates and lower production costs abroad. It thinks of itself as the "forgotten child" in the American economy. The reason the fleet remains configured to complete in a 1930 trading environment stems largely from the fact that most of the tankers and bulk carriers ply trade routes not considered "essential," thus construction of tankers and bulk carriers do not, in many cases, qualify for subsidy. Those that are built in the U.S. are used largely in domestic trade.

The present attitudes of the shipping industry are largely derived from the treatment the fleet has received throughout American history. Truly it has been the forgotten child, passing through many periods of prominence in times of national emergency but just as quickly sinking into obscurity as soon as the weather cleared.

A slump in shipping during the worldwide depression in the 1930s brought the United States merchant fleet to a dangerously low level. In 1936 a new law was passed. The Merchant Marine Act of 1936 declared it "to be national policy to foster the development and encourage the maintenance of a Merchant Marine sufficient to carry the domestic waterborne commerce and substantial portion of the foreign commerce of the country on essential trade routes, capable of serving as a naval auxiliary in time of war." The Act provided for construction and operating subsidies to be paid by the Government to shipping lines. These were designed to equal the difference between the cost of building and operating ships under the American flag and the much lower costs under foreign flags.

The Act also set up a United States Maritime Commission of five members. They made a survey of the state of the Merchant Marine and laid out a long-range program of shipbuilding designed to provide 500 ships in the next 10 years. A new basic type of cargo ship was designed, the "C"-type ship, and a fine new passenger liner, the SS *America*, was built.

Before the program was well started, WWII broke out in Europe. Again ships were in tremendous demand. When the War was over, merchant ships were busier than ever. Half of the seven-million troops sent overseas were brought back home within three months after the War's end. Merchant ships brought them back.

The hundreds of war-built ships were offered for sale at prices and under conditions set up by the Merchant Ship Sales Act of 1946. The best of the vessels, the long-range "C"-types, were purchased by American flag operators, who were able in this way to acquire fine modern vessels at a reasonable cost. Many of the Liberty ships were sold to foreign flag operators, to help rebuild merchant fleets damaged by war losses, or to help countries which needed to strengthen their economies by having more ships under their control. Surplus vessels were laid up in reserve fleets at eight sites throughout the country, where they were carefully preserved for emergency use.

In mid-1950 war broke out in Korea and the United States under its commitments to the United Nations sent troops and supplies to the help of the South Koreans. Added to the need for military shipments was a sudden urgent demand for ships to carry coal and grain to countries in Europe and Asia which were suffering from a severe winter and were unable to provide for their minimum needs. All available privately owned ships were chartered for these services, and hundreds of vessels were withdrawn from the Government's reserve fleets. By March 1952, over 500 Government-owned ships were in operation. By the Spring of 1952, in accordance with its policy to use Government ships only to supplement, not to compete with, privately owned ships, the Maritime Administration withdrew its vessels from service and returned them to lay-up in the reserve fleets.

In the Summer of 1965, the Defense Department requested the reactivation of about 20 reserve fleet ships to carry cargoes in support of the U.S. military operation in Vietnam. Additional ships were requested subsequently and, by the end of 1966, about 172 Maritime Administration ships, most of them withdrawn from the reserve fleets, were assigned to private companies appointed to act as agents for the Government. In addition, there were about 300 privately owned ships under charter to the military for the Southeast Asia supply program.

GOVERNMENT ROLE IN MERCHANT SHIPPING

Under various acts, the Maritime Commission regulated rates and services of water carriers, a function requiring the deliberation and independence of judgment which a board or commission is designed to provide. At the same time, the Commission was required to carry on many programs of a business nature, like shipbuilding and subsidy payments, which require the prompt decisions and action that a single executive with undivided authority can best give.

Since the original Commission did not prove sufficiently flexible for this dual job, it was abolished by the President's Reorganization Act of 1950. In its place the President established two new agencies, the Federal Maritime Board and the Maritime Administration, which he placed under the U.S. Department of Commerce.

The Board was given the regulatory and subsidy determination functions of the former Commission, and the Administration was to administer the various merchant marine programs. The chairman of the board was ex officio the Administrator of the Maritime Administration. This mingling of functions was found to be unsatisfactory and in 1961 the President's Reorganization Plan abolished the Federal Maritime Board and established a separate and independent Federal Maritime Commission to handle regulatory matters.

SUBSIDY PAYMENTS

It hears complaints against shipping lines or conferences and approves or disapproves agreements, rates and regulations of shipping companies, terminals and others subject to its jurisdiction. The Maritime Administration remained within the Department of Commerce but, in addition to its administrative duties, was given the task of determining subsidies.

The Merchant Marine Act of 1936 provides for payment by the Government of operating and construction different subsidies to make up the difference between U.S. costs of building and operating ships and the estimated costs of foreign competitors. Most of the subsidy paid is based upon the differential wage costs of U.S. and foreign shipyard workers and seamen.

In return for the Government aid received, U.S. operators must provide regular adequate services on routes determined by the Maritime Administration to be essential to U.S. foreign trade and defenses. A unique recapture feature in the operating-differential subsidy provides for Government recapture over a 10-year period of half of all the profits in excess of 10 percent of capital necessarily employed up to the full amount of the subsidy granted. This is a unique situation, unlike the agricultural subsidy program. In good times, operators may thus return all subsidy received. At the present time there are 14 companies with subsidy contracts which operate about one-third of the active fleet. Current operating subsidy payments are about $200 million yearly.

The subsidized operator must agree to replace his obsolete ships with new ships found to be suitable for trade routes to be served and for emergency use as a naval auxiliary. The Administration may pay up to 55 percent of the domestic cost of such ships, so that the operator pays no more than the estimated cost of building a similar ship in a representative foreign yard. The Administration may pay for any national defense features found to be in excess of commercial requirements. Construction subsidy may be paid for any ship to be used in U.S. foreign trade whether or not the owner receives operating subsidy.

The major problem for Government when dealing with the diverse elements in the shipping industry in the past was that there never was a single authority who could speak for the many elements. This caused trouble for the industry as a whole more than once when legislation was under study on the Hill. Spokesmen from different segments of the industry appeared more interested in undermining other segments of the industry and did so in their testimony on the Hill. Of course, the result was that Congress could barely understand what it was the industry really needed most.

This may be changing, for finally the larger segments have joined forces. Under James J. Reynolds, a former Under Secretary of Labor in the Johnson Administration, industry forces have joined in a new group called AIMS (American Institute of Merchant Shipping). This organization was formed earlier this year as an amalgamation of the American Merchant Marine Institute, Pacific American Steamship Association and the Committee of American Steamship Lines. The groups have formed councils within the new institute and they have a common umbrella and common officers. But bickering continues.

FROM A POSITION OF STRENGTH

The unions have learned the importance of the power of persuasion when dealing with Congress. While the actual number of men involved in the shipping industry is less than a half-million, they have organized themselves so effectively within the AFL–CIO that they garner the influence of over the seven-million men in the AFL–CIO. This impact can be readily seen on the Hill when legislation is pending which is at odds with union desires.

Within the union framework, however, there are wide divergences of opinion and they have long been feuding with themselves over disparities in wages and working hours. A case in point involved the handling

of containerized cargo at East Coast ports in April. The shipping company refused to accept containerized cargo because it was afraid the ILA (International Longshoremen's Association) would impose fines if the containers were not unpacked and repacked by union men. It based this fear on an earlier East Coast dock settlement in which the ILA won a provision permitting it to fine shipping companies if union members aren't used to pack containers within 50 miles of a port. The Maritime Commission stepped in and ruled that companies can't refuse to handle containers because they fear union penalties.

REVOLUTIONS UNDERWAY

Some of the difficulties with both industry and unions in today's shipping business stem from the fundamental changes that are occurring in the industry. While these new breakthroughs can be interpreted as harmful to the cause of the unions, they at the same time contain the potential of putting the United States in the lead in shipping and as such will reward labor as well as industry in the long run.

Foremost among these are the new types of ships being designed and built. The containerized shipping method has already increased the productivity of merchant ships on the North Atlantic routes manyfold. Cargo handling is more efficient, faster and flows easier out of the port areas. The containers are designed to be carried on trucks, piggyback on trains and swung aboard a container ship easily. They cut down pilferage, loss due to weather and handling errors (but entire containers are now being highjacked).

Another revolutionary concept involves the LASH (Lighter Aboard Ship) concept which simply is a new breed of ship that carriers its own lighters or barges aboard. This means that a ship can pull into a port, discharge its lighters already loaded with cargo and immediately load on a new cargo and be off for home port.

Both of these new concepts can destroy the myth of air transport. A recent study indicated that cargo handling delays at air terminals both here and in Europe compound to make the advertised "six-hour ocean" into a six- to eight-day ocean. In other words, ships can readily compete with air transport.

On the frontiers on ship design, Bell Aerosystems Co. has recently released an artist's conception of a 100-ton ship that skims the ocean surface on a bubble of air. The company received a $1.5-million contract from the Maritime Administration for detailed engineering design of the vessel, known as the Surface Effect Ship. Bell's proposed design would be almost three times larger than the biggest air cushion vessel produced to date in this country. The Navy and the Commerce Department, which are jointly backing the venture, have something far bigger in mind. The new designs are to test the feasibility of vessels of 4,000 to 5,000 tons that could cross the Atlantic at 80 knots in less than two days.

A popular misconception concerning low productivity in U.S. shipyards has been afoot for quite a while now. Revolutions in this area are also underway, but the basic facts now have been made clear, and it turns out that U.S. shipyards are among the most productive in the world.

A recent study by the independent Center for Maritime Studies at the Webb Institute of Naval Architecture indicated in its summary that U.S. yards are more efficient than Japanese and British yards and only slightly behind the better shipyards in Sweden and West Germany. Despite this favorable level of productivity, higher U.S. wages prevent domestic shipyards from competing on the international market. To meet Japanese ship building prices, currently about 50 percent of the U.S. level, U.S. yards would have to increase productivity two and one-half times. The study points out, however, that in a better procurement environment, U.S. production prices could be reduced by about 25 percent.

ASSEMBLY LINE SHIPBUILDING

The only possible way then that American shipbuilders can compete would require radical new approaches to shipbuilding. Litton Industries, which owns the Ingalls shipyard in Mississippi, is doing just that. On a 611-acre man-made peninsula on the Pascagoula River, they are building a shipyard of tomorrow.

Ellis Gardner, president of Ingalls, claims that it is not a new technology that has been developed but merely the application of what has been known for sometime—the assembly line. It will be a shipyard without a launching way in the old sense. Work teams, instead of swarming through the hull of a ship putting in fittings, will remain on station while highly automated machinery brings components to them. The segment will then be moved on to other positioned teams.

These subassemblies will thus grow into modules and in the end the modules will be put together into a vessel that is 93 percent complete with piping, wiring, sheet metal, ducts and other internal equipment in place. The production line system of automobile production will thus be applied to shipbuilding. Finally a roller device will move the ship to the edge of the plant and push it off sideways into the water.

Shipbuilders in this country readily admit that they are at a distinct disadvantage in terms of the world market. They do place a great deal of hope, however, in the Nixon Administration coming through not only with measures to upgrade the merchant fleet but also to improve the naval forces afloat.

SOVIET UNION TAKES TO THE SEA

Those who argue today in favor of relying on foreign flags to carry U.S. goods would do well to consider what the Soviet Union has been up to in the development of its sea power. A recent study by the Center for Strategic and International Studies at Georgetown University addressed this subject in detail. It pointed out that the United States must henceforth reckon with global Soviet sea power.

The momentum and scope of the Soviet maritime program, rather than the specific achievements, is the main challenge to the U.S. If the U.S. fails to meet this challenge, the American global role could be seriously diminished because the United States will dispose of ever-decreasing means to deter, counter or frustrate Soviet political moves and possible military involvements around the world.

The Soviets also show some significant originality in their ships. According to a report by the Chief of Naval Operations, the Soviets have applied gas turbine power to about 175 of their naval and merchant ships, an advance the United States has only recently achieved with one ship.

The Russians abuse international forums by attacking U.S. maritime policy and serve Soviet interests by representing themselves as the most loyal friends of developing nations. Through such forums the Soviets also seek to replace private international regulations by direct state intervention.

In the long term, the Soviet Union might be in a position to dictate terms and determine shipping rates in selected shipping conferences and radically restructure them in the interests of Soviet objectives. By lowering rates, the Soviets might be able to weaken or destroy other shipping competition and put themselves in a position of preeminence in important trade areas of the world.

The military implications of a powerful Soviet merchant marine cannot be overstressed. By winning the dominant role in world shipping, USSR might hope to be in a position to deny strategic materials to the United States or to dictate terms under which they could be provided. Such leverage is possible because foreign flags now carry approximately 95 percent of the many strategic materials that the United States imports.

The Russians have been blunt about telling the world that they expect to double their present 12 million tons of merchant shipping by 1980. As they have built up their present tonnage, 80 percent of which is less than 10 years old, they have clearly used their merchant ships as instruments in a drive to win over as many nations as they can and to carry out their national policy.

Soviet small passenger ships are used to transport students from developing countries to Russia to learn and to bring to them experts and soldiers offering firsthan aid. Russian tankers are still built on a small scale so that Soviet petroleum products can be transported directly into the shallow ports of these nations.

JAPAN PLANS FOR THE FUTURE

The Soviets want more freighters and other cargo carrying vessels so they can increase their own trade, and also to enter more third flag trade routes in order to earn dollars. Viktor Bakayev, Minister of Mercantile Marine in the Soviet Union, has stated that his country has taken into consideration the growth of population and the development of world industrial and agricultural production, along with the expansion of trade among the countries of the world.

USSR has concluded that the scope of international shipping will reach three to three and one-half billion tons by 1980, up from 2 billion at present. It intends to have enough ships on hand to handle more than its share of this cargo, and today is adding about 100 ships a year to its merchant fleet which now numbers about 1,500 vessels.

Along with the Russians, the Japanese have prescribed that their merchant marine should carry 60 percent of Japan's exports and 70 percent of its imports by 1975. To meet this target it is planned that 2,050 ships of 29 million tons will be built in Japanese shipyards by 1975.

The Japanese reached that conclusion after the Ministry of Transport and the Shipping and Shipbuilding Rationalization Council called upon a specially created industry advisory group to study a policy from the national economic viewpoint for the growth of the Japanese shipping industry. Among the conclusions reached, according to a Tokyo publication, were the following:

It is essential to expand the Japanese merchant marine.

It is necessary to work out measures for having access to funds needed for expansion of the Japanese fleet of ocean-going vessels and for training of more seamen.

Government subsidies are needed to strengthen the Japanese shipping industry's business standing and to augment its international competitiveness.

The entire existing Japanese merchant marine is less than 15 years old.

Before any program can be drawn up, a fundamental decision has to be made concerning the role of the U.S. Merchant Marine. If it is to be made a meaningful arm of national policy—a course more profitable than relying largely on military and diplomatic pressures in the world arena—then there are a great many things to be done. If, on the other hand, the Merchant Marine is to be relegated to a minor role, then the money, time and effort required to sustain it would be better spent on other projects.

Presumably the Nixon Administration is considering the first course of action mentioned above. This being the case, then, a first step would be toward extending the tax-free capital reserve funds to all American flag ship owners so they will have an

incentive to build new ships. It also could be made possible for American ship owners to obtain new ships at world prices. Further, a tax incentive could be provided to American shippers for using American flag bottoms in order to help produce cargoes for the ships.

Another important step would be to educate Government agencies—particularly State and AID—that it is time to give first consideration to the American Merchant Marine. Tax loopholes could be closed on American-owned, foreign flag bottoms so that they have to pay full taxes. Foreign flag passenger ships which use the United States as their base for cruises could be made to pay full taxes. The operating differential subsidy could be extended to those four remaining unsubsidized berth line operators if they want it and are willing to comply with all of th regulations required to obtain this aid. This existing cargo preference laws could be strengthened and fully implemented so American ships get their full share.

PROBABLE SHAPE OF NIXON'S PROGRAM

For the longer-range view, a permanent Federal-labor-industry planning board could be established to develop plans to assure steadier use and production of ships. Research and development could be expanded to come up with better and more economical vessels. Firm agreements with labor could be obtained that would provide stability to a bitterly torn industry.

Along with these actions, the Nation as a whole must be sold on the idea that a healthy maritime industry not only provides major employment opportunities, but also greatly aids the balance-of-payments situation, while reassuring the economy of a steady flow of world trade as well as giving the country a necessary adjunct to its defenses.

The prospects for the Merchant Marine are not easily ascertained. Nixon officials prefer to await the completion of the study of the full range of national and strategic problems facing this country. Under President Johnsons' Administration, Merchant Marine requirements received minimal recognition and in several instances legislative efforts to remedy the situation were strenuously opposed by the White House. As has been already noted, President Nixon's enunciated concern over the Nation's maritime deficiencies suggests that corrective measures will soon be advanced.

Gibson points hopefully to the present mood of Congress: "Certainly at no time since the passage of the 1936 Merchant Marine Act has there been the degree of awareness that exists today in both the Senate and the House of the vital importance to the Nation of its shipping and shipbuilding capacity."

He warns, however, that "this is an opportunity to be grasped by the entire industry. They must close their ranks in order to revitalize the industry. It is time to put aside the age-old feuds and divisions that have torn the industry asunder."

Balancing this he added that "there must be some plausible means developed to adjudicate the dispute between unions, or any new maritime program will be frustrated from the outset."

Turning from those problems over which he has little direct influence, Gibson went on to remark that "we are not studying the Merchant Marine. It has been studied to death." He added: "We are not viewing our merchant ships solely from the defense aspect either."

Turning to his program now on the drawing board, Gibson described it as containing "both long-range and short-range actions." He hopes to provide "an improved procurement environment through continuity in ship orders, both in volume and timing, so that stability in shipyard operations results." He further believes that increased standardization in ship designs and components leading to maximum utilization of the advantages of series construction of identical or near identical vessels."

He elaborated on this point by claiming that "the Maritime Administration will shortly request proposals which should lead to award of contract to develop a series of basic designs, including estimated costs of the ships required to most profitably carry our rapidly expanding foreign commerce and to meet our national defense needs."

Gibson also promised "more effective methods of financing ship construction contracts along with an improvement in procedures and practices affecting contract administration." He further pointed out that he wants to "expand research and development focused on advanced production and fabrication techniques." In addition, he'd like to see "increased integration of ship design with shipbuilding leading to large subassemblies being efficiently constructed in controlled environments prior to being delivered fully outfitted to the building way."

AGE OF NUCLEAR SHIPPING

Gibson is also convinced that the age of nuclear shipping is upon us. "The Maritime Administration will undertake a long-range research and development program directed toward development of improved nuclear systems. The objective would be to reduce capital costs of marine reactors, reduce nuclear fuel life cycle costs and reduce operating and associated costs, and thus produce a competitive nuclear power system by the end of the next decade."

To implement this program Gibson revealed that "the Maritime Administration has at the moment under serious study a proposal to build two or three large nuclear merchant ships within the next five years. These ships could represent our continuing effort to demonstrate this country's intent to further employ the atom to unite the nations of the world in peaceful trade."

SHORTER-RANGE PROBLEMS

Discussing the recent oil discoveries in Alaska, Gibson added that "with tankers of some 250,000 tons deadweight capacity being designed to battle the ice of the Northwest Passage, nuclear power can be considered to propel these ships. It also appears feasible to consider two large containerships with sustained sea speeds of 30 knots or better."

Addressing shorter-range problems facing the Merchant Marine today, Gibson expressed the importance of Government cargo. "They are an essential part of the present commercial fleet volume," he said. "It is entirely in keeping with this Administration's policies that a substantial portion of these cargoes be carried in American ships.

"The Maritime industry has been reduced to its present state of relative emaciation largely under the guise of a reasonable approach. The industry has been told that it is not reasonable to carry 50 percent of the general cargo on our trade routes because after all we have to provide a share for the third flags, since they are our friends and allies.

CLIPPER SHIP ERA PROCEDURES

"It is apparently quite reasonable," he went on, "for the merchant ships of the second flag nations to carry their 50 percent share. For reasons which escape me, we have delegated the chartering of the ships which carry the Public Law 480 cargoes to the foreign missions. The results from the standpoint of American shipowners have been far from reasonable."

Another problem presently plaguing shippers is that of paperwork. Long established procedures, suited for the Clipper ship era, are standing in the way of progress, particularly since the advent of container ships and barge carrying ships. Gibson, aware of these problems, promised to "develop a system to promote more rapid customs clearances for exporters and importers."

He wants to "simplify export declaration procedures, standardize bills of lading, simplify or eliminate Government requirements to enter and clear ships, facilitate shipments from inland points to inland points abroad by establishing a joint rate and reduce equipment delays and unnecessary costs that result from the exchange of documents at interchange points."

What we have then is a program which in its broadest form seems designed to be making the U.S. Merchant Marine an instrument of national policy. The long- and short-range proposals discussed by Gibson all seem geared to regaining a competitive position for American shipping in the coming years and modernizing the merchant fleet.

Although given the budgetary constraints and the careful study of Merchant Marine and other national priorities now under way in the Nixon Administration, officials are reluctant to divulge figures or exact details of modernization programs under study. One can only draw hope from the obviously changed attitude in Washington and await the promulgation of the Maritime Administration's program this month.

THE COST OF BEEF

Mr. MOSS. Mr. President, in this time of inflation and rising consumer prices, there is special cry that the cost of beef is unduly expensive. An article written by Helen Adams and published in the Utah Cattleman for September 1969, undertakes to refute this allegation. What this article points out is that all costs have risen very steeply, and that on a comparative basis beef prices are not unduly high. I ask unanimous consent that the article, entitled "The High Cost of Living Goes Down With Beef," be printed in the RECORD.

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

THE HIGH COST OF LIVING GOES DOWN WITH BEEF

(By Helen Adams)

Recent commentators on radio and TV have been citing the high cost of beef. If they had actual comparative figures before them, their story would have to reflect the fact that beef continues to be the best buy of the food budget. Before we start admitting beef prices are high we should remind consumers during the past 18 years wages increased 94% and medical-care costs rose 98%. During this period the beef producer continued to receive about the same price for his cattle. How many other products and services cost the same, or less than they did in 1951? To further illustrate the point let us quote from the Western Livestock Journal: "The cost of recreation is up 40%, housing up 41%, and transportation up 48% since 1951, while the retail price of the two largest beef sale items, chuck roasts and hamburger, have risen only 15%.

It is interesting to note the percentage of after-taxes consumer income spent for food has been declining, from 26% in 1946 to 20% in 1960, and is now down to 17%. The lowest in history. Also lower than any country in the world.

Recent studies show non-food prices climbed four per cent from June 1968 to May 1969. Food-at-home prices, by contrast, only rose 3.5%.

Because shoppers buy so many nonfood items while doing their grocery shopping at supermarkets, they often fail to realize the amount spent on food has been declining,

when figured as a percentage of income. Take, for instance the remarks of a homemaker after a recent shopping trip: "Food is todays best buy. The cash register tape from the super market keeps going up but so does the number of nonfood items. For example, my 'grocery' bill today was over $24. This included 59c for dog food—Rover used to eat scraps: $1.79 for bug spray—we used to swat, swat, swat: 29c for paper napkins—we used to have cloth and wash and iron; 89c for fabric softener—we used to hope for a windy day; $1.59 for shampoo and Band-aids—we used to go to the drug store for these; $3.75 for a thermos bottle and light bulbs—used to go to the hardware store. Deducting these, my groceries cost less than $16.00."

Grocery money is also spent to buy tobacco, nails, paint, nylon hose, hair spray, aspirin, toothpaste, and even garden hose. Did you know that more 'grocery' money is used to buy beer, cigarettes, and pet food than beef?

Remembering these figures isn't it amazing how cattlemen have been able to stay in business considering their expenses have increased by 110% since 1951.

Maybe the best way to get our side of the story before the consuming public is to take time to tell it as it is. Next time you hear, or read a comment on the high cost of beef, sit down and write a letter stating the above facts, and mail it to the commentator, newspaper, etc. Beef education should be the responsibility of Every Cattleman and CowBelle.

SENATOR GOODELL ON FOUNDATION REFORM

Mr. GOODELL. Mr. President, the Committee on Finance has begun public hearings on a subject uppermost in all of our minds: tax reform. I am sure that I express the feelings of my colleagues in saying that the swift enactment of a tax reform bill will be a major achievement of this Congress.

In a few weeks, I will have the privilege of testifying before the Finance Committee in order to recommend a number of tax reform proposals and to comment on some of the provisions in H.R. 13270, the bill passed by the House. This is the most comprehensive and far-reaching tax legislation to come before us in more than a decade and contains important benefits for our hard-pressed taxpayers.

Among other proposals, the bill would make some fundamental changes in the tax treatment of private foundations. It is to these provisions that I would like to address myself today. There is a pressing need for all of us to be fully aware of the implications for the future of philanthropy which some sections of H.R. 13270 represent.

For sure, certain areas of foundation tax treatment are in need of overhaul. There have been a number of foundation abuses which must be corrected. Self-dealing between a foundation and its donors must be prohibited. The misuse of tax exemption for private influence or gain should be curtailed. Greater public disclosure of foundation activities is in the public interest. However, curtailing existing abuses should not be a vehicle for a punitive attack upon the very essence of private philanthropic activities in this country.

Last May, the House Ways and Means Committee announced a number of tentative tax reform proposals regarding private foundations. Some of these positions embodied long overdue reforms which I wholeheartedly supported. Other proposals of the committee, however, would merely have hamstrung the foundations in the name of reforming them.

At that time, I issued a statement warning of the dangers of a punitive approach to foundation reform and stating my opposition to two committee proposals: An arbitrary ban on foundation grants to private individuals and a sweeping prohibition which would in effect prevent foundations from engaging in activities affecting social issues.

The House Ways and Means Committee has now refined and amended its tentative proposals into the provisions of H.R. 13270, the tax reform bill which passed the House and is now before us. Some of these changes represented important improvements. For example, the arbitrary ban against all grants to individuals was modified, and a much more sensible requirement of disclosure of individual grants was adopted in its stead. Nevertheless, the bill retains a number of provisions which reflect a punitive, rather than constructive spirit.

I fear that should this bill pass the Congress as it is now written, we will be deforming foundations, not reforming them.

There are two major reasons for my concern.

The first is the proposed 7½-percent tax on private foundation investment income.

This tax is a wholly unwarranted departure from our time-honored principle that nonprofit organizations organized for charitable purposes should be free of taxation.

It is discriminatory, in that it would be levied only against foundations and not against other nonprofit charities such as schools, universities, churches, and hospitals.

Significantly, the tax would hit not the donors or officers of foundations, but the whole range of educational, scientific, medical and cultural activities which foundations finance. If, for example, a medical research foundation has to pay a tax, it obviously will have less money available to foster research into the causes of disease. To the extent that foundations aid the public, the public is hurt by a tax on their investment income.

Finally, the tax creates a profoundly dangerous precedent. If it is appropriate to tax foundation income at the rate of 7½ percent, then why not at 10 percent, or 25 percent next year or the year after? If the Federal Government can tax foundations, why should State and local governments not do so? Should tax be imposed, the road ahead is only too clear: Government will take a larger and larger bite from foundation income, and a smaller and smaller portion will be left over to fulfill charitable and social purposes. Inevitably, these organizations will have to turn to the Government for support. The result: even more demands upon the American taxpayer for even more Federal programs.

With all these obvious disadvantages, what can be the justification for the tax?

Can it be to meet the Federal Government's need for revenue? The figures show this is hardly so. The House committee report estimats that the expected revenue from this tax bill will be $65 million in the first year, $85 million in the fifth year, and $100 million in the 10th year. Considering that the combined receipts from individual and corporation income taxes in fiscal year 1968 was $97.4 billion, this amount is negligible.

Can it be to reform known abuses? The testimony before the House committee did indeed show that certain foundations engaged in self-dealing with their donors or in an unreasonable accumulation of income. These abuses, however, are dealt with specifically by other provisions in the bill. The tax does not prevent a small minority of foundations from abusing their trust; it merely makes it harder for the great majority of foundations to carry out their valuable social functions.

Can it be to insure greater public accountability of foundation activities? Although the committee report refers to the tax as a user fee, there is no mechanism in the bill to use these funds for this purpose.

In testimony before the Finance Committee, Secretary of the Treasury David Kennedy and Edwin Cohen, Assistant Secretary of the Treasury for Tax Policy, recommended an annual supervision tax of 2 percent of private foundation investment income in order to cover the costs of an increased auditing program by the Internal Revenue Service. I support the thrust of their arguments. Any levy on foundations should be collected only for the purpose of supervising and auditing them. It should, moreover, be clearly described in the legislation as a filing fee, not a tax.

The second aspect of the bill which deeply disturbs me is a broad prohibition against foundations' formulating positions on the social issues facing us today.

Existing law prohibits foundations from substantially carrying on propaganda, or otherwise attempting to influence legislation or supporting political parties and individual candidates.

The bill, however, proposes a sweeping extension of this prohibition, so that foundations would be barred from attempting to influence legislation through: First, attempting to affect the opinion of the general public or any segment thereof or second, privately communicating with any member or employee of a legislative body or with any person who may participate in the formulation of legislation, other than through making available the results of nonpartisan analysis and research.

The apparent objective of this new provision is completely to prohibit a foundation from lobbying activities. I have no quarrel with this objective, but question the means whereby it is supposedly achieved. Should this provision be enacted in its proposed form, it will

serve only to bar foundations from continuing their vital contribution to solving the problem facing this Nation today.

Foundations are now engaged in studies or projects on almost every topic of public concern, be it air pollution, juvenile delinquency, court reform, drug abuse, international satellite communications, or the problems of famine in India. Every one of these topics are matters of significant legislative concern. Every one of them are matters of public interest.

Does it make any sense to prohibit foundations from taking a public stand on any of these vital issues, or from discussing them with legislators?

Does it make any sense to limit their treatment of such issues to a vaguely defined term, "nonpartisan research," and to prohibit them from making definitive recommendations or taking definitive action?

Surely, this is self-defeating.

It will only add to the already enormous difficulties in finding intelligent, workable and innovative solutions to our social ills.

It will only cut the public sector off from the enormous reserve of talent and experience that resides in the foundations.

It will only make knowledgeable men who happen to work for foundations or receive foundation grants most reluctant to give their best advice and make available their expert ideas, for fear this might be interpreted as more than "research."

Mr. President, I strongly believe in the long tradition of partnership between the public and private sectors of our country. It is a tradition whose value can be documented at length. We must continue to broaden the lines of communication between the two groups, not close them. We cannot afford to lose the valuable contributions which the foundations and their beneficiaries have made toward the achievements of this Nation and indeed, the world. Creativity is a fragile thing. Let us not crush it needlessly.

Mr. President, I ask unanimous consent that the text of my statement of June 2, 1969, regarding the tentative tax reform proposals of the House Committee on Ways and Means be printed in the RECORD.

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

GOODELL CRITICIZES ATTEMPT TO HAMSTRING FOUNDATIONS IN THE NAME OF REFORM

Last week, the Ways and Means Committee of the House of Representatives issued a statement outlining some tentative Committee decisions on the important subject of tax reform. These included some far-reaching proposed changes in the tax treatment of private foundations.

Reform of the tax provisions affecting private foundations is long overdue. There have been abuses by some foundations. It is essential to prohibit self-dealing between a foundation and its donors; to provide rigorous sanctions against foundations which misuse their tax exemption for private gain or influence; to require foundations to make greater public disclosure of their activities. The Committee has made a number of constructive proposals to achieve these objectives.

We cannot, however, afford to hamstring the foundations in the name of reforming them. Private foundations have played a vital role in the scientific, intellectual, cultural and social development of this nation; they must be permitted to continue this role.

Of the Committee's various proposals on foundations, there are two which are a cause of grave concern. These two are merely punitive provisions which, I think, will serve only to deprive society of an important source of creativity and thought.

The Committee has proposed to prohibit private foundations from making direct grants to individuals for travel, study or similar purposes. A foundation could make individual grants only through universities and other public institutions and only if these institutions selected the grantees.

This proposal would lead to unfortunate results.

Some of the best scientific, cultural, artistic and scholarly work being done in this country has been by individuals receiving direct foundation grants.

One foundation has a list of grantees that reads like an honor roll of American scholarly, scientific and creative achievement. Among the distinctions accorded its former grant recipients are 23 Nobel Prizes and 78 Pulitzer Prizes. Of the 846 members of the National Academy of Sciences, 252 have held its fellowships; and of the 72 National Book Awards thus far made, 40 have gone to its fellows. This foundation selects its grant recipients through national competitions, open alike to academic and non-academic applicants. It makes grants exclusively to individuals. If the proposed provision were adopted, it would have to cease its operations.

Another foundation has awarded more than 11,000 scholarships and fellowships over a period of 40 years to individuals in the fields such as medicine, public health, physics, biochemistry, agriculture and social sciences. At least 37 of those assisted later were awarded the Nobel Prize.

Still other foundations have been active in making individual study grants in music, arts, letters, journalism and other cultural fields.

In making direct grants, these foundations need only look to the promise of the individual, and not to his academic or other institutional qualifications. They can select a talented artist, writer or thinker, whether or not he holds a professorship or has a Ph.D. In this respect, they serve as a vital supplement to universities and other public institutions which may be relatively restricted by their institutional traditions.

Eliminating these direct grants would only serve to make it harder for scientists, artists and thinkers to develop and use their talents.

The Committee has also proposed that private foundations be forbidden to "directly or indirectly engage in any activities intended to influence the outcome of any election (including voter registration drives) or to influence the decision of any governmental body (whether or not such activity is substantial)."

This prohibition is far more sweeping than the Administration's earlier proposal to bar foundations from engaging in voter registration drives and voter education campaigns. In fact, it would prohibit foundations from making any recommendations or engaging in any activities affecting social issues.

This purely punitive provision has no merit. It would serve only to bar foundations from continuing their vital contribution to solving the social issues facing this country today.

One foundation is now conducting important studies on such subjects as the Alliance for Progress; student protest; international satellite communications; public employee strikes; and cost of campaigning in elections. Of the 33 studies it is now conducting, 18 would be jeopardized by the Committee proposal. Another foundation is conducting work on the causes and character of drug abuse; the juvenile court system; the causes of delinquency; and the penal system. These projects would likewise be jeopardized. Other foundations are preparing still other studies or work affecting social problems which would have to be abandoned.

As President Nixon has so aptly stated, we will be able to solve the enormous social problems facing this nation only through a renewed partnership between the public and private sectors. This is the time for a massive cooperative effort between government, industry, the academic community, the foundations and private citizens. If one of the elements of this great partnership—the foundations—is forced to abandon its work and to sit idly by, the solution of this nation's social ills will only be postponed.

The Committee's proposals on foundations have been announced as only "tentative". They include suggestions which have never been tested by full public hearings. They should be reconsidered by the Committee. And when the proposals for foundation reform come before the Senate they deserve the closest scrutiny and full public debate.

GOODELL URGES PROMPT ADOPTION OF REVENUE SHARING TO STRENGTHEN STATE AND LOCAL GOVERNMENTS

Mr. GOODELL. Mr. President, we are becoming increasingly aware of the urgent need to redress the growing fiscal imbalance in our federal system—an imbalance that has been posing a grave threat to the integrity of our federal system of shared power.

The fiscal crisis facing our States and localities has been frustrating their efforts to assume a greater responsibility in seeking solutions to the social problems of our time.

President Nixon has been the first President to recognize the gravity of this situation and to propose meaningful reforms for restoring fiscal balance in our federal system.

In June of this year, I had the privilege of joining the Senator from Maine (Mr. MUSKIE) in introducing the Intergovernmental Revenue Act—S. 2483—on behalf of the Advisory Commission on Intergovernmental Relations. This bill, among reforms, would create a system of Federal revenue sharing with States and localities.

A few weeks ago, President Nixon gave full endorsement to the revenue-sharing concept, and proposed a far-reaching revenue-sharing plan that is similar in basic concept to that contained in the Intergovernmental Revenue Act.

Today, the Subcommittee on Intergovernmental Relations of the Committee on Government Operations opened its hearings on the Intergovernmental Revenue Act.

I was honored to appear as the first witness before the subcommittee.

Mr. President, knowing that revenue sharing is becoming an issue of increasing interest to this Congress, I ask unanimous consent that the text of my testimony before the subcommittee be printed in the RECORD.

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

STATEMENT BY SENATOR CHARLES E. GOODELL

I am pleased to have the opportunity to testify today before this distinguished Subcommittee on the "Intergovernmental Revenue Act" (S. 2483).

The bill was introduced this June by Senator Muskie and myself, on behalf of the Advisory Commission on Intergovernmental Relations. Senator Muskie and Senator Mundt, both members of this Subcommittee, have served with great distinction on the Advisory Commission, as have other leaders of this nation who have been concerned with strengthening and renewing our federal system of government.

A product of years of study by the Advisory Commission, the bill is designed to put new life into our federal system of government by reinforcing the fiscal base of state and local governments.

I have for the past 10 years been active in promoting one of the major reforms embodied in this bill—federal revenue sharing with state and local governments. In 1959, I introduced one of the earliest bills on this subject in the House of Representatives.

In 1967, I introduced a comprehensive and detailed statutory scheme for revenue sharing—H.R. 4070—including an allocation formula based on states' population and tax effort, and a mandatory "pass through" of a portion of revenue-sharing payments to localities. That bill served as a model for many subsequent legislative proposals on this subject.

This year, as a Senator, I introduced a "Federal Revenue Sharing Act (S. 50). That bill went beyond my 1967 proposal in that it required states to distribute a specified portion of their revenue-sharing payments to cities and urban counties—thus providing assurance that major urban centers, whose fiscal needs are particularly pressing, will receive a fair share.

Finally, I had the privilege of joining Senator Muskie in introducing the "Intergovernmental Revenue Act," now before this Subcommittee. The first title of the Act would create a system of revenue sharing which closely resembles that proposed by me in my S. 50, introduced earlier this year.

I. THE NEED FOR A NEW FEDERALISM

A growing fiscal imbalance among the levels of our government has been posing a grave threat to the integrity of our federal system of shared power.

The federal income tax has given the central government of this nation a strong fiscal base, capable of growing as the economy expands. The fiscal base of our state and local governments, however, has not had the same strength and growth potential, and has not been keeping pace with the rising demands being made upon state and local treasuries. As a result, State and local governments have been facing a financial squeeze, and have become increasingly dependent on Federal grant-in-aid programs in order to meet rising demands for public services.

This fiscal crisis facing states and municipalities has been a product of rising expenditures, outdated tax systems and interarea competition for tax dollars.

Sharply rising welfare, education, and other costs have been making unprecedented demands on state and municipal budgets. These spiraling costs have been especially acute in the great urban centers, with their grave problems of poverty and urban blight.

The revenue-producing abilities of state and local governments have not kept pace with these rising expenditures. The majority of states and local governments still have outdated tax structures. Only a minority have made full use of the income tax, with its built-in capacity to provide revenue growth as the economy grows. Those states and municipalities that have modernized their tax structures have suffered from interstate and interarea competition, losing affluent taxpayers to neighboring lower tax areas.

Previous Administrations have simply ignored this problem. They have responded to the fiscal weakness of state and local governments only by creating a proliferation of Federal grant-in-aid programs. As a result, an almost impenetrable jungle of over 400 categorical grant programs have sprung up, each with their own rules, guidelines and bureaucracies.

President Nixon has been the first President to have proposed some meaningful reforms for restoring fiscal balance to the federal system. In his imaginative and far-reaching plans for a "New Federalism," he has shown his determination to give state and local governments the funds and the flexibility they need to function effectively within our system of shared powers and to provide essential public services.

II. OBJECTIVES OF REVENUE SHARING

The most far-reaching of the President's reforms—and the one of most interest to us today—is his revenue sharing plan.

"Revenue-sharing" refers to a plan by which the federal government distributes a portion of its tax revenues to states and localities without specifying a particular use of the funds. The states and local governments receiving these payments would be free to determine themselves how to use the grants. The federal government does not now provide this type of general support payments to states and localities, and instead makes grants-in-aid for specifically defined purposes, often with extensive federal controls.

Revenue sharing will give states and urban centers the funds and the flexibility they need to function effectively within our federal system. It is a new system of "money without strings," instead of "strings without money."

By returning to states and metropolitan governments a fixed percentage of personal income without federal controls, revenue-sharing will give greater vigor to state and urban governments. It will supplement these governments' local tax base, thus enabling them to strengthen their administrative apparatus, supply better public services, and meet pressing social needs more effectively. And it will put new life in our federal system by giving greater scope to local decision-making, initiative and innovation.

Revenue-sharing—as it is proposed by the "Intergovernmental Revenue Act" and by the Administration's plan—is not offered as part of a plan to cut back projected expansions of federal grant-in-aid programs or as a substitute for portions of existing grant-in-aid programs. Instead, it is conceived as a supplement to existing federal grant programs, designed to strengthen states' and local governments' fiscal base.

General support grants to state and local governments date back 130 years, when the Federal Government on a one-shot basis distributed the surplus accumulated in the National Treasury to the states. Many states have their own systems of revenue sharing with local governments analogous to proposals made for its adoption at the federal level.

Ten years ago, the introduction of a number of bills in Congress—one of mine—initiated the interest in the idea of revenue-sharing.

This was followed in 1964 by an important study by Walter W. Heller, former Chairman of the Council of Economic Advisers. Mr. Heller recommended the adoption of a revenue-sharing system with states. This proposal was supported by a Presidential task force headed by Joseph A. Pechman of the Brookings Institution. These studies received widespread public attention—so much so that revenue-sharing is often spoken of as the "Heller-Pechman Plan," although its history antedated the Heller and Pechman studies. Unfortunately, the Johnson Administration showed no interest in pursuing these recommendations.

Thereafter, Congressional interest in revenue sharing continued to grow with the introduction of more bills on the subject, including my comprehensive revenue sharing proposal of 1967.

The Advisory Commission on Intergovernmental Relations recommended the adoption of federal revenue sharing in its 1967 "Fiscal Balance" report.

The concept of revenue sharing has also been endorsed by the National Governors Conference, the National League of Cities, the U.S. Conference of Mayors, the National Conference of State Legislative Leaders, and the National Association of Counties. In the 90th Congress, over 110 Members of Congress sponsored or cosponsored over 90 revenue sharing bills.

This year, the National Advisory Commission on Urban Problems, headed by former Senator Paul Douglas of Illinois, urged the adoption of a federal revenue sharing system. The Douglas Commission proposed a special formula requiring states to pass on to cities and urban counties a specified portion of the revenue sharing payments they received from the Federal Government. This formula was included in slightly modified form in my revenue sharing bill, S. 50, introduced earlier this year, as well as in the proposed "Intergovernmental Revenue Act."

The crucial event for the future of revenue sharing occurred this year—when the Nixon Administration gave full endorsement of the idea, and proposed a far-reaching revenue sharing plan similar in basic concept and approach to that contained in the bill before you. By making revenue sharing an essential part of his domestic program, President Nixon has fundamentally altered the climate of discussion of this issue, and for the first time has created a realistic hope that this essential reform will become a reality in the near future.

III. SIMILARITIES BETWEEN THE TWO REVENUE SHARING PLANS

The "Intergovernmental Revenue Act" and the Administration plan both adopt the same basic approach to revenue sharing.

This shared approach is, I firmly believe, a sound one.

First, both proposals are true revenue sharing plans, which would distribute federal funds to states and localities without federally-imposed restrictions as to their use. This "no strings" approach is central to the concept of revenue sharing, for it assures that states and localities are given full flexibility to set their own priorities as to the use of the funds.

Second, both proposals include a permanent appropriation for revenue sharing purposes, which will be operative over a period of years. This assures states and localities a regular flow of revenue sharing payments on which they can rely. It eliminates the hazard of sudden budget cuts that is inherent in the annual appropriations process.

Third, both proposals initially channel all revenue sharing payments to the states, and then require the states to "pass through" a specified fraction of these payments to localities. Thus they take cognizance of the central constitutional role of the states in our federal system, while giving recognition to the special fiscal needs of municipal governments.

Fourth, both proposals distribute the funds to state governments on the basis of population modified by tax effort. This is designed to assure that states will maintain or increase their own efforts to raise money from their own sources. The use of the tax effort factor will tend to deter states from using revenue sharing payments as an excuse to cut taxes since that will automatically reduce the payments they receive.

Fifth, both proposals adopt "pass through"

formulas that take into account the variation in state-local fiscal relations throughout the nation. The shares allocated between state government and local governments in a given state would depend upon their relative shares of the tax burden in the state.

Finally, both proposals incorporate an important measure of flexibility by permitting states, with local government concurrence, to adopt their own plans for distributing revenue sharing payments to localities, in lieu of the plan specified in the bill.

IV. SIZE OF THE INITIAL DISTRIBUTION

The Intergovernmental Revenue Act and the Administration proposal both call for the distribution of about $5 billion per year in revenue sharing payments by fiscal 1976.

The Act, however, provides for a very much larger distribution in fiscal 1971, the first year of its operation, than the Administration plan—almost $3 billion as compared to $0.5 billion.

I am in full sympathy with the administration in the difficult budgetary situation it is facing. It is confronted, I am aware, with the delicate task of balancing its revenue sharing plan against other budgetary priorities, at a time when it must also conduct a vigorous fight against inflation.

Nevertheless, I feel it is essential that the initial revenue sharing payment for fiscal 1971 be of adequate size to add some real strength to the fiscal base of state and local governments.

It must be remembered that states and local governments are now collecting an amount approaching the $100 billion mark from their own sources. Their basic budgetary picture will not be much changed by the addition of one-half of 1% of this amount in revenue sharing payments.

Accordingly, I recommend that the initial revenue sharing distribution for fiscal 1971 be set at an amount which is as close as possible to the $3 billion figure proposed in the "Intergovernmental Revenue Act."

V. THE PASS-THROUGH TO LOCAL GOVERNMENTS

The Intergovernmental Revenue Act gives a substantially greater recognition to the special needs of the large urban governments than the Administration plan.

The Act would allocate to each city and urban county of over 100,000 population a fraction of the state entitlement equal to *twice* its share of the total burden of state and local taxation in the state. The Administration formula, by contrast, allocates to each municipality a fraction of the state entitlement equal to its share of the total revenues raised from local sources in the state. As a result, the Act provides the big cities and counties about two times what their proportionate share would be under the Administration plan—as the following table shows:

COMPARISON OF LOCAL GOVERNMENT ALLOCATIONS (AS A PERCENTAGE OF STATE ALLOCATIONS)

[In percent]

City or county	Internal Revenue Act	Administration plan
New York	58.2	29.1
Chicago	19.2	9.7
Los Angeles	6.0	3.3
Philadelphia	15.7	8.3
Detroit	11.1	6.0
Baltimore	29.7	14.6
Houston	5.5	2.8
Cleveland	4.6	2.6
St. Louis	14.1	7.1
San Francisco	4.2	2.3
Westchester County, N.Y.	.9	.4
Hamilton County, Ohio	1.1	.7
Cook County, Ill.	4.9	2.6
Los Angeles County, Calif.	12.2	6.1
Orange County, Calif.	1.7	.8
Harris County, Tex.	2.5	1.2
Nassau County, N.Y.	2.73	1.29
Buffalo, N.Y.	1.45	.74

I recognize that the factor of two used in the bill is somewhat arbitrary. Nevertheless, there are a number of cogent reasons why large urban governments' allocation should substantially exceed their proportionate share of the state and local taxes raised in the state.

One such reason is that the central cities have a relatively limited capability of raising revenues from their own sources. State constitutions often limit cities' abilities to impose new taxes. City taxes do not effectively reach commuters from the suburbs. The tax base of the central cities decline because of shrinking property values, the influx of poor residents, and the exodus of businesses and middle-class residents. Rises in city tax rates may be prevented by voter resistance; by the refusal of state legislatures to approve increased rates; or by competition with the suburbs for tax dollars.

