

Nalepa, Thomas F., xxx-xx-xxxx  
 Nelson, Charles S., xxx-xx-xxxx  
 Ochoa, Jesse O., xxx-xx-xxxx  
 Palm, Leah, xxx-xx-xxxx  
 Palmer, Jesse E., xxx-xx-xxxx  
 Pasztor, John S., xxx-xx-xxxx  
 Pierce, Kenneth R., Jr., xxx-xx-xxxx  
 Rawden, Francis A., xxx-xx-xxxx  
 Reiss, David W., xxx-xx-xxxx  
 Ridgley, Edward E., xxx-xx-xxxx  
 Robillard, Robert J., xxx-xx-xxxx  
 Russell, David H., xxx-xx-xxxx  
 Schilder, Otto P. III, xxx-xx-xxxx  
 Sheldon, Douglas M., xxx-xx-xxxx  
 Shipley, Bruce G., xxx-xx-xxxx  
 Smith, Jack R., xxx-xx-xxxx

Sullivan, Patrick L., xxx-xx-xxxx  
 Sumner, Wayne S., xxx-xx-xxxx  
 Tracy, David S., xxx-xx-xxxx  
 Visnick, Allan D., xxx-xx-xxxx  
 Wadsworth, Thomas S., xxx-xx-xxxx  
 Weis, John R., xxx-xx-xxxx  
 Welton, John K., xxx-xx-xxxx  
 Wilkins, George H., III, xxx-xx-xxxx

To be second lieutenant

Butler, James M., xxx-xx-xxxx  
 Byington, Michael S., xxx-xx-xxxx  
 Chaney, Bobby F., xxx-xx-xxxx  
 Crowder, William S., xxx-xx-xxxx  
 Daane, John H., xxx-xx-xxxx  
 Eckhardt, Eric G., xxx-xx-xxxx  
 Estep, John D., xxx-xx-xxxx

Hall, Clint W., Jr., xxx-xx-xxxx  
 Hethcote, Stephen A., xxx-xx-xxxx  
 Hurchanik, Richard L., xxx-xx-xxxx  
 Mitchell, William H. J., xxx-xx-xxxx  
 Myers, Jimmie L., xxx-xx-xxxx  
 Saturen, Gary J., xxx-xx-xxxx  
 Skantz, Conrad P., xxx-xx-xxxx  
 Skrzysowski, Richard, xxx-xx-xxxx  
 Smith, Mason E., xxx-xx-xxxx

The following-named scholarship student for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290.

Santiago Rijos, Juan G.

## HOUSE OF REPRESENTATIVES—Monday, December 8, 1969

The House met at 12 o'clock noon.  
 The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*The name of the Lord is a strong tower; the righteous man runs into it and is safe.—Proverbs 18: 10.*

Almighty God, who art a strong tower of defense to all who put their trust in Thee, we, Thy children, come to Thee with gratitude for Thy steadfast love and praying that Thou wilt continue to be our refuge and strength in every hour of need. Grant us insight and courage to shun the voice of moral compromise and to shy away from all that is morally questionable.

In hours of decision, during times of temptation, through days of responsibility, and amid periods of suffering may we have the royalty of an inward peace that comes to those whose minds are stayed on Thee. Teach us to value a clear conscience, a clean mind, a pure heart, and a sense of Thy presence before all the honors earth can bring to us.

In thought, word, and deed may we glorify Thy holy name as we seek the good of all mankind. Amen.

### THE JOURNAL

The Journal of the proceedings of Thursday, December 4, 1969, was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2325. An act to amend title 5, United States Code, to provide for additional positions in grades GS-16, GS-17, and GS-18; and

S. 2869. An act to revise the criminal law and procedure of the District of Columbia, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. McGEE and Mr. FONG members of the Joint Select Committee on the Part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 70-2.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, December 4, 1969, he did on that day sign the following enrolled joint resolution of the House:

H.J. Res. 1017. Joint resolution making further continuing appropriations for the fiscal year 1970, and for other purposes.

And on Friday, December 5, 1969, signed an enrolled bill of the Senate as follows:

S. 118. An act to grant the consent of Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes.

### EQUAL RIGHTS FOR MEN AND WOMEN

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing an amendment to the Constitution to provide for the equal rights of men and women.

I understand that 199 of our colleagues have already offered this resolution, and it is a distinct pleasure for me to join this distinguished and rapidly growing company.

An old and dear friend of mine, Miss Louise McLean, of San Diego, has been among the staunchest advocates of this amendment. Miss McLean, who is 88, came naturally by her concern for the rights of women. Her late mother, Sally Hart, was a lifelong fighter for women's right to vote, and is well remembered for her struggles on behalf of working women in Cincinnati.

Adoption of the equal rights resolution would not only be an act of simple justice; it would also be a fitting tribute to the many who, like Louise McLean, have labored so long in this worthy cause.

### IS THE PAST PROLOGUE?

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Speaker, when looking to the new year, I want very much to be optimistic. I

would like to think that the economic picture will get brighter.

I then remember the statement etched in the granite of the National Archives Building here in Washington. The words are simple—"The Past Is Prologue."

It is depressing to think that the past months reflect what is in store for the Nation's economy in 1970. Prices have risen to an unacceptable level; interest rates are exorbitant.

The administration's "fight" against inflation has resulted in the highest interest rates in our history. These high rates have proven a severe blow to certain segments of the economy; namely, the home buyer and the small businessman and the consumer. The only institutions that stand to gain by the exorbitant interest rates are the big Wall Street banking conglomerates.

The cost of living is increasing at a rate no one can afford. If the consumer price index continues to rise at the present rate, the average consumer, already facing difficulties in the marketplace, faces a gloomy 1970.

I join with a vocal majority in again urging the administration to make a new year's resolution to initiate measures designed to lower interest rates, and to reduce prices.

### JUVENILE CRIME

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, juvenile crime is the most pressing and threatening aspect of the crime problem. The arrests of juveniles has increased 78 per cent from 1960 to 1968, while the under-18 age group has only increased by 25 percent. With the alarming increases in crime statistics, it is disturbing to know that the juvenile statistics represent only the beginning of a career in crime for many young offenders.

I have joined in cosponsoring legislation which, I believe, attacks the root causes of juvenile crime. The legislation, if approved, will create the Institute for Continuing Studies of Criminal Justice.

The Institute will serve as the focal point for the dissemination of information and knowledge throughout the country in juvenile treatment and control.

In addition, the Institute, modeled after the highly successful FBI Academy,

will offer training by experts for local law enforcement officers, judicial personnel, welfare officials, correctional officers, probation officers, and others connected with the treatment and control of juvenile offenders.

Failure to deal effectively with criminals and failure to deal effectively with the causes of crime has become a near disaster for this country.

The legislation I have cosponsored is designed to strike at the very heart of crime before the statistics climb even higher.

**PERMISSION TO SUBCOMMITTEE ON PUBLIC WELFARE, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY**

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Welfare of the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

**CALL OF THE HOUSE**

Mr. MONTGOMERY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 304]

Abbutt	Evans, Colo.	Michel
Anderson, Ill.	Farbstein	Minish
Andrews,	Fascell	Morton
N. Dak.	Findley	Murphy, N.Y.
Barrett	Fish	Nichols
Beall, Md.	Foley	Nix
Bell, Calif.	Frelinghuysen	O'Hara
Betts	Fulton, Tenn.	O'Neal, Ga.
Bingham	Gallfianakis	Ottinger
Blackburn	Gallagher	Patman
Blatnik	Gettys	Pepper
Boland	Giaimo	Poage
Brademas	Green, Oreg.	Podell
Brotzman	Green, Pa.	Powell
Brown, Calif.	Griffin	Price, Ill.
Buchanan	Gubser	Reid, N.Y.
Burton, Utah	Hagan	Reifel
Bush	Halpern	Roblson
Button	Hammer-	Rodino
Cahill	schmidt	Roe
Carey	Hanley	Rogers, Colo.
Casey	Harrington	Rooney, Pa.
Celler	Hays	Rosenthal
Chisholm	Hébert	Ruppe
Clark	Heckler, Mass.	Ryan
Clay	Helstoski	St Germain
Congers	Horton	St. Onge
Corbett	Hosmer	Sandman
Cowger	Jones, N.C.	Scheuer
Cramer	Jones, Tenn.	Smith, Iowa
Daniels, N.J.	Kirwan	Staggers
Dawson	Koch	Taft
Delaney	Landrum	Taylor
Dent	Lipscomb	Tiernan
Diggs	Lukens	Tunney
Dingell	McCarthy	Ullman
Eckhardt	McClure	Utt
Edmondson	McKneally	Weicker
Edwards, Ala.	Macdonald,	Whalley
Edwards, Calif.	Mass.	Wright
Edwards, La.	Mailliard	Wyder
Eilberg	Meeds	Young

The SPEAKER. On this rollcall, 310 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

**NATIONAL FOOTBALL CHAMPIONS—UNIVERSITY OF TEXAS**

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, the University of Texas fans everywhere—when we won the national collegiate football championship Saturday—have accepted the praises of the football world in typical Texan modest fashion. We did not chant "We're No. 1," at least for the first three quarters of the game on Saturday. At the finish we were so elated that we realized we were fortunate to just "cool it"—until now, that is. The Razorbacks have a tremendous team and deserve great praise. But I do not think they figured our Longhorns would go for broke or could save that game. It just shows you what a lot of Longhorns can do under the leadership of the best football coach in America, Coach Darrell Royal. The game was a great credit to college sports everywhere, and it will live forever as one of the best college games ever played.