Another reason is that the local tax burden in the central cities already tends to be proportionately higher in relation to income. According to a recent study of 37 Standard Metropolitan Statistical Areas, local taxes in the central cities average 7.6% of the personal income of their residents, while in the surrounding suburban areas they equal only 5.6% of income.

A third reason is the growing concentration in the central cities of "high cost" citizens—that is, low-income persons with special welfare, educational or other needs. For example, only 27% of Maryland's population is located in Baltimore, yet 71% of the state's AFDC welfare case load is to be found in that city; and Boston, with 14% of Massachusetts' population, accounts for 38% of that state's AFDC case load.

This relative fiscal weakness of the central cities is documented in full in "Metropolitan Fiscal Disparities." The second volume of the landmark 1967 report of the Advisory Commission on Intergovernmental Relations, entitled "Fiscal Balance in the American Federal System."

The bill has a "feathering" formula which allocates a reduced share to cities and urban counties of 50,000 to 100,000 population. It also contains a "cut-off" at 50,000 population, so that the state retains discretion as to how much, if any, of its revenue sharing payments will go to smaller municipalities.

The Administration proposal, by contrast, entitles all general units of local government to "pass through" payments, on the basis of a single formula.

Here, I favor the basic approach of the Intergovernmental Revenue Act, although certain modifications may be in order.

I think the bill is sound in allocating the largest proportionate share to cities and counties of over 100,000 population. For reasons I have just discused, it is the large cities that are facing the most severe fiscal crisis and are most in need of revenue sharing payments to restore their fiscal structures.

I also think the bill takes a sound approach in providing some population "cut off."

There are now 38,202 units of general government in the United States. Of these, 31,010—or over 80%—are villages, townships or counties having populations of less than 2,500. In fact, over 20,000—or over 50%—are tiny units having populations of less than 1,000.

I do not think it is suitable to provide separate allocations for all these smallest units of government.

Many of these small units would operate much more efficiently by merging, consolidating their functions, or transferring their police, fire protection or other services to the county level. Entitling each of them to separate revenue sharing payments would only encourage them to continue operating as they are, rather than undertaking the needed mergers, consolidations or transfers.

Furthermore, there are enormous differences in the relative fiscal needs of these smallest communities. Some are very wealthy; some are poor. Some perform substantial services; some do not. Some maintain relatively high local tax efforts; others relatively low. A federal revenue sharing sytsem cannot take into account these enormous disparities in a single formula. The task of aiding those of the smallest communities that are in need of assistance can be best performed by the states.

While I oppose including all units of local government in the "pass through" formula, I recognize that the 50,000 cut-off provided by the bill may be somewhat high.

Many cities of 20-, 30- or 40-thousand population are substantial communities, performing important services and having very real fiscal problems. Not all these communities will necessarily be able to obtain from the state the assistance they require. A real case can be made for their inclusion in the "pass through" formula, although I believe they should receive proportionately less than the large central cities.

Moreover, as a political matter, a revenue sharing plan is more likely to obtain needed local support if medium-sized communities are included in the formula.

Accordingly, a workable compromise formula might be:

To set the population cut-off level at a lower figure, such as 10,000.

To utilize a "feathering" formula, similar to that contained in the bill, to allocate proportionately reduced amounts to local governments as their population goes from 100,000 down to the cut-off figure.

VI. CONCLUSION

There are other aspects of the bill, particularly its tax credits for state and local income taxes, which time will not permit me to discuss today. Mr. Colman, the Executive Director of the Advisory Commission on Intergovernmental Relations, will, I understand, go into these matters in some depth in his testimony today.

May I just say that the tax credit provisions of the bill will create a valuable incentive for state and local governments to improve their own tax systems. They will also constitute an important step toward eliminating the interarea taxing disparities that have placed the most progressive taxing jurisdictions at a competitive disadvantage.

Finally, let me make one plea.

Revenue sharing is an essential reform, but it will not be an easy one to secure.

It has a realistic chance of enactment only if its supporters—in Congress and at all levels of state and local government—maintain a united front.

Many of us will have differing views on the details—on how much federal money should initially be devoted to revenue sharing, on how the "pass through" formula should work, and so on. I have mentioned my own preferences on some of these points in my testimony.

It is essential, however, for us to avoid letting these differences of detail obscure our agreement on the objective. Some of us prefer the formula of the Intergovernmental Revenue Act; others that of the Administration; still others a compromise formula. Any of these alternatives, however, would be a major step forward. Any would be infinitely preferable to no revenue sharing at all.

In short, revenue sharing presents a real hope for restoring the fiscal balance in our federal system. Let us strive to make this hope a reality.

PERSPECTIVE ON ASIA—THE MANSFIELD REPORT

Mr. CASE. Mr. President, our distinguished majority leader, the Sena-

tor from Montana, has just submitted to the Committee on Foreign Relations a most perceptive report based on his recent trip to Southeast Asia. Entitled "Perspective on Asia: The New U.S. Doctrine and Southeast Asia," his report should provide to both the executive branch and the legislative branch an important stimulus to the fundamental rethinking of American policy in Asia to which all sides are committed.

The Mansfield report marks an important beginning to a new "Perspective on Asia," in my judgment, and should be of interest to every American. For that reason I ask unanimous consent that an excerpt from the committee print be printed in the RECORD.

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

LETTER OF TRANSMITTAL

SEPTEMBER 13, 1969.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Several months ago, President Nixon proposed that I consider traveling to Cambodia in connection with the resumption of relations with that country after a 4-year interruption. Upon his return from Asia and Rumania, the President repeated the proposal and discussed visits to other countries to study reactions to his new Asian doctrine. I advised him that I would go both as his representative and as a member of the committee. Letters to this effect were subsequently exchanged between the President and myself. The President notified the heads of states of the countries to be visited of my impending journey.

I left Washington for Southeast Asia on August 13. Returning to the United States on August 27, I went to the western White House in San Clemente to discuss my findings with the President and to give him a confidential written report. Additional reports on special situations which came to my attention have since been sent to him. Transmitted herewith is a public report to the committee along the lines of the report given the President on my return. The latter report contains a number of specific recommendations for carrying into effect the new doctrine on Asia which it seemed appropriate to me to give to the President in confidence.

This mission for the President, and as a member of the committee, took me to the Philippines, Indonesia, Burma, Cambodia, and Laos with brief stops in Okinawa and Japan. In the Philippines, I spent many hours in private conversation with President Ferdinand E. Marcos and with Gen. Carlos P. Romulo, the Secretary of Foreign Affairs. I had a long conversation with Indonesian President Suharto in Djakarta and met with Prof. Seno Adjie, Minister of Justice and Acting Foreign Minister at the time of my visit, Ismael Thajeb, Director General for Foreign Economic Relations in the Foreign Ministry, and Speaker Sjaichu and Vice Chairman Maj. Gen. Dr. Sjarif Thajeb, of the Parliament. In Burma, General Ne Win received me most cordially for a private talk, and I also called on Col. Maung Lwin, Burma's new Foreign Minister.

Prince Norodom Sihanouk, designated as a state visit my stay in the Cambodian capital of Phnom Penh. The Chief of State extended to me, as the President's representative, what was a very warm personal welcome and a striking initiative of cordiality toward the United States. While in Cambodia, I also met with Gen. Lon Nol, the new Prime Minister, and Foreign Minister Prince Norodom Phurissara as well as an old acquaintance, the distinguished retired statesman, Mr. Penn Nouth.

My brief visit to Laos provided me with an opportunity to have a private talk in Vientiane with Prince Souvanna Phouma, Prime Minister of the Government of National Union. In the royal capital of Luang Probang, I met with King Sri Savang Vatthana. In addition to these meetings and conversations, members of my party and I met with other officials, journalists, and observers in each of the visited countries.

I was accompanied to Asia by Mr. Francis R. Valeo, the Secretary of the Senate, and Mr. James G. Lowenstein of the Committee on Foreign Relations. Mr. Kenneth R. Calloway, a consultant to the Department of State, and Mr. Paul Kelly of the U.S. Embassy in Manila (who traveled with my party while in Asia), handled administrative arrangements. To all of them I am most grateful for their diligence in the carrying out of my requests in connection with the mission. I also wish to thank the Air Force for permitting Col. Frank A. Goss, U.S. Air Force (MC), to accompany the party and for making available special transportation for the greater part of the journey.

Our embassies and other offices abroad were most helpful and cooperative. I would like to record, in particular, my gratitude to Mr. James M. Wilson, Jr., the chargé d'affaires in the Philippines, Ambassador Francis J. Galbraith in Indonesia, Ambassador Arthur W. Hummel, Jr. in Burma, Mr. Lloyd M. Rives, the new chargé d'affaires in Cambodia, and Ambassador G. McMurtrie Godley in Laos. Their assistance, and that of their staffs, was of great value to me. In addition, I would note the courtesy, the information, and the excellent administrative support provided by Minister Edwin W. Martin and the staff of the consulate general in Hong Kong where the major portions of my confidential report to the President and this report were prepared. Finally, I wish to thank Lt. Gen James B. Lampert in Okinawa and Ambassador Armin H. Meyer in Japan for the valuable briefings which they provided to me.

Sincerely yours,

MIKE MANSFIELD.

PERSPECTIVE ON ASIA: THE NEW U.S. DOCTRINE AND SOUTHEAST ASIA

I. INTRODUCTION

The end of World War II saw the military forces of the United States heavily engaged in the Western Pacific but massive strength had not been committed to the Asian mainland. To be sure, there were U.S. contingents in South Korea and in China. These troops, however, were being withdrawn as rapidly as possible, consistent with the orderly taking of the surrender and the U.S. share of responsibility for the allied military occupation of Japan and Korea.

On mainland Southeast Asia and in the surrounding seas the forces of the prewar European colonial powers were found again. The French returned to Indochina which then encompassed protectorates in Cambodia, Laos, and Vietnam; British forces reentered Singapore, Malaya, and Burma; and Dutch forces landed in the East Indies, the former colony of islands which is now the Republic of Indonesia. The U.S. military involvement in Southeast Asia was confined almost entirely to those forces which had been engaged in the liberation of the Philippines.

The postwar period saw vast political upheavals in the Western Pacific. Independence came to great numbers of people. In some cases, it was gained easily; in others, only after bitter struggle. A Communist Chinese regime took control of the most populous nation in the world at a time when the Soviet Union was extending domination over Eastern Europe. During 1948 and 1949, the Communist coup d'etat in Czechoslovakia, and the Soviet blockade of West Berlin, coincided with the completion of the conquest of the Chinese mainland by the People's Liberation Army. In June of the following year, North Korean forces crossed the 38th parallel in an invasion of the south and were engaged by South Koreans and, then, by U.S.-U.N. forces. In November, Chinese Communist troops entered that conflict.

The agglomeration of these events, all occurring within a short span of time, stimulated the United States to a heavy involvement on the mainland of Asia. Over the years, this involvement has taken the form of enormous expenditures for economic and military assistance, U.S. treaties and other pledges of support and, finally, commitments of U.S. combat forces to the determination of the course of developments in that region.

Today, there are treaties and executive agreements and an accumulation of decisions of the executive branch which enmesh this Nation deeply in the affairs of Southeast Asia. In consequence, there are over 500,000 U.S. troops in South Vietnam and 50,000 in Thailand. In the general area and at least partially connected with our involvement in Southeast Asia are 40,000 men in Japan; 45,000 in Okinawa; 10,000 in Taiwan; 60,000 in the 7th Fleet; 30,000 in the Philippines and additional thousands on Guam—in all, a figure approaching 80,000.

Whatever the initial validity of these immense commitments, there is growing doubt as to whether it is wise or beneficial for this Nation and the countries concerned to perpetuate the present state of affairs. In the first place, the independence of Asian countries would be hollow indeed if it involved merely an exchange of a past colonial status for the indefinite prop of U.S. support. From our own point of view, moreover, the United States is feeling the adverse effects of the prolonged expenditure of lives and enormous resources and energy abroad, most of it in Vietnam and Southeast Asia.

In the interim, needs at home have been neglected—needs which are too obvious and omnipresent to require cataloging. They are all around us whether we live in cities or on farms, whether our homes are in New York, Washington, California, the Midwest, or Montana. The solution of these problems—whether they involve equality of treatment or pollution of air and water, or education, or public safety, or transportation and roads, or whatever—will require great and sustained inputs of initiative and attention at a time when these assets are heavily diverted abroad. They will also require substantial public funds in a period of inflation and of heavy tax burdens which result in large measure from military expenditures overseas and, notably, from the war in Vietnam.

While urgent needs at home are neglected, there is deep concern over the war in Vietnam which is still without an end in sight. The conflict continues to result in additional American dead and wounded every week and in expenditures at the rate of about $3 million an hour. Moreover, elsewhere in Southeast Asia there are shadow wars and the pockmarks of violent internal dissension. That these situations, under our present course, might evolve in the pattern of Vietnam gives rise to further concern.

Doubts as to our past Asian approach are also fed by the visible consequences of the mass entry of American soldiers, money, and official establishments into Southeast Asia. To be sure, this entry has brought a great inflow of wealth and modern technology. In some places, however, little that is constructive is visible as a result. The very magnitude of the American involvement, emerging as it has in a short span of time has imposed an almost indigestible alien presence and precipitated severe cultural convulsions.

To date, we have acted on the scale that we have in Southeast Asia largely to support small nations against what has been calculated as the threat of Communist aggres-

sion—notably from China. In fact, there was little impression of fear in any of the countries visited of an attack or invasion from China. Considerable concern does exist, however, that internal insurgent movements whose origins lie in local grievances or conflicts will be used as spearheads of influence by China or by North Vietnam. The principal threat to most existing governments in Southeast Asia, in short, seems to arise from within Southeast Asia at this time.

It seems to me that our presumption of a primary danger to the Southeast Asian countries, which they themselves do not perceive, does not provide a sound basis for U.S. policy. Rather, it tends to create for this Nation the role of self-appointed, great power protector in an area in which a militant young nationalism speaks the common language of resistance to foreign intrusion. It is sobering to recall, in this connection, that this Nation has never been an Asian power and, in my judgment, it is essential to avoid a further glissade into that ill-fitting role. Our vital interests with respect to the Asian mainland have always been peripheral. They are peripheral now. They are likely to remain peripheral in the future.

On the other hand, we have been and will continue to be a Pacific power. Vital national interests are, indeed, lodged in that ocean. Four of our States border on the Pacific. In addition, one of them, Hawaii, lies in the middle of that vast expanse of water. We have territories and dependencies all over the Pacific. The Aleutian Islands are part of the State of Alaska. American Samoa, Guam, Wake, Johnston, Midway and the Howland, Baker, and Jarvis Islands are dependencies of the United States. The Trust Territory of the Pacific Islands, which we have administered since the end of World War II, comprises over 2,000 islands and atolls with a land area of 678 square miles scattered over 3 million square miles of the Pacific.

As a Pacific power, we have and will continue to have a profound interest in what transpires in the western reaches of the ocean. In my judgment, however, that interest can best be expressed not by our immersion in the region's internal political affairs but by an orderly shift to a restrained and judicious participation, as one Pacific nation among several, in its peaceful development.

Indeed, it is difficult to discern any other reasonable course for this Nation in present circumstances. It is a new day in Asia. The age in which foreign military dominance of any Asian people was a practical possibility has long since ended. Even the postwar period of one-sided dependency—most of it on the United States—is drawing to a close. Civilized survival, not to speak of peace and progress in the Western Pacific, may well depend on the timely emergency of a new age of cooperation based on equality and on a mutuality of responsibility, respect, and tolerance between this Nation and all the states of Asia.

II. THE PRESIDENT'S NEW ASIAN DOCTRINE

In the course of his recent trip, President Nixon enunciated in the Guam Declaration a new approach to Asia and the Western Pacific which seems to me to take cognizance of the considerations that are outlined in the introductory section of this report. The President's Asian doctrine contains the following precepts, as I understand them and as I interpreted them to various Asian leaders:

1. The United States will maintain its treaty commitments, but it is anticipated that Asian nations will be able to handle their own defense problems, perhaps with some outside material assistance but without outside manpower. Nuclear threats are another matter, and such threats will continue to be checked by counterpoised nuclear capacity.

2. As a Pacific power, the United States will not turn its back on nations of the Western Pacific and Asia; the countries of that region will not be denied a concerned and understanding ear in this Nation.

3. The United States will avoid the creation of situations in which there is such great dependence on us that, inevitably, we become enmeshed in what are essentially Asian problems and conflicts.

4. To the extent that material assistance may be forthcoming from the United States, more emphasis will be placed on economic help and less on military assistance.

5. The future role of the United States will continue to be significant in the affairs of Asia. It will be enacted, however, largely in the economic realm and on the basis of multilateral cooperation.

6. The United States will look with favor on multilateral political, economic, and security arrangements among the Asian nations and, where appropriate, will assist in efforts which may be undertaken thereunder.

III. REACTIONS TO THE NEW ASIAN DOCTRINE

Achievement of many of the objectives stated above involves a reduction in the U.S. presence in Southeast Asia. While this report does not deal with Vietnam, it is obvious that the war there is the main cause of the massive dimensions which the U.S. presence has attained. That the possibilities of diminution are bound up with the end of that tragic conflict does not mean that application of the new doctrine must await the war's termination. Quite apart from Vietnam, there are other areas where contractions may be possible. Most immediately, under the new approach there is the possibility of curbing what seem to be built-in tendencies in the many-sided U.S. establishments in Asia to expand the U.S. presence.

In general, the leaders of Asian countries agree that the role of the United States in Asian affairs should shrink. Some uneasiness does exist that the pendulum will swing too far, from overinvolvement to noninvolvement. The fear is that the United States may leave the smaller Asian states in isolation and under the shadow of one or another more powerful neighbor.

There is also some uncertainty as to what the new doctrine will mean in specific terms. This uncertainty is understandable since there was not, at the time of my visit, any sign of a followthrough to the new doctrine. Indeed, other than the transient stimulus of the President's recent personal appearance, little, if any, change was visible. The concepts, practices, and programs by which U.S. missions in Asia have operated for many years remain the same.

Notwithstanding the President's recent visit and Presidential statements to the contrary, some U.S. missions still expect this Nation to continue as a major military factor in Southeast Asia after the conclusion of the war in Vietnam. Developments within Southeast Asian countries are still referred to as "vital" to this Nation's interests, "vital" implying more of a commitment than can be derived from a reasonable reading of the President's new approach. Ironically, in some U.S. embassies an inconsistency is not seen between budgetary requests for greatly increased U.S. bilateral assistance and, hence, greater U.S. participation in the indigenous situation, on the one hand, and the administration's new doctrine on the other.

In short, there is no indication, as yet, of when or how the size of the U.S. presence in Asia is to be reduced in any significant degree. It is a fact that the only reductions contemplated at the time of my visit were those which might result from a continuance of periodic blanket percentage cuts in personnel. These cuts began more than a year ago, not as a matter of policy so much as a measure of economy and as a palliative for balance-of-payments concerns.

It would appear, therefore, that the first order of business under the new doctrine is to see to it that the President's new concepts are reiterated and thoroughly explained throughout the U.S. departments and agencies concerned and that they are disseminated among all U.S. officials in Southeast Asia. It would appear, too, that directives which are both clear and firm will have to emanate from Washington if these concepts are to be applied effectively and with necessary dispatch by U.S. missions in Southeast Asia.

IV. THE NEW DOCTRINE AND SOUTHEAST ASIAN COUNTRIES

A. The Philippines

Since the establishment of the Republic of the Philippines in 1946, the interaction of policy between that nation and the United States has been deeply influenced by a "special relationship," a phrase which is subject to two interpretations. On the one hand, it connotes the emotional interplay between the two countries which stretches back over more than half a century. This "special relationship" began, in fact, with a degree of hostility in the conflict over the annexation of the Philippines by the United States. Gradually, however, the relationship developed mutual trust, and it was finally welded by the shared dangers, horrors, and triumphs of World War II, and the U.S. pledge of independence to the Philippines, into a strong and sympathetic mutual attachment.

"Special relationship" also refers to a carryover of concessions in trade and commerce and the preferential treatment of U.S. nationals in the Philippines from the preindependence period. In the same vein, the term also describes the vested military privileges which are enjoyed by the Armed Forces of the United States in the Philippines. These privileges were assumed during the period of U.S. rule of the Philippines, and they have been extended, with some modifications, under the lease arrangements by which the United States continues to occupy a great military base complex in the Philippines.

It is perhaps not generally realized that there are about 30,000 U.S. military personnel in the Islands, and over 25,000 dependents. Over 100,000 Filipinos and U.S. civilian employees work on our military bases in the Philippines, the U.S. Department of Defense being the second largest employer in the Philippines, coming only after the Philippine Government itself. The Clark Field lease, which covers over 132,000 acres, and the Subic Bay installation are among the largest U.S. military holdings anywhere in the world. Last year, U.S. Government spending in the Philippines, amounted to about $270 million, over half of which was for outlays in connection with the military bases.

With regard to special economic rights, U.S. investors are the only foreigners in the Philippines presently permitted to own a controlling share of companies engaged in the exploitation of natural resources and in the operation of public utilities. In addition, the Laurel-Langley agreement of 1955 which amended the trade agreement of 1946 provides preferential tariff treatment on trade between the two nations and, of special benefit to Philippine commerce, guaranteed access within a quota to U.S. markets for sugar and cordage as well as duty-free quotas on certain other products.

The close integration of the Philippine economy with that of the United States now shows signs of diversification. Japanese and Europeans, for example, have come to assume an increasingly important role in Philippine trade. In fact, Japan has now become the chief supplier of Philippine im-

ports. There are also some initial explorations being made with regard to the possibilities of trade with Communist nations, although Philippine relations with these countries are still far more circumscribed than our own.

Last year, the Philippine gross national product rose 6.3 percent and the country, employing the new miracle strains, became self-sufficient in rice for the first time in memory. At the same time, however, the Philippines had a $300 million deficit in international trade incurred in considerable measure because of the import of capital goods for the developing economy. The deficit figure underscores the compensatory significance of both U.S. base expenditures and trade preferences in the present economy of the Philippines.

The carryover of economic privileges has come under press attack in the Philippines in connection with preliminary scrutiny of the Laurel-Langley agreement which is due to expire in 1974. President Nixon's new doctrine would seem to call for a readiness on the part of this Nation to make adjustments in this agreement. There will be difficulties in this connection, to be sure, but there ought not to be insurmountable difficulties. As I tried to specify in my report to the President, the shock of change can be minimized if there is restraint and understanding on both sides.

The administration's new doctrine would also seem to imply a forthcoming attitude with regard to the military base issues. As nations whose futures are interwoven with the peace of the Pacific, the Philippines and the United States have a common interest in cooperating closely in the field of defense. In that sense, the U.S. bases in the Philippines are of great significance to both nations. In the end, however, the value of the bases is dependent not only on our willingness to support them but also on Philippine acceptance of the arrangements which govern their usage. In that connection, it is important to bear in mind that, with the Philippines no longer an island possession of the United States, what transpires on and around the bases is bound to be of direct and deep concern to any Philippine Government.

In my judgment, the continued effectiveness of the bases requires an alertness to national sensitivities, a scrupulous respect for Philippine sovereignty, and close collaboration between the two governments on all matters pertaining to the usage of the bases. In that fashion, the scope and design of our military presence in the Philippines can be made to reflect not only our military needs but, equally, the wishes of the Philippine people.

When President Nixon arrived in Manila, he said:

"I hope that we can initiate a new era in Philippine-American relations, not returning to the old special relationships, because the winds of change have swept away those factors, but building a new relationship, a new relationship which will be based on mutual trust, on mutual respect, on mutual confidence, on mutual cooperation."

As he left Manila, he said:

"We have a special relationship with the Philippines which will always be in our hearts * * *."

The President's remarks underscore the dual significance of the phrase "special relationship." To recast all that these two words have come to imply into one mutually acceptable meaning will test the sagacity of the policies and the diplomacy of both nations in the period of transition which lies ahead.

B. Indonesia

Indonesia was caught for many years in the crossfire of overstimulated and overstimulating politics, the demands of a large military establishment, and the inevitable dislocations of transition from colonialism to independence. The consequent economic deterioration expressed itself in a runaway inflation, a neglect of agriculture, and a decline in exchange earnings which in former times were derived largely from the export of agricultural commodities and crude raw materials.

The deterioration now appears to be checked in the aftermath of a military seizure of power. At the same time, there has been a shift in Indonesian foreign policy, from dependency on Communist nations for assistance. In the past 2 years, non-Communist nations have provided substantial amounts of aid and an increasing flow of private investment.

The present government of military leaders, economists, and civilian bureaucrats sees the principal problem of the nation to be its rapid economic development. Under the leadership of General Suharto, a patient, modest, and determined man, two 5-year plans have been delineated. The first plan which emphasizes agriculture went into effect as of April 1969. In the second 5-year plan, the emphasis will shift to industrial development.

Significant economic results have already been achieved. The rate of inflation was 635 percent 3 years ago. This year it is expected that the figure can be held to about 25 percent. There has been, as noted, an influx of private foreign capital, with a total of about $560 million in investments already approved by the Government. This total, which excludes banking and oil, is expected to rise in the next few years to $1 billion. Of the total approved, U.S. investors will provide $193 million. Last year alone, U.S. investment was $50 million, again with the exception of investments in banking and oil. The foreign investment in oil was about $68 million.

The first 5-year development plan is dependent on an average of $600 million a year in foreign loans and credits. This sum will be disbursed through the Inter-Governmental Group of Indonesia, a consortium which consists of the International Bank, the International Monetary Fund, Japan, Western European and miscellaneous contributors, and the United States. This Nation has been committed to provide one-third or $200 million of the annual requirement in 1969. Another third will come from the Japanese, and the remaining third from the Western Europeans, Australians, and minor sources.

The loans will be used under the 5-year plan to rehabilitate existing productive facilities and to initiate new projects. According to advice I received, the loans will not be used to repay old foreign debts which, with the new liabilities that are being assumed, will soon bring Indonesia's total foreign indebtedness to $3.5 billion.

Over $1 billion of the above total is owed to the Soviet Union and other Communist countries. The indications are that the present terms of repayment cannot be met and some sort of new repayment schedule will have to be devised. Since the coup d'etat, however, relations with China and, until recently, with the Soviet Union have been distant.

In addition to providing one-third of the loans through the consortium, the United States has agreed to provide a "fair share" of food aid to Indonesia. This Nation has already in operation a military assistance program which runs to about $6 million a year. Presently, no lethal military equipment is involved in the program, which is administered not by a Military Assistance Advisory Group, but by a 13-man U.S. defense liaison group. Nevertheless, the program does have some characteristics of a MAAG operation in that it involves training Indonesian officers and support of the Army's civic action and economic rehabilitation activities.

The U.S. agreement to provide loans for the 5-year development plan involves risks, of course, but the risks are shared since the loans are part of a multilateral fund to be channeled through the consortium. In that sense, this particular agreement would appear to be in accord with the President's new approach.

When that is said, however, it should also be pointed out that there has been a tendency for our involvement in Indonesia to grow in a mathematical progression. In fiscal year 1966, for example, all forms of U.S. economic assistance to Indonesia totaled about $20 million; in 1967, $59 million. By 1958 the figure was $103 million and in fiscal year 1969, $255 million. The overall trend of U.S. participation in the Indonesian situation, in short, has been upward, with the bilateral element in our policies also on the increase.

Part of this increase is explicable in terms of Public Law 480 food aid. It would seem to me that what has been described as our "fair share" of this aid is somewhat out of proportion. In 1969, the United States will provide $83.8 million of a total of $135 million. It should be noted that, under present bilateral arrangements, even food aid tends to edge us, bilaterally, into the internal affairs of other countries. Moreover, whatever the beneficial effect in one nation, this aid can have adverse consequences in others. This assistance, to a greater or lesser degree, does compete with the commercial exports of food-surplus nations, notwithstanding efforts to avoid disturbing existing channels of trade.

That is not to say that the use of food as aid should be frowned upon in Indonesia or elsewhere. Rather, it suggests that in this form of assistance as in others, a multilateral approach in which attention can be paid to a wide range of considerations may help to minimize the adverse consequences of this otherwise well intentioned program.

In a more general sense, it would seem that there is also a need for other nations to assume a larger role in assisting Indonesia. In this connection, it is inevitable that Japan be considered as a principal source not only because it is in a period of great economic dynamism, but also because of its regional proximity and the complementariness of its economy with that of Indonesia.

To be sure, Japan does play a major role in the loan consortium. Moreover, Japanese reparations payments which are now being completed have also been a positive factor in the Indonesian economic situation in recent years. However, it must be stated in all frankness that there is some inclination to regard as harsh, Japanese terms of trade and investment. Furthermore, the tendency of this investment to concentrate in extractive industries is seen in some quarters as making an insufficient contribution to the development of a diversified industrial economy. Finally, there is encountered some uncertainty over the implications of the enormous and growing gap which exists between the highly sophisticated Japanese economy and the level of economic development not only in Indonesia but elsewhere in Southeast Asia.

Unless set to rest, these various concerns do not augur well for plans for cooperative regional development. Such plans are invariably predicated upon and, indeed, would appear to require a vigorous Japanese participation if they are to be successful.

C. Burma

The Burmese Government continues to go its own way as it has for many years. It is neither overawed by the proximity of powerful neighbors nor overimpressed by the virtues of rapid development through large infusions of foreign aid. Burma's primary concern is the retention of its national and cultural identify and the development of an economic system preponderently by its own efforts and along its own lines.

This almost passionate emphasis on "Burmanization" and the "Burmese way to socialism" can best be understood against the background from which contemporary Burma emerged. Under the previous colonial status, control of the machinery of the economy was divided largely among British, Chinese, and Indians. Free enterprise in Burma meant, largely, foreign enterprise. For the most part, Burmese nationals were, in effect, bystanders and subordinates in the development of their own country.

With the exception of agriculture, the economy of Burma is presently closely managed by the state. All economic activity has been nationalized, except farming and the operation of some buslines, taxis, restaurants, and small industrial enterprises. But to reiterate, where the state now exercises authority in the economy, it has replaced not so much Burmese private enterprise as a former alien dominance.

While curbing foreign economic power, the Burmese Government has also sought to insulate the country from the conflicts of the great powers. This policy has involved maintaining a proper neutrality and rather reserved diplomatic relations with all states. The approach has been applied not only to the United States but also to China, the Soviet Union, and other nations.

It would be erroneous, in my judgment, to view the Burmese attitude in this respect as an indication of hostility to any nation. Rather, it arises from a concern lest foreign influence overwhelm Burmese culture or otherwise become a disrupting factor in the nation's affairs. In view of what has transpired elsewhere in Southeast Asia, it cannot be said that the concern is without foundation.

Moreover, the Burmese internal situation is still vulnerable to foreign power intrusion. In the first place, there are extreme political and personal conflicts among Burmese nationalists which have been throttled rather than modulated. Some armed insurgency continues in border areas inhabited principally by ethnic non-Burmese. Small armed Communist factions are active, as they have been for decades. The Burmese Government does not appear overly disturbed by the possibility of aggression from China.

The Burmese economy has had difficulties, notably with the export of the rice surplus, the principal source of foreign exchange earnings. As already indicated, these difficulties are not unrelated to U.S. food-aid distributions to Indonesia and other nations in Asia. On the other hand, there is still a residual flow of U.S. aid to Burma. It involves, as it has for several years, the final utilization of U.S. funds which were appropriated a long time ago for college buildings in Rangoon, a water and sewerage system, and a large teak mill.

Burma has also received some military equipment from the United States under a sales arrangement negotiated in 1958 at the request of the Burmese Government and subsequently extended in 1961. The agreement enables Burma to buy at greatly reduced prices, and it also involves some training of Burmese military personnel by mobile training teams from the United States. The program, which is supervised by a U.S. Military Equipment Delivery Team, has only 2 more years to run. While no particular interest has been indicated in its continuance beyond that date, the U.S. military mission in Rangoon shows no sign of contraction. Almost half of all official U.S. personnel in Burma (91 employees) are with the Military Equipment Delivery Team or the office of the defense attaché.

Under the President's new doctrine, it seems to me that the cloth of our policy should be cut more precisely to fit the Burmese pattern. Admittedly, the adjustment will not be easy. In one important sense, for example, present Burmese attitudes do not dovetail with the new doctrine. The Burmese Government is not generally disposed to favor regional economic organizations, as they have so far evolved. The Asian Development Bank, for example, is regarded essentially as a non-Asian institution because of the heavy role of countries from outside the region. The Bank is also seen not as a unifying factor but, possibly, as a divisive element. From the Burmese point of view, the Bank's resources are so limited that there is bound to be severe competition among the small Asian nations for a share of the Bank's favor.

In other respects, however, attitudes would appear to be very much in harmony with the new doctrine. The wish to remain outside of great power conflicts, for example, should not only be respected, but should be sustained by our practices. It would seem to me, therefore, that in the absence of indications to the contrary, the vestiges of the economic aid program which have been an inordinate time in liquidation, should be terminated without further delay and in a manner which accords with the wishes of the Burmese Government. The termination of the military sales program, too, should be anticipated and, in preparation therefore, a commensurate reduction in our official military representation should begin to be made now.

These changes would not preclude in any way an increase in direct contact of reciprocal benefit between Burma and the United States in other fields. It should be noted, in this connection, that some modest steps have been taken by the Burmese Government to encourage foreign tourism, a most welcome initiative.[1] Other exchanges of a peaceful nature in many fields would be in order. We should, it seems to me, be ready to give encouragement to all forms of mutually beneficial cultural contacts with Burma. To the degree that it is desired we should work with the Burmese Government to stimulate not only tourism but trade, educational, professional, and technical collaboration between the peoples of the two countries.

D. Cambodia

After a 4-year interruption, relations were reestablished between Cambodia and the United States in July, following a U.S. declaration recognizing and respecting Cambodia's frontiers.[2] This declaration was, in effect, a preliminary to dealing through diplomatic processes with issues which have arisen from the war in Vietnam to distort and disturb the Cambodian-United States relationship for many years. There are, for example, on the one hand, the air forays from South Vietnam into Cambodia which have resulted in the loss of the lives of Cambodian men, women, and children as well as property damage. On the other hand, there has been the concern of the U.S. command in Saigon that Cambodian territory was serving as a haven for the enemy and, hence, contributing to the losses and the difficulties of U.S. forces in South Vietnam.

Regrettably, both charge and countercharge have had validity. It is a fact that border areas which are difficult of access even from within Cambodia have been used by enemy forces, certainly for the care of sick and wounded and for the infiltration of men and supplies. This usage has occurred notwithstanding Cambodia's intense desire to close its territories for this or any related purpose to all alien elements. Indeed, the recent surfacing of small so-called Red Khmer units which are sustained by outside support and, far more serious, the increasing appearance of armed North Vietnamese and Vietcong on Cambodian soil is of great concern to the Cambodian Government. Nevertheless, with one of the smallest armies in Southeast Asia and with extensive borders there is little that Cambodia can do to prevent incursions. While the war goes on, therefore, the danger is acute of an ever increasing Vietnamese spillover, whether for asylum from the conflict or for other purposes. Even removal of Vietnamese armed bands and stragglers already in Cambodia will present serious difficulties at the end of the war.

In the circumstances, the keystone of Cambodian policy is the achievement of the firmest possible international guarantees of the integrity and security of its frontiers by the time peace is restored. To that end, the Cambodian Government has sought, and already obtained, assurances of the recognition of its existing borders from the Soviet Union, the United States, China, France, the United Kingdom, and many other nations. Phnom Penh has also received similar acknowledgments of its borders from both North Vietnam and the Provisional Revolutionary Government in South Vietnam and, in turn, has established relations with them. However, it has never been able to obtain such assurance from any of the chain of governments in Saigon beginning with that of Ngo Dinh Diem and continuing down to the present.

Cambodia now enjoys an effective and close relationship with France, the former colonial power. It also has good and active relations with many European, Asian, and other countries. With the Soviet Union, Cambodian relations are proper and, in the case of China, they are again more friendly after a temporary lapse.[3]

With the United States, Cambodia now seeks to build, in my judgment, a relationship of mutual respect and mutual tolerance. Notwithstanding the war in Vietnam, it would seem that the prospects of such a relationship are enhanced by the President's new approach and the understanding with which it has been received by Prince Sihanouk.

It should be noted that the Prince's personal role in the direction of the affairs of his nation has been enormous. The Prince not only led Cambodia to independence, even before the 1954 Geneva agreements, but his leadership has served ever since to preserve Cambodia's unity and to mobilize its energy in the building of a progressive and peaceful state. While there has been aid from many nations, Cambodia's progress is largely self-generated. Notwithstanding severe pressures, Cambodia has managed to avoid military involvement in the surrounding turmoil. It has been able, too, to absorb ideas from many nations which have enhanced rather than obliterated the fundamental character and quality of the indigenous culture.

The United States and Cambodia are at a threshold that offers an opportunity to make a clean beginning. For the past few years, Cambodia's direct contact with U.S. nationals was limited almost entirely to tourists intent upon visiting the extraordinary ruins

[1] Tourist visas are now authorized for 72 hours in lieu of the 24-hour limit which prevailed for many years.

[2] My visit to Cambodia came 1 week after the arrival of the new U.S. charge d'affaires, Lloyd M. Rives.

[3] There has been in Cambodia, unlike other Southeast Asian countries, a general tolerance of the Chinese community and an absence of hostility to Chinese commerce. This treatment was predicated, however, on a complete Chinese abstinence from intrusion in Cambodian affairs, a condition which was violated during the Chinese cultural revolution and which led to a prompt and firm reaction by the Cambodian Government.

of ancient Khmer civilization at Angkor Wat. An occasional official U.S. emissary traveled to Cambodia but there were no regular diplomatic relations, no economic aid program, and no military assistance program.

At the time of my visit, the reopened official U.S. establishment in Cambodia numbered only four persons, about the number present at the time of my first visit to Phnom Penh in 1953. There will be additions to this staff, to be sure, but it would seem most desirable that they be minimal. Certainly, there is no cause for the development once again of an overweening official presence with the extensive paraphenalia of programs that has become so characteristic of official U.S. establishments in Asia during the past decade.

The President took a wise initiative, in my judgment, in moving to restore friendly relation with Cambodia at the outset of his administration. He has acted to curb the spread of the war's devestation and, hence, to forestall an increase in the loss of American lives and the multiplication of the costs of the war in Vietnam.

As I sought to detail in my report to the President, there are steps which can be taken promptly to cement the relationship with Cambodia at the outset of its resumption. In the longer range, however, resumption provides a basis for development of what can be mutually beneficial cultural, commercial, and other contacts between the peoples of the two nations. The encouragement of Cambodia's revived interest in the Asian Development Bank and other multilateral agencies might also prove helpful in strengthening the concept of regionalism. It will take patience, sensitivity, and restraint but the policies of this nation, in my judgment, can assist in maintaining this oasis of peace in a wartorn Southeast Asia to our benefit as well as to the benefit of the people of Cambodia.

E. Laos

From a decline in involvement after the Geneva accord of 1962, the U.S. presence in that small nation has grown again to disturbing proportions. The reinvolvement is largely in the form of assistance of one kind or another, extended either directly by U.S. agencies or indirectly through private contractors. The cost of reinvolvement is already in the hundreds of millions and is rising. Most seriously several hundred lives have also been lost. Present tendencies in Laos, in short, run directly counter to what should be anticipated from the President's new doctrine.

To be sure, the reinvolvement of the United States in Laos is associated with the war in Vietnam as well as with the continued and spreading military activity of the dissident Pathet Lao. The armed forces of the latter group are now said to number between 15,000 and 20,000. In addition, it is estimated that some 50,000 North Vietnamese are in the country at this time, moving back and forth between the north and south or guarding infiltration routes and lines of supply. The Chinese have recently added armed guards to a road which, by agreement with a former Laotian government, they are building in remote northern Laos but this development does not seem to have stirred any deep alarm in Vientiane.

It is an understatement to note that the Geneva accord of 1962 which provided both for the neutrality of Laos and for an all-Lao Government of the various factions is now in suspension. The prospects for its resuscitation, moreover, are likely to remain grim, especially if the war in Vietnam is not brought to a conclusion in the near future. In present circumstances, the government in Vientiane is unable either to persuade the Pathet Lao to reenter a government of national unity or to prevent a steady accretion in the strength of this dissident movement.

The U.S. response to the worsening Laotian situation has been to condemn the continued presence and addition of North Vietnamese forces in the country and the involvement of Hanoi in support of the Pathet Lao. At the same time, as noted, we have reinvolved ourselves on a bilateral basis to support the government in Vientiane and as a supplement to the war in Vietnam. At best, this course is already costing some American lives and hundreds of millions of dollars, with all signs pointing to an accretion rather than a dimunition. At worst, it could lead to the full assumption of a U.S. military role in the pattern of Vietnam—a course which was rejected by this government in 1961–62.

As it is now, the depth of our reinvolvement has already created a dilemma. On the one hand, a collapse in Laos is possible, without the continuance of aid, at least at its present level. On the other hand, the greater our support of the government in Vientiane, the less its credibility as a unifying neutral force for all of the Laotian factions. Indeed, in present circumstances, it would appear that the King, Sri Savang Vatthana, alone commands a general loyalty throughout the factionalized land. Any political role which he might play in reunification, however, has heretofore been circumscribed by the traditions and practices of the kingdom.

It is difficult to see how the administration's new doctrine can be sustained if there continues to be an increase in U.S. activities in the old pattern in this uncertain and unstable situation. It seems to me that, as a minimum, every effort must be made to avoid any further magnification of the American presence in Laos. Most importantly, any enlarging commitment of U.S. military forces in this remote region must be restrained.

V. CONCLUDING COMMENTS

The President's new doctrine clearly calls for a contraction of the official U.S. presence in Southeast Asia. In some instances, the nations of the region have anticipated this contraction; in all the nations which I visited, there is understanding of its inevitability. Most are ready for the transition and, in general, welcome it, provided the U.S. interest does not disappear suddenly under a tidal wave of national retrenchment or indifference.

The President's doctrine, of course, does not carry in any sense the latter implication. Indeed, only by an utter disregard of our own national interests could we disengage completely our concern from the affairs of the Western Pacific. Without any such abrupt withdrawal, there is ample room for an orderly contraction of the prevailing U.S. presence in Asia. Most pressing, there is an immediate need for restraints on the built-in tendency of the presence to grow.

There is room, for example, for the following:

1. A contraction of bilateral U.S. aid efforts and a shift to expanding U.S. participation in multilateral efforts in the economic development of the region.

2. A rigid and immediate curb on military aid and no deepening of our direct military involvement with any Asian government, to be followed by a reexamination of longstanding treaty commitments and their organizational substructures, notably SEATO.

3. Official encouragement and support of commercial, cultural, technical, and all other forms of nonmilitary interchange on a mutual basis, scaled to the level of the capacity and the clearly expressed desires of the Asian nations.

In my judgment, an interpretation of the administration's doctrine into policies and practices which follow the above lines would be acceptable in most Southeast Asian nations. Nor is it a matter of waiting for the end of the war in Vietnam. To be sure, when this costly and tragic enmeshment is brought to a close, the way will be facilitated for more rapid change. As I have already indicated above, however, and, as I have detailed in specific recommendations to the President in confidential reports, there is much that can be initiated now in order to contract and adjust American activities in Southeast Asia to bring them into line with his Guam Declaration.

It is necessary to reiterate, however, that as of the time of my visit to the region, the President's pronouncements had brought no follow-through in the U.S. missions abroad. Nor did they indicate to me the receipt of new guidance and instructions from the agencies of the executive branch. It would seem to me, therefore, that if the President's initiative is to precipitate the changes which it promises, there is a need for close collaboration between the responsible officials in the elected administration and the Congress.

As a first step, it would be my suggestion that an immediate freeze be placed on all official personnel increases, military or civilian, in Southeast Asia whether by Presidential order, with strong Congressional support or, if necessary, by legislation, supported by the President, pending full study of the wide range of functions which are now pursued by U.S. Government agencies in Southeast Asia. Some of these functions which began many years ago appear ill-fitted or ill-scaled to present need. A full examination of this kind might well involve a joint effort of the President and the Congress, or it might involve parallel studies or multiple studies by one or the other. However it proceeds, this study should go forward, in my judgment, without delay. It is essential to the maintenance of a U.S. position in Southeast Asia which is relevant to our national interests, to the interests of the people of Asia and to the peace of the Pacific.

AMENDMENT OF FEDERAL HAZARDOUS SUBSTANCES ACT

Mr. MOSS. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1689.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1689) to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes which was to strike out all after the enacting clause, and insert:

SECTION 1. This Act may be cited as the "Child Protection Act of 1969".

SEC. 2. (a) Section 2(f)1 of the Federal Hazardous Substances Act (15 U.S.C. 1261 (f)(1)) is amended by adding at the end thereof the following:

"(D) Any toy or other article intended for use by children which presents an electrical, mechanical, or thermal hazard."

(b) Section 2(q) of such Act (15 U.S.C. 1261(q)) is amended as follows:

(1) Clause (A) of subparagraph (1) is amended by inserting "as defined in clause (A), (B), or (C) of subparagraph 1 of paragraph (f) or in subparagraph 2 of such paragraph" immediately after "which is a hazardous substance"; and by inserting "such" after "bears or contains".

(2) Subparagraph (1) is amended by striking out "or (B)" and inserting in lieu thereof the following: "(B) any toy or other article intended for use by children which is a hazardous substance as defined in clause

(D) of subparagraph 1 of paragraph (f) of this section, and which the Secretary by regulation classifies as a 'planned hazardous substance' on the basis of a finding that, notwithstanding such cautionary labeling as is or may be required under this Act for that toy or article, the degree or nature of the hazard involved is such that the objective of the protection of the public health and safety can be adequately served only by keeping such toy or article out of the channels of interstate commerce; or (C)".

(3) Subparagraph (2) is amended—

(A) by inserting "or (C)" immediately after "clause (B)";

(B) by striking out ": *Provided*, That" and inserting in lieu thereof a period and the following: "In the case of any toy or other article intended for use by children which is a hazardous substance described in clause (B) of subparagraph (1) of this paragraph, if the Secretary finds that its distribution presents an imminent hazard to the public health, he may by order published in the Federal Register give notice of such finding, and thereupon it shall be deemed to be a 'banned hazardous substance' pending the completion of proceedings relating to the issuance of regulations pursuant to such clause. In the case of any hazardous substance described in clause (C) of subparagraph (1) of this paragraph,"; and

(C) by striking out "issuance of such regulations" and inserting in lieu thereof "issuance of regulations pursuant to such clause".

(c) Section 2 of such Act is amended by adding at the end thereof the following:

"(r) An article may be determined to present an electrical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture may cause personal injury or illness by electric shock.

"(s) An article may be determined to present a mechanical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness (1) from fracture, fragmentation, or disassembly of the article, (2) from propulsion of the article (or any part or accessory thereof), (3) from points or other protrusions, surfaces, edges, openings, or closures, (4) from moving parts, (5) from lack or insufficiency of controls to reduce or stop motion, (6) as a result of self-adhering characteristics of the article, (7) because the article (or any part or accessory thereof) may be aspirated or ingested, (8) because of instability, or (9) because of any other aspect of the article's design or manufacture.

"(t) An article may be determined to present a thermal hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness because of heat as from heated parts, substances, or surfaces."

SEC. 3. (a) Subparagraph 1(A) of section 2(f) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(1)(A)) is amended by inserting "or combustible" after "flammable".

(b) Section 2(l) of such Act (15 U.S.C. 1261(l)) is amended—

(1) by striking out "and the term" and inserting in lieu thereof "the term";

(2) by inserting before the semicolon the following: ", and the term 'combustible' shall apply to any substance which has a flash point above eighty degrees Fahrenheit to and including one hundred and fifty degrees, as determined by the Tagliabue Open Cup Tester";

(3) by inserting "or combustibility" after "flammability"; and

(4) by inserting ", 'combustible'," after "the terms 'flammable'".

(c) Section 2(p)(1)(E) of such Act (15 U.S.C. 1261(p)(1)(E)) is amended by inserting "'Combustible,'" after "'Flammable,'".

SEC. 4. (a) The Federal Hazardous Substances Act is amended by redesignating sections 15, 16, 17, and 18 as sections 16, 17, 18, and 19, respectively, and by inserting after section 14 the following new section:

"REPURCHASE OF BANNED HAZARDOUS SUBSTANCES

"SEC. 15. (a) In the case of any article or substance sold by its manufacturer, distributor, or dealer which is a banned hazardous substance (whether or not it was such at the time of its sale), such article or substance shall, in accordance with regulations of the Secretary, be repurchased as follows:

"(1) The manufacturer of any such article or substance shall repurchase it from the person to whom he sold it, and shall—

"(A) refund that person the purchase price paid for such article or substance,

"(B) if that person has repurchased such article or substance pursuant to paragraph (2) or (3), reimburse him for any amounts paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase.

"(C) if the manufacturer requires the return of such article or substance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the manufacturer.

"(2) The distributor of any such article or substance shall repurchase it from the person to whom he sold it, and shall—

"(A) refund that person the purchase price paid for such article or substance.

"(B) if that person has repurchased such article or substance pursuant to paragraph (3), reimburse him for any amounts paid in accordance with that paragraph for the return of such article or substance in connection with its repurchase.

"(C) if the distributor requires the return of such article or susbtance in connection with his repurchase of it in accordance with this paragraph, reimburse that person for any reasonable and necessary expenses incurred in returning it to the distributor.

"(3) In the case of any such article or substance sold at retail by a dealer, if the person who purchased it from the dealer returns it to him, the dealer shall refund the purchaser the purchase price paid for it and reimburse him for any reasonable and necessary transportation charges incurred in its return.

"(b) For the purposes of this section, (1) the term 'manufacturer' includes an importer for resale, and (2) a dealer who sells at wholesale an article or substance shall with respect to that sale be considered the distributor of that article or substance."

(b)(1) Subsection (a) of the section of such Act redesignated as section 18 is amended by striking out "section 18" and inserting in lieu thereof "section 19".

(2) The section of such Act redesignated as section 19 is amended by striking out "section 16(b)" and inserting in lieu thereof "section 17(b)".

SEC. 5. The amendments made by this Act shall take effect on the sixtieth day following the date of the enactment of this Act.

Mr. MOSS. Mr. President, I move that the Senate disagree to the amendment of the House on S. 1689, and ask for a conference with the House thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed by Mr. Moss, Mr. HART, Mr. PASTORE, Mr. PEARSON, and Mr. GOODELL conferees on the part of the Senate.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 12781) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. BIBLE. Mr. President, before we proceed to the consideration of the Department of the Interior appropriations bill for 1970, so that proper notice may be given to Senators who have interest in this particular legislation, 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. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BIBLE. Mr. President, I ask unanimous consent that the committee amendments to H.R. 12781 be agreed to en bloc, and that the bill, as so amended, be regarded as original text for the purpose of amendment provided that no point of order against legislation in an appropriation bill shall be considered to have been waived by reason thereof.

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

The amendments agreed to en bloc are as follows:

On page 2, in the heading, in line 4, after the word "of", strike out "Land" and insert "Lands".

On page 2, line 8, after the word "under", strike out "this" and insert "the"; and, in line 9, after the word "Management", strike out "$52,600,000" and insert "$52,573,000".

On page 2, line 14, after the word "roads", strike out "$2,925,000" and insert "$2,873,000"; and, in line 15, after the word "until", strike out "expanded" and insert "expended".

On page 5, line 20, after the word "shops", strike out "$176,000,000" and insert "$173,658,000".

On page 6, line 5, after the word "law", strike out "$55,692,000" and insert "$55,242,000".

On page 6, line 11, after the word "contract", strike out "$25,373,000" and insert "$26,264,000".

On page 10, line 6, after the word "for", strike out "$3,500,000" and insert $4,090,000".

On page 10, line 18, after the word "exceed", strike out "$75,000,000" and insert "$62,000,000"; in line 21, after the word "exceed", strike out "$17,772,000" and insert "$28,572,000"; and, in line 22, after the word "exceed", strike out "$11,500,000" and insert "$13,700,000".

On page 12, line 1, after the name "Samoa", strike out "$14,700,000" and insert "$14,921,400".

On page 13, line 5, after the word "functions", strike out "$41,612,000" and insert "$40,612,000".

On page 14, line 17, after the word "activities", strike out "$95,628,000" and insert "$95,115,000".

On page 16, line 8, after the word "substitutes", strike out "$39,000,000" and insert "$38,536,000".

On page 16, line 12, after the word "law", strike out "$14,782,000" and insert "$14,332,000".

On page 17, line 15, after the word "limitation", strike out "$21,000,000" and insert "$26,200,000".

On page 17, line 22, after "(74 Stat. 337)", strike out "$13,300,000" and insert "$15,800,000".

On page 18, line 17, after the word "law", strike out "$26,400,000" and insert "$26,345,000".

On page 19, line 20, after "(78 Stat. 197)", strike out "$4,590,000" and insert "$4,027,000".

On page 21, line 24, after the name "Refuge", strike out "$48,503,000" and insert "$48,870,000".

On page 22, at the beginning of line 6, strike out "$1,686,000" and insert "$1,773,000".

On page 22, line 10, after "(16 U.S.C. 715k–3, 5; 81 Stat. 612); strike out "$5,000,000" and insert "$7,200,000".

On page 24, line 11, after the name "Commission", strike out "$49,000,000" and insert "$49,100,000".

On page 24, line 20, after the name "Service", strike out "$40,000,000" and insert "$40,037,000".

On page 25, line 5, after the word "rights", strike out "$7,600,000" and insert "$7,700,000".

On page 26, line 9, after the word "only", strike out "including not to exceed ninety-seven for police type use which may exceed by $300 each the general purchase price limitation for the current fiscal year, purchase of one aircraft for replacement only, and acquisition from excess sources without reimbursement of two additional aircraft; and to provide, notwithstanding any other provision of law, at a cost not exceeding $50,000, transportation for children in nearby communities to and from any unit of the National Park System in connection with organized recreation and interpretive programs of the National Parks: *Provided*, That the cost of the passenger motor vehicles to be purchased under this authorization and the cost of certain currently owned passenger motor vehicles may exceed the general purchase price limitation to the extent of the cost of equipping them with air-conditioning units when in the discretion of the Director, National Park Service, subject to the prior approved of the Bureau of the Budget, such equipment is necessary to improve operating efficiency" and insert "which may exceed the general purchase price limitation for the current fiscal year by the cost of air conditioning and police type equipment; purchase of two aircraft, one of which shall be for replacement only, and acquisition from excess sources without reimbursement of two additional aircraft; and to provide, notwithstanding any other provision of law, at a cost not exceeding $50,000, transportation for children in the metropolitan area of Washington, District of Columbia, to and from any unit in the National Capital Region of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service".

On page 28, at the beginning of line 10, strike out "$5,530,000" and insert "$5,555,800".

On page 28, line 19, after the word "expenses", strike out "$9,887,000" and insert "$9,912,700".

On page 28, after line 19, strike out:

"SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

"For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses of the Office of the Secretary, as authorized by law, $25,000, to remain available until expended: *Provided*, That this appropriation shall be available, in addition to other appropriations to such agency, for payments in the foregoing currencies (7 U.S.C. 1704)."

On page 31, line 21, after the word "lands", strike out "$195,042,000" and insert "$191,985,000".

On page 32, line 9, after the world "law", strike out "$41,880,000" and insert "$41,326,000".

On page 32, line 16, after the word "law", strike out "$22,529,000" and insert "$22,729,000".

On page 36, line 24, after the word "Act", strike out "$98,581,000" and insert "$100,221,000".

On page 37, line 11, after "(42 U.S.C. 2004a)", strike out "$19,000,000" and insert "$19,345,000".

On page 38, line 7, after the name "Commission", strike out "$800,000" and insert "$850,000".

On page 38, line 16, after "(5 U.S.C. 5901–5902)", strike out "$922,700" and insert "$300,000, and in addition $770,000 of the unobligated balance of the appropriation granted under 'Land Acquisition, National Capital Park, Parkway, and Playground System' are transferred to and shall be available for salaries and expenses".

On page 38, line 20, after the colon, strike out "*Provided*, That none of the funds provided herein shall be used for the Temporary Pennsylvania Avenue Commission:"; and, in line 22, after the word "*Provided*", strike out "further,".

On page 39, line 6, after the word "amended", strike out "$14,000,000" and insert "$13,690,000"; in line 14, after the word "Act", strike out "$6,250,000" and insert "$5,950,000"; and, in line 17, after the word "and", strike out "$1,500,000" and insert "$1,490,000".

On page 41, line 12, after the word "publication", strike out "$28,200,000" and insert "$28,134,000".

On page 41, line 22, after "(7 U.S.C. 1704 (b) (3))", strike out "$3,000,000" and insert "$2,316,000".

On page 42, line 14, after the word "authorized", insert "by"; and, in the same line, after "5 U.S.C. 3109", strike out "$425,000" and insert "$525,000".

On page 44, line 2, after the word "proper", strike out "$3,350,000" and insert "$3,390,000".

On page 44, after line 2, insert a new title, as follows:

"EXECUTIVE OFFICE OF THE PRESIDENT

"NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT

"SALARIES AND EXPENSES

"For expenses necessary in carrying out the provisions of the Marine Resources and Engineering Development Act of 1966 (Public Law 89–545, approved June 17, 1966), as amended, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $760,000."

On page 44, line 19, after "5 U.S.C. 3109", strike out "$450,000" and insert "$235,000".

On page 44, line 25, after "5 U.S.C. 3109", strike out "$5,000" and insert "$10,000".

On page 45, line 11, after "Sec. 302.", strike out "None of the funds in this Act" and insert "No part of any appropriation contained in this or any other Act".

Mr. BIBLE. Mr. President, the bill before the Senate today is the annual appropriation bill for the Interior Department and related agencies.

It is a bill containing $1,569,454,500. It includes indefinite appropriations of receipts and amounts necessary to liquidate contract authorizations for the agencies and bureaus of the Department of the Interior and for related agencies which are listed on page 2 of the report.

Excluded from the bill are the Alaska Power Administration, the Southeastern Power Administration, the Southwestern Power Administration, and the Bonneville Power Administration, the Bureau of Reclamation, and the Federal Water Pollution Control Administration. All of those which I have mentioned will be considered in the Public Works Appropriations bill rather than in the Interior appropriations bill.

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

Mr. BIBLE. I yield.

Mr. MUNDT. Mr. President, before the chairman of the committee gets deeper into the explanation of the bill, I point out as the ranking Republican member that the decisions were made unanimously. The subcommittee voted unanimously, and the full committee voted unanimously.

We tried to apply the economy knife wherever we could. And we are rather proud of the fact that the bill is below the budget recommendations.

I recommend to my colleagues in the Senate the passage of the bill in the form in which it has unanimously come from the subcommittee and the full committee after unusually long and extensive hearings.

I feel that we have served the country well and kept in mind the fiscal problems which confront the taxpayers and our country in the present situation.

I commend the chairman for the excellent job he has done in bringing before the Senate a well-tailored bill.

Mr. BIBLE. Mr. President, I appreciate the sentiments of the Senator from South Dakota. The Senator has been very helpful this year and in previous years on this matter. We do present a bill to the Senate which, as the Senator has stated, is below the budget in an amount of some $24 million. It is over the House figure by $4.6 million.

I think it is a realistic bill. It obviously does not contain everything that everyone would like to have in it. And no doubt some amendments will be offered and suggestions will be made to change and improve the bill. That is always the case when we are dealing with something in the range of 250 amendments, as was the case in the pending bill.

One thing I would like to comment on is that the pending bill, as has been the case generally throughout the history of the Interior appropriations bill, produces almost as much in revenue as the outlay. The estimate this year is that the various

agencies under the Department of the Interior, as well as the Forest Service of the Department of Agriculture, will produce something like $1,355,000 of receipts.

So this goes a long way toward the total amount of money appropriated by Congress to carry on these various functions.

I am not going into any great detail on the various items in the bill. I am here to answer any questions on problems that come up and try to accommodate the Senators on various amendments which might very well be offered to various parts of the bill.

The committee's recommendations increased the allowance in the House bill in a number of places.

In the Bureau of Outdoor Recreation, there is an increase of some $590,000.

In the Office of Territories, there is an increase of $221,000.

In the Bureau of Mines, there is an increase of $4,286,000.

In the Office of Coal Research, there is an increase of $2,500,000.

In the Bureau of Sport Fisheries and Wildlife, there is an increase of $2,654,000.

In the National Park Service, there is an increase of $237,000.

In the Office of the Solicitor, there is an increase of $26,000.

In Indian Health Service, there is an increase of $1,985,000.

It seemed to us that in the area of being of assistance and help to those on the Indian reservations and even those Indians who are beyond the reservations this was one of the most vital needs. So this is considerably open in that respect.

The amount allowed for the Bureau of Indian Affairs is less than the amount of the budget and less than the amount allowed by the House of Representatives. However, taken together the two are just about on balance.

There is an additional modest amount of $50,000 added to the Indian Claims Commission.

The sum of $760,000 was added to the National Council on Marine Resources and Engineering Development. This has been an ongoing program. It was not considered by the House. It represents an increase over their allowance. The figure did not come up until after the House had completed consideration of the bill.

The sum of $85,000 was added for the Federal Field Committee for Development Planning in Alaska.

An additional $5,000 was added for the Lewis and Clark Trail Commission.

There was a decrease in the amount of $79,000 in the Bureau of Land Management.

There was a decrease in the Bureau of Indian Affairs of $1,901,000, offset, as I see it, to a large extent by a very substantial increase in the amount allowed for the Indian Health Service.

The Geological Survey was reduced $513,000.

The Bureau of Commercial Fisheries was reduced $318,000.

The Forest Service was reduced under the House budget by $3,411,000.

That might appear to be a rather large decrease over the House figure. It is still some $3.5 million over the budget.

These House additions were appealed. The request was made by the Forest Service people that these items be deleted from the budget.

The National Capital Planning Commission was reduced $622,300. This reduction largely comes about by virtue of the reprograming of funds which were originally appropriated for land acquisitions which had not been used in the past 6 years. We felt that rather than have the funds be idle there, it would be better to reduce the overall budget in that respect.

The National Foundation on the Arts and the Humanities was reduced $310,000.

The Smithsonian Institution was reduced $610,000.

The committee believes that, though this does not give everything that the various departments have asked, it is on balance a very sound bill.

Every effort has been made to provide adequate funds within the bounds of reason and with due cognizance of the budgetary and economic situation.

As I stated, the committee did consider more than 250 amendments to the House bill.

I believe the committee realistically provides for the continued and increased development of the resources of the United States.

I hope that the bill will be approved as reported by the Committee on Appropriations.

Mr. MOSS. Mr. President, I commend the senior Senator from Nevada, the chairman of the subcommittee, on his presentation on the pending appropriation bill.

I, of course, do have some points of difference. I recognize the problem that the Appropriations Committee has in trying to keep within the bounds of the many strictures we have at this time and at the same time provide for the adequate development of the various functions of the Interior Department and the related agencies.

Mr. President, I send to the desk, and ask to have read, an amendment which I offer to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 25, line 11, strike out "$21,500,000," and insert in lieu thereof the following: "$22,500,000, of which $1,000,000 shall be available for construction in Canyonlands National Park of a two-way road between Squaw Flat and the Confluence, and a one-way loop road for two-wheel drive vehicles through Cyclone Canyon and Devils Lane,".

Mr. MOSS. Mr. President, this is a matter that I presented in a hearing before the Appropriations Subcommittee. Before that subcommittee I asked for a number of amendments in the bill. None of them was granted by the committee. This one is of particular importance, and I therefore present it at this time.

Not one penny was requested by the administration this year for roads in the Canyonlands National Park.

Canyonlands National Park was created by Congress in 1964. It is a vast and primitive wilderness area. The only basis on which it can become a real functioning national park is to have roads and trails within that boundary. Over 5 years have passed, and we have done practically nothing. There has been some slight improvement of the roads up on the Grand View Point and Upheaval Dome, and there has been some talk of a road around the south end, to come in through Beef Basin in the canyonlands, but nothing more than talk. But this year, finally, after a long and protracted controversy with the Park Service, we do at last have a plan from the Park Service to build a road from the Squaw Flat area, which is the principal administrative area of this national park, into the center of the park, with the confluence of the two rivers, and thence down Devils Lane down to the Needles area. This has long been in dispute, but finally we have agreement that it must be done.

The failure to build roads into the park has caused a great deal of disillusionment and disappointment on the part of many people in my State and elsewhere who supported the creation of this park. Without adequate roads, it does not serve any purpose; because only a very limited few can go into the park now, by hiring jeeps or other means of conveyance. They cannot go in their ordinary vehicles beyond the Squaw Flat area and except for a small part of the park on the high overview area where there are some roads.

Canyonlands, as I realize, has been a victim of Vietnam, and we have not been able to get the money. But I think the time of crisis is here. I think we must do this. Each year the visitation to our national parks and monuments increases. We are now so crowded in parks such as Yellowstone and our famous national parks that we cannot accommodate the people who want to use these recreation areas, and the flood grows year by year.

Here we have a magnificent, new national park, and we are bypassing it once again without funds to go ahead and build the road we need. I think we should appropriate at least a million dollars for trail development and roadbuilding in Canyonlands; and I think the bill is deficient for not taking into account the situation we have had, which we now face, in which this need is so extreme. With the appropriation of this amount of money and with the new alinement that has now been agreed upon, we can proceed in this area, and perhaps not complete it, but at least we can begin in this fiscal year to fulfill the obligation we made to the citizens of the United States, and particularly those living in the area, that Canyonlands, if it were created a national park, would be opened up and made available to the people who wish to see this magnificent and spectacular area.

I know that the chairman has been there. He has observed the park. He knows what it is like. I certainly hope we can adopt this amendment and add this $1 million to the total amount of money appropriated for parkway and road con-

struction in the bill that is now before the Senate.

Mr. BIBLE. Mr. President, the pending amendment introduced by the Senator from Utah would provide for the construction of roads in the Canyonlands National Park. I was privileged to handle the Canyonlands National Park bill. This is a great area of our country, and it is an area that will grow as the years pass.

There was no budget whatever nor any request made for the building of a road or even for the necessary engineering, planning, and design to determine where a road should be built in the canyonlands.

Mr. President, this was one of 250 amendments considered by the Committee on Appropriations. It was felt that in view of the lack of anything more definite than the one statement which was made by the Senator from Utah (Mr. Moss), we simply did not have the background or backup material on which to go further.

I think this item is one that should be given some very high priority by the new administration in a future fiscal year because it is true that unless we do open up the canyonlands by building roads, visitors will have great difficulty in getting into the canyonlands to see the wonders there. This area is truly one of the wonders of the Park Service complex. However, I must resist the amendment on these grounds.

In addition to the fact that they are not budgeted, there have been some rather unfortunate cutbacks and freezes on other construction items that have been budgeted and allowed. I would hope the Senator from Utah would not persist in his amendment at this time.

The Senator from Utah is really the father of the canyonlands. I know of his great interest and continuing interest in it. I think it would place the matter in a much better perspective with greater chances of success if he received a budget estimate and presented it to the committee next year, with the full backing of the Park Service people and the Department of Interior.

The Senator from Utah is not alone. Park areas throughout the United States want development funds and roads to open up the parks. Many other areas are similarly limited, and even some that are fairly well developed. I recognize the canyonlands as not very well developed. In these park lands we think we must first buy the lands. We place our greatest emphasis and the greatest number of dollars first to the acquiring and then to the development. We still have a long way to go to acquire the lands we need and a long way to go before we develop them.

I hope the amendment will be defeated. I assure the Senator that when the matter does come back with budget backing, planning, and design, as to where the road is and its dimensions, its width, what highways it connects, the construction period of time, and all the rest of the information which is so necessary to make a firm determination on building a road, it will receive our most careful consideration.

I must resist the amendment.

Mr. MOSS. Mr. President, I thank the Senator for his observations about this matter. Although I am hopeful that we can have the money added at this time in the appropriation bill, I indicate to him that every effort will be made in a supplemental bill, or otherwise, to have this money appropriated, so that we can begin.

I state again that I appreciate the great interest the chairman has taken in the whole field of national parks and monuments. He has developed great leadership as chairman of the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs in the development of canyonlands particularly, and of our other parks. Thus, I know he is well aware—and I hope all Members of the Senate are well aware—of the great overcrowding, the flood of people who are now seeking to use our parks and monuments, as well as our forest, for outdoor recreation. To postpone the building of roads and other facilities would be to compound this difficulty and cause further overcrowding and misuse of some of our parks by the failure to open up and utilize others.

I, therefore, hope that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ALLOTT. Mr. President, I should like to query the distinguished chairman of the subcommittee about an item in the bill, referred to on page 35 of the report.

I was present at the full committee markup of the bill, but, unfortunately, I had to leave and was not present at the time this particular matter was discussed.

As I recall—and I am relying upon my memory for this—the National Council on Indian Opportunity was created 2 or 3 years ago. There is a feeling among a great many people, including people in my State, that this council could be of great assistance by creating an important input at the executive level to advise on Indian matters. This would obviously be of tremendous assistance.

Fortunately, both the distinguished chairman and I have served for many years on the Committee on Interior and Insular Affairs, and we have been in contact with various phases of Indian legislation and the problems that face the Indians of this country.

I think it would be safe to say that, for the most part, none of us are completely happy with the progress which has been made. This is one of the most complicated, delicate, and difficult areas to deal with of any matter that comes under the jurisdiction of the Interior and Insular Affairs Committee.

Do I correctly understand that the authorizing legislation for the council has not passed the House of Representatives at this time?

Mr. BIBLE. I would say that that is my understanding. The last time we checked on the status of the enabling legislation, the bill had not passed the House. It has passed the Senate. I think it is still in the House Interior and Insular Affairs Committee. I do not have any advice beyond that. Basically the reason why this item was disallowed was that there is no legislative framework on which to tie the amount requested.

Mr. ALLOTT. I understand that. Of course, the chairman is entirely correct. What I was really inquiring about, in view of the great number of people who have shown an interest in this particular amount—it is a relatively small amount, $300,000—is whether the chairman would be disposed at the time when the first supplemental appropriation bill is considered, provided there is a budget request for it, to give this matter his sympathetic support, or at least, take a sympathetic view toward the witnesses who might appear at that time in favor of it.

As I have previously mentioned, that there is a great deal of interest in this matter. Many people feel, as I do, that there must be an independent input into the whole area of the Bureau of Indian Affairs and the presentation of new ideas to solve the problems concerning the Indians if we are to make any headway.

I know of the dedication of the chairman because I have worked with him for many years on that subcommittee. Would the chairman be willing to give full consideration to this question when it comes before the subcommittee handling the supplemental appropriation bill?

Mr. BIBLE. It certainly will be given full consideration. I do not want to bind the Senator from West Virginia (Mr. BYRD), who is chairman of the Subcommittee on Supplemental Appropriations, but I would be inclined to think that he would feel the same way. We should have a full examination and have competent testimony as to exactly what the National Council on Indian Opportunity will do.

As the proposal was presented to us in the legislative Committee on Interior and Insular Affairs, as the Senator from Colorado knows—and the Indian people are certainly entitled to every consideration that we can give them—the argument was made that the Indians need some agency other than the Bureau of Indian Affairs to look out for their present and their future well-being. As a fellow member of the Committee on Appropriations, the Senator from Colorado is well aware that in this bill alone something like $260 million has been appropriated to the Bureau of Indian Affairs. That is a substantial amount of money. It may very well be argued that some type of independent group of Indians themselves needs to decide whether this money is being spent to the best advantage of the Indian people.

I certainly can assure the Senator from Colorado that his proposal will have my careful study and scrutiny. We cannot, obviously, though, bind the Senator from West Virginia. In handling supplemental appropriation bills, he leans heavily on the chairmen of the regular standing subcommittees of the Committee on Appropriations. There may well be a need for this additional type of council for oversight—call it what we will; but without legislative authority, I think we are charting unusual practices. Unfortunately, such practices have been engaged in in the past, and I do not think they should be.

I do support legislation on Indian affairs that is proposed by the legislative committee, and obviously would be inclined to allow any type of reasonable sum to see to it that this work will go forward in the best possible manner, so as to insure results. The Senator from Colorado is interested in results in this area, and so am I; but until we have a framework within which to act, we should defer action.

Mr. ALLOTT. I appreciate the opportunity to have this short colloquy on the matter, particularly because I do not believe the language contained in the first paragraph is meant to be quite so adamant as it might appear to some people.

If we have had an authorization when the first supplemental appropriation bill comes before the Senate, I will be happy to have had the assurance of the distinguished chairman of his interest—and I know he has had such an interest for many years—and perhaps we can do something about the matter at that time—at least, to give it a full review and consideration.

Mr. BIBLE. Certainly it will have careful consideration.

Mr. PROXMIRE. Mr. President, first, I commend the distinguished Senator from Nevada, who is chairman of the Subcommittee on Department of the Interior Appropriations. I told him right after the markup session that I have been a Member of the Senate for 12 years and have served on many subcommittees, but that I have never seen a subcommittee chairman who had a better grasp, a more thorough grasp, of a very big bill than the distinguished Senator from Nevada. He handled the markup session extremely well and obviously knows every facet of this highly complicated bill.

Mr. President, last week when the Interior Subcommittee of the Senate Appropriations Committee—and I serve as a member of that subcommittee, took up the Interior appropriations bill for fiscal 1970 in executive session, I raised the question of putting a limitation on the payments being made from timber receipt to 18 Oregon counties under the 1937 Oregon and California—O. & C.—Land Act.

I think this is one of the most unjustifiable payments the Federal Government makes, and a great waste of money. I think it is desirable that I call the attention of the Senate to it, although, as I am going to explain, I shall not offer an amendment to it at this time.

The distinguished chairman of the subcommittee, Senator BIBLE, felt that this was more properly a matter to be taken up by the Interior Committee, despite the fact that a ceiling had first been suggested by the Bureau of the Budget in the budget submitted to the Congress in January. With a great deal of logic, Senator BIBLE pointed out that the language limiting the payments would be subject to a point of order because it would amend the 1937 act. Consequently I am today introducing substantive legislation to amend the 1937 act. Hearings can be held on my proposal, the entire problem can be aired, and we can then decide whether or not to rectify what I consider to be an inexcusable misallocation of funds.

WINDFALL GIVEN TO O. & C. TIMBERLANDS

Mr. President, positions of privilege have never been popular in America. The man who receives more than his rightful share has never been liked by those who must subsidize his protected way of life. But today, because of two mounting pressures, taxation and inflation, the continuation of privilege has become intolerable. The average man simply can no longer afford to support the protected interests of those favored by the fortunes of inflation.

It is for this reason that I rise to speak today. This relates to the highly privileged treatment of 18 counties which make up the Oregon and California lands, a group of national forest lands located in western Oregon. Under a 1937 law these 18 counties have received a $157 million Federal bonanza over the last 30 years and are scheduled to receive a further bonus of $30 million more this year. In 1969 these payments will be over seven times the amount the county governments would have collected as taxes had the lands been privately owned.

All of this in spite of the fact that the original 1937 law was only intended to provide reimbursement to the counties equal to the amount in lost taxes due to Government ownership. Why is it that last year these counties received over seven times the amount of lost taxes? The answer is very simple. The same inflationary forces which have served to make the average taxpayer a little poorer each day have served to make these counties a little richer every day. Under the current law, inflation actually helps the people in these counties, for as lumber prices continue to skyrocket, the amount of Federal payments based on a percentage formula covering receipts of timber sales continues to rise each year. As the cost of lumber to the homebuilder rises, these 18 counties become wealthier.

Mr. President, we are in a period when we must be careful with every dollar that we spend, either as a private citizen or as the colossal consumer known as the Federal Government. President Nixon himself has repeatedly called for the elimination of unjustified and wasteful expenditure. The stakes are very high. The stability and future continued growth of the American economy is in jeopardy as a result of the rising inflationary tide. Waste in Government can never be justified, but during critical times such as these when every Federal dollar spent increases the danger, waste is intolerable.

It is for this reason that I am introducing legislation today to amend the original 1937 act which governs the distribution of receipts from the sale of timber cut from these lands.

It is the 1937 act which must be considered responsible for the privileged position enjoyed by the counties. And so while I commend the Bureau of the Budget for recognizing the problem and taking steps to try and rectify it, I find that its proposed ceiling is only a temporary palliative. We do not rid a lawn of weeds by adjusting the height of the cutter on the lawnmower and maintaining it at that level throughout the year. For while that makes the growth harder to see, it does not alter its affect on the lawn. Rather, we must make the effort to dig below the surface, no matter how arduous the task, locate the roots, and then remove the source of the trouble. Thus, only by changing the governing legislation can we hope to correct this continual overpayment of Federal funds which might better be utilized elsewhere.

LANDS ARE VALUABLE

Earlier statements that I have made on this subject have led representatives of these counties to accuse me of being against their interests. Let me assure them that nothing could be further from the truth. I realize that these O. & C. timber lands, with their 50 billion board feet of timber and annual allowable cut of over 1 billion board feet, are a necessary and valuable natural resource. I recognize that these 2.5 million acres of forest land contribute directly to the welfare of the region by providing an estimated 13,500 jobs in the areas of timber management, logging, and processing. In addition, by being a job source and hence indirectly a generator of funds, they help to sustain the entire economy of the region. These lands are also important for recreation, watersheds, and the entire range of multiple resource programs. But I do not believe present conditions require the lopsidedly favorable treatment of their payments in lieu of taxes which the 1937 bill granted.

1937 BILL WAS ONCE UNIQUE

The original legislation authorized these payments as a substitute for foregone tax revenues. In this sense, the 1937 act was not substantially different from earlier bills. What makes this act stand out is its example of commendable farsighted planning. For this is the first instance of a bill providing for sustained-yield resource management. That is, for the first time on any sizable scale, Congress expressed its concern that resources not be depleted too quickly by excessive exploitation. And this objective of providing for some sort of balance between timber cut and timber growth, in a framework of multiple use, is one which should be highly praised.

I am not criticizing this part of the act. Far from it. Instead, I am questioning the 50 percent of revenues from the sale of timber which the counties directly receive, and then the 25-percent portion which they are entitled to on top of that. This arrangement was arrived at in 1937 because timber returns were low then and no increase was anticipated. It was Congress estimate of what tax equivalency might be. Since then, however, a combination of rising timber prices coupled with an increase in the allowable cut had led, under this outmoded formula, to a total overpayment of over $157 million. Furthermore, the O. & C. counties have not had to pay the cost of maintaining and improving the forest lands. Thus, they are accruing the further benefits from lands improved by funds invested by the Federal Government—improvements to which the counties did not contribute.

Mr. President, the terribly privileged position of these 18 counties must be eliminated. Payments to them must be restored to tax equivalency. But, in order to more intelligently discuss this problem and to see how this inequitable arrangement has evolved, I think it would be most beneficial to trace the main developments in the 103-year history of the O. & C. lands.

HISTORY

The history of the O. & C. land problem begins with the passage of legislation by Congress in 1866 authorizing a grant of lands in the public domain to be given to a railroad company to help finance the construction of a railroad from Portland to the California border. In 1868, after 2 years of competitive bidding, the Oregon Legislature selected the East Side Roadroad Co.—later reorganized in 1870 as the Oregon & California Railroad Co.—for the job.

But because of the expiration of the 1868 deadline set by the 1866 legislation without a legal filing of the grant application, new Federal legislation was required in 1869. The 1869 measure contained three special disposal conditions to be adhered to by the railroad not included in the original legislation.

First. The grant lands, once acquired by the railroad company, could be sold only to actual settlers.

Second. The land could not be sold in tracts of more than 160 acres.

Third. The selling price of these lands was not to exceed $2.50 per acre.

Construction of the railroad to the California border was completed in 1887, but since most of the land granted was heavily timbered and was on steep slopes, there was little agricultural or homesteading demand for it. By 1890 the company still held most of the land. Shortly thereafter, however, due to continued depletion of Great Lakes timber reserves, the demand for the land as a timber source grew. Taking advantage of the situation, the railroad in 1894 began selling O. & C. tracts primarily for their timber value in clear violation of one or more of the conditions set forth in the 1869 legislation. After substantial sales, the company announced, however, that it would no longer sell O. & C. tracts but instead hold the lands as timber reserves.

The people of Oregon were angered by the announced suspension of land sales. They requested congressional action in the hope that Congress would force the railroad company to continue selling land.

Much to the dismay of the citizens of Oregon who had requested congressional action, Congress in 1908 authorized the U.S. Attorney General to bring suit for the forfeiture of the lands to the Federal Government due to violation of the 1869 law regarding disposal of the lands. In 1913 the U.S. district court ruled that the grant had indeed been violated and ordered the forfeiture to the Federal Government. In a company appeal the U.S. Supreme Court upheld the decision of the lower court and turned the issue over to Congress to develop a plan whereby the lands would be revested in Federal ownership, but the company would receive compensation for the lands at $2.50 per acre.

CHAMBERLAIN-FERRIS ACT OF 1916

By the time of the 1916 revestment, the Oregon & California Railroad Co. was delinquent in payment of county taxes for the years 1913–16. The Chamberlain-Ferris Act of 1916, which revested about 2,900,000 acres of O. & C. land in Federal ownership, appropriated funds for the payment of the delinquent taxes. In addition, this legislation provided for the $2.50-per-acre reimbursement to the company ordered by the Supreme Court. The act also stipulated that the amounts paid to the railroad and the counties would be reimbursed to the Treasury from the proceeds of future timber and land sales by the Government.

STANFIELD ACT OF 1926

By 1926 receipts from sales of land and timber since the revestment had been sufficient only to reimburse the Treasury for its initial payment to the railroad. The counties themselves had received a mere $1.5 million from the Treasury as payment for the 1913–15 back taxes owed them by the railroad company. They were experiencing a fiscal crisis. The Stanfield Act of 1926 was designed to assist the beleaguered counties. It appropriated $7.1 million to the counties for payment of taxes between 1916 and 1926 based on 1915 assessments. For the period after 1926, the act provided that the counties would have first claim to any O. & C. receipts up to an amount equal to tax equivalency. Any additional receipts were to be paid to the Treasury for the 1916–26 tax payments.

OREGON AND CALIFORNIA ACT OF 1937

Ten years went by as the counties waited in vain for the Stanfield Act to fulfill its promises. By 1936 receipts from the sale of timber and land had been sufficient only to pay the county's tax claims up to the estimated taxes for the year 1933. No funds had been paid back into the Treasury. Consequently, legislation was enacted in 1937 to provide a solution to the financial problems besetting the 18 counties involved. The 1937 plan contained three important provisions:

First. Fifty percent of the revenues accrued from the sale of timber was to be paid to the counties in lieu of current taxes.

Second. Twenty-five percent was to be paid to the counties after their delinquent tax claims were paid and after the U.S. Treasury was reimbursed for money advanced to make payments in lieu of taxes in prior years.

Third. Twenty-five percent was to be made available to defray the cost of administration and management, with any unused portion to be applied to the deficit in the O. & C. fund.

When this 1937 formula was under consideration, representatives from the counties were opposed to it because the 50 percent of total receipts allotted to the counties would be insufficient to meet ad valorem taxes. They were only interested in guaranteeing tax equivalency which they believed that the 50-percent figure would not insure. Hence, they succeeded in inserting a clause which guaranteed payments of not less than 78 percent of what they could expect to receive in taxes for the year 1934 if the lands were privately owned.

In addition to completely changing Federal policy toward these lands to one of permanent Federal retention, the act provided for multiple use and sustained-yield management in the interest of the communities dependent on the O. & C. timber for their continued economic livelihood.

POSTWAR DEVELOPMENTS

In 1946 the Bureau of Land Management was created and assumed the major responsibility for the O. & C. lands. During the war stumpage prices for O. & C. timber rose from less than $2 to more than $4 per thousand board feet, making it possible to complete the payment of the back taxes to the counties by 1943. Prices continued to skyrocket after the war and by fiscal 1951, the U.S. Treasury had been reimbursed for all prior payments. Fiscal year 1952 witnessed the counties receiving for the first time the 25-percent payment in addition to the 50 percent they had been obtaining annually since 1938, or a total of 75 percent of all revenue from timber sales.

Opposition to the liberal payment schedule led by then Congressman HENRY JACKSON resulted in a general whittling down of payments to the counties and an appropriation of 25 percent of the receipts for improvements such as access roads for the O. & C. lands. Between 1953 and 1959, the payments varied between 51 and 64 percent. Since 1960, a full 25 percent has been appropriated for roads and 50 percent to the counties.

PRESENT O. & C. PAYMENT SCHEDULE GIVES COUNTIES A WINDFALL

Mr. President, now that I have outlined the history of the O. & C. lands, let me refocus our attention on the major issue involved; that of the tremendous inequities inflicted on the Federal Government and taxpayers in every State as a result of the 1937 legislation. This act had the twofold purpose of replacing the policy of encouraging land and timber disposal as rapidly as possible with one providing for sustained-yield management of forest resources, and providing a better solution to the financial problems which were plaguing the counties. But when this formula was under consideration, Mr. President, the county representatives were vehemently opposed to it. They did not want to abandon the principle that the Federal Government should pay the counties the equivalent of ad valorem taxes. They were fearful that the 50 percent of receipts allotted to them would be insufficient to pay the ad valorem taxes. At no time did they ever imagine that the 50 percent would come to be much greater than tax equivalency.

Mr. President, if these counties were so adamant about fighting for tax equivalency then, and this is amply demonstrated by the 78-percent clause they managed to insert into the bill, why are they so afraid of accepting it now? Or why did they not lay claim to these lands in 1926 or 1937 when they sought relief?

The point is these counties have en-

joyed a tremendous bonanza for the last 15 years or so. There is no question the O. & C. income is a gigantic benefit to the O. & C. counties. Some counties that get the larger shares operate without county tax levies, leaving all local property taxes for their schools, cities, and special districts. Naturally, the counties are reluctant to give it up for they have adjusted their whole pattern of conduct to it. Citizens of these counties have enjoyed the privilege of very low tax rates and, quite understandably, no government wishes to be the one to increase the mill rate on property, which would be necessary if the counties were to continue to spend funds at the same rate to which they have become accustomed. Taxes are unpopular to everyone—and I quite sympathize with the county governments and their citizens in their desire to maintain this outdated formula. But, if we let this inequitable arrangement stand, then we are in effect robbing Peter to pay Paul. For we are maintaining a high level of Federal taxation in order to support wasteful Federal spending of this sort. The dairy farmer in Wisconsin or the steel worker in Pittsburgh can quite rightfully point indignantly to his income and ask why the Government does not give him the same special treatment as the people of these 18 Oregon counties.

Some time back, a delegation from Oregon, including my distinguished colleague (Mr. PACKWOOD), visited me in my office to discuss this situation. I promised them I would look closely at all the issues involved and if I were wrong, I would publicly acknowledge my mistakes. To this end, they left with me a publication produced by these counties which they felt would contribute to my knowledge on this difficult subject. Undoubtedly this book was left in good faith and I studied it as they had requested.

According to "The Significance of the O. & C. Forest Resource in Western Oregon: 1968," produced by the Bureau of Government Research and Services in Eugene, I must admit that I did err in my previous accusations regarding the overpayments. Based on the figures supplied to me by the delegation, I now find that the discrepancy between the O. & C. receipts per acre and tax equivalency may be even greater than I thought they were before. The discrepancy has in fact increased.

According to the figures provided in this publication, the O. & C. payments per acre averaged $8.18 in 1966. The figure is derived by dividing the total payments of $20,965,264 in fiscal year 1966 by the total acreage involved, 2,563,604 acres. By 1969 average O. & C. payments per year were up almost 25 percent from 3 years ago to $10 per acre. Meanwhile, taxes on comparable privately owned timber land for the 18 counties averaged $1.55 per acre. Thus, Government payments to the 18 counties included in the O. & C. lands were 6.45 times the amount paid in taxes by owners of comparable private land. In 1969 the Government returned $25.5 million to the counties from O. & C. timber receipts. To provide tax equivalency as proposed in the 1937 act the Government should have only paid $3.9 million. As a result of inflation in timber prices and an outmoded formula, the Government paid a whopping $21.6 million beyond the amount needed to insure tax equivalency.

To provide a basis for comparison, the Federal Government paid in fiscal year 1966 only $2.44 per acre for Coos Bay wagon road lands, a similarly managed tract of Federal owned timber lands in western Oregon identical to O. & C. lands in many respects. Thus in 1966 the Federal Government paid the counties in the O. & C. lands almost 3½ times as much per acre as those counties in the nearby Coos Bay wagon road lands tract. This, despite the fact that the two tracts are very similar in timber quality and terrain.

Not only is the present payment schedule highly unfair to the Federal Government, but it is also inequitable to the various counties within the group of 18 which compose the O. & C. lands. Due to the retention of an archaic 1915 tax base used for assessing land values, certain counties receive much more than others. This difference in payments is due to the 1915 assessment schedule. Those counties whose assessments were low in 1915 receive much less than those counties whose assessments were relatively high in 1915. If it were not for the fact that each county, despite the inequities, still gets a handsome overpayment they would have long ago protested the inequity of the distribution system.

For example, Multonomah County got in 1969 a Federal payment of $65.45 per acre, an amount equal to 118 times tax equivalency. On the other end of the scale, Yamhill County, whose assessments were very low in 1915, received only $4.40 per acre in 1969 which, however, was still five and nine-tenths times tax equivalency. Thus, due to an antiquated tax base, Multonomah County received 15 times as much money per acre as Yamhill County, the lowest paid county. Yet, the timber in both counties is basically of the same quality and there is no logical reason for the difference. The only reason this outrageous distribution persists is that, despite the inequity, each and every county still receives much more than tax equivalency, and even the lowest paid is content to remain silent for fear of exposing the issue to public view and upsetting the whole system.

The most shocking fact about the entire O. & C. payment schedule is that although these 18 counties contain only about 2 million acres of public land out of a total 429 million acres of public land in the United States, they receive better than one-third of all moneys paid out by the Bureau of Land Management in lieu of taxes—$25.6 million out of a total $75.8 million in fiscal year 1968. Thus these 18 counties, with four-tenths of 1 percent of the total public lands under BLM management, still receive over one-third of the total BLM payments. In fact, if one totals all of the Bureau of Land Management payments in lieu of taxes for 17 States, Alabama, Arizona, Arkansas, Florida, Idaho, Illinois, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Washington, one finds that in the aggregate they receives less than $2 million in lieu of taxes from the almost 72 million acres of public lands within their States. Yet the O. & C. lands alone received almost $25.6 million for less than one-thirtieth the acreage.

Mr. President, there is absolutely no justification for this terribly lopsided distribution of public moneys. Every other State with public lands within its borders receives payments in lieu of taxes which are less than or merely equal to tax equivalency. And yet, these 18 counties last year received, on the average, an amount almost 7 times tax equivalency. If action is not taken immediately, these payments will continue to skyrocket. It is already estimated that the counties will receive almost $30 million in fiscal 1970, a 20-percent increase over just this past year.

Mr. President the fight against inflation is never easy. Federal belt tightening has never been popular. President Nixon has repeatedly implored labor leaders and management to hold the line on inflationary contract settlements. And yet when these leaders see the Federal Government quietly accepting 20-percent increases in Federal payments to certain protected interests, even the most impassioned requests become a joke. Mr. President, if we are to ever make headway in the fight against inflation, the Federal Government must take the lead. Words are not enough. The average taxpayer must be shown that the Government means what it says, and is willing to back up the brave words with action. It is for this reason that I am introducing a bill today to amend the 1937 act. While I am in agreement with the intent of the Bureau of the Budget's proposal, I believe that we need major reforms in the formula for allocation of the O. & C. moneys, not a temporary ceiling. With this in mind, I am today introducing a bill to substantially amend the 1937 act.

Mr. President, as I say, I do not intend to offer a payment limitation amendment to the pending bill. It would be subject to a point of order, and I am sure that point of order would be raised, and raised effectively, by the Senators from Oregon (Mr. HATFIELD and Mr. PACKWOOD). I understand they feel very strongly about this matter. But I did feel this matter should be brought to the attention of the Senate now, because we are providing appropriations in the bill before us now which will, in my view, continue payments which I think are excessive and cannot be justified.

As I said earlier, I do intend to introduce a bill which will come before the Committee on Interior and Insular Affairs, on which I hope we can have hearings, which the distinguished Senator from Nevada (Mr. BIBLE) suggested would be the proper route. I think it is a wise suggestion, and it is the route I intend to follow.

HIGHLIGHTS OF THE BILL

The sustained-yield guideline under which these lands are supposed to be managed provides for a delicate balance between timber cut and timber growth in order to perpetuate the timber reserve

and not have it exploited in the present only to find it depleted at some later point in the unforeseeable future. Thus, the most significant contribution of the timber receipts is that portion which is applied to reforestation, access road construction, seeding, and thinning which together comprise a necessary part of the continuing cycle of timber growth and harvest. The access roads are useful because they enable the BLM to get at the timber more readily—to reach and market those large stands of timber which are mature and which should be cut in order to provide for future growth. Reforestation and seeding are obviously necessary steps to insure the continued existence of the resource. Therefore, I think it only fitting that we increase the amount of money that may be appropriated for this important section. To this end, I have suggested that we increase this provision from 25 to 40 percent.

At the same time, we must realize that the Federal Government should not invest in further capital improvements, which is precisely what the timber reforestation program is, without deriving a larger share of the financial proceeds of harvesting the timber than is now provided for in the controlling legislation. In the past, the Federal Government has borne most of the expense alone of improving these areas and seeing to it that once the timber has been felled and marketed, those areas do not remain laying fallow and useless. I, therefore, have suggested that we should earmark a definite 10 percent each year of the revenues derived from timber receipts to the Treasury of the United States. This guaranteed annual inflow to the Treasury also provides for a reservoir which could be utilized at some later date should a natural disaster occur in the timber resource area and emergency funds be needed.

Finally, I propose to reduce the payment to the counties back down to tax equivalency. This is all that they ever wanted in the first place when they were searching for guaranteed revenues whenever earlier bills were up for discussion.

I have also provided for the establishment of a board of appraisal to reappraise the land and its resources and to design a newer and more equitable arrangement for the distribution of the receipts between the specific counties. Tax matters are an inherently difficult and complex matter. In Oregon, the property tax is basically an ad valorem tax; that is, it amounts to some proportion of the value of the property. But forest properties present many problems when it comes to assessing them. Since merchantable timber can be removed from the land and sold yet leaving the land with a market value even when completely bare, it is necessary to assess both the land and the timber separately. Bare forest land has value because of the timber which could be grown on it and premerchantable timber has value because it eventually will reach merchantable size which can be utilized. Clearly, these values are based on the promise of future income. On the other hand, timber of merchantable size has an immediate market value because it could be cut and sold right now. However, since the total volume of standing merchantable-size timber is much more than the market could absorb if it were all cut and offered for sale at one time, its actual worth is obviously less because it cannot all be sold right away. This board of appraisal would obviously have to take these more salient points in mind along with a lot more complicated and intricate ones when arriving at their new assessment values similar to those of private timber in Oregon. But such a vast and massive effort is necessary for it is not only unfair but insufficient for the counties to receive 1970 payments based upon 1915 assessment ratios. And since we are reforming the payment from the Federal Government down to the county level, we should also correct the misallocation of funds between the individual counties due to the continued application of the 1915 base.