The University of Texas, which is in my district, is proud to be No. 1; and we are doubly proud that we do not have to play Arkansas again until next year. Meanwhile, we are honored to lay claim—no matter what Pennsylvania might say—to the No. 1 collegiate football team in America today, and at least until next year we can savor the sweetness of that claim—how sweet it is.

Mr. WAGGONER. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Louisiana.

Mr. WAGGONER. The gentleman has taken the typical winner's attitude. I wonder why he did not take the microphone and make his talk with confidence before the ball game. I readily admit you have a great football team and I will be pulling for them New Year's Day.

Mr. PICKLE. I was making those statements before the game. In fact, I was talking louder about it before the game than I was after the game.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I would recommend that the gentleman wait until the New Year's Day Cotton Bowl when the Fighting Irish of Notre Dame and their Polish stars come down to show which team is No. 1.

Mr. PICKLE. I will say to the gentleman it will take more than prayer to win that game, but by that time we will have had all of the bad habits out of our system and we will be ready.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. PICKLE. I yield to my colleague from Texas.

Mr. GONZALEZ. I thank the gentleman from Texas. He ought to have the support of every other Texan here at this crucial moment. I will say cate-

gorically now beforehand what will happen to the Fighting Irish when the Texas Longhorns meet them: We will "hook them."

Mr. PICKLE. Indeed we will. I thank my colleague.

**SUPPORT OF LEGISLATION TO REVISE AND UPDATE IMMIGRATION AND NATIONALITY ACT**

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Speaker, I was pleased to join as a cosponsor of the bill introduced on December 4, by Congressman MICHAEL A. FEIGHAN, to improve the Immigration and Nationality Act. My cosponsorship is basically intended to help bring the bill to the floor where the House can work its will in taking into account the complications that we recognize are inherent in the present law.

Having voted for the 1965 act, I believe that the intent of Congress was to update immigration procedures but not to interfere with the historic immigration pattern to the United States. I believe the law as interpreted and implemented and the results we now perceive were not those truly envisioned by Congress.

It is my hope that the Judiciary Committee will give this matter priority attention and the Congress can act on this measure some time in 1970.

**THE GREAT PENN STATE FOOTBALL TEAM**

(Mr. FULTON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. FULTON of Pennsylvania. Mr. Speaker, we have many outstanding football teams this year in the United States, and are proud of the many teams at the top with records of many victories and high sportsmanship. We from Pennsylvania think that we have the championship team of the country at Penn State. Pennsylvania State University football team has the longest string of victories of any major college or university in the country against top-flight competition. Texas and Arkansas are good teams, too, and I congratulate them both on a fine game. I would suggest to the gentleman from Texas that they might sometime come around to the State of Pennsylvania and see how many more Pennsylvania fellows you have on your Texas teams than you have come up to our State and recruited.

Likewise, another team, Notre Dame, I believe, is doing pretty good, too, and we have a lot of Pennsylvania boys on that team, too. I think we in Pennsylvania have been supplying most of the country with good football material, from New England to Miami, from the Midwest to the Southwest to the west coast.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Missouri.

Mr. HUNGATE. I suggest to the gen-

tleman from Pennsylvania that he may think that Penn State has the No. 1 team in the Nation and will so demonstrate, he thinks, but wait until Missouri finishes with them January 1.

Mr. FULTON of Pennsylvania. I hope the gentleman will be down in Miami at the Orange Bowl on January 1. Last year we at Penn State were counted out with Kansas State until the last minute of play. But it turned out to be Penn State again, with a fine victory over a really top-flight team.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Texas.

Mr. KAZEN. I appreciate the fact that the gentleman did not state that Penn State was No. 1.

Mr. FULTON of Pennsylvania. I thought I had said that Penn State was football champion this year. We do not win our championship games 15 to 14, I would like to point out to my good friend. When we win them, we really win them in Pennsylvania.

Mr. KAZEN. What was the score of the Syracuse game?

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

#### GODDARD ROCKET AND SPACE MUSEUM

(Mr. FOREMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FOREMAN. Mr. Speaker, America today enjoys the honor of placing the first men on the moon, thanks to many early, historic developments by men who faced the unknown in rocketry. Such a man was Dr. Robert H. Goddard, who conducted his experiments in my home State of New Mexico. The city of Roswell has tried to advance the knowledge and awareness of the contributions of Dr. Goddard. A new high school is named in his honor, and in April 1959, the Goddard Rocket and Space Museum at Roswell was dedicated. Recently added was an exact replica of Goddard's workshop and a fine new Goddard Planetarium.

Dr. Wernher von Braun refers to Dr. Goddard as the "Father of the Rocket." Mr. Rogers Aston, Curator of the Goddard Museum says:

The fact that old Glory waves proudly on the face of the moon is due in large part to the pioneer work of Dr. Goddard in Roswell from 1930 to 1941.

Mr. Speaker, I am introducing legislation today which provides for congressional recognition of the Goddard Rocket and Space Museum. This legislation provides that the Congress recognizes the museum as a fitting memorial to Dr. Goddard as an appropriate and outstanding institution for the collection, preservation, and display of the works and memorabilia of Dr. Goddard. The resolution follows:

H. CON. RES. 464

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby recognizes the Goddard Rocket and Space Museum of the Roswell Museum and

Art Center, Roswell, New Mexico, as a fitting memorial to Doctor Robert H. Goddard, who pioneered in rocket experimentation and contributed to America's success in landing men on the moon, and who is known as the "Father of the Rocket," and as an appropriate and outstanding institution for the collection, preservation, and display of the works and memorabilia of Doctor Goddard.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS, 1970

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 3 hours, the time to be equally divided and controlled by the gentleman from Ohio (Mr. MINSHALL) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15090, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas (Mr. MAHON) will be recognized for 1½ hours and the gentleman from Ohio (Mr. MINSHALL) will be recognized for 1½ hours.

The Chair recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, we come now to the consideration of the largest money bill of the session, and we approach the end of the appropriation business of the session insofar as House consideration of appropriation bills is concerned. This is the 19th appropriation bill or resolution presented to the House at this session.

I might say that in respect to the appropriation bills considered by the House thus far this year, dealing with the fiscal year 1970, the House is about even with the President's budget—below in some and above in others. But the reduction in the budget for defense is \$5.3 billion in appropriations requested, which translates into a reduction in outlays or expenditures of approximately \$3 billion. So, when we take into consideration this bill—and if it passes in this form—we will be about \$5.3 billion below President Nixon's April budget in appropriations, and we will be approximately \$2.8 billion below his April expenditure estimates insofar as action in the appropriation bills is concerned.

#### FUNDS PROVIDED

Self-preservation, as I think we all know and believe, is the first law of nature and the first law of nations. One of the important elements in self-preservation of a nation is military power. It is a vital element but, of course, not the only element.

In this bill today we are providing for the survival and strengthening of the Nation the sum of \$69.9 billion in new spending authority for defense. When we compare this sum to that of prior years, we find that the bill this year, as it is being presented to the House, is below last year and below the year before. But to get a better comparison, we would have to add to the \$69.9 billion in this bill, about \$2.1 billion, which we will have to provide in a supplemental bill next session for the pay increase money for the military and for all the civilian employees of the Government. So, if we consider the roughly \$2.1 billion now expected to come later, the appropriation for defense for this year would be about \$72 billion.

In comparison, for fiscal 1969, the total appropriated in all the categories covered in this bill was \$74.4 billion, so we are below that for last year, very decidedly.

For the prior year, fiscal year 1968, the total appropriation was \$74.1 billion, so on the present basis the fiscal 1970 total will be below that year also.

On the same basis, we will be about on a par with the fiscal year 1967.

If we go back to about 10 years ago, fiscal year 1960, we then appropriated about \$40 billion for defense.

If we go back to the fiscal year 1956, we appropriated about \$31 billion for defense.

These quick comparisons put the total of today's bill in some better perspective.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I am glad to yield to my friend from Iowa.

Mr. GROSS. The gentleman gave a figure of \$69,960,000,000; in other words, a round figure of \$70 billion, which does not include the pay increase. Did the gentleman put a cost on that of approximately \$2 billion?

Mr. MAHON. About \$2.1 billion. That is the estimate.

Mr. GROSS. About \$2.1 billion?

Mr. MAHON. Yes.

Mr. GROSS. I thank the gentleman.

Mr. MAHON. That would be the total for pay increases.

Mr. GROSS. That will come in the supplemental to be considered later this week or next week.

Mr. MAHON. No. This would be considered probably late in the spring of next year.

Mr. GROSS. A supplemental next year?

Mr. MAHON. Yes. It will not come at this session because these funds are not required until much later in the current fiscal year. The services have ample funds to pay military and civilian personnel in keeping with the increased pay scales until we are well into the next calendar year.

Mr. GROSS. I thank the gentleman.

## CARRYOVER FUNDS

Mr. MAHON. In prior years we have had numerous supplemental bills as the war escalated. Now the war is deescalating. Unless it is again escalated, there is no thought that there will be a supplemental in the sense that we have had Southeast Asia supplementals in prior years.

Of course, we are already well into the current fiscal year. By the time this bill is signed into law, about half the fiscal year will have elapsed.

While we are talking about the \$69.9 billion available to the Defense Department—and this does not include certain other items of defense such as military construction—there was a carryover into this fiscal year from the last fiscal year of about \$39 billion of unexpended funds. These are funds appropriated in prior years for such things as Navy ships, aircraft, and long leadtime items generally. These types of funds do not spend out in the year for which they are appropriated.

So while the Defense Department will not be entirely happy with the reductions made in this bill, officials will have available for all purposes during the current fiscal year, if this bill is approved, the total sum of about \$109 billion.

This gives us a little better view of what this massive, this monumental, this unbelievably big job of defense really is.

I yield to the gentleman from Ohio.

Mr. VANIK. I thank the gentleman for yielding. The gentleman in the well, the distinguished chairman, has answered the question I had in mind, and I thank him very much.

## STRATEGIC ARMS LIMITATION TALKS

Mr. MAHON. Mr. Chairman, I believe all of us feel, in view of the heavy demands on the taxpayer for various Federal programs—heavy demands for defense and nondefense—there is an urgent need to slow down the arms race, if this is reasonably possible. Certainly we must try and try with our might to slow down the arms race.

As Members know, in Helsinki, Finland, talks between our country and the U.S.S.R. have already begun looking toward a reduction in strategic weapons. They are preliminary in nature. This is called the strategic arms limitation talks, SALT.

I cannot help believing that the Soviet Union, which is lacking in so many consumer goods and so many domestic programs, would like to slow down the arms race.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MAHON. Mr. Chairman, I yield myself 10 additional minutes.

Of course, the Soviet Union has Red China on its border and the Soviet Union must consider in its defense plans and weapons programs its status in western Europe and its status vis-a-vis Red China. However, it would seem to me there ought to be some possibility that these SALT discussions could prove to be productive. It is encouraging to note that as of the present, apparently, the Soviet Union has not tried to make a lot of international propaganda out of these talks.

Of course, the Government of the

United States and the people of the United States want to slow down the arms race if there is some foolproof, absolutely reliable system whereby this objective can be achieved. I think it must be said, though, that, if we have to have a continuation of the arms race, then the United States is far more able to participate in it than the Soviet Union. We are reducing the percentage of our gross national product that we are applying to the defense budget this year. Defense spending in fiscal year 1970 is approximately 8 percent of our gross national product. The percentage of the gross national product of the Soviet Union devoted to defense is much, much higher than that of the United States.

I think we all, as we appropriate these funds today as one of the elements in the survival of our free society, can look hopefully to the possibility of achieving some sort of accommodation which may permit us to level off the arms race to some degree.

Mr. Chairman, we all recognize that various civilian programs, domestic programs, are claiming more and more of the funds which are available for expenditure. At a later point, I would like to present to you a statement in regard to the business of defense spending vis-a-vis domestic spending.

## ADVANCES IN TECHNOLOGY—THE PROBLEM OF OVERRUNS

Mr. Chairman, in considerable measure, cost overruns in defense programs have resulted from the almost unbelievable advances which have been in technology in the past 20 years. Original cost estimates cannot be considered as anything but hopeful guesses when they relate to the development and procurement of weapons which are on the borderline or beyond the state of the art in technology at the time the estimate is made. When engaged in pushing forward the frontiers of knowledge, it is impossible to make accurate cost predictions. Each item is unique. No one ever built one before. Adequate experience is not available upon which to make precise cost estimates.

In addition, development programs require years for completion. Unforeseen problems arise. If there were no problems, a development program would not be required. When original cost estimates for weapons or equipment include production costs as well as development costs, the problem is further complicated.

Both government and industry people are notoriously optimistic in calculating the cost of a project and the time required to complete it. Inflation is an important factor in the equation. Often innumerable changes and improvements are made in the original project and this adds to the cost. If a weapon system is urgently required, and if there is no graft or fraud, or misrepresentation and if the Government gets a dollar in value for each dollar expended, the fact that a cost overrun occurs is not of overriding importance. This is not said to excuse poor estimating or bad management.

We have produced many amazing new weapons since World War II, such as the ICBM and the Polaris submarine, and

the advances in technology are continuing.

In the late 1950's, when the intercontinental ballistic missile, which was itself one of our most notable technical achievements, appeared upon the scene, it was referred to by many as the ultimate weapon. It was widely believed that no defenses could prevent an ICBM from striking its target and perhaps no reasonably adequate defense can be perfected. Yet at this time, only ten years later, the Soviet Union has developed and deployed an anti-ballistic-missile system of sorts around Moscow and the United States has fired defensive missiles at incoming ICBM's at the Kwajalein Island complex in the Pacific with what appears to be some degree of success. We are now starting the deployment of a limited ABM system. Just how effective the U.S.S.R. and the U.S. systems may become is a matter of conjecture. But the effort to find a defense against the intercontinental ballistic missile must be made.

Government and industry are stretching the state of the art in seeking to make more effective our aircraft, ships, tanks, missiles, radars and multitudinous other facets of defense and offense. One of our problems is that many weapons are becoming so complex they are too difficult for field personnel to operate. Greater reliability under field conditions is urgently needed.

We can hardly complain that the military seek to accomplish in weaponry what may appear to be the impossible. This is the road—the difficult and expensive road I should say—to advancement and to making our country more secure.

There was a tendency to look with dismay upon the feat of the Cuban defector flying a Mig fighter from Cuba into Homestead Air Force Base near Miami without early detection. As of this time, there simply is no fully acceptable and reliable way to make an early detection in every instance of the approach of an aircraft which skims the surface. Of course, if we blackened the skies with aircraft all the way around the perimeter of the United States, a reasonably early detection of any low flying aircraft could be made.

In considering the matter of cost overruns, it is well to keep in mind that this problem is not confined to the Department of Defense. Almost every agency of the Federal Government has been hit hard by the same problem. Take our space program, for example, where we have had spectacular success in the last couple of years. The lunar module, which so magnificently landed and removed our brave astronauts from the surface of the moon, was originally estimated to cost \$387 million. Its currently estimated cost is \$2.1 billion, a 500 percent increase. And there are others. Here in the Nation's Capital, for instance, the John F. Kennedy Center for the Performing Arts was estimated to cost \$46.4 million. Its presently estimated cost is \$66.2 million, a 46 percent cost overrun. Our Interstate Highway System, which involves almost every State in the Union, was originally estimated to cost \$27.6 billion for the 41,000 mile interstate system. To-

day, the cost estimate for the same number of miles is \$56.5 billion, a 104 percent increase.

In 1965, when medicare was enacted, hospital insurance benefits were estimated at \$2.9 billion for calendar 1970. The latest estimate for 1970 is \$5.6 billion, an increase of 93 percent.

I call attention to the committee report in regard to cost overruns. On account of the increased emphasis on this problem, this year, there is a sound basis to hope that a better job will be done in the future and the Committee on Appropriations will continue to move toward that objective.

A special word of caution is in order with respect to possible future overruns. It is inevitable that some cost overruns will occur—in aircraft programs, ship programs, and other programs.

In the ABM program, the complexities are so great one must not be surprised if overruns occur. Additional costs are bound to arise as we move forward with this highly complex and expensive effort to protect our people against the threat of the intercontinental ballistic missile and the sublaunched ballistic missile.

#### DEFENSE VERSUS NONDEFENSE SPENDING

While on the subject of expenditures, now generally called outlays, I believe it is important to note that, from 1964 to 1970, defense expenditures have increased by \$27 billion and this is mostly explained by the war. During this same time period, however, other agencies of the Federal Government have increased their expenditures by over \$47 billion.

Let me try to bring this expenditure picture into better focus by looking at the last couple of years. From fiscal year 1968 to fiscal year 1970, defense expenditures actually declined slightly, while the other agencies of the Government increased their expenditures by \$12.4 billion.

It is also interesting—as I have noted—that military outlays, as a percentage of the gross national product, are estimated to be 8.1 percent in fiscal year 1970 as compared with 9.5 percent in fiscal year 1968. The 8.1 percent estimated is below the pre-Vietnam year of 1964, and well below the levels of the 1950's and early 1960's.

My purpose in citing these statistics is to make it clear that the Defense budget alone has not been responsible for our inflationary trend in recent years. We need to look at both sides of the coin. It has been alleged that the needs of the domestic front are being neglected in our effort to maintain a strong military posture. The facts do not support this premise.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. MAHON. Mr. Chairman, I yield myself 10 additional minutes.

#### VIETNAMIZATION PROGRAM

We are all interested, of course, in the Vietnamization of the war—and in what this bill does to bring the war in Vietnam toward a conclusion. I think it would be well to consider that in this bill we are providing more than one-half billion dollars to accelerate the Vietnamization program.

The Vietnamization program has been

going on throughout the war in Vietnam. We have supplied the South Vietnamese with vast quantities of fighting equipment and provided training. It is the policy of the Government to accelerate the Vietnamization program.

President Johnson in making the speech on March 31, 1968, in which he announced that he would not seek reelection, made this statement:

Our presence there—

And he was referring to Vietnam—

has always rested on this basic belief: The main burden of preserving their freedom must be carried out by them—by the South Vietnamese themselves. \* \* \*

That has been the philosophy of our government in the past. It is the philosophy of our government at this time.

Continuing to quote from President Johnson's speech:

We and our allies can only help to provide a shield—behind which the people of South Vietnam can survive and can grow and develop. On their efforts—on their determinations and resourcefulness—the outcome will ultimately depend.

Quoting further from President Johnson's speech of March 31, 1968:

We shall accelerate the reequipment of the South Vietnamese armed forces in order to meet the enemy's increased firepower. This will enable them progressively to undertake a larger share of combat operations against the Communist invaders.

The Vietnamization program is one which we have supported in the past and, of course, it is a program which we are supporting today. We want to achieve the Vietnamization of the war to the greatest possible extent and as rapidly as we can.