CONCLUSION

In conclusion, Mr. President, we have a pressing commitment to watch out for excessive spending whether or not we are plagued with inflationary troubles. However, when we are gripped by a serious inflationary problem such as the one we are now experiencing, the need for sound financial management becomes much more acute and severe. All the levying and raising of Federal taxes will not do the slightest bit of good. It irritates and goads the people so long as they can still look around and watch the Federal Government practicing double talk by pouring out more and more money. What kind of faith can a people maintain when it sees its own Government ignoring what it is asking its own citizenry across the land to do—cut down on excessive and wasteful spending?

Moreover, we must be concerned with the idea of fairness and equity. One man should not have to pay more in tax money to the Federal Government because someone else in another sector of the country has an arrangement where he pays less and obtains more. These O. & C. lands fall into this category. It would be a substantial mistake if we continued to allow their privileged position to remain unchanged. It would be a serious error, indeed, if we do not go ahead with legislative reform to try and correct these inequities and waste of Federal money—waste, because it could be utilized elsewhere for problems commanding a much higher priority. Temporary measures, such as the Bureau of the Budget urged for 1970, while better than none at all, are no substitute for the reform that is urgently needed.

Mr. President, I introduce the bill and ask unanimous consent that the text be printed in the RECORD at this point.

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. 2943) to amend 43 U.S.C. 1181f, the acts of August 28, 1937, ch. 876, title II, sec. 201, 50 Stat. 875; and June 24, 1954, ch. 357, sec. 1(b), 68 Stat. 271 with respect to the annual distribution of moneys in the special fund of the U.S. Treasury designated as the "Oregon and California land-grant fund," introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2943

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

SECTION 1. 43 U.S.C 1181f, Annual distribution of moneys in special fund, is hereby repealed as of June 30, 1970.

SEC. 2. Commencing with the fiscal year ending June 30, 1971 all moneys deposited in the Treasury of the United States in the special fund designated the "Oregon and California land-grant fund" shall be distributed annually as follows:

(a) Fifty per centum to be available for the administration of sections 1181a–1181j of this title, in such annual amounts as the Congress shall from time to time determine. Any part of such per centum not used for administrative purposes shall be covered into the general fund of the Treasury of the United States.

(b) Not to exceed fifty per centum of the receipts derived in any one year to the counties in which the lands revested under the Act of June 9, 1916 (39 Stat. 218), are situated, shall be paid in the manner prescribed below:

(i) For the fiscal year ending June 30, 1971, an amount of $24,000,000 and for each subsequent year an amount equal to $1,500,000 less than the year preceding until the amount paid is equal to the amount derived by applying the county property tax rate for that year for similar private land on the tax rolls to the Oregon and California revested lands when valued for assessment purposes as are other private lands.

During this period the payment of each of said counties shall be in the proportion that the total assessed value of the Oregon and California grant lands in each of said counties for the year 1915 bears to the total assessed value of all of said land in the state of Oregon for said year, such money to be used as other county funds: *Provided, however,* That for the purpose of this subsection the portion of the said revested Oregon and California Railroad grant lands in each of said counties which was not assessed for the year 1915 shall be deemed to have been assessed at the average assessed value of the grant lands in said county: *Provided, further,* That any part of such per centum not needed to pay said counties shall be covered into the general fund of the Treasury of the United States.

SEC. 3. There is hereby created a Board of appraisal to consist of a representative of the Secretary of the Interior, a representative of the Governor of Oregon, and a third person satisfactory to the Secretary of the Interior and the Governor of Oregon who shall not be an employee of the United States nor a resident of, property owner nor hold any financial interests whatsoever in the State of Oregon. The Board shall classify the lands according to the systems applicable by the State of Oregon for comparable private lands and shall make, not less frequently than once in each ten year period, an appraisal of the land and its resources. The first appraisal shall be made in a manner timed to permit a proper transition from the payment schedule in (2) above to one which will result in payments based on applying yearly applicable county tax rates to the taxable assessed value for the Actual revested Oregon and California railroad grant lands and resources in each county. The amounts due here under in any year after the appraisement is operative shall be on the basis of the latest appraisement. The expense of making the appraisements provided for in this Act shall be paid by the Secretary of the

Treasury upon certification by the Secretary of the Interior from the portion of the receipts derived from such lands and resources payable to the counties and shall be deducted from any amount due said counties. Any payment to said counties may be used as other county funds. Any part of said per centum not used for payment to said counties or to defray appraisements shall be covered into the general fund of the Treasury of the United States.

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

Mr. PROXMIRE. I am happy to yield to the Senator from Nevada.

Mr. BIBLE. I appreciate the interest of the Senator from Wisconsin. He did make a very forceful presentation on the O. & C. land problem in the Subcommittee on Interior Department Appropriations, of which he is a member; and I there said, as he has accurately reported, that I thought it was more properly a matter to be brought before the legislative committee.

This is an item which is more or less perennial when we mark up our appropriation bills. It seems to me that the proper forum in which to correct the ills, if there are ills, or the wrongs, if there are wrongs, is the legislative committee, and not the appropriation committee.

I very much appreciate the attitude of the Senator from Wisconsin. I understood he was introducing legislation.

Mr. PROXMIRE. That is correct.

Mr. BIBLE. To take care of this problem as he sees it. I think that is the correct method in which to proceed. I recognize his interest and the interest of others in this problem. I also know the keen feeling of the Senators from Oregon (Mr. HATFIELD and Mr. PACKWOOD), because they, too, have spoken to me about the matter.

I believe the Senator from Wisconsin is proceeding in the correct manner, to seek a forum before the legislative committee and not the Appropriations Committee. I appreciate the attitude of the Senator from Wisconsin.

Mr. PACKWOOD. Mr. President, I should like to make just a few comments. I, too, appreciate the willingness of the Senator from Wisconsin not to seek to amend the appropriation bill on this item.

If I may, I should like to direct myself to the O. & C. lands for a few moments, to correct a few possible misapprehensions which may arise from the statement of the Senator from Wisconsin.

The Federal Government undertook, in about 1937, to pay to the 18 counties referred to by the Senator from Wisconsin moneys, basically, from the sale of timber on these lands.

This was not an agreement acceptable at the time to the counties; it was in essence a take-it-or-leave-it proposition: "If you want a percentage of the forest sale revenues, you may have them; otherwise you get nothing."

So the counties took it, and for many years received next to nothing, because there were next to no timber sales.

It was not until 1951 or 1952 that this agreement, worked out by the Federal Government and forced on these counties, began to be of any benefit to the counties at all. I therefore think it unfair to look at only the last few years of receipts, and say these counties have received a bounty, because for many years they had been receiving far less than tax equivalency.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. PACKWOOD. I yield.

Mr. PROXMIRE. Is it not true that since 1937, these counties have received $157 million; and while the payments, it is true, have increased greatly in recent years, they have been well above tax equivalency for a long time?

Mr. PACKWOOD. They have, as I said, since 1951 or 1952, been above tax equivalency but until that time they were substantially below it.

Mr. PROXMIRE. Well, that is 18 years, or more than half the period involved?

Mr. PACKWOOD. Yes. The other thing to look at, when looking at the O. & C. lands, is that these are not normal forest lands, as are those administered by the Forest Service. These lands were at one time owned by the Oregon & California Railroad, and they were held by the Oregon & California Railroad in trust for development for the counties involved.

The railroad defaulted on its obligations, and the Federal Government took the lands back in trust, to develop them as the railroad was supposed to have developed them had the railroad continued to hold them in private ownership.

So they are not held under any law or act which says they are to be developed in the total national interest; they are to be developed in the economic interest of the counties involved, as they would have been had the railroad continued to own them. As a matter of fact, many lands throughout the United States were developed throughout the last part of the 19th and the early part of the 20th century.

I shall not belabor the point any further, because we shall be prepared to meet with the Senator and appear before the appropriate committee when his bill is heard. But I wanted to correct any possible misapprehensions which the Senator's statement might otherwise perhaps have left.

Mr. HATFIELD. Mr. President, I wish to express my appreciation to the chairman of the Subcommittee on Appropriations handling the Interior budget, the Senator from Nevada (Mr. BIBLE), for providing us with a very outstanding and eloquent presentation of the general problem we face concerning the Interior program.

I especially wish to express my appreciation to the Senator from Nevada for his comments relating to the O. & C. land, which is a unique and special situation that exists in the State of Oregon and about which the Senator from Nevada has great knowledge and understanding.

As I understand the Senator's comments, he indicated that he felt that any consideration for modifying or changing the formula should be handled through direct legislative process rather than through the action of the appropriation subcommittee.

Is my understanding correct?

Mr. BIBLE. The Senator's understanding is correct; and I so indicated a few moments ago, when the Senator from Wisconsin, who, as the Senator from Oregon knows, is greatly interested in this problem, suggested that he was going to submit a bill on the O. & C. land problem. He did bring his interest in the O. & C. land problem before the subcommittee. I there took the position that it was properly a legislative matter and not an appropriation matter. He concurred there, and he concurred on the floor; and it is my understanding that he will shortly introduce—perhaps he has already done so—a bill involving the O. & C. land in which the Senator from Oregon is interested. But, so far as the Appropriations Committee is concerned and so far as our consideration of this bill is involved, there would be no attempt, as I understand it, to change the present formula on the O. & C. land in this bill.

Mr. HATFIELD. I thank the Senator from Nevada.

I commend the Senator from Wisconsin for bringing this question up through that channel, because, as Senators know, the House did attempt to make this change of that formula through the appropriation process; and I think it would be far more fair and more accurate to consider this subject—if it is to be considered at all—through the very process by which it came into being. Therefore, I will withhold at this time any comments in great detail on the O. & C. land problem until we have a chance to have a hearing, which I understand will be held on the bill that has been proposed by the Senator from Wisconsin.

I do want at this time, however, to indicate one or two thoughts on this matter relating to the bill that is now before the Senate.

The first is that the O. & C. problem, as my colleague has already stated, has a unique history and cannot be considered on the same basis that we consider other federally owned lands and federally administered lands.

Second, I would like to indicate that, instead of trying to destroy this formula, it should be one that I think should be a model for other federally owned lands; because we have seen over $100 million plowed back into timber management from the county share of the revenues produced from these lands. I say, without fear of contradiction, that these probably are the best administered lands of any forest lands owned by the Federal Government or any State government, and we can prove this by the high yield we get from these lands, which not only produces revenues for the Federal Government but also, I emphasize, has done much to establish forestation and reforestation and other conservation practices for which other lands could well take the cue or the signal.

I have introduced another bill which would change the formula of the Federal forest lands under the Agricultural Department to the same formula that we now have under the O. & C. land management, purely on the basis that the O. & C. has proved that, with appropriate funds, you can increase yield and you

can have better conservation practices through access roads, through pest control, through forest fire attack, and through all the various aspects involved in forest management.

I do not think this is the appropriate time to go into great detail, but I do want to indicate to the Senator from Nevada and to all Senators that we do not feel that we in Oregon are under any special privileged classification with these lands but, rather, that we in the State of Oregon feel that we are doing much to enhance our national resource of timber, not only in our State but also in a way that could become a model for the entire United States.

Last, I would say that with the Public Land Law Commission report in the offing—hopefully sometime next year—we would have certain criteria and certain evidence repeated there to consider in any change in the O. & C. land. Even though this Public Land Law Commission specifically has exempted the O. & C. land from its study, I am sure that the kind of land management discussion that report will indicate certainly will have some bearing on any potential or proposed changes that some may wish to apply to the O. & C. land.

As I have said, I wanted to make these points at this time and to indicate that with the great housing shortage in this Nation, we have not reached that which has been established by the Department of Agriculture as the kind of cutting policies that we must have in order to build the number of houses to which we have committed ourselves. So, instead of discouraging high management and distinguished management programs under an O. & C. formula, we should be encouraging them to meet the housing needs of this Nation. I think the housing problem is the No. 1 social issue of this country today. We are over a million units under our schedule of 2.6 million units of new housing each year, which we need yearly to reach the goal of 2.6 million units in the next decade. This goal was set by the recent national housing program, and we are over 1 million units under that goal this year. I think this is due to a number of things such as the tight money policy of this administration, the cutbacks that have taken place and so forth. However, I think we have to realize that before the tight money policy we did not have the yield or the production to produce the housing units required. I think this is very important to consider, not just as it relates to one State, such as Oregon, but to the general resources of timber and production that we must have to meet the national housing commitment we have made.

I am grateful that we can take this matter up in greater detail when the bill is reintroduced as contemplated by the Senator from Wisconsin.

Mr. PROXMIRE. The bill, as introduced, would provide for a reduction in the 50 percent of the funds that go to the counties in tax equivalency because they are paying seven times as much on any tax equivalency basis.

I agree with everything the distinguished Senator from Oregon has said about the need for improving land management. I am sure the situation is better under the O. & C. land management.

However, as far as land reform is concerned and as far as housing is concerned, my bill would in no way inhibit a more productive, enlightened, and effective management program. My bill does not touch the 2.6 that goes for management. It only corrects the excessive payments to the counties for tax equivalency.

I cannot for the life of me see any reason to provide this enormous bonanza to 18 counties which receive this fantastic payment which is much larger than 17 States in total all together receive. Seventeen States together receive only a fraction of what 18 counties in Oregon realize, although I would not touch what goes to management.

Mr. HATFIELD. I appreciate the Senator's comment. I know he has a great interest in natural resources management. I point out only two things in response.

I cannot emphasize too greatly that $100 million from the county shares has been plowed back into the management of these lands. This has helped immensely in the management of the lands, which has impressed everyone and which we in Oregon are happy to be able to report.

Second, at this point I ask unanimous consent to have printed in the RECORD a brief 3-page history of the O. & C. lands which are unique to any of the federally owned lands both in original conception and development over the years.

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

HISTORY OF THE O. & C. LANDS

(Presented by David S. Barrows, counsel for the Association of O. & C. Counties, to the Highway Interim Committee, January 20, 1966, at Salem, Oreg.)

Prior to and following the War Between the States, a great national interest developed in opening the West and it became the policy of the Federal Government to grant lands, as a form of subsidy, to encourage the construction of railroad lines. In 1866, a grant was made available for the construction of a railroad line from Portland to the California border (this line to be connected to a railroad coming north from San Francisco). The Oregon Legislature was given the right to determine the private company which would be awarded this grant. Because, by 1869 no company had fulfilled the requirements of the earlier act, Congress enacted another bill extending the time which the Oregon and California Railroad Co. (which was designated by the Oregon Legislature as the company to receive this grant) had to fulfill their obligations under the 1866 Act.

In addition, the 1869 Act included three restrictions, which were to become extremely important in the later history of these lands. These restrictions were: (1) the land could be sold only to actual settlers; (2) not more than 160 acres could be sold to any one settler; and (3) the railroad could not charge more than $2.50 per acre.

In 1869, Congress made a similar grant for the construction of the Coos Bay Wagon Road from Roseburg to Coos Bay.

The 1866 Act provided that the railroad would receive all of the odd-numbered alternate sections located in a twenty-mile stretch on either side of the right-of-way. This forty mile strip of land is known as the Place Grant. Because many of these odd-numbered sections had already been patented under various Federal land laws and therefore were not available to the railroad company, the company was given the right to select the odd-numbered sections in a strip ten miles on each side of the Place Grant to indemnify it for the Place Grant lands unavailable to it. These two ten-mile strips are known as the Indemnity Grant.

It should be noted that much of the land involved is located in rugged terrain and was unsuitable for farming in an era when almost the entire economy was agriculture-oriented. Consequently, the railroad was unable to dispose of this land and use the receipts to offset the cost of construction which was, of course, the idea behind railroad land grants.

By early in the 20th Century, the work had been completed and the Southern Pacific Railroad Co. was the owner of both the land and the railroad line. By this time, the restrictions of the 1869 Act had been violated numerous times. As I have indicated, much of this land was unsuitable for agriculture and was of value only to the timber speculator. As a result, Southern Pacific sold a large portion of the grant to individuals who were not settlers, in blocks of considerably more than 160 acres and for often twice as much as the $2.50 per acre maximum.

No objection was raised to these violations, due to the great abundance of lands available for settlers, until the railroad announced that these grant lands were no longer for sale and were to be permanently maintained as a timber reserve. The reaction of the public was one of strong and vocal opposition to this policy; the prevailing feeling of that era being that land must always continue to be available, and should not be withdrawn, either by government or by companies holding lands on a semi-trust basis.

Because of the great public outcry, the violations committed over the years by the railroad became a subject of public discussion and in 1908, the Attorney General as a result of Congressional Activity, instituted proceedings to bring about the forfeiture of the grant. After much litigation, the United States Supreme Court ruled, in 1915, that the grant had been violated but that because Congress had originally granted these lands, Congress was the proper branch of government to bring about their revestiture.

In 1916, Congress enacted the Chamberlain-Ferris Act which returned to the government almost three million acres of the original grant. (Over 830,000 acres had been previously sold by the company.) The act provided that Congress was to see that the railroad netted $2.50 per acre for all the acres in the original grant. All of the land was to be classified as either power site, agriculture or timber. The power site land was to be retained for future development. The agriculture lands were to be sold as quickly as possible at $2.50 per acre (with a three-year residence requirement). Timber was to be sold off those lands classified as timber lands and they were then immediately to be redesignated as agricultural and available for sale. The object was liquidation.

Because these lands had once been on the tax roles and the revestment had come about through no fault of the counties, provision was made for in lieu of tax payments to the counties out of receipts. This was an effort to help the counties while the land was being disposed of by the Federal Government and returned to the tax rolls.

Because the payment to the railroad of its $2.50 per acre was to be made prior to any other disbursement, including payments to the counties, and because there were very

few sales of these lands, the counties received no monies between 1916 and 1926.

In 1926, Congress enacted the Stanfield Act which recognized that the counties were in a desperate situation. Seven million dollars were appropriated to be paid the O & C Counties in lieu of taxes for 1916 through 1926. This Act, while providing financial assistance, did not correct the basic deficiencies of the law. The O & C Counties had hoped that they would receive the full equivalent of taxes, but the Controller General stated that the Act would not permit an amount in excess of receipts to be paid to the counties.

By 1937, receipts for sales were sufficient to meet only the county tax obligation up to 1933. In 1937, Congress enacted the O & C Act of August 28, 1937, which was an historic land-mark, in that it provided for both sustained-yield management and multiple use. This was a complete reversal of the policy of the Chamberlain-Ferris Act in that instead of being sold, these lands were to be permanently retained in Federal ownership to provide a permanent source of timber.

The formula was also radically changed. The Act provided that twenty-five per cent of the receipts from timber sales was to be paid into the Treasury and be made available for administration and management of these lands. Fifty per cent was to be paid to the eighteen counties in lieu of current taxes. Twenty-five per cent was also to go to the counties after the Treasury had been repaid for advances made by it for payment of back taxes. The eighteen counties which receive this money are Klamath County and all of the counties in Western Oregon except Clatsop. This formula, incidently, is still in effect today.

It is my understanding that during the discussions preceding the enactment of this law, the counties argued long and hard that they should receive actual in-lieu taxes and not a fixed percentage of the receipts. When this present formula was established and they did not prevail, the counties returned home feeling defeated on this point.

By 1950, the receipts had increased substantially, partially because of an increased allowable cut, but mostly because of higher timber prices. (The average stumpage price on the O & C lands in 1939 was $1.95 per thousand board feet. By 1955, this had risen to $28.45. Today, it is around $30.00.)

In 1951, the Treasury was repaid in full and in 1952, the counties received the full seventy-five per cent allotted to them under the O & C Act. Without going into much detail about this, I do want to point out to you that starting with 1953, the counties have, out of their seventy-five per cent, voluntarily returned to the Treasury an amount of money which annually now equals one-thirds of the counties share, or twenty-five per cent of the total. In the thirteen years that this arrangement has been in effect, the counties have returned $79 million.

These monies are then appropriated by Congress for roads, reforestation and recreation and are in addition to the normal operating budget for management of these lands. It is widely recognized that the availability of these funds has contributed in large measure to the outstanding development of the O & C timber lands, and that without them the management would be considerably less intensive with a resulting effect on the economy of Oregon. I have heard many people say that the O & C represents probably the finest example of public timber management in the country and there is no doubt that it is the outstanding example of Federal-County cooperation.

You should be aware of the fact that in addition to the two million plus acres of O & C lands administered by the Bureau of Land Management, of the Department of Interior, there are also approximately 500,000 acres managed by the U.S. Forest Service of the Department of Agriculture. These lands are commonly referred to as the "Controverted" lands, a term which you may have heard in the past. For many years, there was a controversy between the Departments of Interior and Agriculture as to who had jurisdiction over those unselected and unpatented odd-numbered sections within the indemnity grant which also were located inside the boundaries of the National Forests. In 1954, this problem was resolved by Congressional enactment which stated that these "Controverted" lands were O & C lands but would be administered by the U.S. Forest Service, with the proceeds to go to the O & C funds to be disbursed in the same manner as the funds derived from the BLM administered O & C lands.

The Coos Bay Wagon Road lands, which were reconveyed by Congress in 1919, are administered by the BLM in conjunction with the O & C, as are the public domain timber lands of Western Oregon. Only Douglas and Coos Counties are involved in the CBWR lands and they receive actual in-lieu tax payments rather than a percentage of the receipts.

Mr. HATFIELD. Mr. President, I think from both of these standpoints: First, the way the money is used and, second, the unique origin of the lands, they cannot be placed in the general category of federally owned lands, as is the case in other States. I welcome the opportunity to bring this matter before whatever committee will handle the bill, because this thought has been raised in previous Congresses.

I know from the standpoint of Oregon, one of the campaign platforms of any candidate for office is that the candidate will fight to develop O. & C. lands management. However, it is not just a parochial viewpoint.

Mr. PROXMIRE. I understand why. If I were from Oregon, I would probably fight at the barricades for this also.

Mr. HATFIELD. It is not a bonanza or special treatment that should apply to us, but it is because of the unique situation and the history of these lands. I will be happy to discuss that matter at a committee hearing or at any other time the Senator wishes.

Mr. President, as we talk about timber and forest products in the context of O. & C. lands, I would like to expand my remarks and comment on homebuilding and Oregon's industry.

My colleague, Mr. PROXMIRE, touched on this initially when he discussed the impact of O. & C. money on my State. He is correct about this impact, but that is but one aspect of the problems facing the homebuilding industry today.

Mr. President, the people of my State overwhelmingly support President Nixon in his desire to stabilize the purchasing power of their hard-earned dollars. Our citizens, young and old, want their take-home pay, their social security checks, interest on their savings accounts and earnings on other investments to be meaningful when they go to the supermarkets to buy groceries, when they buy a home or a car, or spend money for other necessities. They are tired of reading each month the press releases of the Bureau of Labor Statistics which show a steady rise in the cost of most essentials—shelter, clothing, and food.

On the other hand, they are confused as to why the United States is building so few homes this year when Congress set the goal in 1968 of 26 million new homes in the next decade. They know that means we have to build 2.6 million homes each year between now and 1978. They also know that tight money has limited the homes which will be built this year to about half of what we need to build to meet our 10-year goal.

This is of particular significance in my State of Oregon because we provide a fifth of the softwood lumber and nearly half of the softwood plywood, the two most important basic building materials used for America's homes. Our great State has one out of every five trees in the United States within its borders. The people who grow, protect, harvest, manufacture, and merchandise these trees for all the people of America, provide our State's principal economic backstop. In all, there are 85,000 people directly employed in Oregon's forest industry. In addition, there are at least 5,000 Government employees managing the great Federal forests in our State. Together with those industries, which provide the materials, supplies and services for the forest industry, half the people of Oregon depend directly on trees for their economic well-being.

Last fall the Nation experienced a runaway market for lumber and plywood when a combination of severe weather, pressure of log exports to Japan, a worse than average boxcar shortage, coincided with an unprecedented fall building boom. Lumber and plywood demands were so heavy that supply could not meet them. Consequently, prices skyrocketed. This brought criticism from Government, from the homebuilding industry and the public. The forest industry in my State was accused of gouging its customers.

As a result, the principal seller of timber in my State, the Federal Government itself, was accused of gouging it customers, the hundreds of sawmills and plywood plants which depend on Federal timber for their raw materials.

As a result of the 5-month abnormal market which subsided as quickly as it developed, many operators were caught with high unprecedented raw material prices. The Government was left holding the bag too because many operators by early summer were unable to operate on high-priced Government timber because of what they could realize for lumber and plywood in the marketplace was less than the cost of production.

At the request of myself and my colleagues in the Oregon delegation, the Bureau of Land Management and the Forest Service withdrew advertised timber sales and reappraised them at levels which they believed were more in line with current timber values on the heavily depressed market, which resulted directly from the falling off of homebuilding. However, too much of the Government timber was still appraised too high and many sales went unsold.

It is clear that neither the industry nor the Government can have it both ways at the same time. On one hand, the industry must be able to buy raw materials

at a price it can afford to pay in relationship to what consumers are paying for lumber and plywood. Or, in time, mills will go out of business. On the other hand, the Government with its housing goals to meet and being the Nation's principal timber owner—three-fourths of all the trees in my State belong to the Federal Government—must realize that it cannot expect to extract the last nickel out of its trees and still house the people of America.

With the administration's current desire to curb inflation, the cutting back on public works construction is apparently aimed at increasing homebuilding. But, with curbs on money, too, everyone wonders how this is going to be possible.

I must say to the administration and to my colleagues in the Senate that if the United States is to realize its homebuilding goals, we have to start building now, because you cannot run sawmills and plywood plants on promises of a boom to come if you are breaking the mills during the waiting period. With sawmills and plywood plants in Oregon and the Pacific Northwest greatly curtailed right now, at a time of the year when they are normally bustling, the country is just asking for another round of runaway lumber and plywood prices when homebuilding finally starts again.

Lumber companies which are running on slow bell now will be hard put to rise to meet the demands fast enough if we suddenly open up the floodgates and let the country begin to satisfy its appetite for housing once again. And, if the runaway prices occur like they did last year, we will be criticizing the lumber industry here on the floor of the Senate, investigating its pricing practices and answering thousands of letters from our constituents who will want to know "how come?"

How much better it would be to roll up our sleeves and meet the homebuilding goals of this country by getting the Government as the Nation's No. 1 timber owner, to appraise its timber more realistically and to establish monetary and fiscal policies which will keep the homebuilding economy stabilized at a desirable level.

My colleagues, I recognize the need to curb inflation. This cruel form of double taxation is taking its toll in all levels of our society. It is creating problems that we are voting billions to attempt to resolve.

I cannot subscribe to a formula for reducing inflation which fails to recognize its basic cause. The fever of this malady is being fed by expensive, nonproductive defense purchases which in some cases are of dubious effectiveness. My recent activities in this body have been motivated by a desire to reduce the Department of Defense requests of those items which would not necessarily add to our Nation's total strength.

We must not permit our concern for external defense to vitiate our internal strength. These must be developed hand in hand.

The homebuilding goals of our Nation must be met. Adequate housing is just as essential to our total national strength as a supersonic bomber.

Mr. BIBLE. Mr. President, I understand that probably one or two more amendments will be offered.

Mr. JACKSON. Mr. President, first I commend the able and distinguished chairman of the subcommittee, the Senator from Nevada, for the fine way in which he has managed the appropriation bill.

Mr. President, I have a question or two that I wish to propound to the chairman.

Mr. BIBLE. Certainly.

Mr. JACKSON. The amended Land and Water Conservation Fund Act, Public Law 90–401, which was passed last fall, contained a provision authorizing the Secretary of the Interior to enter into advance contracts for the acquisition of land, water, or interests therein within authorized recreation areas. As I recall, the advance contract authority limitation——

Mr. BIBLE. It is $30 million.

Mr. JACKSON (continuing). Was $30 million for fiscal years 1969 and 1970.

Mr. BIBLE. That is correct.

Mr. JACKSON. The committee, in connection with the golden eagle bill, reported out and there is pending on the calendar a provision which would make this contract authority permanent law.

I note, Mr. President, in the report, on page 10, that $15,528,000 has been approved for the liquidation of fiscal year 1969 contracts. Is that not correct?

Mr. BIBLE. That is a correct statement.

Mr. JACKSON. I also note that, based on their report, the committee took the position that, in connection with the $30 million in requests for contract authority for fiscal year 1970, they would not act at this time. Instead, the committee did break out four items which are contained in the report on page 11, granting a direct appropriation. Is that not correct?

Mr. BIBLE. The Senator is correct.

Mr. JACKSON. I understand that this does not mean that the remainder of the requested contract authority, which would bring it up to $30 million, is prohibited, but that the committee, in the report, suggested that the Department of the Interior resubmit the request for such contract authority.

Mr. BIBLE. The Senator from Washington is correct. He states the contract authority problem accurately.

I believe the contract authority is an excellent instrument, and has worked out on a trial effort. As the Senator says, this was built in for 2 fiscal years, 1969 and 1970, and it has worked out very well because it permits the National Park Service and the Bureau of Outdoor Recreation to acquire these lands by contract when the opportunity arises. As the Senator from Washington, the chairman of the Committee on Interior and Insular Affairs, well knows, the problem of acquiring park lands and recreation area lands has been one of our most difficult problems within that committee since I have served on it, because of the rapid increase in land values and the unavailability of the money to buy the land when the opportunity arises.

Therefore, I think the contract authority does serve a very useful purpose. I am delighted that it is built in on a permanent basis in the so-called golden eagle program, and while the golden eagle program is a little different facet than the contract authority section, when that program moves forward, as I hope it will very soon, both through the Senate and the House of Representatives, I hope it will contain a contract authority provision on a permanent basis.

This was included as a trial effort during the time we acquired so many park lands in order to allow us to attempt to meet the rapidly rising land costs. We have not done this as well as we would like or, I am sure, as well as the Senator from Washington would like. However, it would help.

To be absolutely clear and to make the record absolutely clear, there is no thought in the world of abandoning the 1970 contract provision. And as these proposals come before the chairman of the two committees in the total of $30 million, if they are in order they will certainly be allowed.

Mr. JACKSON. Mr. President, in order to make the legislative history accurate, it is my understanding that the remaining items submitted by the Department of the Interior which were not acted upon at this time can be resubmitted by letter.

Mr. BIBLE. The Senator is correct—as they do now, when they come up with a definite reprograming or definite request for contract authority. As the Senator has correctly noted, we have taken some items out of the contract authority classification and have actually appropriated dollars for them, so that hard dollars can now be paid in 1970.

In some of those cases the most we could get would be a contract or an option. In that event it would be very clearly allowed and would be reflected in the appropriation bill next year by way of reimbursing the amount contracted for.

Mr. JACKSON. There is nothing contained in the report or in the bill which would prohibit the course of action I have mentioned—the submission of requests for contract authority by letter and action by the committee by letter.

Mr. BIBLE. There is nothing whatever. And if there is anything in the sentence on page 11 that seems to indicate that, that sentence is wrong.

The sentence reads: "The committee desires that the proposal be reexamined and resubmitted at a later date."

If it is in order, it certainly would be allowed to be paid for out of dollars in the next appropriation bill, fiscal year 1971.

Mr. JACKSON. Mr. President, the committee would ask for the funds in fiscal year 1971 with which to take care of whatever it might approve of by letter for those projects approved by the Department.

Mr. BIBLE. The Senator is correct, up to the statutory limit of $30 million.

Mr. JACKSON. I thank the Senator. I think this completely clarifies the record. It has been most helpful.

Mr. BIBLE. Mr. President, I yield to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I thank the Senator for yielding. And I thank the Senator from Washington for his questions relative to the contract authority matter for the purchasing of lands to be incorporated in national parks or monuments.

I am particularly concerned, as the distinguished Senator from Nevada knows, with reference to the Biscayne National Monument.

The Senator will remember that that legislation was passed last year and that it was too late to incorporate any direct appropriation of money, but that $2.5 million was permitted as contracting authorization to be expended out of the Land and Water Conservation Fund.

Mr. JACKSON. The Senator is correct.

Mr. HOLLAND. It was to be paid for by funds appropriated in this year's appropriation.

Mr. BIBLE. The Senator is correct.

Mr. HOLLAND. I note that on page 10 of the committee report there is shown in the second tabulation an appropriation of $2,500,000 for liquidation of fiscal year 1969 contracts for Biscayne National Monument.

I take it that completes the transaction covered by the contract authorization of last year by making the full sum which has been contracted for by the Park Service and the Department of the Interior now available by way of direct appropriation.

Mr. BIBLE. The Senator is correct. This appropriates money for which we have already entered into contracts in fiscal year 1969 in the sum of $2.5 million.

Mr. HOLLAND. Mr. President, I note that in the first compilation on page 10 there is shown a direct appropriation for Federal land acquisitions for fiscal 1970 of $2.5 million for Biscayne National Monument, which is an increase of $850,000 over the amount already allowed by the House as appropriations for this purpose in 1970.

Mr. BIBLE. The Senator is correct.

Mr. HOLLAND. Then that $850,000—and I am sure the others listed in the compilation on page 11 are four matters in which some money was taken out of the proposed contract authorizations for fiscal 1970 and placed in the direct appropriation.

Mr. BIBLE. The Senator is exactly correct. And instead of giving the Biscayne National Monument $850,000 in contract authority, which would mean that it could not have been paid for until fiscal year 1971, we put it in hard dollars which means that it can be paid for as soon as appropriated.

Mr. HOLLAND. I thank the Senator and his able committee for that arrangement.

It is certainly appropriate in view of the fact that more of the land included in the Biscayne National Monument has been found to be available by way of purchase from private owners than had been expected or even hoped for by the Park Service.

Mr. President, I would like to ask the distinguished Senator if I am correct with reference to the remaining balance of the Biscayne National Monument item which was included in the budget for contract authorization.

I understand there was a contract authorization of $4 million included in the budget and that the committee has now lifted $850,000 out of that, leaving $3,150,000 still recommended by the budget as contract authorization.

Mr. BIBLE. The Senator is exactly correct.

Mr. HOLLAND. Mr. President, I thank the Senator. My understanding now is, from the exchange had between the distinguished chairman of the committee and the distinguished Senator from Washington, that the balance of $3,150,000 may be reached in 1970, if in the judgment of the two committees, the Senate and House committees, and upon request by the Department of the Interior of the Park Service, that amount of $3,150,000 or any portion thereof is found to be needed with which to purchase land at a price regarded as reasonable or even better than reasonable in the Biscayne National Monument. That mere approval in writing by the two committees of such request would enable that amount to be contracted for in fiscal 1970.

Mr. BIBLE. The Senator is correct. And if we receive a request and it gets the approval of both the House Interior Appropriations Subcommittee and the Senate Interior Appropriations Subcommittee, it would mean then that the contract authority may be liquidated in fiscal year 1971.

Mr. HOLLAND. I am very happy over this direction that has been taken by the committee.

The Senate was apprehensive last year when the project was authorized, as the distinguished Senator remembers, as to the price that might be involved in the acquisition of the islands that are involved as portions of that Biscayne National Monument.

My information now is that better luck has been had by the Park Service in its negotiations for acquisition of private lands than had been anticipated. In the course of action making available $5 million this year in cash and a contracting account of $3,150,000 in the event good purchases can be worked out, in the joint wisdom of the Park Service and two committees, the Senate and House committees, the bill has left available an overall sum of $8,150,000, at the most, for the Park Service to work with this year.

Mr. BIBLE. I would think it would put the Senator from Florida in a very advantageous position insofar as the Biscayne National Monument is concerned if all these eventualities come about, and this would certainly be a high percentage of acquisition costs as compared with other parks and national seashores and national monuments we have created.

Mr. HOLLAND. I certainly think so, too, Mr. President. And I think this is highly desirable, because the value of lands in the immediate Miami area continues to escalate at such a rate that I think the sooner we can get this purchase completed, the more advantageous it would be to the Nation.

I thank the distinguished Senator for his leadership and his committee for their understanding of this situation.

Mr. BIBLE. The only additional comment I would make is that the land acceleration and increase in value in Florida is no different from that in practically every other State where we acquire parks and national seashores. The increase has been tremendous, and it is very difficult to find a sound, businesslike way to meet the increased cost.

Mr. HOLLAND. That certainly is true in our area. Of course, the Senator understands that every bit of the island areas constituting all the land areas in the Biscayne National Monument is water frontage, either on the Atlantic or on Bay Biscayne. That makes it peculiarly desirable to acquire these islands at the earliest possible time.

I thank my distinguished friend.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. BIBLE. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I commend the Senator for the able manner in which he has conducted hearings and managed this bill on the floor. He has acted with his usual diligence, thoroughness, and fairness, and I want to express my appreciation for the fine way in which he has conducted the action on the bill and for the good work he has done. I think the Senate is indebted to him for it.

Mr. BIBLE. I appreciate the comments of the Senator from West Virginia. He is a helpful member of the subcommittee. We are simply working together to bring forth a realistic bill.

The PRESIDING OFFICER. The bill is open to further amendment.

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

Mr. BIBLE. I yield.

Mr. STENNIS. Mr. President, as a fellow member of the Committee on Appropriations, I have been very favorably impressed as well as pleased with the way the Senator from Nevada has handled this bill. It is a highly important bill, but it is not at all easy to handle. Over the years, the Senator from Nevada has gained a very fine knowledge of the matter, and it all has come to fruition now, since he is chairman of this subcommittee. I commend him highly. I wish I were a member of this subcommittee, so that I could work with him.

Mr. BIBLE. We will be happy to welcome the Senator from Mississippi any time he wishes to leave any of the subcommittees of which he is a member.

I appreciate the comments of the Senator.

Mr. HARRIS addressed the Chair.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The Senator from Oklahoma is recognized.

Mr. HARRIS. Mr. President, in preparation for amendments that will be offered in regard to items in the bill having to do with the Bureau of Indian Affairs, and particularly referring to page 5 of the report under the heading "Education and Welfare Services," I wish to ask the distinguished chairman of the committee some questions to clear up in my mind the cuts which have been made.

Mr. BIBLE. Certainly.

Mr. HARRIS. Mr. President, I notice that in the Education and Welfare services available for Indians in the Bureau of Indian Affairs, the committee recommends an appropriation which is something over $2 million less than the House allowed and about $10.5 million under the budget estimate. Is that correct?

Mr. BIBLE. The Senator is correct. The Senator is reading the figures correctly.

Mr. HARRIS. I notice that of that amount, there is a decrease of $2.3 million from the administration budget request for kindergartens in the public schools for American Indian children.

I wonder if the distinguished Senator could state why the committee decided that that was a good place to cut the budget.

Mr. BIBLE. I wish to preface my remarks by saying first that insofar as the Bureau of Indian Affairs in total is concerned, the amount which we approved was greater than that of the preceding year by some $28 million.

It was the feeling of the committee that the reasons which were given, that are detailed on page 6, were reasons that did not cripple the Bureau of Indian Affairs; that it had sufficient funds to do its work at the present time.

Now, specifically on the problem of the kindergartens and the reduction of $2.3 million, that was basically a House reduction. That reduction was requested by the House. It was done so, as the report indicates, and as has been said before, for the reason it was essentially, if not entirely, a new program. This deals only with additional assistance to non-Federal schools.

The committee did recommend in its bill $4 million for 59 kindergarten classrooms in the Indian schools. An appeal was made from the $2.3 million disallowed by the House. In my judgment it was a very weak appeal. We did not have furnished to us the figures telling us where these kindergartens would go in the public schools. The Senator must bear in mind the amount appropriated to the Bureau of Indian Affairs, which total something like $260 million; and, in addition, and part of the reason for our action is that there comes from other sources and other agencies and other departments something in the range of $235 million for these allied services. In other words, the public schools, through the elementary school funds made available, do secure funds for their public schools.

These are substantial amounts of money. Indian students are entitled to adequate kindergartens the same as other students.

It was for those reasons, based primarily on a poor justification, that this item was not allowed. We concurred with the House action.

Mr. HARRIS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an excerpt from page 232 of the hearings which shows the proposed expenditure of these kindergarten funds.

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

1970

Area	State	Estimated units	Estimated amount [1]	Location
Aberdeen	Nebraska	3	$48,000	Macy, Winnebago, Niobrara.
	North Dakota	4	110,000	Parshall, Dunseith, New Town, Saint John.
	South Dakota	8	115,000	Todd County (3), Sisseton, Wagner, Waubay, Wakpalpala, White River.
Albuquerque	Colorado	2	25,000	Cortez, Ignacio.
Anadarko	Kansas	1	30,000	Powhattan (including Mayett).
Billings	Montana	8	200,000	Hardin, Lodgegrass, Hays Lodge Pole, Havre, Wolf Point, Arlee, Brockton, Lame Deer.
Juneau	Alaska	4	115,000	Kenai Borough, Kodiak Peninsula, Egegik, Nondalton.
Minneapolis	Minnesota	8	110,000	Red Lake (2), Cass Lake, Pine Point, White Earth, Vineland, Nett Lake, Naytahwaush.
	Wisconsin	1	15,000	Hayward.
	Iowa	1	15,000	Tama.
Muskogee	Oklahoma	21	475,000	Clinton, Hobart, Apache, Carnegie, Anadarko, Cache, White Eagle, Vian, Jay, Salina, Locust Grove, Wright City, Talihina, Broken Bow, Idabel, Tahlequah, Bowlegs, Bell, Greasy, Oaks Mission, Sallisaw.
Navajo	New Mexico	14	332,000	Kirkland, Shiprock, Cuba, Thoreau, Crownpoint, Tohatchi, Los Lunas, Tularosa, Espanola, Dulce, Jemez Springs, Bernallilo, Zuni, Ramah.
Phoenix	Arizona	16	410,000	Window Rock (2), Puerco, Maricopa, Keams Canyon, White River, Ganada, Chinle, Tuba City, Pima, Fort Thomas, Indian Wells San Carlos, Parker, Kayenta, Sanders.
	Nevada	4	60,000	Fort McDermitt, Schurz Nixon, Owyhee.
Portland	Idaho	6	150,000	Lapwai, Blackfoot (2), Pocatello, Worley and Plummer, American Falls.
	Washington	6	90,000	Nespelem, Marysville, Ferndale, Mount Adams, Toppenish, Wapato.
Total		107	2,300,000	

[1] Amounts are subject to adjustment when contracts are negotiated.

Mr. HARRIS. Mr. President, I point out to the distinguished Senator that while a large portion of the funds were to be spent in Oklahoma, that is not by any means my total interest. As the hearings brought out, last year under this program a total of only 1,800 American Indian children were served, is that right?

Mr. BIBLE. That is correct.

Mr. HARRIS. Does not the Senator feel that there are, surely, a great many more American Indian young people in the country—I know there are in my State—who could be served and who should be served by a Government which is interested in the American Indian young people and wants them to have the kind of opportunity that every other child in America has; but that they will not get that opportunity unless we are willing sufficiently to fund this kind of program? Does not the Senator feel that 1,800 children served by this program is not enough?

Mr. BIBLE. The Senator must bear in mind that in the eight States which now have those kindergartens as shown on page 232, there were 1,800 students in fiscal year 1969. But we have not had the facts that would justify us in believing that this program should be increased further at this particular time.

Mr. HARRIS. I do know, of my own personal knowledge, that the Oklahoma schools listed in the hearings are, perhaps, with rare exceptions, school districts which are extremely poor in ad valorem assessments and taxes collected. Without these Federal funds there will not be any possibility for this kind of program with special attention to these American Indian young people. In most of the counties, many of these young people come from poverty stricken backgrounds, and they come with special problems. They will not have an opportunity to get this kind of education unless the Federal Government is willing to make this extra contribution—an extremely small one, it seems to me—for this purpose.

But I move on now to another item.

Mr. BIBLE. At that point, let me say to my good friend from Oklahoma that it did not seem to us the testimony given, other than what he has referred to, was in depth as to the need throughout the United States. Where does this take us and how much is now available under the public schools that could be helpful there? I do not know, in frankness, the Oklahoma problem. I do not know whether the schools listed have money available from the elementary school funds. That was not developed. The appeal was a very cursory type of appeal at the time it was made from the House's action.

Mr. HARRIS. I can tell the Senator that they do not, to my knowledge, have the funds in the public schools involved, either in Oklahoma or in other States, to provide for these American Indian young people, unless Congress provides for them specially. It seems to me that, dealing with a group of Americans with the poorest health, education, housing, life expectancy and income statistics of any minority in the United States, that the place to cut is not with that group. And, if we are going to cut from that group, the items to cut are certainly not in regard to pre-school Indian children or education. But, we will argue that when the amendments come up.

I want to ask the Senator another question. There is a cut here of $400,000 that was cut from the budget request, which was to be a part of the increased amount, $500,000, for development of curricula material.

It says, "for the language arts area, $100,000 is allowed." I take it that $400,000 for that purpose was disallowed for the development of curricular material. I wonder whether the Senator might say why the committee decided to cut that item, which is a relatively small

item, but seemingly very important, in my mind.

Mr. BIBLE. All of these items, I am sure, are of great significance and a strong argument can be made for many of them. It seemed to us that of those listed, the best case was made in the area of the language arts.

I would say to my good friend from Oklahoma that in the years that we have had the Bureau of Indian Affairs, certainly they have been able, or should have been able, within their own department, to have developed curriculums materials which are specifically oriented to the needs of the Indian child, because they have been working for them year after year after year. It is for that reason we put the emphasis on the one that we thought they did need help on. That is, as the Senator says, the reason for the language arts item.

Mr. HARRIS. I direct the attention of the Senator to the item above, the one we have just discussed. I presume his response will be the same. The $400,000 there which was cut would otherwise have been available for 92 special personnel to improve the curriculums program.

Mr. KENNEDY. Mr. President, will the Senator from Oklahoma yield?

Mr. HARRIS. I yield.

Mr. KENNEDY. It is my intention, along with the Senator from Minnesota (Mr. MONDALE), and also some friends across the aisle, to introduce an amendment which will restore the total funds which were cut back by the committee in the field of Indian education; that is, the areas which the Senator from Oklahoma is itemizing now will be included in that amendment.

I am drawing that to the attention of the Senator from Oklahoma, because I think the points he has made are extremely well taken, and extremely important and useful. I would hope, as he is extremely knowledgeable and one of the most sensitive people in this body in terms of this whole problem, that he would be able to add his comments and discussion to this amendment.

Mr. HARRIS. Would the Senator's amendment seek to restore all the items which were cut, or only some?

Mr. KENNEDY. It is my intention, plus approximately 20 cosponsors, at this time, to restore the total funds in the area of Indian education.

I would hope, because of the Senator's longstanding interest, that he would be able, as we begin on what I think will be a somewhat more extended discussion and dialog about this matter, to add his voice in support. I do not in any way want to stop discussion on it. But it would appear to me that we could further review each item, and hopefully in some detail, based upon the information that has been gathered by the Indian Education Subcommittee.

I just raise this, at this point, so that the Senator from Oklahoma will be knowledgeable, as to the way we might proceed.

Mr. HARRIS. I am very grateful for the comments of the Senator from Massachusetts. I know of his amendment, and I take it that I am listed as a cosponsor of it; is that not correct?

Mr. KENNEDY. That is correct.

Mr. HARRIS. If I may, I should like now to finish my questions, if the distinguished Senator from Nevada (Mr. BIBLE) will yield.

Mr. BIBLE. I yield.

Mr. HARRIS. I take it the Senator's response in regard to both $400,000 items on curriculum would be the same?

Mr. BIBLE. I think in general it would. This is a completely new program, one that the committee felt we should move into with extreme care.

Again, I just have to keep reemphasizing time and time again that we still have a tremendous amount of money in this budget for the Bureau of Indian Affairs and a very great and substantial increase over that of last year. It is just a question of the level of the funding. The Senator from Oklahoma is of the feeling that it should be funded at a higher level than the committee saw fit to fund. I think that in general would be the answer to the question posed by the Senator from Oklahoma.

Mr. HARRIS. I thank the Senator. I do disagree with the funding very strongly and therefore will involve myself in the amendments which will be proposed. I wanted to be sure about the judgment of the committee on these items.