We have provided vast sums for ammunition, for weapons, for rifles and for modern equipment for the South Vietnamese. This program has been financed in prior bills, often in supplemental bills, and it is being further financed in this bill.

While we cannot predict when the war will end and we cannot predict whether the Vietnamization of the war will succeed, it is a continuing program of the Government and we propose to give this program every opportunity to succeed.

Later I shall ask permission to add in the RECORD certain additional information in regard to what this bill contains for the Army, Navy and Air Force and for the various forces. But I feel I should conclude presently in order to leave time for others who wish to speak.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. PUCINSKI. The chairman has made an excellent statement. I desire to pursue, if I may briefly, his remarks about overruns. It is my understanding that in this bill an amount of about \$7 billion is necessitated by overruns. The gentleman has said that if there is no waste and no fraud, an overrun is acceptable. I was wondering what is the legal position of the second lowest bidder? What is the legal position of the second lowest bidder defense contractor if the lowest bidder subsequently comes in with an overrun claim? We seem to be,

I gather from the gentleman's remarks, too tolerant of overruns. I gather from the gentleman's remarks that he is very tolerant of overruns, and I am wondering—this whole practice of accepting revised costs of defense contracts as additional costs, which the gentleman said is precipitated by inflation—I am wondering if this acceptance of overruns does not make a fraud of the whole competitive bidding system on defense contracts. I wonder if the gentleman has a comment he could make on that?

Mr. MAHON. I will be glad to comment on that. The position of the second lowest bidder, of course, is this: if the bidder with the lowest bid is a responsible bidder, he, of course, gets the contract. The trouble on so many defense contracts is that the trend of the development program is rather unpredictable, and it is true that certain defense contractors undertake to bid as low as possible with the thought that the revisions and additions which may upgrade the weapon, or changes which may be made upon the recommendation of the Defense Department will enable the contractor to protect himself economically by the additional funds which are provided for upgrading the program. This, of course, is a practice which must certainly be discouraged. I do not condone cost overruns at all. I do not mean that. I am trying to get the problem in a better focus.

A cost overrun does not indicate that there has been dishonesty or fraud, perhaps not even deceit.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Arizona.

Mr. RHODES. I believe the chairman would also agree with me that most of the items which the military buys are not "off the shelf" items. In other words, you do not make a Spartan missile every day, and you do not have any experience from someone else who has made one. The point that the gentleman from Illinois made is a good point, because the Department of Defense does find itself in a position of not only trying to get the lowest responsible bidder but it has to be sure also, that he did not bid so low as to be an unconscionable bid, with the hope of buying in on the contract later on. This is the tightrope which the Department of Defense has tried to walk. The gentleman's point is well made.

Mr. MAHON. I would like to say in connection with this bill that we have had excellent cooperation from the Department of Defense. Our former colleague, Secretary Laird, has cooperated with the committee very well indeed. And this can be said of the service Secretaries and the members of the Joint Chiefs of Staff.

It should be said that not all our reductions have been approved by defense officials but many have been. No doubt changes will be sought in the Senate version of the bill.

We have tried to put the imprint of the Congress on this bill. We think it is a bill that liberals and conservatives, Democrats and Republicans, can all support. I realize we all want to move toward adjournment of this Congress, and passage of this bill is one of the important

requirements before we can conclude. After we pass this bill, we will have the foreign aid bill and a supplemental, and that will conclude the 21 bills and resolutions from the Appropriations Committee for this session of Congress.

#### APPRECIATION OF SUBCOMMITTEE AND STAFF

Mr. Chairman, I cannot conclude without expressing my deepest appreciation for the fine work which has been performed on this bill by all members of the subcommittee. I take pride in serving on the committee with the gentleman from Florida (Mr. SIKES), the gentleman from Mississippi (Mr. WHITTEN), the gentleman from Alabama (Mr. ANDREWS), the gentleman from Pennsylvania (Mr. FLOOD), the gentleman from West Virginia (Mr. SLACK), the gentleman from New York (Mr. ADDABBO), the gentleman from California (Mr. LIPS-

COMB), the gentleman from Ohio (Mr. MINSHALL), the gentleman from Arizona (Mr. RHODES), and the gentleman from Wisconsin (Mr. DAVIS). These men deserve the thanks of the Congress and the American people.

Now let me refer to the staff.

It would be difficult to exaggerate the importance of the staff in the preparation of a bill of this importance and magnitude. Members of the staff have labored through months of hearings, working early and late in the preparation of the material which has been utilized by the committee, in the drafting of the report and the performance of many other important duties too numerous to mention. They are due a special vote of thanks.

I wish to list for the RECORD these able and dedicated men who have meant so much to the subcommittee in the prep-

aration of the pending bill. They are as follows: Robert L. Michaels, Ralph Preston, John Garrity, Peter J. Murphy, Robert B. Foster, and Austin Smith.

The chief staff man on Defense—Mr. Robert Michaels is retiring this year after more than 18 years of distinguished and dedicated service with the Committee on Appropriations. I wish to personally congratulate him for his long and able service and wish him good luck in his future undertakings.

Mr. Ralph Preston who has served with the committee for 18 years—a man of unquestioned talent and ability—will succeed Mr. Michaels as chief of the Defense staff.

#### SUMMARY OF BILL

Under permission granted to revise and extend my Remarks, I shall include a summary of the details of the various titles of the bill, and include a tabulation:

#### SUMMARY OF BILL BY MAJOR CATEGORIES

Functional title	Appropriation, fiscal year 1969 (new budget obligational authority)	Budget estimate, fiscal year 1970 (new budget obligational authority) <sup>1</sup>	Committee bill compared with—		
			Committee bill	Appropriation, 1969	Budget estimate, fiscal year 1970
Title I—Military Personnel	\$23,877,103,427	\$24,376,900,000	\$21,057,200,000	-\$2,819,903,427	-\$3,319,700,000
Title II—Retired Military Personnel	(*)	(*)	2,735,000,000	+2,735,000,000	+2,735,000,000
Title III—Operation and Maintenance	22,355,818,000	21,792,100,000	20,878,100,000	-1,477,718,000	-914,000,000
Title IV—Procurement	20,619,500,000	20,886,800,000	18,092,148,000	-2,527,352,000	-2,794,652,000
Title V—Research, Development, Test, and Evaluation	7,549,823,000	8,222,400,000	7,197,600,000	-352,228,000	-1,024,800,000
<b>Total</b>	<b>\$74,402,249,427</b>	<b>75,278,200,000</b>	<b>69,960,048,000</b>	<b>-4,442,201,427</b>	<b>-5,318,152,000</b>
Distribution by organizational component:					
Army	\$24,473,208,223	23,955,300,000	22,348,000,000	-2,125,208,223	-1,607,300,000
Navy	\$20,698,463,204	22,804,000,000	20,809,548,000	+111,084,796	-1,994,452,000
Air Force	25,058,824,000	23,959,434,000	22,359,634,000	-2,699,190,000	-1,599,800,000
Defense Agencies/OSD	4,171,754,000	4,559,466,000	4,442,866,000	+271,112,000	-116,600,000
<b>Total, Department of Defense<sup>2</sup></b>	<b>\$74,402,249,427</b>	<b>75,278,200,000</b>	<b>69,960,048,000</b>	<b>-4,442,201,427</b>	<b>-5,318,152,000</b>

<sup>1</sup> January 1969 budget, as amended in H. Doc. 91-100.

<sup>2</sup> Includes amounts warranted by Treasury Department pursuant to P.L. 91-31.

<sup>3</sup> Included under "Military Personnel."

<sup>4</sup> Includes funds for "Retired Pay Defense."

#### OPERATIONS

Mr. Chairman, operating funds including both military personnel and operation and maintenance, are used to support the everyday operations of our Armed Forces in Vietnam, other areas overseas, and in the United States. The budget request was for a total of \$43,434,000,000. The reduction made by the committee is \$1,498,700,000. Operating funds recommended in the bill are \$41,925,300,000. This amount represents about 60 percent of the total amount recommended in the bill.

The funds included in the bill will support day-to-day operations of our military establishment. Funds are included to support a total active duty military personnel strength of 3,235,100 at the end of fiscal year 1970, a reduction of 216,800 below the revised budget estimate of April 15, 1969. Some of the major military components to be supported include 17 Army and 3 1/2 Marine divisions, 11 Army brigades, about 770 ships of the active fleet, 23 carrier air groups, three Marine air wings, 66 Air Force combat air wings, and 118 Air Force support squadrons.

The principal reductions in operating funds relate to the announced decisions by the Department of Defense in such areas as troop withdrawals from Vietnam and Thailand, reduced operations in other areas of the world, reductions in military personnel end-strength, base closures, ship and aircraft deactivations,

and cutbacks in other operations. These reductions were made in part to comply with the governmentwide expenditure limitation enacted in the Second Supplemental Appropriation Act, 1969, Public Law 91-47. Total reduction relating to these actions were \$920,070,000.

Curtailment of operations in Southeast Asia was initiated by the Department of Defense as a part of the Vietnamization program. The committee has relied heavily on the guidance of officials of the Department of Defense in reducing the funding of items directly related to the war in Southeast Asia. Further withdrawals of U.S. forces may make additional funding reductions possible during the remainder of this fiscal year, but the committee has not deleted funds on this basis. The enemy could again escalate the intensity of combat and the committee does not want American forces to be placed in jeopardy by shortages of needed supplies and equipment if this should occur.

As was pointed out in the hearings, the committee is concerned that too rapid withdrawal of some U.S. forces could imperil the forces which remain. Every precaution must be taken to avoid this situation.

#### MILITARY PERSONNEL SCOPE OF THE BILL

The bill includes appropriations totaling \$21,057,200,000 for military personnel and \$2,735,000,000 for "retired pay,

Defense." Appropriations made under listed personnel while on active duty, including such items as basic pay, special pay, quarters allowances, subsistence, clothing allowances, various allowances for duty overseas, separation payments, social security contributions, and various reenlistment bonuses. Also included is permanent change of station travel which provides for such items as the travel of the individual and his family, the shipment or storage of his household goods, the various dislocation allowances, as well as separation travel.

Title II of the bill, covering retired pay, finances pay of retired military personnel, retained pay of the Navy and Marine fleet reserves, and payments to eligible survivors pursuant to the retired servicemen's family protection plan.

Title I of the bill represents a decrease of \$3,319,700,000 below the budget estimate of \$24,376,900,000. However, offsetting this reduction is the transfer of \$2,735,000,000 for "retired pay, Defense," from title I to a new title II. Therefore, the actual committee reduction in the military personnel request is \$584,700,000. Of the \$23,877,103,427 appropriated in fiscal year 1969 for military personnel, \$2,450,000,000 was for "retired pay, Defense." Therefore, the actual reduction below the comparable 1969 appropriation for title I is \$369,903,427.

## SEPARATE TITLE FOR RETIRED PAY

This year the committee has recommended the creation of a separate title I, "Military Personnel," finance the pay and allowances of officers and enfor "retired pay, Defense," because of the fact that the cost of retired pay is rapidly becoming a major item of expense in the Department of Defense budget. In addition, funding for this activity is uncontrollable in the usual sense through the appropriation process since the retirees of the Department of Defense and their survivors must be paid as provided for by law. In addition, during the course of the hearings it was brought out by witnesses of the Department of Defense that based on projections of the cost of retired pay, providing for minimal increases in rates over the years, in all likelihood by the year 2000 retired pay will be well in excess of \$12 billion a year. Therefore, for the sake of clarity and in order to separate "nonmilitary" from "military" costs, the committee recommends that appropriations for retired pay be established as a separate title of the Defense bill.

## PERSONNEL REDUCTIONS

During the committee hearings, the Secretary of Defense testified that the services are planning sizable reductions in end-strength below the revised budget level. The original budget request submitted by President Johnson in January of 1969 provided for 3,455,100 active duty personnel. This figure was amended by President Nixon on April 15, 1969, to a revised total of 3,451,900. Since that time the Department of Defense has announced further reductions in end-strength to a new total of 3,235,100, for a reduction of 220,000 below the January budget and 216,800 below the April budget. Reductions of this magnitude obviously will result in significantly dollar savings to the budget.

The committee has applied the following savings by service:

Army .....	\$192,070,000
Navy .....	127,200,000
Marine Corps.....	34,900,000
Air Force.....	110,600,000

One of the means used by the Department of Defense to achieve the end-strength reduction has been to reduce draft calls. The first move in this direction was the cancellation of the November and December 1969 draft call which had the effect of not bringing 50,000 young men into the service. Very recently a sizeable cutback in the January draft call was also announced.

## TROOP WITHDRAWALS FROM VIETNAM

Another item that allows for significant savings in the military personnel account is the withdrawals of troops from Vietnam. Upon completion of the mid-way conference on June 8, 1969, the President announced that he was withdrawing 25,000 troops from Vietnam. Since that time, he has announced that an additional 40,000 troops will be withdrawn, for a total announced reduction of 65,000. The reduction is scheduled to be completed by December 15, 1969, and during the period of June 1 to December 1, 1969, the total in-country strength in Vietnam has in fact decreased by approximately 61,000.

Withdrawals from Vietnam do not necessarily result in end-strength reductions. Many of the troops were redeployed to bases within the United States, others were redeployed to Okinawa and some were released from the service. However, a significant dollar savings results simply from the withdrawal of the troops from Vietnam even though they may be redeployed elsewhere. For example, troops in Vietnam receive combat pay, overseas duty pay and some receive separation allowances. In addition there are added costs for combat rations and special tropical clothing.

However, in the case of the Marine Corps, of the 27,000 withdrawn from Vietnam, some were redeployed to Okinawa. In this case, many of the allowances which are drawn in Vietnam are also drawn in Okinawa. Therefore, the total savings, by service, are estimated to be:

Army .....	\$30,000,000
Navy .....	6,000,000
Marine Corps.....	18,000,000
Air Force.....	2,500,000

## SIZE OF HEADQUARTERS STAFFS

The Department of Defense and the military services have their principle headquarters in the Greater Washington, D.C., metropolitan area. In addition, all of the services have personnel assigned to major command and administrative headquarters located in various areas of the country.

When these military and civilian personnel and those assigned to the headquarters of the unified and specified commands located throughout the world are considered, the organization appears to be considerably overstaffed. During the hearings, the committee questioned the Secretary of Defense and the service Secretaries regarding the size of the headquarters staffs. It was pointed out in the hearings that the number of people in headquarters activities in the Washington, D.C., metropolitan area alone was estimated to be 72,893 civilians and 42,029 military in 1970. The committee feels that a Washington area headquarters staff of almost 115,000 is unwarranted and represents topheaviness even for an organization the size of the Department of Defense.

The Secretary of Defense testified that there are plans underway to reduce the Washington headquarters staff by 1,755 military and 1,539 civilians. The committee applauds these reductions as a step in the right direction; however, the committee feels that further review will identify additional areas that are overstaffed within the headquarters operation and has, therefore, made a substantial reduction in both civilian and military manpower on this account. The reduction for civilian personnel is discussed under "Operation and maintenance." The reduction applied to military personnel, by service, is:

Army .....	\$1,800,000
Navy .....	2,755,000
Marine Corps.....	1,300,000
Air Force.....	1,880,000

## PERSONNEL ASSISTANCE PROGRAMS

The committee reviewed the various programs in the services designed to assist military personnel in returning to civilian life or upon entering the military

service. Presentations were made by the services and by the Secretary as to the various projects known as Project 100,000; Project Transition; Project Value; and Project Referral. The committee feels that appropriate assistance by the Department of Defense or by the services to men upon entering the service, or about to return to civilian life, is desirable.

All of these programs are very new and their cost has increased at a very rapid rate each year. Because of this rapid acceleration in cost, the committee is of the opinion that reductions in each of these programs would be most appropriate this year and would provide the needed impetus for the Department of Defense to review them and determine the reason for the large increase in cost. Funds for these various projects appear in two places in the budget, title I—military personnel, and title III—operation and maintenance. The committee's reduction, by program, for both titles I and III is:

Project 100,000.....	\$1,735,000
Project Transition.....	4,015,000
Project Value.....	200,000
Project Referral.....	975,000

## CHANGES IN SUBSISTENCE COSTS AT MESSHALLS

During the course of the hearings, the committee was advised that the services were experiencing significant increases in the absentee rate at their messhalls. The committee has been informed that this increase in absentee rates can be contributed primarily to a new reporting system that the services have implemented during the past year. Because of these adjustments in the absentee rates, the original budget request for each of the services was overstated. However, offsetting the decrease in attendance at mealtime there has been a corresponding increase in the cost of subsistence. The increase in subsistence costs in the case of two of the services, has more than offset the decrease in requirements caused by the decrease in attendance.

In the case of the Navy, the committee added \$1,600,000 to the budget request, and in the case of the Air Force, the committee added \$2,280,000 to the budget request. However, the Army and the Marine Corps, even with the increased cost of subsistence, are still overstated and reductions can be applied in both cases. In the case of the Army, the reduction amounted to \$6,200,000 and in the case of the Marine Corps, a reduction of \$3,700,000 was applied.

## NEW FOOD ITEM PROGRAM

During the hearings with the Department of the Army, testimony revealed that plans were underway for the testing and production of a new type of food item. In order to evaluate this new food item the Army proposes to procure enough of the item for 1 million meals. While the committee feels this is a worthwhile program, serious question arises as to the need to procure 1,000,000 meals in order to effectively test the item.

It is the opinion of the committee a smaller size sample would serve equally well for evaluation purposes. The committee has, therefore, applied a reduction of \$750,000 to the program, which will still provide for a sample size of at least 500,000 meals.

## OTHER REDUCTIONS

During the committee's hearings on military personnel and on operation and maintenance, the committee questioned areas such as public affairs, public relations, and public information; and also, the area of automatic data processing. Since the majority of the funds for both of these items appear in the "Operation and maintenance" account, the reductions made in military personnel are primarily to support the major reduction made in the "Operation and Maintenance" account.

However, military personnel are involved in both of these areas and, therefore, it is only appropriate that some reductions be made. In addition, other reductions were made in the "Operation and maintenance" account that require a corresponding reduction in military personnel. One example, is support service contracts, and another example is Operation Deepfreeze carried on by the Navy. All four of these items are discussed in detail in the discussion on operation and maintenance.

In addition, other reductions were made in the "Military personnel" account to cover such items as the shipment of privately owned motor vehicles and the use of commercial air travel. In the case of shipment of privately owned vehicles it was determined during the hearings that the average cost to ship a vehicle had been overstated and, therefore, an appropriate reduction was made in the budget request. In the area of commercial air travel, a modest reduction was made and testimony during the hearings indicated that better utilization could be made of existing Military Airlift Command flights.

## RESERVE AND GUARD PERSONNEL

The committee has provided funds for a Selected Reserve of the Armed Forces for a total average strength of not less than 964,687, as authorized. Modest reductions have been made in the request of each of the Reserve components since the components have failed to meet their programmed average strength.