There are others which also concern me very much. I think that anybody who takes a look at the Indian schools of the country will believe that $800,000 is a pitifully small amount of money that we should spend additionally on improving the curriculum in those schools, which now is deficient.

Mr. BIBLE. Mr. President, will the Senator yield at that point?

Mr. HARRIS. Yes, I am happy to yield.

Mr. BIBLE. The Senator is a great authority in this field. He is dedicated to helping the Indians, as I am, and as I am sure every member of the subcommittee and of the full committee is. But can he indicate how many teachers there are engaged by the Bureau of Indian Affairs throughout the system?

Mr. HARRIS. I am not able to respond. I would think the Senator's aide with him could give him those figures.

Mr. BIBLE. I do not have the figure in my mind. I thought possibly the Senator might have some figure in mind. The point is I know there are many engaged in this effort. I know in my own State of Nevada we have what we think is adequate staffing. They are dedicated servants. They work hard. I cannot understand why they cannot work out improvements in the curriculum within their own staff. That is the point I am trying to make. It amounts to thousands of teachers. I think they are dedicated public servants.

Mr. HARRIS. I do not think they can do it alone without this special funding they are seeking. I think too much of the materials—and that is one of the items here—of the Bureau of Indian Affairs schools have insufficient relation to the lives of these children and does little to help them create in their own minds the self-image and self-identity of strength which will allow them to have a real chance and a real opportunity in modern-day American life. I think the present curriculum and materials are deficient. I do not believe they will be developed as they should be developed without this special funding. That has not been true in the past.

I am also deeply disturbed by the cut of $292,000, one-half of the amount requested, for the establishment of a college work-study intern program. I think it is a tremendously important program. I think the amount requested for it was too little. I think it is going to be much too little with the cut made here.

I am worried about other items. I pick out only one more as an example, before we get into the consideration of amendments. That is the $300,000 item for the development and establishment of Indian boards of education. I think in the Indian policy of the country—to the degree we have an articulate Indian policy; and I think we have never really had an articulated Indian policy—we have vacillated back and forth between trying to make the American Indian into a middle-class white man and trying to keep him as a quaint and curious tourist attraction. We have never articulated a philosophy. I think by and large, in most of the schools of the country where American Indian children go, each year when they come to school, when there is a new teacher hired, there is insufficient effort to orient that teacher to the special needs of those children. Nor has there been sufficient attempt to orient the materials to the special needs of those children.

I think we have to foster compensatory education, compensatory housing and health, and compensatory capitalism in the Indian communities of America, both on and off the reservation, both rural and urban, wherever American Indians live. I think, particularly where we have American Indians going to schools which are funded by the Bureau of Indian Affairs, we ought to provide the best possible education—exemplary education. We have a chance to do that with a small amount of money, and we are not doing it.

In addition to the compensatory programs which I have talked about, I think we also ought to have an Indian policy which is a policy of individual self-determination for American Indians, giving them more control over their own lives.

I think greatly desirable to carry out that kind of aim are Indian hospital boards and Indian school boards. I think that is the best kind of policy. I think we should not any longer only allow American Indians to play at making decisions in their own lives, but really should allow them real power over their own lives. One important way to do it is through the establishment of Indian school boards.

Therefore, I am deeply disturbed over this $300,000 cut in the item for that particular purpose.

There are other cuts that worry me. I do not want to get out of time, because amendments will be offered, which were

referred to by the distinguished Senator from Massachusetts, of which I am a cosponsor. I want to speak on those at the appropriate time, probably.

But I will just call the attention of the Senate to the fact that, once again, we have a report on the floor of the Senate, which, as I understand, was available to the Senate for the first time this morning. That is not the fault of the distinguished Senator from Nevada, who does an extremely outstanding job with a very detailed and difficult set of appropriations which come within the purview of his jurisdiction. It is a fault in Senate procedure that this is so often true. It was because I did not have a chance to study the report that I wanted to ask these questions before the amendments were taken up.

I thank the distinguished Senator from Nevada, and I yield the floor.

Mr. BIBLE. Mr. President, simply to keep the RECORD straight, these reports were available for the use of all Senators on last Friday morning. We filed the report Thursday afternoon.

Mr. HARRIS. If the Senator will yield, was the report printed and available before this morning?

Mr. BIBLE. I am advised it was available on Friday morning.

Mr. HARRIS. On Friday morning?

Mr. BIBLE. Friday morning.

Mr. HARRIS. I apologize to the Senator from Nevada for that mistake, but——

Mr. BIBLE. We are interested in the same cause and are trying to arrive at the same end result. Certainly we are just as interested in the welfare, schooling, and improvement of the Indian as the Senator from Oklahoma.

Mr. HARRIS. I understand that, but let me just add that what I had to say about the filing of the report I would say anyway, because what we are talking about is still the lapse of 1 legislative day. I do not fault the distinguished Senator from Nevada. He is as interested in these matters as I am or as anyone else is, but just as has been true, time after time, with other appropriation bills, we have had one legislative day since the report was printed to study the matter. It seems to me that is not the best way to go about the business of the country. I would think the Senate would do very well on appropriation matters to have the reports printed and have them available at least 1 week before they came up.

Mr. BIBLE. I do not know about a week, because that is not what the rule provides. Probably the rule should be changed, if that is what is desired. But it is true that they were available Friday morning. In addition, it is also true that the House action has been available for several months. So the problem of the cuts of $2,300,000 for kindergartens in public schools could not have taken anybody by surprise. That has been well known. The amended bill passed there, and has come over here.

One thing that concerns me just a little is that even after the House cuts, there was no one who came forward to ask for restoration in a forceful, emphatic, and effective presentation such as the Senator from Oklahoma is making today. I would have been delighted to hear him in the committee.

Mr. HARRIS. If the Senator will yield, he heard me speak on this same subject last year, in the waning days of the session. Some of these same items were cut in the bill then, and I stood here on the floor protesting the cuts, as I am doing now, hoping that some of them might be restored.

Mr. BIBLE. Yes; and the Senator did it very effectively.

Mr. HARRIS. Once again I am making the same plea.

Mr. BIBLE. I am delighted to have the Senator do it. I am just sorry I did not see the Senator before the committee.

Mr. HARRIS. I hoped I had put the Senator on sufficient notice last year so that he himself would make it unnecessary for me, a Senator who is not a member of the committee, to come out here and try to do again what we had to do last year, on items which it seems to me have a greater call on our hearts than almost any other item which the Senate considers. That is why I feel so strongly about it, and I say again, very sincerely and very strongly, that I am confident that the distinguished Senator from Nevada worries over these items as much or more than any other Member of this body; but I also have a special responsibility in that regard as well, and that is why I rise here today.

Mr. BIBLE. I am delighted to have the Senator so rise. I am sure we shall hear from him further before the bill is through. I am glad to have him do so. But I want to keep the RECORD straight, and that is why I say again that this bill, on the items of education and welfare services, still provides $26 million more than last year. The proposed appropriation is 15 or 20 percent higher than last year, and undoubtedly arguments can be made to increase it even more.

The Senator does comment on the amount for the college work-study and intern program. I agree with him; I think that is a fine program. But I do not know that it has to be funded at the full amount. It was our feeling that it should be funded at half the amount—which still is not peanuts; that is $292,000—to use it as a sort of test, on a pilot plant, to see how it works out.

Let me assure the Senator that if it is shown to work out, certainly I would be first to agree that the amount should be increased.

These were programs, many of them completely new, that were given to us for the first time. We felt that it was better to take them in small bites instead of a great big bite, and for that reason, we allowed the $292,000, which still, at this time, September 22, 1969, with time allowed for the matter to go to conference and then to the White House for final action, would still use up about 4 months of the school year. So we think this is an adequate fund for a trial effort on a new program.

The Senator comments on the development and establishment of Indian boards of education. The problem that worried me there, frankly, was whether or not we should spend Federal dollars to train Indian parents to serve on local school boards and PTA's. In my State, they serve on school boards, but we do not use Federal dollars to see that they are trained for service on school boards. They do it because of motivation and interest in their children, just as you and I have an interest in our children.

This was a new item which we felt could well be deferred until it had been examined more fully.

It is said that by spending Federal dollars, they can induce more and more Indian people to serve on school boards of education, and also to become members of PTA's.

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

Mr. BIBLE. Certainly; I am happy to yield.

Mr. HARRIS. This item, if I am not mistaken—and the Senator can check it—is not for the purpose of developing school boards in the public schools or getting Indians to serve on school boards in the public schools. I believe it is to train people and to develop procedures by which American Indians, for the first time, can run their own Bureau of Indian Affairs schools, where they have been allowed no prior experience.

We have gone through nearly 100 years telling them how the Indian schools ought to be run. Now we should strongly move toward permitting them to take more control over these schools themselves. That is a totally new experience on the reservations, and I do not think we can just sort of pitch it out there to them and say: "Take over the schools," without their being provided a program of training for these new powers and responsibilities. I believe that is what this item is, and that is why it was such a small item.

Mr. BIBLE. The item that was suggested was specifically to train and prepare Indian citizens and Indian parents to serve as either school board members or on the PTA, or to otherwise become involved in the activities. So we are spending Federal dollars to have them become members of school boards. If the Senate, in its collective judgment, thinks that is a good Federal expenditure, I suppose Senators will vote for it. But it seems to me there would be enough interest in the Indian community itself to induce them to serve on school boards.

Our problem in the State of Nevada is just the reverse: we have them all wanting to serve on school boards. Then, like everyone else, they say the present school board should be ousted and a new one put in. So they know the ins and outs of working on school boards without any further training or education; at least they do in my State, and I do not know why we should have to spend Federal dollars to educate these people to be members of school boards. At least that occurred to me and to the committee at the time the item was disallowed.

I recognize there can be honest differences of opinion as to how we can best help the Indians, what we had best do for them, and where we had best

spend the money. I repeat, as I have tried to emphasize so many times throughout this presentation, that we have still brought before the Senate a bill with $173 million-plus for education and welfare services.

Mr. METCALF. Mr. President, as a member of the Migratory Bird Conservation Commission, I compliment the committee on increasing the appropriation for the Migratory Bird Conservation Commission from $5 million, as allowed by the House of Representatives, to $7,200,000. This is one of the best investments that we can make. The money will be repaid as a result of the sale of duck stamps.

Today, the Migratory Bird Conservation Commission is buying the most expensive land in America—waterfront land, on the seashore and on the shores of the lakes and rivers. That land is increasing in cost at the highest rate of any land in this country. In some cases, if we are to preserve and maintain migratory bird areas, we are going to have to buy the land right now.

So this appropriation of another $2,200,000 will come back manyfold. It will be repaid by the sale of duck stamps in the years ahead. It is only a loan to the Commission. We can buy the land now and pay for it out of duck stamp money later.

This is a wise investment; $7.5 million is about all the Commission can wisely expend during the year, but we certainly can expend that amount of money, and I congratulate the committee on its action in increasing the appropriation.

Mr. BIBLE. I appreciate the sentiments of the Senator from Montana. Actually, all we did here was to continue the funding of this particular activity—which I think is a good activity, has widely based support, and brings back dollars into the Treasury in the long run—at about the past year's level. I only hope we can sustain the addition we have made, which is some $2.2 million more than the House figure, when we go to conference.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KENNEDY. Mr. President, in behalf of myself, the Senator from Colorado (Mr. DOMINICK), the Senator from Minnesota (Mr. MONDALE), the Senator from Arizona (Mr. FANNIN), the Senator from Oklahoma (Mr. BELLMON), the Senators from Alaska (Mr. STEVENS and Mr. GRAVEL), the Senator from Utah (Mr. Moss), the Senator from South Dakota (Mr. McGOVERN), the Senator from Wisconsin (Mr. NELSON), the Senator from North Dakota (Mr. BURDICK), the Senator from Montana (Mr. METCALF), the Senator from Iowa (Mr. HUGHES), the Senator from Nevada (Mr. CANNON), the Senator from Massachusetts (Mr. BROOKE), the Senator from Idaho (Mr. JORDAN), the Senator from California (Mr. CRANSTON), the Senator from Oklahoma (Mr. HARRIS), the Senator from Rhode Island (Mr. PELL), the Senator from Pennsylvania (Mr. SCOTT), the Senator from California (Mr. MURPHY), the Senator from Wyoming (Mr. McGEE), the Senator from Ohio (Mr. SAXBE), the Senator from Oregon (Mr. HATFIELD), the Senator from Texas (Mr. YARBOROUGH), the Senator from Idaho (Mr. CHURCH), and the Senator from New Mexico (Mr. MONTOYA), I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Massachusetts (Mr. KENNEDY) proposes an amendment reading as follows:

On page 5, line 20, strike out "$173,658,000" and insert in lieu thereof "$177,695,000."

Mr. KENNEDY. Mr. President, for more than 2 years now the Senate Committee on Indian Affairs has, in the words of the resolution, made an examination and investigation and complete study of all matters pertaining to the education of Indian children.

The work of the subcommittee has been under the direction of three successive chairmen, Senator Robert F. Kennedy, Senator Wayne Morse, and myself.

The subcommittee expects to make a report by the end of next month. We have not yet completed our deliberations or work. However, we are far enough along to know that the Government commitment to give effective education for American Indian children has not only proved to be a hollow promise, but is a national failure of major proportions.

There are two principal reasons for this failure. The first is the chronic refusal of the Federal Government to meet its sweeping commitment with cold cash. The second is the lack of sensitivity of the Bureau of Indian Affairs to the uniqueness of the Indian education problems.

Our subcommittee will treat this second reason for national failure in some detail in its report. The Congress and the administration will then have an opportunity to act to eliminate the insensitivities.

The first reason for our failure—a chronic lack of funds—is now pending before the Senate.

The administration requested $112.9 million for fiscal year 1970 for Indian educational assistance. This figure is far too low, but it does reflect the fiscal stringencies we have to live with. Yet, the House has cut this amount by $2.3 million, and the Senate Appropriations Committee recommends a further cut of $2.3 million, for a total cut in the Indian education budget request of some $4.6 million.

The amendment I offer to the pending bill would restore this amount. If these funds are restored, then the Bureau of Indian Affairs would not be forced to eliminate necessary programs.

The Senate committee proposed the following decreases in the budget request:

Kindergarten in public schools, $2.3 million.

Development and establishment of Indian school boards, $300,000.

A part of the increased amount—$500,000—for development of curriculum materials—for the language arts area, $100,000 is allowed—$400,000.

Four scholarship officers, $45,000.

Ninety-two special personnel to improve curriculum program. The committee recommends that the remaining $300,000 proposed for this purpose be utilized for additional dormitory personnel, $400,000.

One-half of the amount requested for establishment of a college work-study intern program; funding recommended for 32 teachers, $292,000.

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

Mr. KENNEDY. I yield.

Mr. BIBLE. Mr. President, I am not sure I heard that statement. Does the Senator provide for restoring the full amount of $292,000?

Mr. KENNEDY. The Senator is correct.

Mr. BIBLE. I thank the Senator.

Mr. KENNEDY. This is for the establishment of a college work-study intern program. And there would be $300,000 to initiate a system for research and evaluation of Indian education. That adds up to a total of $4,037,000. Yet, as I understand on page 6 of the committee report, the amount indicated as the reduction for Indian education comes to $4,600,042.

In reviewing the matter and trying to prepare our amendment to restore those funds which had been cut from Indian education, it was difficult for me to understand exactly where the difference between the $4,037,000, the items I have indicated, and the $4,600,000, the figures indicated in the report come from.

Mr. BIBLE. We have attempted to add them up here. I cannot immediately give an explanation as to the difference. However, we will continue to work on the figures as the Senator is speaking, and perhaps we can reconcile them. They seem to be fairly close.

Mr. KENNEDY. Mr. President, I indicate at this point that the amendment which I offer and which is cosponsored by the Senators whose names I mentioned, includes the items I have just enumerated. The amount is $4,037,000, although the figures used in the committee report add up to a different figure.

I want the Senator from Nevada to understand the purport of the amendment at the beginning.

Mr. BIBLE. I understand the purport of the amendment. I do not understand the difference between the two figures. However, we will attempt to reconcile them now.

Mr. KENNEDY. Mr. President, the Senator from Nevada has discussed in some detail, at least in the discussion earlier today, the reluctance of the committee to move into some of these areas which I have earlier outlined.

As we know, the request for $2,300,000 for kindergartens in public schools would be a program to permit supplying funds to those school districts that are primarily poor rural school districts.

Attempting to provide this kind of training and the introduction of language arts, is a program which we feel is extremely important.

With respect to the $300,000 figure for the development and establishment of

Indian school boards, one of the things which we have seen in the course of the hearings of the Special Committee on Indian Education is that advisory school boards have been established in many BIA schools. There is wide fluctuation as to the effectiveness of the respective school boards. However, nowhere were we able to find school boards meeting in the more traditional sense and attempting to draft budgets and develop curricula and move into the hiring and firing of various personnel and assume what, I think, is the basic and fundamental responsibility of a school board.

With respect to the item for the development of curriculum materials, in an amount of $400,000, we have seen some extraordinary advances in the development of curriculum materials in several parts of the country. One of the most dramatic was at the Rough Rock School in Arizona.

The program was stimulated and triggered through an OEO grant. Its work, of course, still continues.

In the traveling of the committee throughout the country, whether in Eskimo or Indian areas of Alaska or in the lower 48, the committee was constantly struck by the lack of pertinent and relevant material in the Indian education curriculum.

I might add at this point that statistics bear out the fact that Indian children are between 2 and 3 years below the level of the white students. And the Indian child falls progressively behind the longer he stays in school.

One of the reasons that struck all of the members of the subcommittee was the fact that they are using curricula which have little relevancy to the educational experience of the young Eskimos and the Indian whom they are trying to educate.

I think a classic example is the Dick and Jane books which are used in many of these areas. These books contain practically nothing relevant to the childs background and environment.

The committee was struck by the fact that in those areas where there had been some initiative shown by individuals and some communities, the development of curricula could make an impact on the children themselves in their learning process.

We think that this item can make a significant difference.

I understand that the BIA divides the country into nine scholarship areas. Five areas have scholarship officers at the present time; four do not. For example, there is no scholarship office in Alaska. This would present a balanced program for the young people who are attempting to continue their education by going to college.

The $400,000 item for additional special personnel to improve the curriculum program would provide for 57 special teachers, those who would be experts in language and language studies, and 37 teacher aides. One of the things that we have been struck by in the review of the total picture is the almost complete lack of any kind of teachers' aides in the Indian education program. There are some, but they are rare; we have found that when the teachers aides as well as the teachers are Indian or native, this is beneficial to the Indian child.

This budget cut would damage what progress might be made in those areas.

The $292,000 item would remove half the amount requested for the establishment of a college work-study intern program. One of the things that has struck the members of the committee is the fact that there are very few teachers who are Indians or natives. What they hope for in this program would be to provide a work-study intern program so that the interns, juniors and seniors, in college would be able to receive such teacher training, with the clear understanding that, similar to the National Defense Education Act, they would be under further obligation to continue in this field as a teacher, or otherwise restore to the Government the credit which had been extended to them for the continuation of their education.

Finally, as to the $300,000 for initiation of a system for research and evaluation of Indian education program, quite clearly the BIA does not have the technical skills nor the professional personnel to conduct a research program. Indian education is a complex field and has suffered some grave failures. Certainly research is necessary to better understand and evaluate the effectiveness of ongoing programs.

These, briefly, are some of the highlights of the amendment we have offered. We feel that it would be unreasonable to expect the BIA to have within its general operating budget sufficient funds to draw off and to be expended in any of these programs. We are not satisfied with the response that they have a very extensive budget and that, therefore, if these matters do have a priority for the BIA, the funds should be made available from a general operating budget.

We know that the Appropriations Committee reviews this with a very careful eye, and we commend it for what it has done in the field of Indian health. Nonetheless, Mr. President, we feel that it has cut back in an area which is of considerable importance.

I think that all of us who serve on the committee realize that resources in and of themselves, and the availability of resources, are not the complete answer in terms of providing a balanced, quality, educational experience for the young Indians of this country. We are convinced that we have to take a close and hard look at the whole structure of Indian education.

I certainly hope that when the committee makes its report, which will be at the end of October, we will be able to make some worthwhile and useful suggestions in those areas.

Senators on both sides of the aisle are uniform in cosponsoring this amendment. We feel that it has significance and importance, and we hope it will receive favorable consideration.

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

Mr. KENNEDY. I yield.

Mr. STEVENS. Mr. President, I feel that the amendment is quite important from the point of view of Alaska. I know that the subcommittee of the Senator from Massachusetts was in our State and made a thorough investigation of this matter. It is extremely important, I believe, that the amendment seeks to restore $2.3 million in the kindergarten program for public schools. I have no knowledge why this amount was deleted by the committee, but I think this is one of the most important areas in which we could work.

In our State, only 8 percent of the native students who start school actually graduate from high school, and we feel that the real reason is that they do not have the start early enough in life so that they can compete and can succeed in the educational process we have established.

I believe that the total amount that was requested, as I understand the amendment which my colleague from Alaska and I have cosponsored with the Senator from Massachusetts, is the amount that was requested by the administration. I think a great portion of this money was requested by the administration because of the work that has been done by this special committee on Indian education. I hope it will be restored, and I would be very pleased to see the full amount restored, for many reasons that affect our State, although we are not the major recipient.

For example, only four of the 107 classrooms for kindergarten will be in our State, but they are in very poor areas. They are in areas where, if we can start this program and demonstrate that it will be of assistance to the young native children who are going to public schools, they will start off in public schools more on a par with the nonnatives and have a better chance to succeed in the educational process.

So I urge the adoption of the amendment offered by the Senator from Massachusetts.

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

Mr. KENNEDY. I yield.

Mr. DOMINICK. Mr. President, as ranking Republican on the Indian Education Subcommittee, I am happy to join with the Senator from Massachusetts in offering this amendment.

Our subcommittee has been engaged in discussing the educational problems of the Indians for over 2 years. Frankly, there is some disenchantment among the members with the present systems of Indian education, particularly with some of the work which has been done by the Bureau of Indian Affairs.

President Nixon's budget request of $2.3 million to supplement State funds covering kindergartens for Indian children in public schools was dropped by the committee. While we are working on the effort to try to integrate the various segments of our society, one of the things we should definitely be supporting is this type of activity and assistance to Indians who are participating in the public school system. It seems to me wrong for the Appropriations Committee to cut it out, especially without any more explanation than I have been able to find in the hearing record.

There are several items in this amend-

ment which have a good deal of appeal to me—for example, the four scholarship officers and the additional personnel to improve the curriculum.

All of this bears on the very problems we have been studying in the subcommittee and it seems to me to warrant the increase in funds that our amendment would provide. I am happy to cosponsor the amendment. I hope the Senate will accept it and that we will receive concurrence from the House.

(At this point, Mr. DOLE assumed the chair.)

Mr. MONDALE. Mr. President, I rise to join the senior Senator from Massachusetts and the Senator from Colorado in supporting the pending amendment to increase appropriations for what I regard to be critical efforts to assist in quality education for the American Indian.

The first part of the amendment would restore $2.3 million to assist in the establishment of kindergartens in public schools in some 16 States. The proposal would establish 107 kindergarten programs, eight of which would be in Minnesota.

Mr. President, I ask unanimous consent that the locations of those eight schools be printed in the RECORD.

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

MINNESOTA KINDERGARTEN LOCATIONS

Red Lake (2).
Cass Lake.
Pine Point.
White Earth.
Vineland.
Nett Lake.
Naytahwaush.

Mr. MONDALE. Mr. President, the 107 kindergarten programs would serve 3,200 children who live near or on reservations. Many of these children live in exceedingly poor areas—areas which are unable to provide kindergarten programs in their public schools.

Most Indian children today enter school without the backgrounds and experiences of non-Indians. One-half to two-thirds of Indian children enter school with little or no command of English. It is not generally known, but there are more than 300 Indian languages in this country today. Thousands and thousands of Indian children attend public schools. The first experience they have is utterly disastrous, as they face teachers not of their background, not of their culture, not of their language. This is human disaster, and that is why the results of this system can only be described as disastrous providing kindergarten programs would help correct this monstrous wrong. Such programs would acquaint Indian children with experiences of the dominant society—experiences which they have never known because of geographic isolation and economic deprivation.

They would provide additional time for Indian children to develop skills. I think it is fair to say that one of the most dynamic new fields available to American education to help unravel the problem as to why some children are able to achieve in school and others are not is to be found in early childhood efforts.

I am glad to see that the President emphasizes the first 5 years of life, and that every advanced educational school in this country begins to concentrate on this period. Certainly, an effort to provide a kindergarten system to these children is long overdue.

Many public schools are not able to provide kindergartens for Indians though, due to the presence of large areas of nontaxable land, such as Indian reservations. They do not have the funds from taxation to finance such programs. It is up to us to see that children living in such situations are not neglected.

The second aspect of the proposed restoration amendment would provide a modest amount of money to assist in the training of Indians to assume control of their own school systems.

Nearly 2 years ago the President directed the Bureau of Indian Affairs to turn BIA schools over to locally elected school boards. The public policy of the Bureau of Indian Affairs for some years has been to turn BIA schools over to local controls. But this has not occurred. There are only two school systems in the country operated by the BIA in which there is any local control. One is so controlled because of the existence of the OEO and the other was the first school to have some local control. Thus, even though the policy of the Bureau of Indian Affairs has been to establish local control and duly-elected school boards, the education of one-third of the Indians in this country continues to be controlled by a civil service bureaucracy over which the parents of the children being educated have no control whatsoever.

The insensitivities built into that system encompass one of the national disgraces in our history. If we are going to solve that problem we must have money. This is desperately needed. The amount of $300,000 is a modest amount.

Another budget item which requires restoration is $400,000 for the development of curriculum materials.

There is a great need in Bureau of Indian Affairs schools for materials specifically oriented to the special needs of Indian students. Many of these students enter school with little or no command of the English language, yet there is a conspicuous lack of materials relating to teaching English as a second language. They must use social studies materials which do not adequately portray the role of the American Indian in American society. Many of their textbooks emphasize experiences of the dominant culture—experiences with which many young Indian children are unable to relate. There just is not any widespread use of materials containing images and experiences with which Indians are familiar.

As I understand this program, it would provide $250,000 for development of social studies materials, $100,000 for early childhood materials, and $50,000 for developing materials in the cultural arts. These are all areas in which Indian-oriented materials are essential, both because of their value in facilitating education and their value in developing a sense of pride and identity. I am pleased to note that the Appropriations Committee kept the $100,000 item for developing curriculum in the language arts area.

Another program which I believe deserves restoration in the BIA budget is the $292,000 for college work-study interns.

One of the Bureau of Indian Affairs biggest problems is attracting good teachers—teachers who are familiar with the special needs of Indian students and know how to administer to those needs. This means that the teacher of Indian students must be knowledgeable in Indian culture, values, and history. This program provides for just such a teacher.

It takes third-year college students and permits them to spend half days in Bureau of Indian Affairs schools and half days working on their college coursework. In the 2-year program the students receive extensive backgrounding in Indian culture, values, and history, and they end up doing their practice teaching in BIA schools. An important part of this program is that it gives preference to Indian college students as interns. This is a significant attempt to prepare Indians for teaching positions in Indian schools—a situation which exists far too rarely at the present. Hopefully many of these interns will continue to teach in BIA schools after college graduation.

Our history is filled with examples of on secondhand treatment of the American Indian. If we are to make any progress toward improving the lot of Indian education, it is imperative that we begin this minute by restoring the $2.3 million for public school kindergartens for Indians, and appropriating the money needed for the special programs requested by the Bureau of Indian Affairs.

Mr. BIBLE. Mr. President, there is pending before the Senate for consideration an amendment introduced by the Senator from Massachusetts on behalf of himself and other Senators.

I have consulted with the Senator from South Dakota, the ranking minority member of the committee. I think with one change that this is an amendment on which we can agree and take the differences to conference. There will be differences, so that there is no misunderstanding insofar as the kindergarten program in public schools is concerned.

It is not in the House bill or the bill reported by the committee, but if this amendment is agreed to, it would be in conference. We would have to consider it at the time we go to conference. There are honest differences of opinion as to the exact level at which this particular amendment should be funded and it may be that our Committee on Appropriations cut that item too deeply. There is still some money in there. It may be funded at a lower level.

The part which gave us the greatest concern was on the work-study program. I indicated to the Senator from Oklahoma that I had no objection to that program as such but I thought funding it as a new program—maybe again we have cut that a little too thin—that is

in the House bill. Members on the House side felt that was a justified item.

I suggest to the Senator it might be possible for him to consider modifying the amendment so that instead of adding $292,000, there simply be added $100,000, which would mean the difference in Senate and House figures would be narrowed somewhat and we could arrive at a figure in conference.

I have misgivings about the program; not about the intern program as such, but at this late point when the appropriation bill is not to be acted upon for several months yet, this could be this large item; but, in any event, it would be carried over and would be reflected as a carryover into next year's program. At that time, we could find out whether it had performed as the sponsors believed, and as obviously the Department believed, because they are keen on this particular item.

If we could modify the amendment to that effect, we are perfectly willing to take it to conference.

Mr. KENNEDY. Let me express my thanks to the distinguished chairman of the committee. The work study program was a pilot project this year, as I understand it, among the Chicktaw Indians in Mississippi and it worked extremely well and satisfactorily. We were impressed by the results of that work and the interest that was taken by the BIA in this area. The recommendations which were made by the distinguished chairman of that committee were reasonable. I had a chance to talk with the two prime sponsors, the Senator from Colorado (Mr. DOMINICK) and the Senator from Minnesota (Mr. MONDALE). They feel that this is a reasonable alternative.

As I understand it, what the Senator from Nevada is requesting is that we change the amendment which was earlier offered so as to increase the Senate figure by $3,845,000, to now read $177,503,000.

Mr. BIBLE. That is correct.

Mr. KENNEDY. That incorporates the reduction——

Mr. BIBLE. That modifies it downward to that extent.

Mr. KENNEDY. To that extent.

Mr. President, I ask unanimous consent to modify the amendment to reflect that modification.

The PRESIDING OFFICER. The Chair would advise the Senator from Massachusetts that the Senator does not need unanimous consent to do that at this stage. He has the right to modify his amendment.

The amendment will be so modified.

Mr. KENNEDY. Mr. President, there is great interest in this amendment. I am very much satisfied that the Senator from Nevada will accept it. I am wondering whether it would strengthen the position of the Senator from Nevada if we had a rollcall vote on it.

Mr. BIBLE. I think we have adequately explored it and developed a sufficient record. We will do our best to sustain it in conference. Of course, no one can ever foresee, foretell, or forecast exactly what will happen in conference, but I think, from the items which have been mentioned, that we should do very well.

Mr. KENNEDY. Well, Mr. President, one final item.

Mr. STEVENS. Mr. President, it is my understanding that the action just taken to restore the $23 million for kindergarten is in full; is that not correct?

Mr. KENNEDY. That is correct.

Mr. BIBLE. That is the understanding of the chairman. That will be in conference with the House of Representatives.

Mr. STEVENS. I join the Senator from Massachusetts in thanking the chairman of the subcommittee for his consideration.

Mr. McGOVERN. Mr. President, as chairman of the Indian Affairs Subcommittee, I am pleased to cosponsor and support the amendment of Senators KENNEDY and MONDALE to restore $4.7 million to the education budget of the Bureau of Indian Affairs.

Both Senator KENNEDY and Senator MONDALE have provided the Senate inspired leadership in the Senate Subcommittee on Indian Education. Through exhaustive hearings both this year and last, this committee has given us an excellent record of the educational needs of our Indian people throughout the country.

We in the Congress must face up to the fact that only through a first class educational process for the young on our reservations can we expect the American Indian to eventually assume a full role in our American society.

My own national Indian policy resolution, Senate Concurrent Resolution 34, addresses itself to these needs and I thus support the present amendment wholeheartedly.

Mr. HARRIS. Mr. President, on March 6, 1968, President of the United States, Lyndon B. Johnson, said:

> For two centuries, the American Indian has been a symbol of the drama and excitement of the earliest America.
>
> But for two centuries, he has been an alien in his own land.

The President then set a national goal of bringing the Indian American into full political and economic citizenship in American society.

In the field of education he asked for the "establishment of a model community school system for Indians," and "the enrollment of every 4- and 5-year-old Indian child in a pre-school program by 1971."

The need for these programs, and for the extension of full citizenship to the Indian American, is as great now as on the day that the President made his statement to the Congress. In light of this, it is tragic that the Senate Appropriations Committee recommends an additional $2,342,000 cut in the funds approved by the House for Indian education and welfare.

Ten percent of American Indians over age 14 have had no schooling at all. Nearly 60 percent have less than an eighth-grade education. Half of our Indian children do not finish high school today, double the national average. Many of those Indians attending school are plagued by language barriers, by isolation in remote areas, and by lack of a tradition of academic achievement.

As a result of this, Indian literacy rates are among the lowest in the Nation, the unemployment rate among Indians is nearly 40 percent—more than 10 times the national average, and thousands of Indians who have migrated into the cities find themselves untrained for jobs and unprepared for urban life.

Too often, the Indian American of today is homeless; as President Johnson said, "an alien."

The policy of the Federal Government concerning the Indian American has not been in the best interests of the Indian. The 1950 goal of "termination" is again being mentioned, apparently without an appreciation or understanding of what the term implies or what the Indian desires, let alone consideration for treaty obligations of our Government. "Termination," implying assimilation, is not the answer for the Indian or for the Nation, and pursuit of such a policy will not advance the interest of anyone. Alvin M. Josephy, Jr., in his book, "The Indian Heritage of America," discussed this is sue and stated:

> The history of federal-Indian relations, since the final pacification of the Plains Tribes, reflects a self-defeating zigzag course of constantly altering programs, all of them designed to lead to Indian assimilation, rather than to the establishment of viable economic bases for the growth of healthy, self-governing, self-sustaining Indian communities within the body politic of the American nation.

A few months ago, the Chilocco Indian School in Oklahoma received national publicity. Hearings on the incidents were subsequently held by the Subcommittee on Indian Affairs. While the hearings were useful for some purposes, unfortunately, the central issue of our Indian school policy was overshadowed by other issues. In a letter to the then Commissioner of Indian Affairs, Robert Bennett, I outlined important areas of reform which should be seriously considered. In my letter I stressed the need to allow more participation by the Indian in the education of his children and the need to improve the curriculum. I ask unanimous consent that my letter to Commissioner Bennett be printed in the RECORD at this point.

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

APRIL 8, 1969.

HON. ROBERT BENNETT,
Commissioner, Bureau of Indian Affairs, U.S. Department of the Interior, Washington, D.C.

DEAR BOB: I am most disturbed by the internal report of the Bureau of Indian Affairs investigation of the Indian school at Chilocco, as it was printed in the CONGRESSIONAL RECORD at the request of Senator Lee Metcalf of Montana. This is a very serious matter in my mind, justifying the suspension of the Superintendent and Principal of the school, which I understand has been done, pending further and more detailed investigation by the BIA and the FBI. I desire to have copies of the reports of these investigations immediately upon their completion. There is no question this further investigation is required and that prompt action should be taken to make certain that there is no mistreatment of the children in this school or in any other BIA school.

Further, Bob, I hope that this present case concerning the Chilocco Indian school will give impetus to changes which I have long

advocated in the Indian education program of the BIA.

First, I hope that at long last you now will be able to convince the Bureau of the Budget and the President that Indian Education ought to be the best education available anywhere in America—and that it, therefore, ought to be funded for the first time at appropriate levels. It ought to be funded at levels which would permit the highest quality personnel and curriculum, and these schools ought to be showcases of leading educational thought and practice. Anything less is no longer tolerable.

Second, I think it is imperative, as I have stated several times before, that we stop transferring these young Indian kids clear across the country to strange locations and communities, away from their homes, tribes and familiar surroundings. Provision ought to be made for the schooling of these Indian young people near their own homes.

Third, as I have long and strongly advocated, local school boards ought to be set up for every Indian school administered by the BIA, with the membership of each board made up of people who are members of the tribes represented in the student body. This will insure that the school programs will be more relevant to the lives of the students and will give Indian parents a greater degree of control over the destinies of their children—a greater degree of self-determination, which is absolutely required for all Indians in this and other aspects of their lives. In line with this requirement, each school should employ teacher aides from the local Indian communities, and the personnel and faculty of each school ought to be required to undergo intensive training in regard to the background, history and culture of the tribes with which they will be dealing. This kind of pride in heritage ought to permeate the school philosophy and be a part of its curriculum.

Fourth, I believe that we can make better use of some of the Indian schools in Oklahoma than we are now making. At the present time, only 141 of the 1025 students attending Chilocco school are from Oklahoma, with the remainder from the northwest and Alaska. Only 139 of the 250 students attending the Concho school are from Oklahoma. Only 52 of the 206 students at the Fort Sill school are from Oklahoma. And only 48 of the 307 students attending the Riverside school are from Oklahoma. I recommend that you immediately appoint a task force, involving Indians in the areas involved and local and state officials, to recommend concerning the better use of these facilities. One or more of these schools might be discontinued as boarding schools, and turned into vocational-technical training schools or adjuncts of higher educational institutions, with preference for Indians. But Indian schools everywhere in the country ought to be looked at also by another, national, task force, and the example of Jones Academy in Oklahoma, run by the BIA, where the students live but go to school in the local public schools, might be duplicated in other areas, thereby doing a more humane and relevant job of caring for and educating the Indian young people they serve.

As I said earlier, I would like to have a full report on the Chilocco situation at once, with your detailed statement as to the actions which are to be taken there. I would also like to have your response to the above suggestions more general in nature, but nonetheless very pressing.

Sincerely yours,

FRED R. HARRIS,
U.S. Senate.

Mr. HARRIS. Mr. President, the cuts made by the House and by the Senate Appropriations Committee reflect adherence to old policies and dim hopes for improvement in the future. The biggest cut of $2,300,000 is for kindergarten programs for some 107 schools and would affect some 3,000 students. Statistics reveal that between one-half and two-thirds of the Indian children enter schools either as non-English speakers or with a very limited command of the English language. This fact, coupled with the basic cultural differences between the Indian and non-Indian, make it imperative that the Indian youth be provided an appropriate kindergarten program.

Neither can cuts totaling $800,000 in funds for improvement of the curriculum be justified. When the level of attainment of the Indian youth is below the national average and the average amount of schooling of Indian children is 5 years, we must not cut, but increase and better our programs. Improvement of the curriculum programs, development of curriculum materials, and the initiation of a system for research and evaluation of the Indian education program are imperative if the failures of the present system are to be eliminated.

The cut of $300,000 for the initiation of a system for research and evaluation of Indian education programs suggests that the present system is adequate. This we know is not true, and we should be willing to make a systematic study of the problem, rather than proceed merely on the hope that what has not worked in the past will be effective now.

Important new philosophy is involved in the $300,000 item for development and establishment of Indian boards of education which was cut.

As I indicated earlier today, crucial to the improvement of the present school system is recognition of the fact that the Indian must be given the right to participate in the administration of his schools.

In the late 19th century the Cherokee and Creek tribes were operating their own schools. The accomplishments of those schools were remarkable. The level of education the Cherokees and Creeks attained was comparable, and in certain fields superior, to the level of education in the surrounding non-Indian States. Later, the Federal Government considered it necessary to close the schools and assume the responsibility for making the decisions for these tribes and educating their children. Rather than improve the level of education, this takeover did just the opposite.

There are other items which should be restored. I am particularly interested, for example, in the full funding of the community development program. Suffice it to say now, that I certainly urge approval of the pending amendment.

Mr. NELSON. Mr. President, I rise in support of the amendment to restore $4.6 million in funds for the education of Indian youth of America. This would bring the appropriation for this vital activity in line with the request of the Nixon administration.

The deplorable conditions facing too many American Indians today are a disgrace to our country. The American Indian has been suppressed and exploited to the point where he is now often among the most poverty stricken of our country. Forty percent of American Indians are unemployed—more than 10 times the national average—and many more are underemployed. The average rate of school dropouts is twice as high among Indian youths as the national average—50 percent do not finish high school. More than 60 percent of American Indian families, some 50,000, live in substandard dwellings, often in huts, shanties, and abandoned automobiles. Seeking the American dream, thousands of Indians have traveled into our cities only to face worse living conditions than in rural areas and often fewer employment opportunities. Perhaps the average age of death best symbolizes his plight: The American Indian dies after only 44 years, while the rest of us have an excellent chance to live 20 or 30 years beyond that.

The special and dismal plight of the American Indian can be traced to our failure to make adequate provisions for him in the most important area of Federal assistance—education.

The Congress has over and over again acknowledged the importance of education to an individual to prepare him for self-fulfillment and competition in the adult world, and we have acknowledged and accepted the responsibility of Government at all levels to help prepare our youth for such fullfillment by the establishment of the many and various Federal education assistance programs such as the Elementary and Secondary Education Act, the Higher Education Act, the Vocational Education Act, and the National Defense Education Act.

But somehow we have failed to provide the same educational opportunities for the American Indian. The question of the quality and effectiveness of educational programs for Indian children should be of concern to our entire Nation. We cannot hope to find solutions to the vast problems of our Indians unless we start at the beginning—unless we start with the small child and make superior educational opportunities available to him all the way to adulthood so that he can also have equal opportunity for employment, a decent income, and the chance for a full and rewarding life in his own country.

A substantial portion of the funds restored by this amendment will support kindergartens in public schools serving Indian children. I understand that this program will reach 3,000 children in 107 schools. In Wisconsin, 20 children in the Hayward area will be ale to attend kindergarten.

I strongly urge the Senate to approve this amendment.

Mr. McGEE. Mr. President, I would like to speak briefly in support of the amendment which I have offered, together with Senator KENNEDY and others, to restore $4 million to this appropriations bill for Indian education.

It is only too obvious that in the past the education of our American Indian children has been sadly neglected, and in many casse this has led to tragic consequences. Experience has shown us that this is an inexcusable waste of manpower and brainpower, and the Nation can ill-afford to continue this situation.

It is time that the education of all of our Indian students must be upgraded rather than further downgraded.

In order to accomplish this, it will, indeed, require additional funds, and that is the basic purpose of my amendment. While many might suggest that the Nation cannot afford these additional funds at the present time, I suggest to you that exactly opposite is the case. In my opinion, the Nation cannot afford to continue to ignore the educational needs of our American Indians. While the rather modest amount proposed in the amendment will certainly not solve all of the educational ills, it will, I believe, be of substantial benefit. It will provide the training of teachers and will provide some badly needed kindergarten facilities.

The merits of this amendment are quite obvious, and I do hope it will be accepted and approved by the Senate today.

Mr. FANNIN. Mr. President, I support the amendment restoring these funds. I do so because of the educational and welfare programs badly needed in some regions of the country—nowhere more so than on Indian reservations in Arizona and throughout the Southwest. It is a proven fact that Indians are among the Nation's most educationally disadvantaged groups and I have urged on numerous occasions, primarily as a result of my work on the Special Subcommittee on Indian Education, that Government should underwrite the cost of making more educational services available to our Indian population.

I am acutely aware of the need for curtailment of our expenditures and for getting our financial house in order, but the need for Indian educational and training programs is so great that I must support the request for a restoration of these funds. It seems to me that this is an area which least of all should be the subject of unnecessary cuts in funds.

ADDITIONAL COSPONSORS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the names of the Senator from Texas (Mr. YARBOROUGH) and the Senator from Minnesota (Mr. MCCARTHY) be added as cosponsors of this amendment.

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

The question is on agreeing to the amendment of the Senator from Massachusetts as modified.

The amendment, as modified, was agreed to.

Mr. MUNDT. Mr. President, I have one or two points I should like to discuss on this matter. With the distinguished chairman of the committee, I, too, share the reservations he expressed on some of them, but I am perfectly willing to go along with the compromise agreement which has been worked out at the new figure.

Before I do this, I should like to point out something about the experience we have had in South Dakota, and in the committee itself, in connection with the whole program of Indian education.

Most of the Indians in this country are concentrated in about seven States, of which South Dakota is one. I think our Indian population is either the third or the fourth largest of any of the Indian populations in this country.

We have found that the different kinds of curricula which are sometimes under discussion, and which probably will come under the purview of the various appropriations, are generally two in character; namely, one school of thought seems to hold that the job of Indian education, functioning under the BIA, is to try to educate them so as they simply will become better Indians. The other school of thought is that the job of the BIA, and those charged with education, is to educate Indians to become better citizens with better opportunities to become more effective and more prosperous citizens as well.

I attach myself to that second school of thought.

We have had experimentation, studies, and guidance from people in non-Indian areas as to what is good in the educational activities of Indians for a long time. For a century and a half we have been experimenting with different theories of teaching Indian children Indian dancing, how to make sandals, how to engage in Indian crafts of all kinds; and at the end of the road, they are still unable to get an economic status because they are not equipped to serve in the regular American society of which they are a part.

Thus, I look a little askance at what might result from some of the items which we are going to adopt and take to conference.

The $400,000 for 92 special personnel to improve curriculum programs. For example, I wonder what is involved in that.

In South Dakota, we have found that by using the regular State courses of study, that everybody studies, whether he is a black man, a white man—an Irishman, a Norwegian, or a German, when he goes to school, he studies the State courses of study so that he is equipped to function as one fully prepared to take part as an American citizen in his community. When he goes to school, he is not diverted from mastering a course of study by extracurricula activities involving sandal making, Indian dancing, and other sideline activities of that kind or other special school programs selected for him because of his national background.

I do not know what the 92 special personnel will do to improve the curriculum programs; but it seems to me when we provide fully, a completely integrated school for an Indian child to get the same teachers that the white child gets, where the Indian child studies the same curricula as a non-Indian child, our problem is primarily not in curriculum improvements but in the early stages of an Indian child's school experience.

The Headstart programs have done a fine job on the reservations to help Indian children get ready to study in school, and it is also important to give them special guidance programs to get them ready for college. But it weakens their chances to go to college if we handicap them with curricula especially designed for Indians while they are in high school.

Therefore, Mr. President, I should like to issue a word of warning about the 92 special personnel who are going to dream up these curriculum proposals.

The same thing holds true of the $400,000 item for development curriculum material, because the material, the books, and the accessories which we should provide are the same identical ones we get in the school of a non-Indian. The integrated school takes care of both elements. We provide that they take the prescribed courses of study so as to become a fully trained American citizen. We do not try to give them special training because of their color, background, or previous culture. We want them, at the end of the road, to be an American citizen. We are very proud of the fact that South Dakota has provided America with its first Indian Member of Congress; namely, Representative BEN REIFEL of South Dakota. He is half Sioux. He was brought up under an educational system that fully equipped him for a life of service and when the time came to run for Congress, he ran as an American citizen. He was educated neither as an Indian nor a non-Indian. He had the same education as the rest.

Thus, as I said, I want to issue a word of warning for those theorists who think we should have special curriculums for our Indian children different from that of the rest of the citizenry, or to have some special, cultural material which will interfere with the work of mastering a regular high school education.

We have had no difficulty whatsoever with the areas out there in which Indians serve on school boards. They serve on several of these integrated educational institutions' school boards exactly as a white man serves. They serve there to provide the full education for a citizen. We do not want to start moving the clock backward now, after 150 years, to have different kinds of schools for Indians specially designed by well-meaning people who feel that if there is someone of a different color, he ought to have a different kind of school, different kinds of materials, different kinds of school boards.

We want the integration process to continue and not be retarded by well-meaning experimentation or by the expenditure of public funds by people who may dream up some untried theories in an attempt to help our Indian citizens.

There is in the bill an item of $300,000 for research and evaluation of the Indian education program. Those of us who come from those areas, those of us who have served on the committee, those of us familiar with Indian problems know firsthand that they have been evaluating and experimenting and analyzing this matter for more than a century. I think, in the end, the idea that an Indian is entitled to the same kind of education as a non-Indian is the best course to follow.