Information provided by the services substantiates the fact that paid drill attendance is at a slightly lesser rate than that programmed at the time the budget request was prepared. Therefore, the modest reductions made by the committee are appropriate and in order.

## SUMMARY TABLE OF FUNDS PROVIDED

Following is a table of the military personnel and retired pay, Defense funds provided in the bill.

## TITLE I—MILITARY PERSONNEL

Military personnel, Army	-----	\$8,312,000,000
Military personnel, Navy	-----	4,370,000,000
Military personnel, Marine Corps	-----	1,518,000,000
Military personnel, Air Force	-----	5,835,300,000
Reserve personnel, Army	-----	308,000,000
Reserve personnel, Navy	-----	131,400,000
Reserve, personnel, Marine Corps	-----	45,000,000
Reserve personnel, Air Force	-----	83,400,000
National Guard personnel, Army	-----	356,800,000
National Guard personnel, Air Force	-----	97,300,000
Retired pay, Defense	-----	
<b>Total, title I—Military personnel</b>	<b>-----</b>	<b>21,057,200,000</b>

## TITLE II—RETIRED MILITARY PERSONNEL

Retired pay, Defense----- 2,735,000,000

## OPERATION AND MAINTENANCE

Funds required for operation and maintenance activities relate to the size of the active forces and the numbers of personnel in the Reserve components; the tempo of operations, the desired degree of readiness, and the deployment of the forces; the training of personnel in the use of weapon systems and equipment; and, the types of military facilities to be operated and maintained. The appropriations for operation and maintenance are directly related to the ability of our Armed Forces to react quickly, deploy effectively, and to maintain their overall state of readiness.

The committee recommends appropriations totaling \$20,878,100,000 for operation and maintenance activities. This amount is a reduction of \$914,000,000 below the revised budget estimate for fiscal year 1970. The largest single reduction, \$217,600,000, relates to the announced reduction in force levels; such as the cutback in military personnel and the deactivation of older ships and aircraft. There are also other reductions in force levels affecting the requirement for operation and maintenance funds. These reductions include the inactivation of the Army's 9th Infantry Division, and the Marine Corps' 3d Division, the phaseout of the B-58's, and many base closures.

Notwithstanding the reductions made for cutbacks in force levels, the services are bringing into the defense force structure several new items and larger quantities of relatively new items for which substantial support funds are required during fiscal year 1970. In the Navy, some 55 new ships are expected to join the fleet as a result of either new construction or conversion. The Air Force will place into service in fiscal year 1970 the C-5A, a few more wings of the F-111, and will also begin deployment of a limited number of FB-111's.

These are but a few examples of new equipment being added to the force structure which will require a sustained level of adequate operation and maintenance funding.

The second largest reduction assigned by the committee was \$181,200,000 to the withdrawal of forces from Southeast Asia. Substantial amounts of operation and maintenance appropriations are directly related to the tempo of the war in Vietnam. With these withdrawals less funds will be required for support operations than had been estimated in the revised budget.

The committee reduced the request for communication and intelligence operation by \$79,600,000. The Department of Defense estimates that the revised budget includes over \$3 billion for these operations. The reason for the committee's reduction was to emphasize to the Department the need for better management. Suggested areas for improvement are spelled out in the committee's report. The committee recognizes the need for reliable communication and intelligence operations and any degree of reliability in either area will be difficult to attain until such time as the needed management improvements are implemented.

## OTHER O. &amp; M. REDUCTIONS

The Department of Defense has announced a reduction of about 48,600 full-time permanent civilian employees. The committee estimated that this reduction will save \$140,500,000 in fiscal year 1970. Other major areas the committee has reduced are:

Headquarters operation and administration	-----	\$58,475,000
Automatic data processing operation	-----	82,400,000
Public affairs, relations, and information	-----	2,500,000
Service support contracts	-----	62,550,000
Pilot training	-----	33,000,000
Management studies	-----	6,900,000

Headquarters operation and administration were discussed previously under "Title I, military personnel." Of course, there are related reductions in operation and maintenance for the supplies, maintenance, utilities, support services, and other cost incurred in support of these large headquarters operations.

## AUTOMATIC DATA PROCESSING OPERATION

The committee is concerned with the rapid expansion of automatic data processing systems in the Department of Defense. Last year and again this year, the committee, in cooperation with the General Accounting Office, reviewed the practices of the various component organizations of the Department in planning, procuring, and installing this new ADP equipment for use in computerized management systems. To say the least, the committee is not pleased.

Last year, the committee found that there was a general lack of coordination and planning within and among the services and/or Defense agencies relating to the adaptability of the various systems to one another. The committee directed last year that a thorough review and analysis of all systems should be undertaken as soon as possible. The committee also believed that a close working relationship should be arranged between the new review offices established in each Service and the new office under the cognizance of the Assistant Secretary of Defense, Comptroller. It was apparent to the committee that only through such a coordinated effort could adequate control be established for the planning, adaptation, coordination, and installation of these ADP management systems. The committee also directed that until such time as these newly established offices have had an opportunity to review various systems in existence as well as those being planned for the future, expansion of all systems should be held in abeyance.

Despite this request, the Services were permitted to proceed with the expansion of many systems without the requisite review. It was evident from the committee's review this year that there is still a need for improved management of these costly systems. It was disclosed that existing systems were still being updated or new systems installed without careful consideration of the product of other systems already in existence or of other parallel systems being developed. For example, the Air Force plans to install a new phase II base level system at many Air Force bases in the United States. The committee is not convinced that this is necessary. It appears that at some bases

the existing second generation equipment provides adequate information, and that third generation equipment is a multi-million-dollar luxury.

The committee will continue to give Defense ADP operations close scrutiny. The General Accounting Office has been directed to continue a comprehensive review in this area.

#### PUBLIC AFFAIRS, RELATIONS, AND INFORMATION

The Defense budget request for 1970 includes about \$30 million for public affairs, public relations, and public information activities. The committee made a direct reduction of \$4,955,000 in this request—\$2,455,000 in military personnel and \$2,500,000 in operation and maintenance. The committee's reduction in civilian personnel employment and headquarters staffs will tend to cause even further reductions. These actions will likely result in an indirect reduction of an additional \$5 million, or a total reduction of about \$10 million.

It is estimated that in fiscal years 1968 and 1969 the Department of Defense obligated about \$28 million and \$30 million, respectively, for public affairs, public relation, and public information activities. The committee report on the fiscal years 1968 and 1969 appropriation bills pointed out these activities as an area where reductions could be made.

The committee is of the opinion the Department was not closely managing these activities. Therefore, early last year, the committee ordered its surveys and investigations staff to conduct a comprehensive review of these operations. The staff report pointed out numerous areas of duplication, ineffective utilization of personnel, and a lack of overall control of this operation.

The report was furnished to the Assistant Secretary of Defense for Public Affairs for corrective action. The committee was subsequently advised that management changes are being initiated and operational improvements should be forthcoming in the very near future.

The committee also continued the limitation on legislative liaison activities of the Department of Defense. Section 629 of the bill limits this activity to \$1,150,000.

#### SERVICE SUPPORT CONTRACTS

The committee has noted over the last few fiscal years that the costs of service support contracts have substantially increased in each service. Information provided the committee indicates that a large increase is again intended for fiscal year 1970. The committee recognizes the need for these contracts but the cost of this operation is increasing at a rate which appears to be disproportionate to the need. The committee reduced funding for fiscal year 1970 in this area for each of the services in order to hold the cost of these contracts at about the fiscal year 1969 level. The committee intends to give this matter further attention in its review of the fiscal year 1971 budget request.

#### PILOT TRAINING

The committee reduced the Navy's request for pilot training by \$13 million as a result of an announced cutback during fiscal year 1970.

The committee also directed that fixed wing training for helicopter pilots be

discontinued. Both the Navy and the Air Force give helicopter pilots training in fixed-wing aircraft prior to helicopter pilot training. Fixed-wing pilot training is very, very expensive. For several years the committee has discussed with the Navy and the Air Force the need for training helicopter pilots in fixed-wing aircraft. The committee suggested that consideration be given to discontinuing this type of training. This suggestion was ignored. Last year the committee stated in its report that fixed-wing training for helicopter pilots could be dispensed with especially in view of the urgent need for helicopter pilots. The committee pointed out that fixed-wing training could later be provided for those pilots whose subsequent duty would require it. However, the services chose to ignore the report.

This year, both services testified to the fact that they intended to continue to ignore the committee's desires.

It cost on the average about \$60,000 per trainee to become proficient in a fixed-wing aircraft prior to helicopter training. Since both Services train approximately 1,000 helicopter pilots each year, the total cost for fixed-wing training is about \$60 million in the two services each year. The committee believes that the \$60 million expended for fixed-wing training could be used to better advantage for more urgent requirements.

Therefore, the committee directs that the fixed-wing training of helicopter pilots be discontinued. In taking this action, the committee is reducing each services request for pilot training by \$10,000,000. With this reduction, sufficient funds will still be available for a gradual phaseout of the program by June 30, 1970.

#### MANAGEMENT STUDIES

The committee has been critical of consultant management studies made for the Department of Defense for many years. The committee's prior reviews of the requirements for, and utilization of, these studies demonstrated the need for closer overall Defense management of these funds. The review of the 1970 budget request further solidified the committee's position. The committee is of the opinion that the Department of Defense is not exercising proper control over when and what type of studies are made. Therefore, the committee reduced the operation and maintenance funds requested for these studies.

#### SUMMARY TABLE OF FUNDS PROVIDED

Following is a table of the operation and maintenance funds provided in the bill for each service and/or Defense component:

Agency	Amount
Army	\$7,214,447,250
Navy	5,037,300,000
Marine Corps	420,000,000
Air Force	6,454,500,000
Defense Agencies	1,074,600,000
Army National Guard	300,000,000
Air National Guard	330,534,000
National Board for the Promotion of Rifle Practice, Army	52,750
Claims, Defense	41,000,000
Contingencies, Defense	5,000,000
Court of Military Appeals, Defense	666,000
<b>Total, operation and maintenance</b>	<b>20,878,100,000</b>

#### PROCUREMENT

For the procurement portion of the Defense budget, we have provided in this bill about \$18.1 billion, which is approximately \$2.8 billion less than the request in the amended President's budget for fiscal year 1970, and \$2.5 billion below the amount made available for this purpose in fiscal year 1969.

In general terms, the recommended amount will fund a total of 686 fixed-wing aircraft, 1,259 helicopters, construction of 14 new ships, conversion of 17 others, and a classified quantity of Minuteman II, Minuteman III, and Poseidon missiles, as well as various types of military hardware, combat vehicles, and other equipment.

For the Army, the committee recommended an appropriation of about \$4.3 billion, a reduction of \$787.7 million below the amended budget estimate, and approximately \$1.4 billion below the appropriation for fiscal year 1969. The reduction includes \$526.1 million which failed authorization of Congress, and an additional reduction of \$261.6 million recommended by the Committee. The Army was provided funds for 29 fixed-wing aircraft, the U-21 utility aircraft and its reconnaissance version, the RU-21; and for 972 helicopters of various types, including 170 AH-1G Huey Cobras to fill the void caused by the cancellation of the AH-56A Cheyenne procurement contract. Essentially, the helicopters funded are to replace losses. The largest single item funded, of course, is the Safeguard ABM. The bill also funds quantities of TOW and Shillelagh anti-tank missiles and Redeye and Chaparral air defense missiles. Fiscal year 1970 will complete the planned buy of the Shillelagh missile.

A large variety of ground munitions are funded in order to support the projected reduced levels of combat activity in Southeast Asia. A total of \$324.8 million in the Army procurement budget is directly related to the Vietnamization effort. Communications equipment, combat and support vehicles and weapons were funded at a lower level this year than in fiscal year 1969. The last buy of the Sheridan tank will be made with fiscal year 1970 funds. The committee recommended reductions in funding for a number of U-21 utility aircraft, as well as for the Improved Hawk, Chaparral, and Pershing missile systems. Reductions were also recommended in communications and electronics equipment, in ammunition, based primarily on reduced ammunition consumption, and in the modernization of certain facilities.

For the Navy, the committee recommended an appropriation of about \$7.2 billion, a reduction of \$1.3 billion below the budget estimate, and \$377 million below the appropriation for fiscal year 1969. The committee funded a total of 282 fixed wing aircraft, including A-4 attack aircraft for the Marines, A-6 all-weather bombers, EA-6B electronic countermeasures aircraft, A-7 attack aircraft for the Navy, F-4J fighters, and a small quantity of AV-6B Harrier V/STOL fighter aircraft for operational testing by the Marines. In addition, a quantity of P-3C Orion ASW patrol aircraft and a number of training aircraft were also funded. The committee rec-

commended the deletion of procurement funds for the new F-14 general-purpose fighter-interceptor aircraft and added three such aircraft to the research and development program. The feelings of the committee relative to this aircraft are expressed on pages 55 through 57 of the report which accompanies this bill. The Navy was provided funds for 74 CH-46 Sea Knight and UH-1N Iroquois helicopters. The request for procurement of new RA-5C Vigilante reconnaissance aircraft was denied because losses did not support the need cited. We also denied funds for new KA-6D Intruder tanker aircraft and recommended that the Navy modify existing A-6A aircraft in the inventory to the tanker configuration. The committee funded a quantity of Poseidon missiles, but reduced the request for the AIM-7F Sparrow III air-to-air missile and denied funds for the AGM-54A Shrike antiradar missile.

In the shipbuilding program the committee recommended funding 14 new ships, including the CVAN-69, a third nuclear-powered attack aircraft carrier, plus the second increment of advanced funding for nuclear propulsion spares and fuel for the *Nimitz*-class carriers. Three new SSN-688 class high-speed nuclear-powered attack submarines were provided for, plus advanced funding for five more to be built in subsequent years. A new DLGN-38 class nuclear frigate, formerly called the DXGN, was funded, along with advanced procurement for three more—one in fiscal year 1971, one in fiscal 1972, and one in fiscal 1973. We recommended the appropriation of funds for five DD-963 class destroyers, a new type previously identified as the DX, as well as advanced funding for the procurement of the MK-86 gunfire control system for eight more such ships. The committee also provided for two LHA general purpose assault ships, advance procurement for two more, and two PGM motor gunboats. In addition to the new construction provided for in the bill, a number of new ships will join the fleet during fiscal year 1970, including eight nuclear attack submarines, 15 amphibious warfare ships, and 12 escort ships.

The committee recommended funding 17 conversions; namely, six SSBN *Polaris* to *Poseidon* submarine conversions, one DLG frigate conversion, and 10 MSO Ocean Minesweeper conversions. There are also advance procurement funds for 12 more SSBN conversions—seven in fiscal year 1971 and five in fiscal year 1972, and for four more DLG conversions in fiscal year 1971. Of course, the three fast deployment logistic—FDL—ships requested this year failed congressional authorization and were not funded.

The committee reduced the funds requested for the procurement of the MK-48 torpedo, and requested that the Navy complete the test program on both versions of the MK-48 before deciding which model of this weapon will be bought for the fleet. We also recommended minor reductions in the proposed Marine Corps procurement program, primarily related to the redeployment of Marine units from South Vietnam. The total Navy procurement accounts con-

tains \$3.4 million directly related to the Vietnamization program.

For Air Force procurement, the committee recommends an appropriation of approximately \$6.5 billion, a reduction of about \$698 million below the budget request and about \$1.8 billion below the appropriation for fiscal year 1969. Funds are provided for the procurement of 375 fixed wing aircraft, including A-7D attack aircraft, F-111D fighter/bombers, RF-5 reconnaissance aircraft, A-37B close-support jet aircraft, O-2A observation aircraft, C-5A and C-130E airlift aircraft, and a quantity of trainer aircraft. Funds were made available for 213 helicopters, including the UH-1 Iroquois and a new search and rescue helicopter. The committee deleted the \$52 million requested for advance funding of long lead-time items associated with future procurement of C-5A aircraft beyond the 81 approved through fiscal year 1970 program. The committee recommended that within the funds provided for aircraft procurement, \$28 million shall be available to initiate the procurement of a fighter aircraft to meet the needs of free world forces in Southeast Asia. The committee deleted funds for the proposed procurement of RF-4C reconnaissance aircraft and the funding for modification of B-58 bombers which are being retired, and reduced the funding in other areas.

We provided for the procurement of Minuteman II and Minuteman III missiles as replacements for the older Minuteman I missiles. The replacement is required for the continued updating and strengthening of our 1,000 Minuteman force. Funds requested for standard ARM and Shrike antiradar missiles were denied because existing inventories of these missiles are sufficient to meet present needs. The committee also denied funds for the initial procurement of the short-range attack missile—SRAM—because it was felt that it would not be prudent to initiate procurement in fiscal year 1970 in view of the technical difficulties being encountered in the development program. Decreases were recommended in funds for munitions, based on reduced consumption rates in Southeast Asia, in vehicular equipment, in communications and telecommunications equipment, and in other base maintenance and support equipment. The Air Force procurement budget contains \$96.1 million directly attributable to the Vietnamization program.

The committee recommended an appropriation of \$61.6 million for procurement of supplies and equipment for the Defense agencies of the Department of Defense, a reduction of \$16 million below the amended budget estimate, and \$20.1 million below the appropriations for fiscal year 1969. The reductions were made in funds for the Defense Communications Agency, National Security Agency, Defense Intelligence Agency, and Defense Supply Agency.

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For research, development, test, and evaluation functions, this bill provides a total appropriation of approximately \$7.2 billion, which is about \$1 billion less than the budget estimate and \$352 million below the appropriation for fiscal year 1969.

Major programs funded this year include the Safeguard ABM system, the Army's Dragon antitank missile, the Navy's F-14 fleet air defense fighter interceptor, and the S-3A—formerly VSX—antisubmarine warfare aircraft. Also included is the Air Force's F-15 tactical air superiority fighter aircraft, the airborne warning and control system—AWACS—and the advanced manned strategic aircraft—AMSA—now known as the B-1 bomber. The committee either reduced or denied funds for various other development programs of the military departments, and reduced funds for missile test ranges as well as in-house research and development activities and facilities because of reductions made in this overall program.

For the Army, the committee recommended an appropriation of approximately \$1.6 billion, a reduction of \$274 million below the budget estimate and \$54.1 million above the appropriation for fiscal year 1969. The funds provided will permit improvement in certain portions of the Safeguard ABM system and the continued development of the Dragon antitank missile, which is nearing completion of development.

Funds requested for the proposed development of the utility tactical transport aircraft system—UTTAS—a new helicopter, were reduced and the funds for the UTTAS engine were denied. The committee reduced funds for Project Mallard, a proposed international development of a major tactical communications system for the field armies of the four participating countries, and recommended termination of the program. We also suggested that the joint international development of the MBT-70 main battle tank be terminated and that the Army proceed to design a tank with far less sophistication and complexity that can be produced at about a third of the cost now estimated for the current design.