So while I agreed to go along with the chairman in accepting the amendment, I want to issue this word of warning to those who will be spending the money. Let us not move the clock backward. Let us not move toward giving the Indian an education which does not make him merely a better American but also a better citizen. Do not handicap him by giv-

ing him an education which is designed simply to make him a better Indian.

I want to have this word of caution and counsel available to those who are once again going to spend a lot more of the Federal resources in evaluating and programing and studying and planning what kind of education should be given to our Indian people.

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

Mr. MUNDT. I am happy to yield.

Mr. STEVENS. I am glad the Senator expressed his reservation, because I would hope we could spend some time on the matter. I would only say that I think the purpose of the moneys that are sought is to put Indian education a little further ahead. As has been pointed out, in my State only 8 percent of Indian children graduate from high school, as opposed to 80 percent of our other children. We are convinced the reason is the curriculum. We are convinced that children who live in a rural area, in Alaska, where 99 percent of the population is Indian, cannot orient to Dick and Jane, to a new car with a garage, to a policeman at the corner, and to a cat that everyone plays with. Those materials that have been used for children in Indian schools are what have put them behind. They have never seen a car. They do not have policemen. They do not have kittens. That is a luxury they cannot afford.

If we are going to get to a point where the curriculums by the Federal Government for Indian children—which they have had for over a hundred years in my State—are meaningful at all in giving Indian children a chance, we are going to have to have experiments. In areas in my State over 60 percent of the welfare recipients are natives. The reason they are on welfare is that education has failed them. They cannot acclimate. They cannot move into the 21st century. They are still in the 19th century. Yet, they have been going to Federal schools for 100 years. I think it is high time we changed this.

For example, we have experienced a revolution through use of a pamphlet that one teacher felt compelled to change. She put together a little pamphlet which oriented these children toward their own experiences. They come from homes where the mother and father and all the other children speak another language. They cannot possibly be put in the first grade with my children. I think we should experiment. I think we should help my children learn their language and help those children learn our language.

If my State is to survive, the schools have to change, because there are now 8,000 in the Bureau of Indian Affairs schools. There are 28,000 ready to go into them. If 28,000 were to go into them and only 8 percent of them are to graduate, and the great majority of them are to go on welfare, Alaska is going to be in a bad state of affairs.

I urge my colleague, as he goes into the conference, to keep an open mind and a warm heart for those people. Only in this way will they get an education. The Federal Government has failed in giving Indian children an education. That is why we feel something has to be changed in the Bureau of Indian Affairs. It is not the Bureau of Indian Affairs but the system we should change. That is why we need the experimentation. I hope the Senator will keep an open mind.

Mr. MUNDT. I will keep an open mind, or I would not have acquiesced in the approval of the amendment. But I repeat, we do not have to learn the lessons of experience every few years or even with the advent of a new State. In our State, we have gone through all this. We have lived through the situation the Senator refers to, and worked it out satisfactorily, from the standpoint of giving Indians the kind of education that will equip them to live in the regular, organized society of which they are going to be a part.

If this money is going to be spent in helping these Indians cross the bridge, into the elementary school and the high school, and then the next bridge, from the high school into the college, that is fine. But it seems to me that, in terms of incentives, the task of taking care of bilingual problems and learning English, makes sense and has a considerable amount of appeal. We have corrected many mistakes in over 100 years of experimentation, and I wanted to be sure we did not undertake them all over again, every time there is a new State or every time some other group of Indians come into the picture.

I realize that Alaska is a young State. Perhaps they have not been able to work with the Bureau of Indian Affairs as long as we have. Perhaps they have not been able to experiment with the schools to bring them together. But I want to point out the success story which has occurred and the danger and the handicaps we are going up against when we try to devise a special educational output for Indians which, when the children get to maturity, may not result in the same educational background and understanding as that of any other citizen of the community.

Mr. MONTOYA. Mr. President, I have been very much interested in the colloquy that has been taking place with respect to the education of the American Indian. I have just returned from a tour of the Navajo reservation, where I spoke with many Navajos and had a panel discussion with them about their problems. I live between two Indian pueblos. I know almost every Indian in those two pueblos. Throughout the years, I have seen the type of education which they have received. During recent years, I have seen efforts made to try to improve their education with the use of new approaches.

For many years, the Federal Government has had schools of the Bureau of Indian Affairs located long distances from where the Indians actually lived. In many instances, the Indian children have been taken 50, 60, or 80 miles to a boarding school, there to be taught by BIA teachers. Many BIA teachers are not as qualified as are teachers in the public school system. That is not to say that others are not qualified or are not good teachers, but I say there is no uniformity in requiring high qualifications on the part of teachers whom the BIA employs to educate Indian children.

For many years, we have heard educators and also many people interested in minorities say that children who have a language handicap, or whose language is the language of their parents' mother tongue, should forget the mother tongue and begin to speak English right away. Yes, this idea was sold to educators for many years. Now the pattern is changing, because that system did not work. Many children who began their schooling by speaking only Spanish or Indian could not immediately convert to the English language. Therefore, their progress was delayed when compared with that of children who had no language barrier.

Because we recognized this difficulty, the Senator from Texas (Mr. YARBOROUGH) and I, and other Senators, introduced the Bilingual Education Act of 1967, which provides for the teaching of two languages to children who are handicapped in speaking the English language. We have initiated trial programs throughout the country to see if new techniques cannot be devised so that the handicapped children can join the mainstream of their classmates and move up the ladder of educational progress, not be left behind.

The American Indian suffers a great handicap because he comes from an environment that is totally different from the environment in which other Americans live. He comes into a completely new atmosphere to which he has never been exposed, and because he does, he is shy. He lacks the power to communicate; therefore, he enters the classroom with an inferiority complex and cannot go up progressively, as do his counterparts in other areas of the American educational system.

That is what we in Congress have to recognize: that more emphasis must be placed upon the education of the American Indian because of his environment, and because of his strong desire, after he receives an education, to go back to the pueblo, to the hogan, or to the reservation. This seems to be bred into the American Indian, and we must do something to induce him to join the mainstream of America, to make him feel that he belongs, to arouse in him the competitive spirit.

In my home county in New Mexico, we recognized this problem many years ago, and we went to the Indian Pueblo leaders and asked them, "Do you want to join our public schools? We want you."

They agreed to join with us, and we integrated those Indians, in my county, into the public school system.

They are doing marvelously well. We have a vocational training center there for them, operated under our public school system. It is working; and those young Indians, even the youngsters coming out of kindergarten, speak English almost from the very first year. They are able to communicate. They have lost their bashfulness. They have joined the mainstream; and that is what this experiment is about.

That is why I commend the chairman of the subcommittee for accepting the amendment with respect to kindergarten instruction. It is vitally needed, Mr. President. It is indispensable that the

young Indian receive some preschool instruction, to enable him to join the mainstream in his classroom.

Mr. BIBLE. Mr. President, will the Senator yield at that point.

Mr. MONTOYA. I yield.

Mr. BIBLE. The Senator thanked me undeservedly for accepting the amendment to put the kindergartens in public schools. That $2.3 million is a budget item. As such, I did accept it. There are some kindergartens in the public schools at the present time. The question was as to the level of funding.

The Senator from Oklahoma made an impassioned appeal to add more money and fund the program at a higher level, but I wish to point out in fairness to the Senator from New Mexico that the House of Representatives did not concur in that, so the matter will be in conference. We shall do our best to sustain this item.

I stated in my initial presentation that I thought there was merit in extending these kindergartens to public schools, provided they were not otherwise taken care of out of elementary school funds. The Senator from Oklahoma assured me that they were not, at least in his State, taken care of out of any other elementary school funds for public schools, and that was part of my reason for accepting it. But I do not want the Senator from New Mexico to feel that simply because it is in the bill at this time, ultimately it will remain there, because the House of Representatives took the entire amount of $2.3 million out. We will do our best to sustain the item in conference.

Mr. MONTOYA. I understood that.

Mr. BIBLE. I just wanted to be sure the Senator understood.

Mr. MONTOYA. I also commend the chairman and the other members of the subcommittee for taking full cognizance of the paucity of funds recommended in the budget by the administration for the construction of the Navajo Indian irrigation project. The House of Representatives added $2 million at my request. The Senate subcommittee recommended that we retain the additional $2 million. The full committee approved the increase, and it is now in the bill.

However, Mr. President, while I recognize the generosity and the good consideration which the committee has given to this Navajo Indian irrigation project, I wish to state for the RECORD that unless this programing gets back to its original schedule, we shall not ultimately finish the Navajo Indian irrigation project before the year 2000 or beyond even though originally scheduled for completion in the late 1970's. By that time the original authorization of $135 million will be far too small. We have already increased the authorization to $175 million this year, and we shall have to increase it even more due to the increased costs that will accrue because of the years of delay on this project.

I ask unanimous consent to have printed in the RECORD a table showing the funding record up to date and the percentage of completion, which was 17 percent as of April 1, 1969.

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

FUNDING OF THE PROJECT

Unlike most Bureau of Reclamation Projects, in the case of the Navajo Indian Irrigation Project annual appropriations are made by the Congress *directly* to the Bureau of Indian Affairs, as a *total budget* for all BIA programs.

The BIA then budgets its funds, to include those for the NHP.

NIIP funds are then turned over to the Bureau of Reclamation for construction of the Project.

The present funding problem is explained in the following Table and footnotes:

COMPARISON OF PROGRAMED WITH ACTUAL APPROPRIATION FUNDS

Fiscal year	Programed funds		Actual appropriation	
	Annual	Cumulative	Annual	Cumulative
1964	$1,800,000	$1,800,000	$1,800,000	$1,800,000
1965	9,000,000	10,800,000	4,700,000	6,500,000
1966	12,000,000	22,800,000	6,500,000	13,000,000
1967	13,000,000	35,800,000	6,500,000	19,500,000
1968	18,000,000	53,800,000	5,300,000	24,800,000
1969	20,000,000	73,800,000	[1] 3,500,000	28,300,000

[1] In BIA budget request for 1968-69. Above table shows rate of appropriation at about half the rate at which funds were scheduled. If program schedule were followed, the 1969 amount would be $20,000,000 instead of disastrously low sum of $3,500,000.

Note: Planned completion date was 1979. Present projected completion date is 1996.

Mr. MONTOYA. I state for the information of the Senate that in the year 1868, the Federal Government transferred the Navajo Indians from the eastern plains of New Mexico to the western plains now occupied by the Navajo Reservation, and they were put on the most desolate land that man could conceive. There they have lived up to now. They live in hogans.

They have no farming except in one isolated area. This is why we passed the Navajo Indian irrigation project. When the Government moved them from the eastern plains of New Mexico to the western desolate area, a treaty was entered into between the U.S. Government and the Navajo Nations.

Under this treaty, the Federal Government pledged that it would provide agricultural lands for the Navajo, that it would provide seeds, that it would provide education, and that it would provide many other things, including health and health care.

It was not until recently that we have tried to do something about fulfilling the obligations of this treaty.

I hope that Congress becomes aware that to delay the construction of the Navajo Indian irrigation project would be to delay compliance with the firm obligations of the treaty.

A delay in the construction of the Navajo Indian irrigation project through proper funding would be compounding an injustice that has been perpetrated against the Navajo Indian by the Government.

It is about time that we recognize our responsibility and resort to our moral sense of conscience and say to the Navajo Indians: "We are going to get on the right track of performance. And we are going to do whatever we can for you."

I ask my distinguished colleague, the Senator from Nevada, who knows about the problem, if we can anticipate better funding for the Navajo Indian irrigation project in the future?

Mr. BIBLE. Mr. President, I wish I could be safe in saying yes in answer to that question. I would hope that we could. However, I cannot guarantee it, of course. As the Senator knows too well, this happens to be an unbudgeted item. I am not sure that the administration will spend the amount if it is provided in the bill. It is in the bill. I think it should be. Work on the project should be programed at such a rate that it is finally constructed a long time before the year 2000. However, I cannot guarantee that.

I have several projects in Nevada that I would like to have funded at a faster rate. However, in view of the fiscal situation we face, we all have problems. I think that the Senator's problem is one of the most severe and is one that cries out as much as any we have had recently for some help.

It is for that reason that we have added $2 million. I hope that we can fund it in the future at a higher level. However, I cannot guarantee that.

Mr. MONTOYA. Mr. President, I thank my good friend, the Senator from Nevada. I mention that my concern for the Navajo stems from personal observation of and experience with their situation.

I know it would surprise the Members of the Senate that many of these Indians have to haul water 30 or 35 miles to their hogans on the Navajo Reservation. That is how serious the situation is on the Navajo Reservation.

Many of those Indians if they get sick cannot go to a hospital unless they go through rocky trails on a horse-drawn wagon. And by the time they get to the hospital, many of them die.

It is about time that we take cognizance of all these things that are happening within the continental limits of the United States of America.

I thank the distinguished chairman for the consideration he has given to all of this funding with respect to the American Indian.

I think the committee did a fine job. I am not trying to criticize the committee. I am not trying to criticize anyone. I merely say by way of exhortation that we should continue to give attention to the problems of the American Indian in every respect—in the field of education, in the field of health care, and in the field of job opportunities.

Mr. President, I thank the Senator from Nevada.

Mr. BIBLE. Mr. President, I appreciate the sentiments of the Senator from New Mexico with respect to the work in this very difficult field of Indian education.

We are all trying to do the same thing, I am sure. It gets down to how best to do it. I hope that what we have done today will hold up in conference and that the final figure will be helpful toward giving the Indian people better education and better opportunities in the future.

Mr. President, are there further amendments?

Mr. DOMINICK. Mr. President, I do not have an amendment ready to offer. However, I may. First, I would like to engage in a colloquy with the Senator

from Nevada regarding the National Council on Indian Opportunity.

Mr. BIBLE. Certainly.

Mr. DOMINICK. Last year we appropriated $100,000 for the Council by amending the HUD bill, I believe.

Because of the problems of getting funding and staff, not very much happened in 1968, the first year of the council's operation. In a statement last fall to the National Congress of American Indians President Nixon pledged continuation of the National Council, and included $300,000 in his budget request for fiscal 1970.

The committee has cut out the $300,000. I gather, if I am correct—and perhaps the Senator can comment on this—that the major influence in making this reduction was the fact that we did not have authorizing legislation enacted at that time.

Mr. BIBLE. That was the main reason I voted as I did.

Mr. DOMINICK. On September 13, the Senate did pass the authorizing legislation requested by the Nixon administration.

Mr. BIBLE. The Senator is correct.

Mr. DOMINICK. I believe the Senator from Nevada supported it.

Mr. BIBLE. That is a correct statement. I supported it, and I believe it passed the Senate on September 13.

Mr. DOMINICK. The House has not yet passed authorizing legislation.

Mr. BIBLE. That is my information. And I am advised by the staff people that they have canceled their hearings on this very bill and that as of this moment no arrangements have been made for further hearings. This is what my staff people tell me.

Mr. DOMINICK. It is my understanding from the executive department downtown that additional effort is being made to get action by the House of Representatives on this authorizing legislation. Whether this effort will be successful, I frankly do not know. However, they are trying their best to get something done.

Is my understanding correct that in the event authorizing legislation is passed by the House, the Senator from Nevada would then have no objection to its being funded in order to be able to implement the work of this important national council?

Mr. BIBLE. Was the question whether, if the House passed the authorizing legislation and it were enacted into law, I would have any objection to putting the money in the bill?

Mr. DOMINICK. The Senator is correct.

Mr. BIBLE. I would have none. Actually, it would not really come before me in this time sequence where we are always bedeviled by last minute requests. And this happens to fall in that category. But it would be a supplemental appropriation to be heard before the chairman of the Supplemental Appropriations Committee, the Senator from West Virginia (Mr. BYRD). The Senator from West Virginia has been on the floor faithfully all day. However, I do not see him in the Chamber at the moment.

I would have no objection to its being put in as a supplemental item. I think that we must have the necessary framework on which to hang appropriations.

Mr. DOMINICK. The reason I brought the matter up is that the 25th anniversary convention of the National Congress of American Indians begins on October 6. That will be an extremely important meeting. And the Indians are looking for some method of leadership so that they can be assured of developing themselves both economically and educationally.

Representatives of the national council will be in attendance. After having had assurances from President Nixon and personal meetings and correspondence from Vice President AGNEW, it would be particularly unfortunate if Congress just suddenly indicated that it was not going to support the council. I think this could have a very adverse effect on all the efforts we are trying to make.

It is for that reason that I wanted to enter into this colloquy—to show that the reason for lack of a Senate appropriation is a technical one rather than anything else. The House has not acted on the authorizing legislation. The assurance of the Senator from Nevada is that if the House acts, then he would be happy to support, before whatever committee it is, an appropriation of whatever amount is required at that point.

Mr. BIBLE. Whatever amount is properly justified. That is the only qualification I would make. The authorizing language, as it was reported by the Senate Interior Committee, was $300,000. As the Senator knows, that is almost always the ceiling. Whether they can justify and economically use the full amount, I do not know. But whatever amount can be economically used, I would have no hesitancy at all in supporting, and I so indicated in the earlier colloquy on the same subject during the debate on this bill.

Mr. DOMINICK. I appreciate that very much. Knowing the chairman so well, I know that he means every word that he is saying.

This is important, I think. One of the problems with which we are going to be faced by virtue of no appropriations in this bill is the question of the interim staffing of the National Council. I do not really know the answer to that. How are they going to be able to get the money to keep the staff moving? I think this is important, because they are developing long-range plans and policies at this time, and without any money it is going to be pretty hard if not impossible to keep a staff together.

Mr. BIBLE. This is true. I think every staff member looks forward to payday, as does the U.S. Senator. I hope we can work this matter out.

Mr. DOMINICK. I thank the Senator from Nevada.

The PRESIDING OFFICER. The bill is open to further amendment.

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

Mr. BIBLE. I yield.

Mr. KENNEDY. I should like to ask a question of the distinguished chairman of the committee, and I refer him to page 16 of the committee report.

It is my understanding that in the House report, the House committee recommends an increase of some $563,000 over the budget estimate to provide additional funds under authority contained in section 4(b) of the act for research on pollack fishing off the northeast coast of the United States.

As the chairman of the committee may be aware, the great percentage of the New England fishing industry depends on haddock, and particularly in the last 2 or 3 years there has been a very serious deterioration in those supplies.

In 1960, New England fishermen landed 93 percent of the fish caught on the New England continental shelf, with the remainder landed by Canadians. Just 5 years later, New England fishermen landed only 35 percent of the fish, with the Russians catching more than all other nations combined.

Total landings by New England fishermen dropped from 852 million pounds in 1960 to 687 million pounds in 1966. They are still dropping. In 1967, the eight major ports in New England experienced a 19-percent decline in food fish and a 4-percent decline in industrial fish. And 1968 was a disaster year. In Massachusetts alone, total fish landings were at their lowest level since 1924.

The pressure on haddock at Georges Bank has been so severe that the International Commission on the North Atlantic Fisheries recently found it necessary to declare a moratorium, recognizing that this is the only way to save severely depleted stocks. The consequence has been an even greater need for fishermen to turn to new and underutilized species. But the decline of the last several years has left them without the resources to do so, victims of a relentless vicious circle.

For one reason or another, there really has not been a comprehensive marketing effort made for pollack, to try to show its attractiveness to the consumer. Nor has there been research on how best to fish for pollack, which is available in abundant supply. As a result, we find part of the reason for a decline in our fishing fleet up there is this crisis—overfishing of haddock, and failure to turn to new species.

The situation has reached crisis proportions. A number of us in New England appealed to the Secretary of the Interior to find that this was a disaster area, under the definition of 4(b), and the Secretary of the Interior did so. It was the hope, therefore, that resources might be available for such a study on the researching of pollack.

Therefore, as I understand, the House figure was increased by this figure of $563,000, and it is my understanding that this goal will be achieved by the utilization of funds which exist both within this budget and within other resources, such as the Saltonstall-Kennedy bill. Would the chairman clarify this matter?

Mr. BIBLE. I understand the problem very well, and I am completely in sympathy with it.

I thought the Appropriations Committee had pretty well recognized the crisis to which the Senator alludes and that we had taken proper action.

The figures I have—and I believe they are correct—show that very recently

$200,000 was allocated for the pollack program, plus an additional $200,000 which is to be allocated from the management and investigations activity which are in this bill, which will soon find its way, we hope, to the White House. In addition, there is $74,000 from the Saltonstall-Kennedy funds. So there will be available, in a short period of time, approximately $474,000 to take care of this problem. It seemed to the committee that this was an adequate amount.

I am well aware of the House item, and I assure the Senator from Massachusetts that this is one of the items that are in conference. So if there are differences of opinion as between what the Senator from Nevada is saying and what the House conferees or the House members of the Appropriations Committee have in mind, I am sure this is an item that can be resolved rather quickly in a conference.

Mr. KENNEDY. I appreciate the explanation of the chairman of the committee.

As I understand, that reaches a figure of some $474,000. The House figure for the pollack research was $563,000. There does not seem to be a wide disagreement. I think that the understanding that the funds for the $474,000 will come from those three different areas, or three different items, which the Senator from Nevada has enumerated here, is much more reassuring to those of us who are very much concerned about this pollack problem.

Mr. BIBLE. I understand the Senator's concern, and rightly so.

Mr. KENNEDY. Could I direct the chairman's attention to one other item?

Mr. BIBLE. Certainly.

Mr. KENNEDY. It is on page 15 of the report, at the lower part of the page. It reads:

> The committee approves the amount of direct appropriation ($314,000) for the economics subactivity of the "Marketing and technology" activity. However, it does not recommend an increase of $400,000 in the use of Saltonstall-Kennedy funds to start studies on factors affecting fishermen as far as probability of catches is concerned.

As I understand from our good friends in the fishing industry, both on the west coast and the east coast, they are concerned as to whether the members of the committee who would meet in conference would have an open mind about that language, and they are distressed by the inclusion of it in the report.

Mr. BIBLE. I am sure that would be the case. We were expressing our opinion as we saw it.

I think the Senator from Massachusetts recognizes, as do all of us who work in the legislative field, that we have studies on studies. This may well be an indicated study. This would be subject to final settlement as between the conferees of the House and the conferees of the Senate.

One of the problems that troubled us was that this led into a many year program, with a cost of a number of million dollars. But it would still be subject to conference when we meet with conferees.

Mr. KENNEDY. I do not want to delay the Senate in its action on the bill. I wish to include a short paragraph that was a part of the Report on Marine Science Affairs which was printed earlier this year. It stated:

> One of the factors which has contributed to the decline of our fishing industry is a tangle of Federal, State and local laws and regulations which were originally designed to conserve species, reduce conflicts among multiple users of the coastal waters or among groups of commercial fishermen, or to protect certain limited interests, but which have increased costs and inhibited efficiency of fishing by retarding application of contemporary technology and limited fishing areas.

It seems to me that if we at least provided some flexibility for the Bureau of Commercial Fisheries to use Saltonstall-Kennedy funds, if they make a determination to consider whether that is an overlapping and duplication of Federal, State, and local laws, it might be helpful.

I feel that the $400,000 would be a justifiable expenditure if it can contribute to providing an operational environment for our fishermen which would allow them to reduce harvest costs.

The only import of my inquiry was to see if the committee had an open mind.

Mr. BIBLE. I am sure they do as to all of these problems. It is difficult to determine where studies should be made.

Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. MANSFIELD. Mr. President, the Interior appropriations bill is one of the most important of all the money bills to the State of Montana. The activities under the jurisdiction of the Interior agencies and bureaus have a very direct relationship to the welfare and development of my State. Being perfectly candid this year's mood of budget cutting and economy is going to be a little rough on the Western States. However, I recognize the national situation and Federal spending cannot go on without some control. This is something we will have to and can live with.

There is one area which I felt deserving of an exception from "no new start" policy this year. We are postponing what I hope will be no more than 1 fiscal year, the most promising new industrial technique in power generation that has been developed in this century. I refer to magnetohydrodynamics, or MHD, a new way of using coal and natural gas to generate electric power.

MHD is an exciting process because it is without the air and water pollution that is associated with conventional fossil-fueled plants and without the thermal pollution of water that is causing so much concern in the United States. This process of converting heat energy into electrical energy results in an abundant supply of low-cost power. In brief it is low cost, efficient and an absolute minimum of air or water pollution.

My colleague, the Senator from Montana, LEE METCALF, and I are especially interested in the MHD process because it can make use of the tremendous deposits of low-grade coal that exist in eastern Montana and adjoining States. In addition to the economic benefits the rapidly increasing power needs of the Pacific Northwest and Midwest could probably be met most economically from a combination of MHD plants and extra-high-voltage transmission lines from the coal fields to populated areas.

The MHD process is not an American project alone. Ironically, work on this U.S.-developed process is proceeding far more rapidly in Russia and Japan than it is here. I understand that a 75-megawatt Russian plant near Moscow is nearly complete. What we are proposing to have constructed in Montana is a 30-megawatt pilot plant and an expenditure of $40 to $50 million over a 5-year period. A federally financed pilot plant is necessary because a private firm cannot recoup the high developmental costs since large-scale benefits are far in the future and spread across the spectrum of society. Private industry is interested, but at the present they are not willing to spend the money.

The Montana congressional delegation sought an initial appropriation of $1.7 million for the current fiscal year. The project would be under the Office of Coal Research. During the first year's effort, primary expenditures would be for research, planning, and special work in the area of air and water pollution abatement. It is anticipated that a pilot plant would very possibly lead to commercial plants by the mid or late 1970's. The eventual goal is to have a 30-megawatt pilot plant constructed in eastern Montana. The pilot facility would be followed by commercial plants elsewhere.

Mr. President, I firmly believe that it is in the best interests of our Nation to proceed with this project as rapidly as possible. I am informed that it is enthusiastically supported within the Department of the Interior. A detailed record has been made before both the House and Senate Committees on Appropriations. If it is the wisdom of the Congress that this program be postponed 1 year, let it be no longer. National concern about water and air pollution, power shortages, and resource development underscore the need to proceed with the MHD pilot plant as rapidly as possible.

Mr. President, I ask unanimous consent to have a series of letters printed at the conclusion of my remarks in the CONGRESSIONAL RECORD which document the need and interest in MHD and especially the interest and support given by the Montana Congressional Delegation.

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

U.S. SENATE,
Washington, D.C., August 22, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Secretary Stewart Udall has informed us that development of

a magnetohydrodynamic (MHD) electric power system might not begin next year because of proposed budget reductions. Enclosed is a copy of a letter from him regarding this matter.

We would consider further delay of this development very unwise. The 10 megawatt prototype MHD electric power generator being contemplated by the Department of Interior will require about four years to construct. We urge you to include $10 million in the Fiscal 1970 budget requests to be utilized during a four-year period for construction so this pilot utility plant can be in operation by 1975.

We also hope you will consider Montana as the most logical site for such a plant. This would be consistent with the Senate recommendation in the report on the Department of Interior appropriation bill for Fiscal 1967 which urged more development and research for coal reserves in Eastern Montana. As you know, Montana has 10 per cent of the nation's coal reserves and is expected to be the nation's largest producer of coal by 1980. Development of these reserves has been delayed because of shortage of water in the area but MHD generators could utilize these rich coal veins without great amounts of water.

Montanans would welcome development of these coal reserves, especially with the knowledge their reserves were being utilized by a method which would not add to air and water pollution and would increase by 50 per cent the amount of useful energy obtained from a pound of fuel. They would be pleased to help reverse the flow of people from rural regions to urban centers in search of jobs and would anticipate attracting industry by offering the lowest possible cost for power.

Thank you for your consideration.

Very truly yours,

MIKE MANSFIELD,
U.S. Senator.
LEE METCALF,
U.S. Senator.

U.S. SENATE,
August 22, 1968.

Hon. STEWART UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Thanks for your letter regarding development of a magneto-hydrodynamic electric power system.

Although I realize that the Department of Interior is working under fiscal reductions, I hope the Fiscal 1970 budget will include enough money at least to begin development of this system.

Enclosed is a copy of a letter that Senator Mansfield and I wrote to President Johnson requesting that $10 million be included in next year's budget.

I was pleased to learn that construction of a lignite gasification pilot plant is scheduled to begin next year.

Very truly yours,

LEE METCALF.

SEPTEMBER 20, 1968.

Hon. STEWART UDALL,
Secretary, Department of the Interior,
Washington, D.C.

DEAR STEW: Because of timing, I wish to again address myself to the matter of obtaining Department of the Interior approval of the Magnetohydrodynamic (MHD) project.

First of all, I am well aware of the severe budget limitations under which the Department is operating. Even with this in mind, it would seem to me that the project certainly could be approved and proceed on a limited funding basis for at least the first year. As you know, the Montana Congressional delegation is interested in seeing such a plant located in Montana.

As you may recall, several years ago at my request the Senate Committee on Appropriations instructed the Department to place some emphasis on the development of the expansive coal fields in eastern Montana. Very little has been done. As soon as I learned of the MHD project, it seemed to me that this was a natural. This proposal is at a point where there is a need for a pilot plant. Montana has the vast coal resources. In addition, the MHD power station would be a great achievement for all concerned because of the absolute minimum of air pollution, a problem which plagues many of the coal generating plants now being constructed or in operation.

As I understand it, the ten megaton prototype MHD power generator being contemplated by the proposal now before you would require approximately four years to construct. This is a ten million dollar project. All of these funds would not be required in fiscal year 1970. I feel that the project should be approved and announced now. The first fiscal year would require approximately one million, two-hundred thousand dollars. The remaining funds could be allocated during the next three fiscal years.

Again, I wish to assure you of my personal knowledge of the very strong effort being made to hold down the budget at every level, but this is at the same time a rare opportunity to take a step forward in the utilization of vast coal resources in the West and also develop a prototype MHD generator which has proven to be successful in combating air pollution, a serious problem facing industrial areas, small and large, throughout the country. Your personal attention and cooperation in this matter would be sincerely appreciated by the entire Montana delegation.

With best personal wishes, I am

Sincerely yours,

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., May 8, 1969.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: We deeply regret the delay in responding to your letter of March 19, and wish to acknowledge receipt of your May 5 letter on the same subject.

We were impressed with your excellent analysis of the electric power resource and related transmission economics as it pertains to the Pacific Northwest and generally to the western area of the United States. This Department agrees that all interested agencies, Federal, public and private, should continually investigate the electric power resource and transmission situation to foster the delivery of ample supply of low-cost power to the consumer. The report "A Ten-Year Hydrothermal Power Program for the Pacific Northwest, January 1969" prepared by Bonneville Power Administration together with "Transmission Study 190, February 1968" prepared by the Bureau of Reclamation, Southwestern Power Administration, and Bonneville are examples of studies which lead to implementation of low-cost power development. The Public Power Council, a group of 106 publicly owned utilities in the Pacific Northwest, is considering the initiation of a study of potential electric power resources that will provide their future energy. Their studies will delve into the economies of all practical alternative energy sources. A prime portion of the PPC studies will include investigation of potential development of mine-mouth plants in low-cost coal areas in Montana, Wyoming and other Rocky Mountain and Missouri River Basin states. Other investigations involving possible import of Alaskan coal, potential Canadian coal resources, pressurized and boiling water reactors, development of prototype fast breeder reactors and prototype magneto-hydrodynamic fossil fuel generation facilities may also be included in the Public Power Council programs.

We would like to respond to the particular points brought out in your letters. We agree that the report on the hydro-thermal program for the Pacific Northwest may have led you to the conclusion that nuclear generation was the major thermal power source considered. The "models" presented in the Appendix of the report do list a series of twenty nuclear plants. On the other hand, as stated elsewhere in the report, fossil fuel power resources or other thermal resources were considered to be alternatives to nuclear development. For example, the map on page 23 of the report shows two transmission interconnections "to the East" which are designated as possible future interties which would transmit fossil fuel power into the Pacific Northwest. The first such fossil fuel (coal fired) powerplant is now being planned as a 1000-mw plant located in Southwestern Wyoming.

We are reaching the final stage in programming the first six thermal plants that follow the development of Centralia, Washington, units 1 and 2 which are now under construction. This group of seven plants will have a total capacity of about 7,500 mw. 2,400 mw of this total will be coal-fired steam-electric powerplants. These latter plants are the Centralia plant of 1,400 mw and a 1,000 mw coal-fired plant programed for development near a coal mine in Southwestern Wyoming. The other five thermal plants will probably be nuclear steamplants located in Oregon and Washington, west of the Cascades. The first of these plants is now under construction by the Portland General Electric Company at a site along the Columbia River north of Portland, Oregon. We believe it is highly desirable to develop a diversity of types of electric power supply so that economic trends that affect individual types of power sources do not excessively increase power costs.

We agree that the development of extra-high or ultra-high voltage transmission facilities, together with large coal-fired plants in Eastern Montana and Wyoming, can be expected to become competitive with nuclear power facilities located more closely to the Pacific Coast load areas.

We have had discussions with representatives of both the Peabody Coal Company concerning development of its Eastern Montana coal resources and the Reynolds Metals Company regarding its coal holdings in Northern Wyoming. From these discussions it appears that mine-mouth coal-fired plants in these areas could furnish competitively priced power to load areas in the Pacific Northwest by the 1980's. The Pacific Northwest hydro-thermal program is based on the concept that the continuing need for thermal electric power shall be obtained from the resource that provides low-cost electricity to the Pacific Northwest consumer.

The hydro-thermal program did not disregard the findings of Transmission Study 190. In fact, as pointed out previously, the program included the possibility of transmission connections to the east and importation of coal-fired thermal power. High-voltage interconnections from the Pacific Northwest to the east and southeast would allow more extensive development of coal resources in areas east of the Rockies, since the burden of transmission cost could be shared to provide the several types of power transmission benefits including transmission of power from the plant to the load areas east or west. It should be pointed out that maximum benefit of combined use of transmission facilities will be achieved when large-scale coal-fired powerplants, some 3000 mw or more, are located about midway in an east-west tie.

The six to seven-cent/million BTU cost of Montana coal mentioned in your letter would, in all probability, make power generated by

this fuel competitive with almost any other available power source even though as much as one mill/kwh may be associated with extra transmission costs. We believe that your suggestion for an extension of Transmission Study 190 to include the economics of power source development, together with the cost and benefits of interconnecting extra-high voltage transmission facilities, is entirely appropriate. We have been considering this type of study extension which could be a part of our overall energy resource development program.

Your observation that the Pacific Northwest-Southwest Intertie was used this winter to transmit 800,000 kw of capacity north from California to the Pacific Northwest serves to illustrate the fact that well planned interconnections will usually be utilized to achieve benefits that exceed the amounts forecast in the feasibility studies.

MHD technology has not yet been developed to the point of commercial application but preliminary experimentation indicates that if the numerous engineering problems can be overcome that electric generation may be accomplished with reduced air pollution and water requirements along with increased efficiency. In this connection there is increasing interest in the U.S. in evaluating the need for larger scale experimentation and in coordinating U.S. efforts with those of other countries. At present, however, commercial application seems to be some years away.

The fiscal constraints under which the F.Y. 1970 budget was prepared were not conducive to the undertaking of a new MHD pilot plant of the magnitude mentioned in your letter. Basically, the 1970 budget only continues ongoing pilot plant projects.

A study is presently being made by the Office of Science and Technology of the state of technology of MHD, its possible implications to the U.S. electric energy economy, and what the public policy should be toward this new development. We wish to have the benefit of the OST view to determine if funds should be requested for Federal expenditures in research. If the decision is reached to go ahead in this area, a $50,000,000 MHD research program would appear reasonable to advance this technology.

Implementation of the hydro-thermal power program for the Pacific Northwest now involves consideration of the possibility of fast breeder nuclear prototype plants. Various types of such plants are now being sponsored by several manufacturing and utility groups throughout the country. It may now be appropriate to similarly accelerate the cooperative development of prototype plants involving MHD electric generation. We believe that public, private and Federal agencies should coordinate in the sponsorship of programs that have future economic promise.

We appreciate your interest in and expert interpretation of such programs and studies as the hydro-thermal program for the Pacific Northwest and Transmission Study 190. We believe that continued interchange of ideas regarding such programs will accelerate future economic developments with due consideration of environmental factors.

Sincerely yours,

JAMES R. SMITH,
Assistant Secretary of the Interior.

MARCH 19, 1969.

HON. WALTER J. HICKEL,
Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: It has come to our attention that the Bonneville Power Administration and utilities in the Pacific Northwest, basing their plans partly on the results of a study at Battelle Institute, are contemplating a vast program to build thermal-electric generators in that region. Many, if not most, of these generators are to be nuclear.

We are concerned about the conservation aspects of this projected program, about the rapidly escalating cost of nuclear plants and about other unresolved problems in connection with nuclear generation. We would thus like to suggest study of an alternative course of action which might provide at least part of the energy needs of the Pacific Northwest region and therefore lessen the reliance on nuclear generation.

There is ample engineering evidence, we believe, to indicate that electric energy produced with coal at minemouth in Eastern Montana and Wyoming, then transmitted via extra-high-voltage facilities to the Pacific Northwest, would be highly competitive in cost with energy produced in the Pacific Northwest in nuclear plants. The extra-high-voltage lines could possibly be a part of a larger network of such lines which would produce a number of other benefits. Thus the cost could be brought down even further, and the coal-produced power might enjoy a clear competitive advantage over nuclear power.

It is ironic that right in the files of the Department of the Interior repose studies which appear to back up this contention. Interior's Study 190, a study of a plan to connect the entire western two-thirds of the nation with extra-high-voltage lines, outlines the benefits to be achieved through such interconnections. These benefits would be produced in the form of increased reliability and through massive interchanges between the eastern and western portions of the system, taking advantage of hydrological, seasonal and time-zone diversity. Another report, produced by Robert Nathan and Associates for Interior's Office of Coal Research, suggests that coal-produced power from Montana and Wyoming would be competitive with nuclear power produced near Pacific Northwest load centers—*even without the benefits of the Study 190 transmission system and before the recent escalation in nuclear costs.*

Other recent information indicates that coal from the Lake DeSmet area of north-central Wyoming, and probably coal in certain nearby areas of Montana, can be produced at a cost of six to seven cents per million British Thermal Units—compared to an earlier Missouri Basin low coal cost of 12 cents per million BTU's. The six-to-seven cost is one of the lowest anywhere in the world.

South-central Montana and north-central Wyoming have more than adequate water for cooling purposes (although in some cases it might have to be transported to point of use). We refer here to the industrial water available from the U.S. Bureau of Reclamation's Yellowtail Reservoir in Montana, from USBR reservoirs in Wyoming, from a proposed State of Montana reservoir on the Tongue River in Montana and from the proposed (by USBR) Moorhead Reservoir on the Powder River in Montana and Wyoming.

The Montana-Wyoming coal fields are also perfectly situated for being traversed by one of the main east-west links of the Study 190 extra-high-voltage system. The coal fields would thus lie approximately half-way between large load centers on the system—in the Midwest and in the Pacific Northwest—and thus perhaps could serve both.

The potential is greatly enchanced by the possibility of the development of magneto-hydrodynamics, a new technique for generating power from fossil fuels developed by AVCO-Everett Research Laboratories. MHD (as it is called) offers a possibility for using coal to generate power without air pollution, with little need for cooling water and at about 50 per cent more efficiency than in conventional coal-fired plants (and yet greater efficiency than in the relatively inefficient nuclear plants). For some unexplained reason, a $10,000,000 request for an MHD pilot plant was not included in President Johnson's 1970 budget, even though immensely greater sums are appropriated for nuclear energy.

We would like to add that the potential for large-scale extra-high-voltage interconnections appears, from experience so far, to be even greater than was anticipated during planning stages. For example, the Northwest-Southwest intertie enabled 800,000 kilowatts of capacity to be transmitted from California to the Pacific Northwest during a recent cold snap in the latter region. Originally it had been intended that only energy (as opposed to capacity) had been scheduled for northward transmission over this intertie, but the capacity was needed because of unusual weather conditions—and it was available because of the intertie. We would expect similar unforeseen benefits to accrue from massive interties between the Pacific Northwest and the Midwest.

We therefore propose that the Department of the Interior, and its agencies involved with water, energy, and power, launch as soon as possible a study to identify the combined economic benefits of the Study 190 transmisson system and the use of power from Montana-Wyoming coal in the Pacific Northwest. If you could develop a price tag for the study, we would be happy to supply all possible support for appropriations at hearings this spring. We believe this to be of urgent importance in view of the present planning by BPA and Pacific Northwest utilities. It is essential that we take a careful look at alternative proposals so as to achieve a system which will provide the greatest benefits to all concerned—including the taxpayer.

We also wish to ask that an appropriation request for MHD be restored to the Budget. We would like to note that the Interior Department energy policy staff last summer recommended a total expenditure of $50,000,000 for MHD development, and we think that this is a reasonable amount for a program of such important potential.

Very truly yours,

LEE METCALF,
U.S. Senator.
MIKE MANSFIELD,
U.S. Senator.

U.S. SENATE,
Washington, D.C., April 14, 1969.

HON. ALAN BIBLE,
Chairman, Subcommittee on the Department of the Interior and Related Agencies, Senate Appropriations Committee, Washington, D.C.

DEAR SENATOR BIBLE: Since testifying before your Subcommittee on 3 April, and submitting a number of materials for the record, I have come across the attached article which appeared in the 10 April issue of Public Utilities Fortnightly.

In my written testimony, which Senator Mansfield also agreed to make his, I asked for a $1.7 million appropriation to the Office of Coal Research to begin a program aimed at development of magnetohydrodynamics (MHD), a new power generating technique which promises virtually to eliminate the air and water pollution caused by conventional electric generating plants.

The article, "The Technology of Energy Use in the Year 2000", written by Bruce C. Netschert, Director of the Washington, D.C., office of National Economic Research Associates, Inc., stresses the importance of MHD as a major energy source of the future. Limitations on engineering of larger and larger conventional power plants are causing great difficulties—which MHD will solve, Mr. Netschert suggests.

This is added evidence that it is important that we get under way with MHD development, and I ask that the article be included in the record in support of my request.

Very truly yours,

LEE METCALF.

MHD FOR CENTRAL STATION POWER GENERATION: A PLAN FOR ACTION

Dr. Lee A. DuBridge, Director of the Office of Science and Technology, today released a report entitled "MHD for Central Station Power Generation: A Plan for Action." The report reviews the current status of magnetohydrodynamics (MHD) technology and recommends a research and development program designed to explore the large potential benefits it offers for central station power.

The report was prepared by a special OST panel of utility executives, scientists and engineers under the chairmanship of Louis H. Roddis, Vice Chairman of Consolidated Edison Compay.

Magnetohydrodynamics, or MHD, is the term used to describe electric generating systems which obtain power directly from moving liquids or gases rather than indirectly by means of turbines and rotating generators. Its attractiveness stems from this direct conversion of thermal energy into electricity at high temperatures without the need for moving parts in contact with the hot fluid. The thermal energy may be provided either by burning conventional fuels or by a nuclear reactor.

The panel concludes that MHD offers the promise of improved efficiency, lower fuel costs and alleviation of thermal pollution in future power plants using fossil fuels. It considers that additional research directed to the difficult problems of coal-burning, open-cycle gas MHD systems is required before a large prototype facility is constructed. The panel recommends that this effort be funded by the Federal government at a level of about $2 million per year, with approximately an equal contribution by the utility industry and its suppliers.

The panel further recommends that closed-cycle gas and liquid metal concepts, which may be used in future nuclear plants, also be supported but at a lower level than the coal-burning, open-cycle system.

In releasing the report, Dr. DuBridge said: "Making MHD generation a reality will require the cooperation and financial support of the government, the electric utilities and their suppliers. I hope that the report of this distinguished panel will be carefully studied so that we can all find a proper course of action."

U.S. SENATE,
Washington, D.C., June 27, 1969.

Hon. RICHARD B. RUSSELL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR RUSSELL: On 19 June 1969, the Office of Science and Technology recommended a research program for magnetohydrodynamics (MHD), a new technique for generating electric energy from fossil fuels (and also with a potential for generating electricity from nuclear heat) without thermal pollution of our streams, lakes and other bodies of water.

In our 3 April 1969 testimony, before the Senate Appropriations Committee, Subcommittee on Interior and Related Agencies, we also supported MHD research, and we asked for a Fiscal Year 1970 appropriation of $1.7 million to the Office of Coal Research for this purpose. No budget request for MHD had been included in the Administration's budget, or revisions. James Smith, Assistant Secretary of the Interior for Water and Power, indicated to us in a letter that his department wished to wait for the Office of Science and Technology report before making a recommendation.

We believe the Office of Science and Technology report is a clear go-ahead for an MHD research program. In fact, the recommendation is for a Federal investment of $2 million a year, and an approximately equal amount from the electric utility industry. Envisioned is a program leading in about three years to construction of a prototype plant.

MHD has a number of advantages over conventional electric generators. Predictions are that it will be at least one-third more efficient than the usual fossil-fueled steam-turbine plant, and the Office of Science and Technology estimates that this increased efficiency could save consumers $11 billion in a 15-year period.

An advantage even more important would be the elimination of "thermal pollution," the heating of natural water supplies with consequent damage to the ecology. Conventional fossil-fuel plants cause some thermal pollution and nuclear power plants even more—unless these installations are equipped with expensive cooling towers. The Office of Science and Technology report also suggests the possibility of conversion of a "necessity into a virtue" in that MHD technology requires recovery of certain materials from flue gases in such a fashion that air pollution will be abated, also. This operation might pay for itself through creation of by-product nitric acid, the report suggests.

The Energy Policy Staff of the Interior Department about a year ago also recommended a research program for MHD. The Office of Coal Research tells us it has the capability for getting under way with a program in Fiscal 1970, if funds are made available.

In the interest of conservation and the most economical electricity for consumers, we urge that funds be appropriated for MHD for Fiscal 1970.

We are enclosing a copy of a recent report by the President's Office of Science and Technology, recommending a magnetohydrodynamics research program.

Very truly yours,

MIKE MANSFIELD,
U.S. Senator.
LEE METCALF,
U.S. Senator.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF SCIENCE AND TECHNOLOGY,
Washington, D.C., June 19, 1969.

Hon. MIKE MANSFIELD,
Majority Leader, U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: I am pleased to transmit a copy of a report entitled "MHD for Central Station Power Generation: A Plan for Action," which was prepared for this office by a special panel of electric utility executives, scientists and engineers.

Magnetohydrodynamics (MHD) is a means for converting thermal energy into electric power. It offers large potential benefits through more efficient use of fossil fuels and may be used with future nuclear plants as well. Realization of these increases in thermal efficiency would reduce the amount of heat rejected to the environment as well as improve fuel utilization.

The report points out that a number of difficult research problems must be resolved before these benefits can be achieved. It recommends a cooperative research effort by the government and the electric utilities and their suppliers prior to undertaking the major development which will ultimately be required.

We hope this report will be of assistance to you and to the Congress.

Sincerely yours,

LEE A. DUBRIDGE,
Director.

Mr. BOGGS. Mr. President, as a member of the subcommittee which considered this bill, H.R. 12781, I wish to briefly express my support of it. The bill finances many programs that will be of assistance to the people of this Nation.

If the Senate will bear with me, I would like to point out a few of the projects financed by this bill that will have direct benefits to the people of my State of Delaware, as an example of the benefits this bill brings to the Nation.

Scientists at the University of Delaware will receive $10,000 toward more research into the habits and patterns of blackbirds to give us greater knowledge of these birds in order to lessen their damage to the crops.

The Delaware State Arts Council will receive $36,363 this year for an exciting program of theater projects, lectures, and films, primarily to augment school programs. Last year Delaware was not eligible for these funds, so that this grant should add a meaningful new program for the people of Delaware.

Delaware does not receive any direct benefits in grants for another program funded under this bill. But this program could have great meaning to the people of Delaware. This is a scheme for the control of jellyfish along the east coast, with $225,000 appropriated for study of ways to curb jellyfish populations, particularly in Chesapeake Bay. That, of course, is an area of recreation for many citizens of my State. Further, the knowledge learned about jellyfish in the bay should help the State of Delaware learn more in its efforts to control jellyfish along our Atlantic beaches.

Yet another fine program that I would like to mention briefly is a project for shad conservation, administered by the Delaware Fish and Game Commission. Last year, the commission received money to begin work on a passageway for shad to swim up the Brandywine River to spawning grounds. The current bill contains another $30,000 for this project. It is too early to know for certain the results of this project, as spawning will not be known until next spring. But, it is the expectation that this passageway will bring a significant increase in the shad population, and bring more of these delicious fish to the Nation's dinner tables.

Under a program of the Bureau of Outdoor Recreation, Delaware will receive $742,916 toward the acquiring and development of parkland. In a society in which we become more and more urbanized, I am certain that we all recognize the need to expand our park systems, and I believe this money will be used to the great benefit of the citizens of Delaware.

This money will help Delaware in its 10-year program to acquire 3,752 acres of new parkland by 1980. Specifically, the State park commission plans to buy this year some of the 1,092 acres it needs to complete the Lums Pond State Park near Kirkwood. The commission also plans to spend some of this matching grant toward 236 acres needed to complete the White Clay Creek State Park near Newark, and to purchase some of the 500 acres still needed to complete the Killen Pond State Park north of Milford.

The Geological Survey has $64,000 in this bill to finance automatic gauging stations on the rivers and creeks of Delaware. This flow measurement, of course, is invaluable to the State in gaining knowledge for flood control purposes and to find out how much water will be available to various sections of the State and various times of the year.

Yet another program finances water

resources research. Delaware will receive $100,000 to assist seven projects, such as one to study the cost of obtaining water for industrial uses, which is a way to evaluate the expected costs for new industries thinking of coming to Delaware.

These are but a few of the programs contained in this bill that will be a direct benefit to the citizens of Delaware. I want to add that these programs do not just benefit the citizens of Delaware. Rather, they benefit every State in our Nation and every citizen in our land. This bill is needed. I support it enthusiastically.

PRESERVING NATURE'S WONDERS FOR FUTURE GENERATIONS

Mr. YARBOROUGH. Mr. President, the Interior appropriations bill, which is now under consideration, is a bill in which we can all take pride. In these days of soaring consumer prices, this bill strikes a healthy balance between the need to eliminate unnecessary and wasteful spending and the need to finance programs and projects which will benefit all Americans. I highly commend Senator BIBLE and the other distinguished members of the Subcommittee on Interior and Related Agencies for their hard work on this important measure.

The bill expressly provides the $12,115,600 necessary to pay all the court judgments involved in the acquisition of the land for the Padre Island National Seashore. In 1958, I introduced for the first time a bill to make Padre Island in the Gulf of Mexico a national seashore. After a long and difficult fight in both Houses of Congress, the act to create the Padre Island National Seashore was passed in 1962, which has resulted in a national seashore on Padre Island 74 miles long. Passage of the bill creating the national seashore was only a part of the battle. It was also necessary to appropriate the funds to buy the land. Since the majority of the upland included in the Padre Island National Seashore was privately owned, it was necessary for the Federal Government to institute condemnation proceedings to acquire title to this land. The funds included in this Interior apppropriations bill will pay these final judgments in full and guarantee that this serene and historic coastal land will be preserved for the enjoyment of our people forever.

This bill also includes the $1,246,000 necessary to complete the acquisition of the land for the Guadalupe Mountain National Park. I introduced a bill to establish a national park in the rugged and scenic Guadalupe Mountains, which are located 100 miles east of El Paso, Tex., in 1963. This bill became law in 1966; however, like Padre Island National Seashore, budget problems have delayed the purchase of the land necessary for the park. With the passage of this appropriations bill, this land can now be purchased and the Guadalupe Mountains can be added to our national parks system.

I am also particularly pleased that this bill includes $360,000 for the construction of the U.S. Forest Service: Wildlife Habitat and Silviculture Laboratory on the Campus of Stephen F. Austin State College at Nacogdoches, Tex. This laboratory, badly needed but often postponed, will provide Government scientists with the research facilities they need to assist them in their important work of improving the habitat for the wildlife in our southern forest.

The funds appropriated in this bill for these important projects are small in comparison to the billions that are expended on the targic war in Vietnam each month. The total of all of these three items would only pay for the war for 3½ hours. However, these funds will be used to preserve the wonders of nature for all future generations. As President Kennedy once said:

> It is our task in our time, and in our generation to hand down undiminished to those who come after us, as was handed down to us by those who went before, the natural wealth and beauty which is ours.

Therefore, Mr. President, I urge Senators to give their full support to this bill.

Mr. NELSON. Mr. President, last year Congress amended the Land and Water Conservation Fund Act to authorize a minimum annual expenditure of $200 million a year for the 5 fiscal years beginning in fiscal year 1969. Land acquisition for our national parks and other Federal wildlife and recreation areas is dependent on moneys from this fund. State recreation programs also depend on matching moneys from it.

It is abundantly clear that with the 1968 amendment, it was the intent of Congress to assure that the land and water conservation fund would be appropriated at the level of $200 million annually until 1973 to meet the burgeoning outdoor recreation demands of the Nation.

The 1968 amendment went so far as to make specific provision for this spending level by providing for the transfer of Outer Continental Shelf oil revenues to the fund whenever regular sources for the fund did not bring in the $200 million and the difference was not appropriated from the Treasury. Thus, if in 1 year, the regular fund sources brought in only $150 million, $50 million in oil revenues would be added to make up the $200 million figure. If only $100 million came into the fund from its regular sources, $100 million in OCS oil revenues would be added to make $200 million.

With this rather explicit history of congressional intent, it has come as quite a shock to many of us to see only $124 million requested for this fiscal year for the land and water conservation fund. This is the figure that is in the appropriations bill before us; it is the figure that was in the House bill, and it is the figure that was requested by the administration.

I have heard no one say that $124 million is adequate to meet our pressing recreation land acquisition needs. In fact, according to reports in the press, the Bureau of the Budget has told the House Interior Committee that acquisition funds are now so tight that if any new national parks are authorized, acquisition for already authorized parks and recreation areas will have to be cut back.

Even without the establishment of new areas, the Bureau of the Budget letter reportedly said the land acquisition program for existing national parks may well have to be cut back.

The Bureau of the Budget position may well be an understatement. Federal recreation land acquisitions already authorized and eligible for financing from the land and water conservation fund are nearly equal to the $500 million authorized as the Federal share of the fund for the next 5 years. If land costs and development continue to escalate, and adequate funds are not appropriate to meet these commitments, the precedent-setting effort in recent years to expand our national park system will face total collapse.

To make the situation even more serious, this is the second year in a row we have cut the land and water conservation fund far short of the intended $200 million mark. Last year, only $111.5 million was requested and appropriated, $88.5 million short of the $200 million level. For this year, as I pointed out, only $124 million was requested, and is being appropriated in the bill before us—$76 million short of this year's intended $200 million level.

Right now, there is, altogether, $164.5 million that has been designated for the fund, and, under law, will remain there indefinitely, unspent, and unappropriated—unless this situation is corrected.

The rationale given for both last year's and this year's cut has been that there were overall restraints on the Federal budget, and a need to control inflation.

But this argument simply does not hold water. There is nothing inflationary about buying land already authorized for the public, in Redwoods National Park, Cape Hatteras National Seashore, the Indiana Dunes National Lakeshore, and so on—especially if the funds have already been earmarked for this purpose.

In my opinion, we will actually be aiding inflation, if we follow the Bureau of the Budget's advice and let $164.5 million sit in the fund, while speculators drive land prices up in our unacquired but authorized national park areas.

Yet in its letter to the House committee, the Bureau of the Budget did not even discuss the matter of the $200 million intended for the fund for each of the next 5 years, or the question of why the $164.5 million now earmarked for it from the oil revenues is not being spent.

The Bureau of Budget posture on this is quite unfortunate, and I urge the administration to begin an immediate review of its land and water conservation fund requests to determine why spending the full $200 million each year would not be compatible with present fiscal policy.

I will very shortly write Dr. Lee DuBridge, Chairman of the President's Environmental Quality Council, to request such a review, and to urge a full report to Congress on this pressing question in the near future.

In a recent letter to the Bureau of Outdoor Recreation, I asked a series of questions regarding the status of the land and water conservation fund. I ask unanimous consent that a copy of their reply be inserted in the RECORD at this point.

There being no objection, the letter

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

U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF OUTDOOR RECREATION,
Washington, D.C., August 4, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: We are pleased to respond to your letter of July 17, requesting information on the Land and Water Conservation Fund. We will respond to your questions in the order in which they appear in your letter:

1. Public Law 90-401, approved July 15, 1968, amended the Land and Water Conservation Fund Act of 1965 in several respects. One amendment provides for a $200 million annual accrual to the Fund. If revenues from admission and user fees, motorboat fuel taxes, and sales of Federal surplus property do not produce that level of funding, appropriations to make up the difference are authorized to be made from the General Fund of the Treasury. In the event such appropriations are not made, the difference is obtained automatically by a transfer of receipts derived from Outer Continental Shelf lands.

In fiscal year 1969, revenues to the Fund amounted to only $73 million. No appropriation was made to the Land and Water Conservation Fund from the General Fund of the Treasury. Therefore, $127 million was transferred to the Land and Water Conservation Fund from receipts from Outer Continental Shelf lands, making $200 million available to the Fund. Appropriations by Congress from the Land and Water Conservation Fund for fiscal year 1969 totaled $111.5 million. Deducting this $111.5 million from the $200 million deposited to the Fund during that fiscal year leaves $88.5 million of unappropriated receipts in the Fund as of June 30, 1969.

Public Law 90-401 provides authority to utilize Outer Continental Shelf land receipts to cover deficiencies up to $200 million for a period of five years. The first year was fiscal year 1969. Thus, we have four years of this authority remaining which will extend through the fiscal year 1973. Receipts from this source that are deposited to the Land and Water Conservation Fund remain in the Fund indefinitely until appropriated by the Congress. Unlike other revenues to the Fund that revert to miscellaneous receipts of the Treasury if not appropriated in the year in which collected or two fiscal years thereafter, the Outer Continental Shelf receipts do not revert to miscellaneous receipts.

2. We are attaching, as Table A, a schedule which shows for National Park Service, Forest Service, and the Bureau of Sport Fisheries and Wildlife the funds requested of Congress for fiscal year 1970, for acquiring lands in or adjacent to Federal areas. Table B, attached, shows a projected five-year program for the National Park Service under which all areas authorized since fiscal year 1960 would be acquired in toto, and $50.0 million would be directed to acquiring inholdings in the older areas of the National Park System. By the end of fiscal year 1973, which is the last year the shelf oil revenues will be available under existing law, all recreation land within areas authorized for the National Park System since fiscal year 1960 could be acquired, $30.0 million could be directed to acquisitions in the older areas, and a balance of $112.0 million earmarked for the National Park System would remain uncommitted for the National Park System to be applied either to liquidating remaining inholdings in older areas or be available for new authorizations by the Congress. It should be emphasized that this five-year program (Table B) is a working document and the Administration is in no way committed to its fulfillment. It is submitted as a matter of information and in an attempt to be responsive to your request.

During the same five-year period we have programmed $17 million annually for use by the Forest Service in acquiring recreation lands within or adjacent to National Forests and $3 million annually to the Bureau of Sport Fisheries and Wildlife for acquisition of lands for recreation and for preservation of endangered species of wildlife.

3. We are attaching, as Table C, a schedule showing anticipated revenues for the next five years from sources other than Outer Continental Shelf lands. The estimates of revenues from sales of Federal surplus property are the most difficult to project because it is impossible to forecast with accuracy what properties might become surplus and be sold during this period.

We hope the information submitted herein will be useful to you. If you need additional information we will be pleased to supply it upon request.

Sincerely yours,
G. DOUGLAS HOFE, Jr.,
Director.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Washington (Mr. MAGNUSON) and the Senator from Michigan (Mr. HART) are absent on official business.

I also announce that the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON), the Senator from Michigan (Mr. HART), the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from New Jersey (Mr. WILLIAMS) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. MURPHY) and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from Vermont (Mr. AIKEN) is absent because of death in his family.

The Senator from New York (Mr. JAVITS) is necessarily absent because of the religious holiday, Yom Kippur.

If present and voting, the Senator from Vermont (Mr. AIKEN), the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. GOLDWATER), the Senator from New York (Mr. JAVITS), the Senator from California (Mr. MURPHY), and the Senator from South Carolina Mr. THURMOND) would each vote "yea."

The result was announced—yeas 83, nays 0, as follows:

[No. 96 Leg.]

YEAS—83

Allen	Gravel	Mundt
Allott	Griffin	Muskie
Anderson	Gurney	Nelson
Baker	Hansen	Packwood
Bayh	Harris	Pastore
Bible	Hartke	Pearson
Boggs	Hatfield	Pell
Brooke	Holland	Percy
Burdick	Hollings	Prouty
Byrd, Va.	Hruska	Proxmire
Byrd, W. Va.	Hughes	Randolph
Case	Inouye	Saxbe
Church	Jackson	Schweiker
Cook	Jordan, N.C.	Scott
Cooper	Jordan, Idaho	Smith, Maine
Cotton	Kennedy	Smith, Ill.
Cranston	Long	Spong
Curtis	Mansfield	Stennis
Dodd	Mathias	Stevens
Dole	McCarthy	Symington
Dominick	McClellan	Talmadge
Eagleton	McGee	Tower
Ellender	McGovern	Tydings
Ervin	Metcalf	Williams, Del.
Fannin	Miller	Yarborough
Fong	Mondale	Young, N. Dak.
Fulbright	Montoya	Young, Ohio
Goodell	Moss	

NAYS—0

NOT VOTING—17

Aiken	Gore	Ribicoff
Bellmon	Hart	Russell
Bennett	Javits	Sparkman
Cannon	Magnuson	Thurmond
Eastland	McIntyre	Williams, N.J.
Goldwater	Murphy	

So the bill (H.R. 12781) was passed.

Mr. BIBLE. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. MCCLELLAN, Mr. BYRD of West Virginia, Mr. MUNDT, and Mr. YOUNG of North Dakota conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, guiding the appropriations bill for the Department of Interior and related agencies so expertly through the Senate today was the able and distinguished senior Senator from Nevada (Mr. BIBLE), the chairman of the Interior Subcommittee of the Senate Appropriations Committee. All of us in the Senate are greatly indebted to the Senator from Nevada. His skillful management of this measure exemplified the outstanding legislative ability he brings to every proposal that gains his support. The Senate is grateful.

Aiding Senator BIBLE with the same fine bipartisan support that has marked his years of service was the ranking minority member of the subcommittee, the distinguished Senator from South Dakota (Mr. MUNDT). Our gratitude is extended to him as well for the expeditious and efficient handling of this very important measure.

The senior Senator from Massachusetts (Mr. KENNEDY) deserves special recognition for offering his important amendment to the bill and guiding it to acceptance by the entire Senate. And adding their always thoughtful views to

the discussion today were the Senator from Oklahoma (Mr. HARRIS), the Senators from Colorado (Mr. DOMINICK and Mr. ALLOTT), the Senator from Alaska (Mr. STEVENS), and many others. We appreciate their contributions. Their views are always welcome.

Again, to Senator BIBLE, to the members of his subcommittee and to the Senate as a whole, commendation is due for the judicious, expeditious, and unanimous adoption of this vital funding measure.

AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN MARITIME PROGRAMS OF THE DEPARTMENT OF COMMERCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar 263, H.R. 4152.

Before the Senate makes a decision on the request, may I say to the Senate that it is quite possible that the bill will not take too long. If that is the case, I urge all Members of the Senate to stay as close to the floor as possible. In all probability, there will be a rollcall vote on an amendment.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 4152) to authorize appropriations for certain maritime programs of the Department of Commerce.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments on page 2, line 4, after the word "activities" strike out "$15,000,000;" and insert "$12,000,000;"; and at the beginning of line 9, strike out "$2,040,000;" and insert "$2,270,000;".

Mr. LONG. Mr. President, I ask unanimous consent that the committee amendments agreed to en bloc and that the bill as thus amended be regarded as original text for the purpose of further amendment.

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

Mr. LONG. Mr. President, the purpose of this bill is to authorize appropriations for the Maritime Administration program pursuant to Public Law 90–81 enacted in the first session of the 90th Congress.

The maritime authorization bill as requested by the Department of Commerce would have authorized a total of $262,996,000 for the acquisition, construction, and reconstruction of vessels, payment of obligations incurred pursuant to operating subsidy contracts, research and development expenses, reserve fleet expenses, operation of the Merchant Marine Academy at Kings Point, N.Y., and financial assistance to State marine schools.

The pending House-passed bill as reported favorably by the Senate Commerce Committee, would increase the authorization by $121,612,000 to the sum of $384,608,000. The major item involved in this increase is an increase in ship construction funds from $15,918,000, as requested by the Department of Commerce, to the sum of $145,000,000. The bill as passed by the House of Representatives and reported by the Senate Commerce Committee would also increase the funds requested for research and development from $7.7 million to $12,000,000 and increase the funds for financial assistance to State marine schools from the requested figure of $2,040,000 to $2,270,000.

The bill as reported by the Senate Commerce Committee is amended in two respects from the manner in which it passed the House of Representatives. We have decreased the research and development figure from $15 million to $12 million and increased aid to State marine schools from $2,040,000 to $2,070,000. The $12 million figure recommended by the Commerce Committee reflects a conviction that the $7.7 million requested by the agency is totally inadequate in view of the research and development needs in the maritime field, and reflects as well the conclusion that the Maritime Administration would not be able to fully utilize the larger sum approved by the House of Representatives because of present staff and programing limitation.

The second committee amendment increases by $230,000 the amount authorized to be appropriated for financial assistance to State maritime schools under the provisions of the Maritime Academy Act of 1958. The purpose of this amendment is to authorize the appropriations of such funds for the inauguration of a Great Lakes' maritime academy at Northwestern Michigan College in Traverse City, Mich., subject to the enactment of necessary legislation by the Michigan State Legislature and the academy qualifying under the provisions of the 1958 act as administered by the Maritime Administrator within the Department of Commerce.

An analysis of the record will show that the recommended increases are conservative in light of the known needs of our merchant fleet. The needs of our fleet have been accumulating at a most disturbing pace, particularly in the area of ship construction and research and development. This is well illustrated by the fact that the Maritime Administration and the Department of Commerce recommended that the appropriation for fiscal year 1969 for ship construction be $117,128,000. Of course, that figure was trimmed to $15.9 million by the time the Bureau of the Budget cleared the request bill for submission to the Congress.

The amount of funds for ship construction requested by the Administration is clearly inadequate. Even the witnesses at our hearings on behalf of the Administration admitted that it was impossible to fulfill the basic needs of the merchant marine if the level of funding was that requested by the Administration. The funds recommended by the House of Representatives and the Senate Committee on Commerce represent the very minimum effort that must be made in order to comply with the requirements of the 1936 Merchant Marine Act.

The $117 million for ship construction originally requested by the Maritime Administration and approved by the Department of Commerce before the Bureau of the Budget reduced the figure to $15.9 million anticipated the use of $101.6 million in carryover funds in addition to the funds requested. As you may recall, the previous administration froze $101.6 million in funds previously appropriated by the Congress for the purpose of ship construction.

If ship construction funds are appropriated and spent in the amount recommended in the pending authorization bill, together with the $101.6 million in carryover funds, we will be able to build some 18–22 merchant vessels rather than the 10 which would be the maximum allowed under the request bill even with use of the carryover funds. I would point out that there is pending legislation before the Senate Commerce Committee which would authorize the building of up to 40 vessels per year. That legislation introduced by Senator MAGNUSON is considered merely the beginning of the necessary revitalization effort that must be carried out if we are to regain our rightful place upon the seas.

I might point out, Mr. President, that while the Magnuson bill would do twice as much as this authorization could hope to accomplish, to achieve even that much would have us building ships at only half the rate the Soviet Union has been and is presently building ships for its merchant marine. Last year, they built 80 ships while we built 8; and we hope by this bill to move up to the point of 18 to 22, in which case we shall be constructing ships at about one-fourth the rate of our competitor. Meanwhile, our reserve fleet has deteriorated and rusted to a point where only about 10 percent of those ships are usable, and that percentage will rapidly decline, because they are just rusty buckets, which are no longer usable for modern maritime commerce.

The authorization in the pending bill for ship construction of $145,000,000 is quite conservative, in view of the fact that last year the Congress authorized some $200 million for this same item. The needs of our fleet have increased during the intervening year, and I strongly urge the Senate to accept the ship construction figures in the pending bill.

The pending bill would authorize $212 million for operating differential subsidy. The original request figure was $224 million, but the new administration requested a reduction in this amount of some $29 million on the basis of a revised estimate of what our operating differential subsidy contracts would require due to curtailed operations resulting from the two-month longshoremen strike this year. The House of Representatives and the Senate Commerce Committee have accepted the approved reduction from $224 million to $195 million. However, in order to provide the availability of operating subsidy funds to presently unsubsidized liner companies whose applications might be approved during 1970 we have added back some $17 million for a total operating subsidy authorization of $212 million—a reduction by $12 million from the original request figure for operating differential subsidy. At least two companies are at a stage where their

applications for operating subsidy could be acted upon promptly, and the $17 million we have included for that purpose would suffice to initiate such operations if their applications are approved by the Maritime Administrator.

Although we are mindful of the severe strain on the budgetary dollar, we cannot afford to cut corners where defense and economic considerations demand priority. It is clear that the Senate Commerce Committee and the House of Representatives have concluded that the appropriate priority required for our merchant fleet is represented by the pending bill, and the amount of funds recommended therein.

All indications are that President Nixon understands and approves of giving the merchant marine a high priority. As you are aware, he made strong statements in support of an expanded effort for the U.S. merchant marine during his campaign for the Presidency and since he has been President he has reaffirmed those statements. President Nixon has stated that in contrast to carrying the 5.6 percent of our waterborne commerce in U.S.-flag merchant vessels we should be carrying 30 percent and has pledged his support of a building program to support that purpose. We have been advised by the appropriate officials of the Maritime Administration that President Nixon will submit to the Congress this summer an extensive program in fulfillment of his pledge designed to strengthen the U.S. merchant marine. We look forward to the receipt of that program.

But, Mr. President, we cannot further delay acting on our own. We were led to believe that that program would be here by the end of the summer. Now the summer is gone, and fall has commenced. So, while I am confident that the President will submit an ambitious program to revitalize and restore the strength of the American merchant marine, that program is not here, and in its absence we must do the best we can. What we have here recommended is what we believe to be the minimal needs of the merchant marine for this year.

I strongly urge the Senate to approve the pending measure.

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

Mr. LONG. I yield.

Mr. PASTORE. I noted that the Senator read his statement very hurriedly, and there was a salient point I think most of us missed, only because the reading was rather rapid.

Did I correctly hear the Senator state that today we transport only 5 percent of our foreign trade in American-flag ships?

Mr. LONG. I regret to say that is correct, and that is one of the big items in our unfavorable balance of payments. Only 5.6 percent of our foreign trade is transported in American ships. Even that, may I say, represents $1 billion in our balance of payments, which, as the Senator knows, is badly out of line.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The BILL CLERK. The Senator from Delaware (Mr. WILLIAMS) proposes an amendment as follows:

On page 1, line 10, strike out "$145,000,000" and insert in lieu thereof "$15,918,000."

Mr. WILLIAMS of Delaware. Mr. President, when this bill was first introduced in the House of Representatives and when the companion bill was introduced in the Senate it carried the identical figure used in this amendment, namely $15,918,000—as the new authorization for the construction differential subsidy. The administration has stated that this is all that they need; and the reason they say they do not need the additional money is that they have $101,600,000 of hold-over funds left from last year which are still available.

Under date of July 8 I contacted the Department of Commerce, and I read the letter I received in reply:

This is in reply to your oral request for the views of this Department with respect to H.R. 4152, as reported by the Senate Commerce Committee, authorizing appropriations for the Maritime Administration.

The bill, as reported, would increase the authorization for appropriations for construction-differential subsidy, operating-differential subsidy, research and development, and financial assistance to State Marine Schools, over the amounts requested by the Administration.

We support the amounts requested by the Administration. This will provide an interim program until the new maritime program we are preparing can be enacted and implemented. With respect to construction-differential subsidy, the $15,918,000 the Administration requested, when added to the $101,600,000 of hold over funds, will provide a program level of $117,518,000 for fiscal 1970.

We hope this information will be of assistance to you.

The letter is signed by the General Counsel of the Department of Commerce.

This letter was dated July 3. We delayed taking the bill up until after the recess, and to make sure there was no difference in the Department's position I asked for another report, which I received under date of August 27. I shall read just one paragraph and then put the letter in the RECORD:

This supplements my letter of July 8, 1969, furnished in response to your oral request for the views of this Department with respect to H.R. 4152, to authorize appropriations for certain maritime programs of the Department of Commerce, as reported by the Senate Commerce Committee. In that letter I informed you that the Department would support the amounts requested by the Administration rather than the higher amounts approved by the Committee. This continues to be our position.

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

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

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., July 8, 1969.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in reply to your oral request for the views of this Department with respect to H.R. 4152, as reported by the Senate Commerce Committee, authorizing appropriations for the Maritime Administration.

The bill, as reported, would increase the authorization for appropriations for construction-differential subsidy, operating-differential subsidy, research and development, and financial assistance to State Marine Schools, over the amounts requested by the Administration.

We support the amounts requested by the Administration. This will provide an interim program until the new maritime program we are preparing can be enacted and implemented. With respect to construction-differential subsidy, the $15,918,000 the Administration requested, when added to the $101,600,000 of hold over funds, will provide a program level of $117,518,000 for fiscal 1970.

We hope this information will be of assistance to you.

Sincerely,

JAMES T. LYNN,
General Counsel.

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., August 27, 1969.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This supplements my letter of July 8, 1969, furnished in response to your oral request for the views of this Department with respect to H.R. 4152, to authorize appropriations for certain maritime programs of the Department of Commerce, as reported by the Senate Commerce Committee. In that letter I informed you that the Department would support the amounts requested by the Administration rather than the higher amounts approved by the Committee. This continues to be our position.

It is important to note, however, the 1970 Presidential budget request for the research and development appropriation in the amount of $7,700,000 excluded funds for the operation of the N.S. Savannah, which in previous years had been financed from that appropriation. The requested financing of $3,400,000 for continued Savannah operations in 1970 was included in the Budget as part of the salaries and expenses appropriation.

The Budget estimate for continued Savannah operations in 1970 consists of two parts:

$2,000,000 for reimbursement of the vessel operations revolving fund from the salaries and expenses appropriation for losses resulting from expenses of experimental ship operations. That amount was included as a separate item in the *authorization* bill submitted to the Congress by the Department, because authorization for reimbursement of the vessel operations revolving fund is required, and is included in H.R. 4152 as passed by the House and reported by the Senate Committee.

$1,400,000 for salaries and expenses. This amount would not require an annual authorization prior to appropriation, if funded from the salaries and expenses appropriation. Therefore, it was not included in the authorization bill submitted to the Congress.

On July 24 the House approved an *appropriation bill* (H.R. 12964) which provided for at the requested level of $3,400,000. However, the entire amount was included as part of the research and development appropriation, continued financing for the N.S. Savannah which was, accordingly, increased by the House from $7,700,000 to $11,100,000, and an offsetting reduction of $3,400,000 was made in the amount requested for salaries and expenses.

If this appropriation action by the House is accepted by the Senate, the original authorization amount of $7,700,000 for research and development requested in H.R. 4152 would be $3,400,000 short of the authorization required to carry out the program requested by the Administration. An author-

ization of $11,100,000 would thus be required for research and development due to the change in appropriation configuration.

I wanted you to have this information before H.R. 4152 is brought to vote on the Senate floor. We will be happy to answer any questions you may have concerning the above.

Sincerely,

JAMES T. LYNN,
General Counsel.

Mr. WILLIAMS of Delaware. Mr. President, the bill as reported increases the authorization under this subsidy program to 1,000 percent over the amount requested by the administration and over the amount that on two occasions, on July 3 and again on August 27, they have stated they need. If, as suggested, there is later to be a new program sent down by the administration which will need financing we can deal with that at the time, and we will know what we are doing.

The administration says it only needs $15,918,000 to carry out this year's program. Why boost this from $16 million to $145 million?

With $101 million in carryover funds the Department makes it very clear that they do not need the appropriation above the $16 million. Certainly at a time when we are having to cut back in every category of Government, including military programs as well as many worthy domestic programs, I think the very least we can do is to hold the budget figure.

I hope the chairman of the committee, the Senator from Louisiana, would be willing to accept the amendment.

Mr. LONG. No. I think the Senator might want the yeas and nays on his amendment. If so, I join with him in that request.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I do not want to delay the matter. As far as I am concerned the issue is very clear. The administration says it does not need the money beyond the figure of $15,918,000. Why should Congress expand the authorization over 1,000 percent more than the administration says it needs to carry out the program constructively? Certainly this is a time when we can demonstrate our willingness to hold the line and not keep fanning the fires of inflation.

I am willing to vote.

Mr. SPONG. Mr. President, the age and condition of our present merchant fleet has deteriorated to the point where we can no longer afford the luxury of subserviating this aspect of our national security and defense.

We have reached the point where the American ships are transporting only slightly more than 20 percent of our liner cargo and only about 5.6 percent of our overall total foreign trade. As was brought out in debate between the Senator from Louisiana and the Senator from Rhode Island, we are dependent on foreign-flag ships to transport almost 95 percent of our imports and exports.

As is evident from our situation in Vietnam, a strong merchant marine is vital for the deployment and maintenance of our military forces, and for the logistical support of military operations. More than 95 percent of all supplies for the maintenance of our Armed Forces in Vietnam have moved by ship, as well as large numbers of our troops.

Mr. President, approximately two-thirds of the American merchant marine is more than 25 years old. It is obsolete and uneconomical. This block obsolescence, together with the lack of new construction in any quantity, creates a substantial threat to the Nation's economy and security.

The United States has dropped to fifth place among the world's merchant fleets. In shipbuilding, we rank 14th. By comparison, the Soviet Union has a merchant fleet of approximately the same size as ours but 50 percent of its ships are less than 5 years old. Russia is making an all-out effort to establish its supremacy on the high seas.

Accordingly, Mr. President, I must oppose the pending amendment. If adopted, it would permit construction of only eight or 10 merchant ships. It is essential from the viewpoint of both our commerce and our defense to start on a program to provide for an adequate number of vessels. The bill approved by the Commerce Committee would allow the construction of 18 to 22 ships, depending upon the type. The construction funding recommended by the committee is a bare minimum.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield, and, if so, to whom?

Mr. SPONG. I yield to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. MATHIAS. Mr. President, I associate myself with the remarks just made by the distinguished Senator from Virginia.

The comment of the President of the United States, as the Senator has just pointed out, sets very high goals for this administration and the revitalization of the American merchant marine.

The President has also just nominated as Chairman of the Maritime Commission a very vigorous and very positive and forward-looking lady who will press for the administration's goals in this area. However, I do not believe that, unless we in Congress provide the wherewithal to do the job, we can achieve the goals that are so necessary, not just for the performance of this administration's goals, but also to do what needs to be done for the American economy in this area.

Mr. President, I associate myself with the remarks of the Senator.

Mr. SPONG. I thank the Senator from Maryland.

Mr. PASTORE. Mr. President, from a parochial point of view, the pending bill is of little concern to the citizens of Rhode Island. I do not believe that we build ships of the size we are talking about here. However, the people of Rhode Island are interested in our merchant marine. And we should all be interested in our merchant marine, because I am afraid that unless America—and I emphasize this statement—begins to take care of its business here at home, we will fast squander away our birthright.

We are engaged right up to our necks in Vietnam at tremendous costs, and the amount of money we are talking about in the pending bill—and they try to create the impression here that we will go bankrupt if we allow the amount recommended by the committee—would not sustain our activity in Vietnam for more than 3 days. However, here we are admitting on the Senate floor that the greatest trading nation in the world, the United States of America, can only transport, because of its inadequate merchant marine fleet, 5 percent of our foreign trade.

Mr. President, that is not only regrettable, but it is also disgraceful. Unless we begin to do the things that need to be done, I am afraid we will be overcome by all of the other trading nations of the world.

We have 900 ships in our merchant marine fleet. Would the Presiding Officer believe that less than 100 of them can be classified as being modern? Less than 100 can be classified as being modern.

I have been a member of this congressional committee for years. And I know of no Senator who has been more dedicated to the merchant marine than the distinguished chairman of the committee, the Senator from Washington (Mr. MAGNUSON), who is unfortunately away on official business and cannot be present today.

I want the Senator to know that the bill was unanimously recommended by the committee and that it is a bill that is in the interest of the American people.

We talk about what we are going to do for all the people in the world, how we will provide for them and bring freedom to them.

However, I have never forgotten the good old adage I learned long ago—and I am old-fashioned enough to believe it—that charity begins at home. It is about time that we begin to do something for the American people. And when we shed crocodile tears on the floor of the Senate, I point out that the amount of money concerned is $145 million to build up the merchant marine. I know that $145 million is a lot of money. But we are not dealing with toothpicks or hairpins here. We are talking about cargo ships. And they cost a lot of money.

Japan has become the biggest shipbuilding nation in the world. We gave her her freedom in 1946, after we paid a terrible price at the time in Corregidor and suffered the perfidy at Pearl Harbor. Today she stands out as the foremost nation in the world in this area.

Where will we be tomorrow? Where will we be in the next generation? We are talking about a merchant marine that can transport no more than 5 percent of American manufactured goods under the American flag.

If we keep picking away at these things in the name of economy, some day we will wake up and find that we have lost the birthright of America, the most affluent nation in the world. We manufacture more than all the other nations of the world put together. We ought to

be able to transport our goods overseas in our own modern American-made ships.

Yes, I am selfish about it. And I am selfish enough this afternoon to be an American, an American who wishes to see our merchant marine restored to the position of primacy it once held.

I hope that the amendment is rejected.

Mr. TYDINGS. Mr. President, I commend the distinguished Senator from Rhode Island for his remarks on the amendment of the distinguished Senator from Delaware which reduces the amount of funds recommended to be authorized by the Committee on Commerce. The Commerce Committee actually was quite farsighted. The Commerce Committee's sum permits 18 to 20 new ships whereas the House of Representatives authorized only eight to 10 new ships.

Any person who is a student of the history of this Nation cannot help realize that we have always depended on our Navy and on our merchant marine, from before the Revolution. Our privateers, our clipper ships, and our merchantmen carried the flag of this Nation across the world. And when we are down, as the distinguished Senator from Virginia pointed out and as the distinguished Senator from Rhode Island emphasized, to the point where we can only transport 5 percent of our world freight, with our own ships, we are in very serious straits.

I cannot believe that the President of the United States would oppose the Commerce Committee in their effort to build 18 to 20 new ships in the next fiscal year. I cannot believe that. But if they do, if they should take that position, then they should be challenged on the floor of the Senate and in the House of Representatives and throughout the Nation, because it is very, very shortsighted.

On page 8 of the committee report is a chart which shows the privately owned U.S. flag and dry cargo fleet as of January 1, 1968. The ships which are 25 years or older, as anyone involved with the merchant marine will affirm, have real problems. As of January 1, 1968, there were 663 ships 25 years of age or younger. In 1972 we have only 244 ships 25 years of age or younger.

Succeeding Presidents and candidates for the Presidency, including the present President, have advocated on the stump in their platforms the need to rebuild the American merchant fleet. I think it is high time we started to do something about it. The Commerce Committee's recommendations are a way to do this.

I therefore hope the amendment of the Senator from Delaware is rejected and that the unanimous report of the Committee on Commerce is adopted by the Senate.

Mr. COTTON. Mr. President, I rise in opposition to the amendment offered by the distinguished Senator from Delaware (Mr. WILLIAMS) and in support of the bill, H.R. 4152, as amended by our Committee on Commerce.

Mr. President, at the outset I should like to point out and make crystal clear that this bill, H.R. 4152, was reported unanimously by the Committee on Commerce. As far as I know, it bears the support of the Senators on both sides of the aisle. I also would like to point out that the amounts contained in this bill represent the realistic needs of the American maritime industry under the present circumstances.

It is imperative that an adequate level of funding be provided for ship construction in order to permit the building of new high-speed containerships. It is only with such highly productive vessels as this type that we can even expect to regain a reasonably competitive position with vessels of foreign registry.

In this connection, I would like to note that only last year the former Secretary of Transportation sought to go forth with a program providing for the construction in foreign shipyards of vessels to be operated under American registry. Needless to say, this would have had an adverse effect upon the employment opportunities of American shipyard workers.

The distinguished Senator from Rhode Island (Mr. PASTORE) has made an eloquent plea for the bill, H.R. 4152, as reported by our Committee on Commerce and I wish to associate myself with his remarks.

Mr. President, I, accordingly, urge that the Senate defeat the amendment offered by the distinguished Senator from Delaware (Mr. WILLIAMS) and act favorably upon the bill, H.R. 4152, as reported by our Committee on Commerce.

Mr. TOWER. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from Rhode Island and the distinguished Senator from New Hampshire.

The fact of the matter is that even in this modern age of air transport, everything of bulk importance moves by sea. I think this is dramatically illustrated in a military situation, such as in North Vietnam, where with a land link to its principal source of supply—China and Russia—only about 18,000 or 20,000 metric tons a month move over the railway from Kwangsi Province, China, into Hanoi. But into the Port of Haiphong alone some 150,000 to 160,000 metric tons a month move. I think this simply serves to dramatize and underscore the fact that everything of bulk importance moves by sea.

The importance of maintaining the greatest naval power in the world is partially because it is a fighting force and can be strategically deployed in an offensive configuration against a potential enemy. A greater reason is that naval power commands the surface oceans of the world and the reason for the command of the surface oceans is so that commerce can move across the oceans with relative immunity and deliver their goods to their destination. It is a little foolish of us to maintain this strategic naval configuration so commerce can move and so we can establish logistical support, if we do not have logistical ships in which to move the goods.

We are behind the times in the merchant marine. We are far behind the times. We are presently rated low as a maritime power even though we are the greatest naval power in the world. A number of small countries have a better merchant marine than we. If we get into an international crisis we are going to have to move goods in our own bottoms and we are going to find ourselves strapped.

I think $145 million is small compared to what needs to be done. We have recognized this problem so long and we have been so slow in doing anything about it I cannot begin to overestimate how tremendously important it is that we begin now to update the merchant marine service of this country. I think it would be a tragedy if the Senate agreed to the amendment of the Senator from Delaware.

Mr. COOK. Mr. President, I would like to associate myself with the remarks of the Senator from Texas and to make one other point that I think should be fully obvious to many people throughout this country.

Our AID program, a law passed by Congress, provides that 50 percent of foreign shipments under this program should be in American bottoms. I think it is rather disgraceful to report that we have not been able to reach that 50 percent. This speaks for itself and it speaks for the condition our merchant marine fleet is in.

I think we should not discuss here what a department of the Federal Government does not need but we should speak of an institution; namely, the maritime fleet of the United States, and what it needs and the deplorable situation it is in and the improvement it needs and the improvement it can only get through the action of Congress.

Mr. WILLIAMS of Delaware. Mr. President, nothing is less popular in Congress than to propose reductions in appropriations. The strong opposition I received in that direction in the last few minutes demonstrates that point very well. The Senate is still in a spending mood.

In listening to some of the arguments one would think we were trying to sink the American fleet. Even if my amendment were agreed to there would still be $351 million left in this bill as a subsidy for the American merchant marine here.

In the last 10 years we have appropriated between $4.5 and $5 billion of the money of taxpayers to subsidize the American merchant marine. The argument is made that not many of the ships are flying under the American flag. Why is that so? Many are flying under foreign flags, such as the flag of Panama, Liberia, and so forth, to avoid paying American income taxes.

There are American ships, American owned, and I am getting a little impatient with this argument. Every time it is suggested that we hold expenditures down to the budget request one would think we were trying to sink American ships or abandon the American flag. The American flag would be on more ships if Congress would just plug the tax loophole enjoyed by today's merchant marine.

The Government is already paying as a subsidy about 60 percent of the construction costs. Then the taxpayers are paying about the same percentage of the costs of operating these ships. As if that were not enough the companies have an additional benefit through special tax credits.

The committee stated that we need to have eight or 10 new ships approved this year and that this $15 million only allows for three. That is not correct. They overlook the fact that we have a carryover in this same program of $100 million from last year. Representatives of the Maritime Commission, in testifying before the committee, stated that with respect to the carryover and the amount they are asking for—namely, $15,918,000, which will be allowed in our amendment—it would be sufficient to complete the construction next year of eight to 10 ships.

Mr. President, in that connection, I ask unanimous consent to have printed in the RECORD an excerpt from page 3 of the report.

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

The Maritime Administrator testified that this program level would provide construction-differential subsidy and national defense allowances for the construction of eight to 10 new replacement ships, compared to 11 in 1969, and that the number and types of vessels which would be constructed with such funds would be determined by the Maritime Subsidy Board following evaluation of construction programs proposed by potential participants in the program. He stated that until the construction proposals would be received and evaluated, the precise number and types of ships that would be built could not be determined.

Mr. WILLIAMS of Delaware. Mr. President, I call attention to the fact that our merchant marine problems today are not the result of a lack of construction subsidies for ships. It is a labor problem that has gotten completely out of hand. Everybody knows that, and to a large extent Congress and the administration must share the blame. It is true that American shipping is not in competition with foreign shipping. A good deal of the fault is the fault of Congress in not recognizing the labor problem.

In the recent strike much of our shipping was tied up for months on the Atlantic seaboard. I was talking to an official at that time and he said, "I am not worried. It means that as labor costs increase I can get that much more subsidy, and you in Congress have to appropriate because Congress is obligated to pay the difference in foreign labor costs and what they pay in this country." Therefore the unions were really bargaining with the Government and not with the management.

No one in the administration is desirous of destroying the American merchant marine; but how much can we afford? The administration stated that with this appropriation as reduced by my amendment and the $101 million in carryover they would have over $117 million this year for the construction differential subsidy. This bill, which provides $351 million in subsidies for one industry, has been referred to as just toothpicks. That is expensive toothpicks. I wonder if the American taxpayers when they get the bill will not think this program represents expensive toothpicks.

The pending amendment provides all the administration and the Department of Commerce said they can spend efficiently. They do not need any more. To reject the amendment would mean an increase of over $100 million more than the agency says it can spend efficiently.

Mr. President, I ask the Senate to agree to the amendment.

Mr. LONG. Mr. President, the Senator is very badly in error when he stated that the administration said this is all they can spend efficiently.

Mr. Gibson, testifying before the committee said:

We have every intention of having a program developed by the summer which will, in fact, in my judgment demands greater Naval funding to hopefully close this now rapidly widening gap.

He is referring to the tremendous gap the Soviet Union is achieving over us.

He went on to say:

We have not asked for additional funding for fiscal year 1970 since the program has not been developed. There is no long range program developed at this moment.

All administration witnesses admitted that what was being requested by the administration was pitifully inadequate and would not begin to do the job. The President is on record that he wants to recommend a program far more ambitious than we are asking. But they are simply saying that until a program has been formulated, they will, in effect, ask for nothing more than the frozen funds left from last year plus $15 million. If President Nixon felt the Johnson program was very inadequate, that was a program of $200 million in ship construction a year. We are asking for something slightly more than that, because last year more than half of that money was frozen.

The President was forced to cut back on certain items whether he wanted to or not because of the budgetary situation in which we found ourselves.

With respect to how much worse off we will be if we do not start building ships that we need, Senators can look at page 8 of the report where there is printed a meaningful chart. There will be found the number of ships we thought could be regarded as having a life useful as of January 1, 1968. The chart shows 663 ships 25 years of age or less. But look what happens. In 1969 the number goes down to 613. It would be about 455 next year and 283 in 1971. If we do not move on this problem, by January 1, 1972, we will only have 244 ships less than 25 years of age. Subtract 25 years from 1972 and we get 1947. The significance there is that when we talk about our merchant marine today, with the exception of a few ships built since World War II, we are talking about very old ships which are mostly rusted-out hulls. I served on ships like that during World War II. About 15 years ago, I was down the James River near Norfolk—between Norfolk and Williamsburg—to see the shape of these ships, and they were just old buckets, what was left of them—just nothing but buckets of rust. Any seaman will tell us that after 25 years of rust a ship will certainly be no good.

We cannot sustain a great maritime power with ships like that.

It is estimated that out of the merchant marine reserve fleet, we have only about 270 useful ships that could be brought out, and of these 255 would be useless. That would leave us with a total of about 15 ships out of 272 which would be considered useful.

We need new ships. We are confronted by a maritime power which is building 80 ships a year. These are good modern ships. The Senator from Delaware, if he has his way, would let us build at the rate of eight ships a year against their 80.

The Senator from Delaware made another mistake. I am sure it was in good faith when he said that the reason so much of our cargo moves in foreign ships is that there are so many ships under foreign flags even though they are owned by Americans. If these ships are under foreign flags or foreign control, he said, that is because of the tax problem.

Well, he is in error on that. The main reason so much of our cargo moves in foreign ships is because of the low wages foreigners pay compared to the good wages we pay in this country.

Part of what the Senator from Delaware is complaining about, when he raises his false figures, is the fact that we do seek to make up the differential between the wages foreign countries pay and what we pay, so that we will have American seamen working on American ships.

After all, if the United States is to fight a war with someone and needs those ships to carry American soldiers and equipment to support them in a really big war, we will have to depend on doing that with American seamen and not with someone else, because those ships may run the risk of being torpedoed.

It is important to keep in mind that ships under foreign flags cannot be expected to follow the policies of this country.

So, Mr. President, the case is simple.

Are we going to do nothing for our merchant marine this year, or are we going to do something?

It is that simple.

Mr. President, if the Senate should adopt the amendment proposed to reduce the maritime authorization bill to the administration request level we shall be doing irreparable damage to our merchant fleet, our economy and the defense of the United States.

There can be no argument or dispute about the fact that our merchant fleet is in critical condition. The needs of our fleet have been accumulating at a disturbing pace and this is well illustrated by the fact that the Maritime Administration and the Department of Commerce both recommended that the appropriations for fiscal year 1969 for ship construction, should be at least $117,128,000. Of course that figure was reduced to $15.9 million by the time the Bureau of the Budget cleared the request bill for submission to Congress. The level of funding requested by the administration would allow the construction of only 10 ships. The committee recommendation of $145 million would allow construction of 18 to 22 vessels.

The level of ship construction recommended by the committee is the very least that we should be doing to revitalize our fleet. Over 98 percent of all of the materials being shipped to Vietnam in support of our fighting effort, have gone by merchant vessel. It is clear that the defense of the United States is in large measure dependent upon the strength of our merchant shipping fleet. Yet we are now relying for our defense on seriously overage vessels. Two hundred and fifty-five of the 272 dry cargo ships in the reserve fleet must be scrapped according to testimony received at hearings on this bill. We are already 29 ships behind in our contractually obligated replacement program for subsidized operators and there is presently pending 43 applications by subsidized operators for construction differential subsidies to build new tonnage. There are an additional 18 applications for construction subsidy submitted by nonsubsidized operators. Our tramp fleet is facing block obsolescence without means to replace its tonnage. The witnesses at our hearings on behalf of the administration admitted that it was impossible to fulfill the basic needs of the merchant marine if the level of funding was that requested by the administration.

Other nations are not as hesitant as the United States to support their merchant fleets. In 1968, while the United States constructed 10 new vessels, the Soviet Union built 80 vessels. They well understand the importance to their defense and economy of having a strong merchant fleet.

The maritime authorization bill as passed by the House of Representatives and reported by the Senate Committee on Commerce would allow the construction between 18 and 22 vessels in the coming year. Even that will not satisfy our shipping needs. Yet if the Senate would reduce the committee recommendation to the amount requested by the administration, we would be at least able to build only 8 to 10 vessels. While the administration was promised a new maritime program, there have been no indications that a program will be forthcoming. We were assured at the hearings that a program would be submitted by the end of the summer. That time has come and gone and no program has been submitted. The defense and economy of the United States demand that the Congress shoulder its responsibility and provide the basic needs of the merchant fleet. We can wait no longer for the administration to come forth with a program recommendation of their own.

I have heard that the Republicans are planning to talk about this first session as a do-nothing Congress and blame the Democrats for not moving fast enough with the President's program. I understood that Democrats over on the House side undertook to get the jump on them by holding a meeting and undertaking to say that the Republicans are to blame for a do-nothing Congress.

If we are going to be a do-something Congress, we must begin by providing this $15 million for our merchant marine. Last year, we provided $200 million. We certainly can provide the $15 million.

The President is going to recommend an ambitious program, far more than we are suggesting here with a unanimous report of the Commerce Committee. He will certainly go beyond that, when he recommends that kind of program. I know that he will keep his word about it.

Why go home and talk about a do-nothing first session of this Congress?

Here is our opportunity to do just that for what is so badly needed for our merchant marine.

Mr. TOWER. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. TOWER. Would not the Senator from Louisiana agree that everyone is aware our merchant marine at the moment is in a critical situation?

Mr. LONG. It certainly is. There is no responsible person anywhere in this administration, the past administration, or the administration before that, who would say that our merchant marine is anything near what it should be. It is far below what it should be.

Mr. TOWER. Would not the Senator agree that building a ship is a long leadtime item, that we do not put a ship together overnight such as we tried to do with the Liberty ships of World War II?

Mr. LONG. I could not agree more with the Senator from Texas. Furthermore, the Senator so well knows that if we get into an all-out war some day—which, God forbid, we hope will never occur—it would be too late, then, to start building ships. We fight wars with the ships we have when the war begins. That is why we must have a merchant marine at this time that is modern and up to date.

Mr. TOWER. The fact is that the situation is critical. Ships are a long leadtime item. It does not make any sense for us to postpone action next year or the year after.

Mr. LONG. It makes no sense at all, the Senator is so right. Let me say to him that while I am pleading that we move forward on this matter now, we do not bind the Appropriations Committee. If the Appropriations Committee does want to recommend all that is in this bill that is their privilege. Authorizing the amounts in this bill does not mean we have to spend all the money. After President Nixon sends down his ambitious program, we will see that the money contained in this bill will not be enough for what he wants to ask for, in my judgment.

Mr. TOWER. If we spend more, it will not be enough.

Mr. LONG. It still will not be enough. But, at any rate, we will have not lost a whole year by waiting for him to send down his program. If he thinks we have gone too far, we do not have to spend all the money. We will be doing the best we can with this commitment. With this legislation we will be one step closer to putting a modern merchant marine out there on the seas that will compare favorably with the modern Soviet fleet.

Mr. GOODELL. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. GOODELL. The Senator from Louisiana has made his point effectively. The merchant marine has been long neglected. This amount is necessary. We should not wait for any further word from the administration. Presumably, the administration will be coming forward shortly making its request, and we can look to the appropriation bill when that comes through in relation to the administration's request. But if we cut the authorization at this point, we may find ourselves unable even to appropriate the money which will be needed.

I very strongly support the committee on this point.

Mr. GRIFFIN. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. GRIFFIN. Mr. President, it always pains me when I have to oppose any amendment offered by the distinguished Senator from Delaware, for whom I have the highest respect; but, as a member of the Commerce Committee and the ranking member on the subcommittee which held hearings and considered this legislation, I wish to indicate my opposition to the pending amendment and urge support of the committee bill.

I think it is significant that the amount included in the authorization bill is not only slightly less than the authorization bill which was reported by the House, but also that the House Appropriations Committee was so convinced our shipbuilding program was badly in need of stimulation, that the House Committee on Appropriations actually reported a bill with an appropriation item of $200 million for ship construction. That was $55 million more than the authorization bill. That was the House appropriation.

When that bill reached the House floor, the item was actually struck from the bill on a point of order because the authorization legislation had not been passed. That indicates the strong feeling in the other body about this item.

I shall not repeat the sad condition of our merchant marine. It is truly tragic and as a serious consequence, I suggest, so far as our defense posture is concerned, to fall into the state it is in today.

There is no question that the Nixon administration will follow through on a pledge that was made at the Republican Convention, which indicated that we should have a vigorous and realistic shipbuilding program. Even though the Nixon administration has not spelled out the details of the program, it is certainly going to need this authorization, and this, it seems to me, will be the minimum. Therefore, I hope the committee's position will prevail.

Mr. LONG. Mr. President, I ask unanimous consent to place in the RECORD a very fine statement by the chairman of the full committee, the Senator from Washington (Mr. MAGNUSON), in favor of the committee's position. Senator MAGNUSON is away on official business, but hoped to be here on the floor when this authorization was acted upon. As a longtime advocate of a strong and viable merchant marine, he would be opposed

to the amendment if he were able to be here today.

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

STATEMENT BY SENATOR MAGNUSON

Mr. President, pursuant to legislation enacted in the First Session of the 90th Congress the Senate is called upon for the second time to enact authorizing legislation as a pre-condition to enacting an appropriation bill for programs of the Maritime Administration.

As a co-sponsor of the legislation passed last session establishing the authorization requirement for the Maritime Administration I am a firm believer that the authorizing process is of substantial benefit to an enlightened and increased effort on behalf of the United States Merchant Marine. Surely there is no time in the history of this nation when such an effort has been more clearly required.

I have served the Congress of the United States for a number of years and during each of those years I have had a special interest in and concern for the strength of our merchant fleet. Although I have long advocated a strong Merchant Marine as an essential economic and defense attribute of our nation I have watched with amazement and concern as the merchant fleet has time after time been neglected and often outright rejected when it comes to receiving necessary support from the Federal Government.

While this nation's production of goods and services has expanded in a most awesome fashion, and while our trade with foreign nations has grown at a fantastic rate, our merchant fleet which we depend upon to carry our goods and services throughout the world has dwindled to a most drastically dangerous level.

In times of conflict we have always relied upon the Merchant Marine as the fourth arm of national defense. No one can forget the vital and important role played by our Merchant Marine in World War II and Korea. And of course, in spite of statements made a few short years ago by some defense experts the plain hard cold facts disclose that the merchant fleet has carried over 95% of all cargoes to Vietnam. In order to carry out the Vietnam sealift we have had to break 170 old rustbuckets out of the National Defense Reserve Fleet. "Rustbuckets" is really a kind and generous description of the vessels for they are all of World War II vintage. Our Reserve Fleet is so depleted now that of the cargo vessels left in the fleet only 37 of them will be floating 2 years from now. Whether they could even be used is in doubt.

There can be no dispute about the dangerous decline of our Merchant Marine. We are now carrying only 5.6% of our foreign water-borne trade. We are now rated 16th in the world's shipbuilding statistics. While the world fleet has increased by 61% in the last 15 years, our privately-owned fleet has decreased by 24.5%. We have only about 900 ships under the U.S. flag, and at best only 100 of them could be considered modern or be capable of sustaining speeds of 20 knots or more. By 1975 most of the ships in the National Defense Reserve Fleet will be 30–35 years of age, clearly obsolete and practically useless. The average age of the privately-owned U.S. flag fleet is about 20 years. That is considered the maximum useful life generally for merchant vessels. And the Government-owned fleet consisting of the National Defense Reserve Fleet and vessels under operation by GAA and the Bureau of the Budget have an average age of some 25 years. In short we are facing block obsolescence of our fleet because it consists overwhelmingly of World War II vintage vessels that can no longer make the grade, carry our cargoes, or serve our maritime needs.

The unsubsidized tramp fleet cannot replace its World War II built vessels at a cost that makes replacement feasible. As such, in a few short years we will probably no longer have a tramp fleet operating, even though over 70% of its total general cargo capacity has been in government service carrying vital supplies to Vietnam.

The Maritime Authorization Bill pending before the Senate would allocate $145,000,000 for ship construction, acquisition and conversion. This is the very least that we can do and that needs to be done. I for one would advocate doing even more and I know that I am not alone in my conviction on this matter. There is presently pending in the House and in the Senate omnibus maritime program bills that would among other things authorize a minimum of $300,000,000 a year for each of the next five years for construction subsidy. But we cannot afford to wait until new maritime legislation is on the books. The economy and security of the United States is dependent upon having new ships constructed for operation under the United States flag.

I am pleased that President Nixon has made such strong statements about the need to revitalize the American Merchant Marine. It is our understanding that an Administration proposal to substantially upgrade the fleet would be presented to the Congress this summer. I hope and believe that the President is sincere in his determination to provide a strong program for the Merchant Marine. Whether or not the Administration fulfills its commitment in this vital area we in the Congress must move ahead and do what is so clearly needed to provide the needs of the U.S. flag fleet.

I strongly urge my colleagues to give favorable consideration to the bill before us. I am mindful of the budget limitations forced upon us by the economic conditions now prevailing and because of our commitment in Southeast Asia. I am well aware also of the vast demands upon the Federal budget dollar to correct and enhance various domestic programs which are so widely needed in our society. I believe I have been a strong and vigorous voice in support of these domestic programs and I shall continue to endorse and to fight for expanded efforts on the domestic scene. However, it is my sincere belief and firm conviction that the revitalization of the American Merchant Marine is deserving of considerable priority. The pending bill, in my opinion, reflects the appropriate priority for the Merchant Marine in this critical hour of our fleet.

Mr. HOLLINGS. Mr. President, I support the construction-differential subsidy figure as reported by the Commerce Committee, on which I am privileged to serve.

During the hearings on this bill, we heard Andrew Gibson, our maritime administrator, testify that, at the present time, we have in service approximately 1,000 merchant ships—either private or Government owned.

This compares with a fleet of 1,500 ships operated by the Soviet Union. Additionally, Mr. Gibson testified that last year we were able to build 10 ships. In 1968, the Soviet Union built 80 ships, and they now building at a rate of 100 a year. Nor is our reserve fleet any real help. Mr. Gibson testified that of the 1,070 ships in our reserve fleet, only 631 are capable of any use at all—and then only at very great expense.

Mr. President, I am not using these numbers in cold war sense—although that may be applicable. I am using them only to illustrate that we are lagging behind the competition in our efforts to move goods in world trade. In fact, under present day conditions, we are unable to handle our own commerce—much less that of the rest of the world. Additionally, the national defense implications of this deficiency are apparent and are of far more consequence.

Of course, I am as aware as any member of this body of the need of reduction in Government expenditures, and I shall continue to try to cut wherever possible. However, in this instance, we are being pennywise and pound foolish if we do not approve the Commerce Committee figure, and I urge every member of this body to give it his support.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I am ready for a vote, but just let me add that much has been said about the pledge of President Nixon to improve the merchant marine. The President is carrying out his obligation, and if this amendment is approved he will still have $351 million in the authorization for subsidies for the merchant marine. With the defeat of the amendment on the construction subsidy we will be increasing the budget request by over $100 million.

I remind Senators that another pledge was made by President Nixon when he was campaigning, and the same pledge was made by every Member of the Senate who appeared in the campaign. That was that we would do our best to combat inflation and try to reduce expenditures and balance the budget. Right now our Government is spending between $500 million to $600 million a month more than our income. The only way Congress can control spending and live up to that part of the campaign pledge, which is equally important, is to cut back on some of these expenditures. Certainly, increasing the budget request for this one item from $16 million to $145 million, or over 900 percent, does not sound very much like economy.

I am ready to vote.

The PRESIDING OFFICER. The question is agreeing to the amendment offered by the Senator from Delaware. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT (when his name was called). On this vote I have a pair with the Senator from Alabama (Mr. SPARKMAN). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. SYMINGTON (when his name was called). On this vote I have a live pair with the senior Senator from Washington (Mr. MAGNUSON). If I were permitted to vote, I would vote "yea." If he were present and voting, he would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Indiana (Mr. BAYH), the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Tennessee (Mr. GORE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Minnesota (Mr. Mc-

CARTHY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Wisconsin (Mr. NELSON), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that the Senator from Washington (Mr. MAGNUSON), the Senator from Michigan (Mr. HART) are absent on official business.

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Massachusetts (Mr. KENNEDY), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from New Jersey (Mr. WILLIAMS) would each vote "nay."

Mr. SCOTT. I announce that the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from Arizona (Mr. GOLDWATER), the Senator from California (Mr. MURPHY), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from New York (Mr. JAVITS) is necessarily absent because of the religious holiday, Yom Kippur.

The Senator from North Dakota (Mr. YOUNG) is detained on official business.

If present and voting, the Senator from California (Mr. MURPHY), and the Senator from South Carolina (Mr. THURMOND) would each vote "nay."

The result was announced—yeas 18, nays 58, as follows:

[No. 97 Leg.]

YEAS—18

Aiken	Cooper	Jordan, Idaho
Allen	Curtis	Mundt
Allott	Dole	Percy
Boggs	Dominick	Proxmire
Case	Fannin	Scott
Church	Hansen	Williams, Del.

NAYS—58

Baker	Hatfield	Packwood
Bible	Holland	Pastore
Brooke	Hollings	Pearson
Burdick	Hruska	Pell
Byrd, Va.	Hughes	Prouty
Byrd, W. Va.	Inouye	Randolph
Cook	Jackson	Saxbe
Cotton	Jordan, N.C.	Schweiker
Cranston	Long	Smith, Maine
Dodd	Mansfield	Smith, Ill.
Eagleton	Mathias	Spong
Ellender	McClellan	Stennis
Ervin	McGee	Stevens
Fong	McGovern	Talmadge
Goodell	Metcalf	Tower
Gravel	Miller	Tydings
Griffin	Mondale	Yarborough
Gurney	Montoya	Young, Ohio
Harris	Moss	
Hartke	Muskie	

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Mr. Fulbright, for.
Mr. Symington, for.

NOT VOTING—22

Anderson	Hart	Ribicoff
Bayh	Javits	Russell
Bellmon	Kennedy	Sparkman
Bennett	Magnuson	Thurmond
Cannon	McCarthy	Williams, N.J.
Eastland	McIntyre	Young, N. Dak.
Goldwater	Murphy	
Gore	Nelson	

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. LONG. I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

Mr. GRIFFIN. Mr. President, I rise to express my support for the passage of the bill, H.R. 4152, as amended by our Committee on Commerce.

This bill as amended by the House, and as further amended by our Committee on Commerce, would authorize to be appropriated specific maximum amounts for certain maritime programs in fiscal year 1970. It does not, therefore, represent the final amounts to be appropriated by the Congress for such programs. Appropriations for the Maritime Administration are now awaiting final consideration by the Senate Committee on Appropriations. H.R. 12964, now pending before the committee includes appropriations for the Department of Commerce, in which the Maritime Administration functions. H.R. 12964 was passed by the other body on July 24.

However, H.R. 4152 does represent what our Committee on Commerce, which has legislative jurisdiction over such programs, considers to be a reasonable level of funding of such programs given the present condition of the American maritime industry.

The bill—H.R. 4152—would authorize to be appropriated in fiscal year 1970 for certain maritime programs slightly more than $384 million. This figure represents an increase of some $121 million over the amount requested by the administration but some $3 million less than had been authorized by the House of Representatives.

And, perhaps equally, if not more significant, the amount which would be authorized to be appropriated for vessel construction—that is, $145 million—is $55 million less than that which the House Committee on Appropriations sought to provide—that is, $200 million. When a point of order was raised, this item in the House appropriations bill, H.R. 12964, was deleted because the bill now under consideration had not been enacted into law as of the date the appropriation measure was considered by the House.

As most will recall, H.R. 4152 was reported by our Committee on Commerce at the end of June in sufficient time to keep pace with the appropriation process but, owing to other and more pressing demands on the Senate calendar, was delayed in its consideration until today.

Mr. President, I have singled out the item of ship construction-differential since it represents a major—if not the major—problem facing the American merchant marine. It is well known and frequently observed that our national sealift capability is rapidly deteriorating.

Approximately two-thirds of the presently privately owned vessels in the American merchant marine are 20 years of age or older. When such vessels come up for their next periodic inspection the cost of reconditioning them to maintain them in service will probably exceed their current market value. In addition, these same aging vessels face the continuing threat of being driven from the world marketplace by additional insurance premiums required for cargoes transported on vessels exceeding 20 years of age. As a result of this condition, we have been forwarned by the current Maritime Administrator that within the next 4 years we face the prospect of losing approximately 600 vessels from the privately owned American merchant fleet. Simply stated, the final effect will be to drive from the seas a substantial portion of today's American merchant marine.

The Nixon administration clearly is on record as recognizing the deplorable condition of our present shipping capacity and the necessity to take prompt remedial action to reverse this trend. For example, the Republican Party platform of 1968 noted in part the following:

> For reasons of security, as well as of economics, the decline in our merchant marine must be reversed. We, therefore, pledge a vigorous and realistic ship replacement program to meet the changing pattern of our foreign commerce.

Additionally, during his campaign President Nixon also recognized this need when he noted in part the following:

> Continuing neglect of our vessel replacement has led to an antiquated current fleet.

A similar recognition was contained in the platform of the Democratic Party in 1968 which noted in part the following:

> To assume our proper place as a leading maritime nation, we must launch an aggressive and balanced program to replace and augment our obsolete merchant ships with modern vessels built in American shipyards. We will assist U.S. flag operators to overcome the competitive disparity between American and foreign costs.

Mr. President, obviously there is some unanimity concerning our shipping problems. I believe all Members of this body seek a strong and viable merchant marine.

The bill (H.R. 4152) does not address itself directly to such remedial means. The matter of a new maritime policy and a resulting new maritime program is a subject currently under study within the administration. Hopefully, the administration's proposal in this regard shortly will be forthcoming and will be considered by the Congress on its own merit. What the bill does do, however, is to provide a reasonably adequate level of funding authorized to be appropriated thereby assuring that the respective Committees on Appropriations in both Houses have sufficient latitude to deal with the critical problem of our diminishing sealift capacity.

In its consideration of the bill, your Committee on Commerce has recognized that ships alone will not alleviate our maritime problems. There also must be provision to insure that our Nation has an adequate supply of properly trained maritime manpower. Nothing more dramatically underscored this need than the extraordinary demand for American seamen during the initial buildup of our sealift capabilities to Southeast Asia. At that time, there were repeated occasions when American merchant vessels were not able to sail for lack of trained personnel. For example, in December 1966, this manpower shortage resulted in sailing delays amounting to 115 days; in

August 1967, 275 days; and in August 1968, 286 days.

In addition to containing our present maritime training programs the bill would authorize to be appropriated under the Maritime Academy Act of 1958, sufficient funds to inaugurate a Great Lakes Maritime Academy at Northwestern Michigan College in Traverse City, Mich. The people of the State of Michigan through their legislature have expressed support for such a program with the enactment of appropriate legislation, which was approved and signed into law by the Governor of the State of Michigan on July 17, 1969.

The significance of this action cannot be too greatly emphasized. There now is no maritime academy with a specific curriculum designed to meet the needs of the waterborne commerce of the Great Lakes. Certainly in an area where more than 2000 U.S.-flag vessels of 1,000 gross tons or over are operating, there should be a proper educational facility to meet the needs of such commerce. The State of Michigan has appropriately acted in the face of this recognized need and tomorrow, September 23, the Great Lakes Maritime Academy is scheduled to commence operations.

The Federal Government, in my opinion, should do no less to discharge its responsibility by providing appropriate funding as authorized in H.R. 4152. Thus, for the first time in my recollection, there would be recognition in a legislative measure considered by the Congress which would at long last face up to the economic importance of the Great Lakes region and the needs of its waterborne commerce.

Mr. President, the time has long since passed when we can afford the luxury of procrastination in meeting the needs of our national sealift requirements. Now is the time for deeds. While H.R. 4152 is by no means a panacea to the multitude of maritime problems facing our Nation, it does represent a constructive move in this direction under present circumstances and law. I, accordingly, urge that the Senate favorably consider and pass the bill, H.R. 4152.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

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

The bill (H.R. 4152) was read the third time, and passed.

Mr. LONG. I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that notion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the Senate today can be justly proud of the splendid manner in which it disposed of the maritime authorization measure. Our heartiest thanks and commendation for a job well done go to the extremely competent chairman of the subcommittee, the Senator from Louisiana (Mr. LONG). The Senate is especially in his debt for the expert handling of the measure and for the well-organized manner in which it was brought to the floor. As always, his views were expressed with clarity and alacrity and contributed greatly to the expeditious handling of this bill today.

Joining Senator LONG in clarifying and expediting the maritime authorization bill were ranking minority member of the Senate Finance Committee and senior Senator from New Hampshire (Mr. COTTON), the Senator from Rhode Island (Mr. PASTORE), and the Senator from Maryland (Mr. TYDINGS). At this time we should express our appreciation also to the senior Senator from Delaware (Mr. WILLIAMS) for his incisive views and contributions to the passage of this measure. The Senate is indeed fortunate once again to have the benefit of his thought-provoking comments and ideas. The debate definitely was enchanced by the expression of his views.

The Senate can indeed be proud of a good day's work which was made possible by the hard-working members of the Commerce Committee.

HOUSING AND URBAN DEVELOPMENT ACT OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 386, S. 2864. I do this so that the bill will become the pending business. There will be no action taken on it until tomorrow.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2864) to amend and extend laws relating to housing and urban development, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, may I take this opportunity to ask the distinguished majority leader if he will advise us of what further business he expects to be considered, in addition to the housing bill?

Mr. MANSFIELD. Mr. President, following the housing and urban development bill, it is anticipated that the Food Stamp Act will follow in turn.

Reconsideration of the golden eagle program will take place early on Wednesday; the Senate will come in early to permit the distinguished Senator from Washington (Mr. JACKSON) and the distinguished Senator from Oklahoma (Mr. HARRIS) to debate this matter.

That will be followed by water pollution control and, it is hoped, on Thursday and Friday, the mine safety bill (S. 2917).

If we get through with that much, we will be doing pretty well; but if there is any possibility to squeeze in something else, we will take up civil service retirement, or the Peace Corps, or the JFK Center, not necessarily in that order, but depending on how matters work out.

Then we have the Aiken-Cranston resolution on the recognition of foreign governments, plus four bills out of the Committee on Agriculture and Forestry sponsored by the distinguished Senator from Arkansas (Mr. FULBRIGHT), which we hope can be worked out. Then potato marketing (S. 1181 and S. 2214), export expansion (S. 2696), and the oil and gas compact (S.J. Res. 54).

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

Mr. MANSFIELD. I yield.

Mr. TOWER. Mr. President, the Senator does not anticipate any further business tomorrow beyond the HUD bill. The HUD bill is of considerable scope. It is an omnibus measure.

I am not yet informed, in the absence of the chairman of the committee, the Senator from Alabama (Mr. SPARKMAN) and the ranking minority Member, the Senator from Utah (Mr. BENNETT), as to what we will have in the way of amendments. However, I do know that three Senators propose to offer what would be considered to be significant amendments. I think that the housing bill would occupy most of the time tomorrow.

Mr. MANSFIELD. It may well be. And if that is the will of the Senate, that is how it will work out.

I am trying to give a tentative schedule so that the Senate will be on notice. There will be no further business this evening.

ADDRESS BY SENATOR KENNEDY AT TESTIMONIAL DINNER FOR DR. SIDNEY FARBER

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Senator KENNEDY at the testimonial dinner for Dr. Sidney Farber in Boston, Mass., on September 18, 1969.

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

ADDRESS BY SENATOR EDWARD M. KENNEDY AT THE TESTIMONIAL DINNER FOR DR. SIDNEY FARBER, BOSTON, MASS.

September 18, 1969.

It is an honor, and a source of personal gratification, for me to join with you this evening, in honoring our friend and mankind's benefactor, Dr. Sidney Farber.

As I see so many eminent physicians and laymen here, I realize that what draws you to Boston this evening is not only your respect for his contribution, but your feeling of urgency about the cause to which he has dedicated his career.

I had the privilege, several years ago, of being a soldier in the ranks in the battle against cancer, as Chairman of the Cancer Crusade here in Massachusetts. We had over a hundred thousand volunteers. The reason so many citizens are willing to go door-to-door in cancer drives across this country is because they have confidence that you are the most talented and dedicated people to lead that work—and because they believe in the inevitable elimination of the evil of cancer through the hand of science. And that is why I am so pleased to see so many of you here this evening.

I have long admired the American Cancer Society for the support it gives to research

and professional education, and for its success in getting the facts about cancer to the American people. I have a special feeling about the campaign you have had on television against lung cancer. Senator Robert Kennedy felt extremely strong about this and made a major effort to try to get the networks and the cigarette companies to eliminate commercials during the hours that television is seen by young people. He did not succeed, but your own commercials have been so dramatic and so effective that rather than compete with you, the industries have decided to drop cigarette commercials from television completely. I think this is a great victory for the Cancer Society, and for the country.

I have known Dr. Farber for many years. Among members of the United States Senate there is no more respected spokesman for medical research. President Kennedy counted him as an advisor and a personal friend. And I need not tell this audience of the work he has done and the distinction he has done and the distinction he has won. No one will ever estimate the years of life he has saved for countless human beings, now and in the future. We can only be grateful he has devoted his genius to this work.

I think we must marvel at the strength of a Dr. Farber. Day after day, he moves into the midst of the most tragic of human situations—the tragedy of young children with leukemia. Each day, he gives these victims cheer amidst their doom and gives their parents understanding and faith amidst their tears. Dr. Farber must live each day with death in its most agonizing form. Yet he himself is full of hope and optimism. He has added precious years to childrens' lives. and hope to all of us.

When hope is matched with genius, the result is progress. The greatest tribute to Dr. Farber will be on that day, which is sure to come, when cancer cells can be found and disarmed before they begin their deadly march through the body. The finest tribute we can pay, in the meantime, is to pledge our own abilities to make that day come as soon as possible.

This is a very critical time for the cancer program. The steady rise in government support for research, training and treatment has leveled off in recent years. Now we face great danger of those funds being cut back.

Two weeks ago, the House Appropriations Committee agreed to the $.5 million cut in funds for the National Cancer Institute that the Administration requested. We know what will happen if this is allowed to stand. Even now, almost four hundred experimental primates, which had been under study in the virus program for the past five years, are going to be killed, just as researchers are zeroing in on isolating certain viruses that may cause cancer in man. Other, equally important research will have to end. Professional medical teams will be disbanded and dispersed in the middle of their work. If these cuts are allowed to stand, beds will be closed down, grants will be reduced, and the testing and distribution of anti-cancer drugs will be cut back.

The high price we are paying for the war in Vietnam abroad and the fight against inflation at home has special relevance to this audience in light of other sudden and severe budget cuts—nearly $300 million—suggested last week by the Administration in funds for medical research. The impact of the cuts will be felt in medical schools, universities, and research centers throughout the nation. Those who will be hardest hit are the dedicated doctors and patients in the 19 general clinical research units in major medical centers in 13 states that must now be phased out, regardless of the current stage of their research. Tragically, many of these units are elite centers specializing in clinical research on diseases of children.

The cost of the reductions is far more than the dollars and cents involved, however. It will be measured in terms of research cut short, medical advances unrealized, new fields unexplored, devastating diseases uncured, and, worst of all, it will be measured by the loss of promising young men and women from careers in the life sciences, and the engendering of a new crisis in our medical system—a crisis of confidence between the medical profession and the government.

When the President of the National Academy of Sciences predicts "a panic in medical schools all over the country" because of the proposed cuts, we know that the economies being sought are false.

To be sure, the proposed cuts in research funds will be offset to some extent by proposed increases in funds for medical training and for testing new methods of clinical health care. Yet, whatever the merit of gradually reallocating the distribution of medical resources, surely there is no reasonable justification for the abrupt manner in which the present cuts have been decreed, shattering the legitimate expectations of our leading scientists and threatening serious economic harm to some of our great medical schools and universities. Even more important, the cuts reveal a distressing lack of perception of the crucial relationship between basic and applied research in medicine and the delivery of health care.

We like to consider ours the highest standard of living in the world, yet 12 other nations have a greater life expectancy at age 60 than we do.

Fifteen other nations have higher ratios of hospital beds to patients than we do.

And 42 per cent of our hospital care, according to one exhaustive survey, is rated only poor to fair.

For those who live in poverty, the family doctor has almost disappeared. In his place is the emergency room of the municipal hospital, where people wait long hours, for cursory treatment, in inadequate facilities, by a doctor the patient has never seen before and may never see again. Pre-natal care is a rarity. Minor illnesses lead to major diseases because regular check-ups and continuing medical care are unknown. Children do not learn because they are too weak to work, or too ill to listen.

And so, in the wealthiest nation in the world, millions of citizens are sick. And they are sick because they are poor. Even for those who earn a decent income, the cost of medical care is rising several times as fast as the cost of living. We can continue, as we must, to learn to treat cancer and other diseases. But unless we can get that treatment to the people, we will fail in our responsibilities.

Aristotle once said, "If we believe that men have any personal rights at all, they must have an absolute moral right to such a measure of good health as society alone is able to give them. The national outcry over Dr. Knowles indicates that the American people now expect adequate health care and the fruits of medical progress to be made available, not for a sacrifice, but as part of their citizenship.

That is why we must expand the work in the field of cancer. That is why at the same time, we must double the number of graduates from medical school; offer part-time teaching grants to doctors who will train them; build more neighborhood health centers like the one we have at Columbia Point here in Boston; and have the Federal Government set national goals for the nation's health and make sure we meet them.

These are problems the Congress must face as it makes its decisions on appropriations for the Federal budget. In the end, it is our responsibiilty to place these needs among the other pressing needs of the nation. It is neither an easy nor an enviable task to compare the fight against cancer against the fight against crime, the need for schools or the training of workers, or the spread of slum housing and air pollution, which have their own effect on health.

But worthy goals must compete for we are a nation burdened with a weight that lies heavy on our land. To those of you who are in medicine—you know the cures that would come if the resources were there. To those of you in education—you know the truths that could be taught if the facilities and the faculties could meet the demand. And to all of us who are parents—we know the turmoil of the young as they struggle with the values of our nation.

For we are in a war difficult to justify, impossible to win. A war not worthy of our lives and efforts, a conflict that has made us ill as a people, as surely as any disease that attacks the body.

Years ago, Walter Lippmann said that we could not build a great society here at home, if we had to fight a land war in Asia. Now we know how right he was. Today ten months after we ended the futile bombing of North Vietnam, 16 months after peace negotiations began, we still have half a million men, countless billions of dollars, and many of our hopes for a better America bogged down in Vietnam. The unity and the spirit of our nation have been affected by this war, and they cannot be renewed until the burden of war is lifted.

For three-quarters of this year, the American people have waited hopefully for new policies designed to end this costly and futile war. Now the answer to those expectations is becoming painfully clear. The war will continue. The immense toll of death and suffering will continue to mount. Poverty at home will go on. Prices will rise, and the economy will continue to weaken under the strain of a war rejected by the great majority of the American people. We can expect more division, even violence, between our people as the war works its corrupting effect on every aspect of national life.

The harsh fact of the matter is that despite the election of 1968, despite the promises of a new President and some new officials, despite new rhetoric, the war in Vietnam is virtually unchanged. When measured against what must be done for peace, we have made only token troop withdrawals on the battlefield, more an exercise in politics and improvisation, while the level of fighting and casualties continues. The fierce bombing which is destroying the life of South Vietnam goes on. And Americans still fight and die for meaningless objectives, only to abandon them after costly victories.

In Saigon a corrupt and repressive government has refused to allow the many non-Communist forces of South Vietnam that seek peace to share in power. The recent change in the Saigon cabinet only further narrowed that regime, and helped to illuminate its complete failure to win the respect or allegiance of the people whose self-determination we are supposed to be protecting. While at Paris there has been no movement at all. And for very good reasons. We have refused to consider compromise on the real issue in dispute—who shall join in governing South Vietnam during an election. That, after all, is what this war is all about. For more than half a decade the Viet Cong and the Vietnamese of the North have battled the South Vietnamese Army and the United States only for the answer to that question: Who shall join in governing South Vietnam. If we refuse to compromise on this issue, we are asking them to accept defeat. And we have not defeated them. Moreover we cannot defeat them. This crucial and overwhelming fact has been asserted by almost every leading critic of the war—by Robert Kennedy and Eugene McCarthy, by George McGovern and William Fulbright and by hundreds of others. Yet the lesson is still ignored. It is still ignored as we pursue the shadows of hopes long gone. And no talk of concessions, no hints of compromise, can cover up the fact

that we have not been willing to consider the continued control of the Thieu regime as a negotiable question; and that as long as we remain unmoved on this issue there can be no peaceful solution.

General Thieu has said he will not accept such a compromise. But why should General Thieu control the destiny of America, or dictate the future of young American lives. We cannot allow a General in South Vietnam to coerce the United States into continuing a major war. It is time to say to the Saigon Government: If you will not agree to a sensible compromise—even if it endangers your personal power—then it is your war and you must fight it alone.

The tragedy of all this is that we could have moved swiftly to end this war and the people of this country would have applauded the coming of peace. Instead, we have chosen to repeat the mistakes of the past. The Vietnam policy of today is the discredited policy of the past—we will simply continue the war in the hope, in the endless hope, that something will happen to bring it to an end. This is not a policy of peace—it will not end the war—it will not stop the killing.

And so it is that our leaders heed the military advisors who say that in six months or a year we will have gained an overwhelming advantage on the battlefield: that then we can force Hanoi to yield at Paris. And our officials heed the political advisors who say we must wait out new internal developments in the North to get a better deal at the negotiation table. These are the same kinds of prophesies we have heeded year after painful year, and they have only dragged us further into bloodshed and futility. This is the road to war, and war, and more war. And as we follow this incredible path it will continue to erode the health, the economy, and the moral and the spiritual strength of the United States of America.

And so this war must end, not by a program conditioned on events that we cannot control, but with the same resolve by which it escalated. And I firmly believe that the vast majority of American people will support the clear decision for peace—for they have waited so long, and given so much.

It must end so we can begin again to pursue without hesitancy those goals that are fulfilling and rewarding—goals that will enrich our people and land. So we can conquer disease, and care for the ill, educate our children, and provide minimums of material decency. For that is what America is all about—that is what our young are trying to say. They still believe what we may have forgotten—that this country, as Abraham Lincoln told us, is the last best hope on earth.

EULOGY FOR SR. ADOLFO LOPEZ MATEOS

Mr. MANSFIELD. Mr. President, it is with profound personal sadness that I note the passing today of Adolfo Lopez Mateos, former President of the Republic of Mexico. His loss will be deeply felt, not only by the people of Mexico but by those in the neighboring United States and the world beyond.

Few public officials have been privileged to enjoy the degree of stature and popularity accorded Sr. Lopez Mateos in his lifetime. And few deserved it as much as he did. President of his country at only 48 years of age, he soon demonstrated that blend of statesmanship and charm which was to bring him worldwide stature, make him the confidant and adviser to three American Presidents and countless foreign heads of state, and put him in the running for the Nobel Peace Prize.

Beloved by his people, respected by the world, he made his mark as one of the great leaders of our time. That his death was not unexpected, coming as it did after a lingering illness, does not diminish the loss which all of us feel.

Mr. President, I know I speak for all of us in the Senate and the Congress, the people of my country and certainly I speak for all North Americans when I extend to the family of Sr. Lopez Mateos and to the people of Mexico our heartfelt condolences in this hour of their grief.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. 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 TUESDAY, SEPTEMBER 23, 1969, TO WEDNESDAY, SEPTEMBER 24, 1969, AT 11 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 11 o'clock a.m. Wednesday next.

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

ORDER FOR RECOGNITION OF SENATOR JACKSON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of the prayer and the disposition of the reading of the Journal on Wednesday next, the able Senator from Washington (Mr. JACKSON) be recognized for not to exceed 1 hour.

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

Mr. BYRD of West Virginia. Mr. President, during the 1 hour for which an order has just been granted, the able Senator from Washington (Mr. JACKSON) and the distinguished Senator from Oklahoma (Mr. HARRIS) will discuss S. 2314, the restoration of the golden eagle program, for which there has been entered a motion to reconsider. This will not interfere with the business which the minority will conduct on that morning with respect to the leadership matter.

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 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 55 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, September 23, 1969, at noon.

NOMINATIONS

Executive nominations received by the Senate September 22, 1969:

DIPLOMATIC AND FOREIGN SERVICE

Claude G. Ross, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

FOREIGN ASSISTANCE OFFICER

Scott Heuer, Jr., of the District of Columbia, to be Inspector General, Foreign Assistance, vice John K. Mansfield.

Anthony Faunce, of Massachusetts, to be Deputy Inspector General, Foreign Assistance, vice Howard E. Haugerud.

U.S. CIRCUIT JUDGE

Arlin M. Adams of Pennsylvania to be U.S. circuit judge, third circuit, vice Harry E. Kalodner, retiring.

Alfred T. Goodwin, of Oregon, to be U.S. district judge for the district of Oregon, vice John F. Kilkenny, elevated.

U.S. MARSHAL

Jack V. Richardson, of Kansas, to be U.S. marshal for the district of Kansas for the term of 4 years, vice Vance W. Collins.

Raymond J. Howard, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin for the term of 4 years, vice James H. Dillon, term expired.

NATIONAL TRANSPORTATION SAFETY BOARD

Isabel A. Burgess, of Arizona, to be a member of the National Transportation Safety Board for the term expiring December 31, 1974.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of lieutenant colonel:

John W. Alber
Edward R. Alves, Jr.
Richard C. Barrett
Charles H. Black
Wyman U. Blakeman
Robert D. Boles
Joe E. Bradberry
Bernard B. Brause, Jr.
Ray E. Bright
James C. Brown
John D. Buckley, Jr.
John J. Cahill
Jack R. Catt
Guy R. Chaney
Holly Clayson
Arthur B. Colbert
James G. Collier
Donald E. Coombe
John E. Crandell
Warren G. Cretney
James R. Cushman
Claude M. Daniels
Clyde D. Dean
Jack W. Demmond
David K. Dickey
Wales S. Dixon, Jr.
Lawrence T. Drennan, Jr.
Thomas J. Dumont
Randall W. Duphiney
Charles H. Egger
Charles D. Emmons
Bob W. Farley
Wells L. Field III
Robert W. Fischer
David L. Althoff
David H. Anderson
Douglas C. Binney
Richard R. Blair
Lawrence G. Bohlen
Richard T. Bourbeau
Virgil B. Brandon
Alexander L. Bressler, Jr.
Thomas D. Brooks
Rangeley A. Brown
Talman C. Budd II
Henry C. Campbell
Frank C. Chace, Jr.
Willard E. Cheatham
Frank E. Cline
Joseph E. Coleman, Jr.
James J. Connolly
Eugene S. Courson
Robert W. Creighton
Duane D. Crews, Jr.
Samuel E. Dangelo III

Kenneth L. Davis
Roland H. Dean
Chester P. Dereng
Wilbur W. Dinegar
Joseph A. Donnelly
Herbert W. Drescher
Hollis T. Dunn
James R. Eddy
George M. Edmondson, Jr.
Carl J. Eversole
Louis I. Fein
Walter D. Fillmore
David L. Elam
John E. Forde, Jr.
Roger D. Foster
John R. Fridell
Robert L. Fry
Austin O. Gandy
Donald G. Gascoigne
Clarence U. Gebsen
Thomas T. Glidden
Robert L. Goodall
Herbert M. Gradl
Jerome T. Hagen
Earle, Hattaway
Richard F. Herbert
John A. Herber
Edward C. Hertberg
George A. Hieber
William E. House, Jr.
Earl R. Hunter
Harold L. Jackson, Jr.
Lewis W. Jarman
Clarence E. Jenkins
Clifford H. Johnson
Conrad A. Jorgenson
Louis K. Keck
John K. Knope
Ronald W. Kron
Eddis R. Larson
John B. Lavelle
Richard P. Lee
Robert R. Leisy
Earle D. Litzenberger
Earl F. Lovell
Thomas R. Maddock
Arthur D. Malovich
Richard L. Martin
Donald F. Mayer
Douglas A. McCaughey, Jr.
Oliver G. McDonald
John E. Mead
Robert G. Miller
Thomas R. Moore
Michael, Mura
Buel B. Newman, Jr.
Casey R. Nix
Bruce F. Ogden
Charles D. Overturf
Richard L. Palmer
Matthew B. Peck, Jr.
Raymond A. Post
Paul S. Radtke
Clifford E. Reese
Harvey T. Reiniche
Lane, Rogers
William H. Ross, Jr.
Americo A. Sardo
Jack E. Schlarp
Walter E. Sears, Jr.
Walter H. Shauer, Jr.
James R. Sherman
Charles V. Smillie, Jr.
Allen H. Somers
Allan J. Spence
Ray N. Stewart
Ralph, Fortie
James W. Friberg
Phillip B. Friedrichs
Gerald F. Gallagher
Marvin T. Garrison
William J. Gash
Robert A. Gillon
Charles W. Gobat
James C. Goodin
Howard D. Gress, Jr.
James G. Hallet, Jr.
Vincil W. Hazelbaker
Donald C. Heim
David G. Herron
Herbert M. Herther
Jack D. Hines
William D. Hubbard
Leo J. Ihli
Stanley C. Jaksina
James, Jaross
Harry E. Jenks II
Thomas E. Jordan
Raymond C. Kargol
Simon J. Kittler
Charles H. Knowles
Bobby T. Ladd
Raymond F. Latall, Jr.
Rodney H. Ledet
Robert D. Leipold
Walter R. Limbach
Joseph J. Louder
William T. Lunsford
Norman C. Madore
Joseph R. Marosek
Frederick A. Matthews
John J. McCarthy
Arthur T. McDermott
Kent A. McFerren
Clarence B. Miller, Jr.
Richard G. Moore
Clark S. Morris
Robert H. Nelson
Duane F. Newton
John A. O'Brien
Arnold J. Orr
Billy M. Owen
Eugene E. Paro, Jr.
Bert W. Peterka
Thomas F. Qualls
Carroll G. Redman
John P. Reichert
Frederick J. Reisinger
Manuel, Rojo, Jr.
Bruce B. Rutherford
Donald A. Schaefer
Charles F. Schwab
Harry E. Sexton
Speed F. Shea
Joseph Sleger, Jr.
Douglas L. Snead
Melvin A. Soper, Jr.
James H. Stewart
Chester J. Stanaro
Peter L. Stoffelen
Donald H. Strain
Bennie W. Summers
Robert L. Thomas
George E. Toyeas
Charles J. Tyson III
Willard G. Viers, Jr.
Guy W. Ward
John R. Waterstreet
Roebrt J. Weiss
Frank K. West, Jr.
Donald G. Williams
Frank B. Wolcott III
Donald E. Wood
Thomas M. Stokes, Jr.
Thomas L. Sullivan
David A. Teichmann
Dwight R. Timmons, Jr.
Richard T. Trundy
Albert J. Vidano
John B. Walker, Jr.
George J. Waters
Donald S. Waunch
James A. Wells, Jr.
Kenneth H. Wilcox
Frank P. Williams, Jr.
Charles D. Wood
Don L. Yelek

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant:

Dale E. Barnes
Robert J. Baxter
James H. Benson
Donald R. Bibb
William Broadway
William H. Bullock
John J. Flaherty
Thomas H. Hicks
Kenneth A. Kubik
James R. Pazourek
Chester R. Pino
Paul O. Shaffer
Thomas W. Swihart
Edward P. Whitner
Pleasant G. Winsted, Jr.
Robert A. Barr
Edward A. Benes
Steven W. Benvenuto
Michael J. Boyd
Kenneth J. Brown
Gregory J. Burcham
Frederick T. Fowler
William W. Hyatt III
John T. Murray
Harry W. Peterson III
James B. Ramsden
Eric N. Steinbaugh
Francis R. Walker
Dennis A. Williams

EXTENSIONS OF REMARKS

PORNOGRAPHY IS BIG BUSINESS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 19, 1969

Mr. DULSKI. Mr. Speaker, the problem of dealing with pornography exists at every level of government.

But even the combined efforts of the various levels of government so far have been unable to bring the problem under control.

The State of New York, for instance, has two new laws which went on the books as of September 1. Time will tell how much of a dent they will make.

We in Congress are continuing to wrestle with the issue, seeking to close loopholes without taking away rights of other citizens. It is not an easy matter.

The Buffalo Evening News in my home city of Buffalo, N.Y., has made an in-depth study of this problem in a series of articles which were given major prominence in the newspaper during the past week.

I placed the first four articles in the series in the RECORD last week. Following is the fifth, which appeared on September 18:

SMUT IN BUFFALO—V: STATE TOUGHENING OBSCENITY LAW

(By Robert Balme)

ALBANY, September 18.—Two new state laws aimed at control of obscene literature went on the books Sept. 1 but few authorities on the subject believe they will make a serious dent in the $2-billion a year pornographic publishing industry.

One measure increases the jail sentence from one to four years and makes a felony the crime of disseminating indecent material to minors under 17 years of age.

By upgrading the crime to a felony, it is intended that law-enforcement authorities can use stronger procedures than in the past.

The second bill divides the present crime of obscenity into two parallel degrees distinguishing between retail and wholesale dealers who are guilty of promoting obscene materials.

Wholesale promotion of obscenity would be subject to a seven-year prison term, and is directed at the mass producers of such materials. Retail distributors would continue to be subject to a misdemeanor charge, with a jail sentence of up to one year.

In signing the bills, Gov. Rockefeller acknowledged that they were intended to operate "without violating constitutional safeguards for the freedom of speech articulated in this area by the U.S. Supreme Court."

As has been so often stated, it is the rulings of the high court that are at the root of enforcement against obscenity.

ROCKY NOT INVOLVED

In a series of decisions in recent years, the high court has ruled that the states have little power to suppress, control or punish the distribution of material on grounds of obscenity.

The key words are whether there is any "literary value" in a piece of obscenity, and this appears impossible of definition.

Gov. Rockefeller has never been strong in the field of obscene literature; his messages on crime, as best as can be determined, have never contained a recommendation for control.

About a decade ago, under then Assemblyman James A. Fitz Patrick, now head of the State Power Authority, the subject of obscene and sensational comic books was explored by a Joint Legislature Committee, and later Assemblyman Luigi A. Marano headed a committee on obscene magazines and books, but their main contribution was public exposure of the problem.

SEEK OBSCENITY LIBRARY

Three years ago, the matter of obscenity was turned over to the JLC on Crime, Its Causes & Control, headed by Senator John H. Hughes, Syracuse Republican.

"The federal court decisions are such that we are strapped," said Senator Hughes. "We've searched for new ways to deal with the problem but we always get back to the same basis . . . the Supreme Court says anything goes if there is evidence of literary value.

"There are two things we're trying to do, safeguard children and develop a central depository or library for the storage of obscene materials seized by the police."

The bill creating a Depository of Obscene Literature at the School of Criminal Justice at Albany was vetoed in the last session, for a second time, by Gov. Rockefeller on the grounds that such a file is maintained by the FBI laboratory.

LEGAL VALUE EXPLAINED

The use of such a library, incidentally, would be limited to district attorneys of the state, their assistants and authorized police.

Sen. Hughes disagrees with the governor on accessibility of material from the FBI, claiming that "like many police agencies, they will give you only what they want you to have."

He is firm in the belief the state should have its own facility, and will push for it at the next session of the Legislature.

Such a library, he explains, would be of value in classifying the vast amount of obscene matter. "In the event a court convicted someone as the result of a specific obscene publication," Mr. Hughes said, "prosecuting authorities could go to the library, and that publication, which would have to be filed, could be used as the basis for prosecution by them."

STATUTES LOW ON SUCCESS

Right now, every obscenity case is different since every publication is different, and each judge must rule on the merits of a specific