The recommended appropriation for the Navy totaled \$2 billion, a reduction of \$171.1 million below the budget estimate and approximately \$100 million below the appropriation for fiscal year 1969. The funds provided will permit improvement to and continued testing of the *Poseidon* missile. Full scale development of the initial and follow-on versions of the F-14 fleet air defense fighter-interceptor aircraft will be continued, and the committee added three aircraft to the program in order to maintain this aircraft in research and development. The funds made available will also permit the initiation of development of the S-3A—formerly VSX—antisubmarine warfare aircraft.

Funds for the development of the heavy lift helicopter were reduced, and the committee recommended that the Army and Navy proceed with a joint development of such a vehicle. The committee also directed that development of the Condor air-to-surface missile be discontinued because of the increased cost of this weapon system resulting from developmental problems.

For the Air Force, this bill provides for an appropriation of about \$3.1 billion, a reduction of \$504.3 million below

the budget estimate and approximately \$307.8 million less than the fiscal year 1969 appropriation. The funds made available will permit the continued development of the F-15 tactical air superiority fighter aircraft, and the initiation of engineering development on the airborne warning and control system to improve our continental air defense. The advanced manned strategic aircraft—AMSA—now known as the B-1 bomber, will enter design competition in fiscal year 1970. The committee recommended funds for continued development on the C-5A transport and F-111 fighter-bomber aircraft and improvements to the Minuteman missile. A modest amount was provided for development of a new interceptor aircraft for continental air defense against Soviet bombers. The Air Force will continue development of the Maverick tactical interdiction air-to-surface missile system during that fiscal year.

The Air Force terminated the manned orbiting laboratory program earlier this year, and the committee reduced the funds requested for a new A-X attack aircraft, which was considered to be a relatively low priority requirement for this year. We also reduced the requests for the subsonic cruise armed decoy—SCAD—missile for the B-52 and FB-111 aircraft, and the hard rock silo development program for our Minuteman ICBM force. The bill provides only half the funds requested for an advanced airborne command post because the committee felt this requirement should be studied further as to actual need.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. MINSHALL).

(Mr. LIPSCOMB (at the request of Mr. MINSHALL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. LIPSCOMB. Mr. Chairman, the pending bill, H.R. 15090, making appropriations for the Department of Defense for fiscal year 1970, is one of the most significant and important pieces of legislation the Congress will act upon during this the first session of the 91st Congress.

This appropriation provides for the protection of the United States and to bring the Vietnam war closer to an honorable peace. In the context of national needs there is no higher priority.

The distinguished gentleman from Texas (Mr. MAHON) who is chairman of both the full Appropriations Committee and the Defense Subcommittee has presented to the House an excellent report on the Defense appropriations bill for fiscal year 1970. I commend the chairman, and also my colleagues on the subcommittee and our able and dedicated staff for the fine job they have done. They have performed a valuable public service to the Nation.

#### DEFENSE FUNDS INCLUDED IN BILL

Mr. Chairman, H.R. 15090 will provide a total of \$69,960,048,000 in new obligatory authority for the Department of Defense in fiscal year 1970, including the support of our allies engaged in the conflict in Southeast Asia but excluding other military assistance, military con-

struction and family housing, and civil defense. These latter requirements are considered in other appropriations bills. The bill does not provide for the Department of Defense military and civilian pay increases which became effective July 1, 1969. As has been the custom in recent years, this last requirement, together with other civilian pay increases, will be transmitted to the Congress next January in a Government-wide supplemental.

Barring a drastic change in the situation, a fiscal year 1970 supplemental appropriation request for Southeast Asia is not anticipated at this time. If this assessment should prove to be correct, it will be the first time since the Southeast Asia buildup began that we will not be confronted by such a supplemental.

The \$69,960,048,000 recommended is \$7,780,152,000 below the amount requested for these purposes in the original fiscal year 1970 budget transmitted to the Congress by the outgoing administration in January, and \$5,318,152,000 below the amended fiscal year 1970 budget request transmitted to the Congress in April by the present administration. Indeed, it is \$4,362,798,000 below the amount appropriated for the same purposes for fiscal year 1969, including the supplemental provided earlier this year.

The funding provided in this bill is to support a series of military activities which, taken together, add up to essentially the overall military program administered by the Department of Defense.

This includes our strategic forces which are comprised of both offensive and defensive aircraft and missiles and related systems. Another principal military category is the general purpose forces, which includes most of the Army's combat support units, most Navy units, all Marine Corps units, and tactical units of the Air Force. These forces, which require far the greatest single portion of the Defense budget, are for the purpose of performing the entire range of operations short of nuclear war. Airlift and sealift forces are to transport troops, supplies, and equipment in keeping with our national needs.

Other major programs are the Guard and Reserve Forces. Research and development and other programs such as intelligence and communications; central supply and maintenance; training, medical and other general personnel activities; retired pay; administration and associated activities; and military assistance funded by the Department of Defense.

It is for these activities that a total of \$69,960,048,000 is recommended in the bill. Measured against the original fiscal year 1970 budget request, the net reduction of \$7,780,152,000 is the largest ever recommended by the Appropriations Committee in such a bill since the end of World War II. And, this reduction is recommended at a time when the conflict in Southeast Asia is still unresolved, when Soviet military capabilities are still growing and when the Chinese Communist nuclear weapons program is still advancing. These are major reasons why the markup of the Defense appropria-

tions bill was a most difficult and demanding task.

I can assure the House of Representatives that we did not approach this task lightly. The Defense Appropriations Subcommittee has always considered that its primary duty is to provide for the military security of the Nation. But at the same time we have always recognized that over the long run our military strength depends upon the vigor and growth of our economy and well-being and cohesiveness of our society. Accordingly, the task before us was to strike an appropriate balance between these two imperatives.

The actions taken by the committee reflect its opinion that this bill is consistent with our national objective of maintaining military superiority. Our report states in this regard:

The Committee continues to feel, as it has stated for many years, that this country must maintain its military superiority over any other nation. It is the feeling of the Committee that this country does now have military superiority and that steps must be taken now and in subsequent years to continue to maintain our overall military superiority. The recommendations made are consistent with this objective.

#### SECRETARY OF DEFENSE

I believe it is most appropriate at this time to commend the Secretary of Defense for his outstanding contribution to our national welfare.

Herculean problems confronted this Nation on every side when the new administration took office last January 20. Nowhere, however, were the problems larger or more formidable than those which faced the Department of Defense.

The membership of this body can be justifiably proud, therefore, of the President's choice in selecting Melvin R. Laird to be his Secretary of Defense.

With many years of service in the Congress, including service as a member of the Subcommittee on Defense Appropriations, Secretary Laird came to his new assignment with a thorough knowledge of defense programs and problems and of their proper place in the Nation's priorities.

I believe I speak for all of the members of the subcommittee when I say that our former colleague cooperated fully and in a sensible and courageous manner has dealt with this very difficult and painful task of cutting Defense expenditures. His knowledge and cooperation have been of great assistance to the committee.

I also want to commend Secretary Laird for his prompt action in establishing a blue ribbon panel to study and make recommendations and improvements in the organization and management of the Defense Department. This is an action that the other minority members of the subcommittee and I, including Secretary Laird when he served with us, have been urging for a number of years. In view of the many shortcomings which have surfaced in recent years, I believe we can all agree that this action is very timely.

#### OVERALL BUDGETARY CONSIDERATIONS

To the best of our ability, we have taken into account both the favorable and unfavorable developments, at home and abroad, during the past year. On the

domestic side we could not avoid facing up to the critical fiscal, economic, and social problems besetting the Nation at this time, problems which were inherited by the present administration. When President Nixon took office this past January the inflationary spiral had already been underway for 3 or 4 years. From fiscal year 1964 through the original fiscal year 1970 budget submitted by the previous administration in January 1969, total Federal outlays were sched-

uled to increase by almost \$77 billion, about 65 percent. The increase in national defense during this period was estimated at 52 percent but the increase in major social programs was set at 123 percent.

Mr. Chairman, the following table from page 27 of the Budget of the U.S. Government as transmitted to the Congress in January shows the changing structure of Federal budget outlays over these years.

CHANGING STRUCTURE OF FEDERAL BUDGET OUTLAYS

(Fiscal years. In billions)

Program	1964 actual	1968 actual	1969 estimate	1970 estimate	Change 1964-70
National defense.....	\$53.6	\$80.5	\$81.0	\$81.5	+\$28.0
(Special Southeast Asia support).....		(26.5)	(28.8)	(25.4)	(+25.4)
Major social programs: Social insurance trust funds (excluding medicare).....	22.7	30.2	33.3	37.2	+14.4
Welfare payments and services.....	3.4	4.6	5.3	6.1	+2.6
Education and manpower training.....	1.6	6.4	6.5	7.2	+5.6
Health (including medicare).....	1.8	9.7	11.4	13.0	+11.2
Low- and moderate-income housing.....	( <sup>1</sup> )	0.9	0.9	1.1	+1.1
Community and regional development.....	0.8	1.8	2.4	3.3	+2.4
Subtotal, major social programs.....	30.4	53.7	59.8	67.8	+37.4
Interest.....	9.8	13.7	15.2	16.0	+6.1
Veterans benefits and services.....	5.7	6.9	7.7	7.7	+2.0
All other programs.....	22.1	28.6	25.0	24.9	+2.8
Allowances for pay increase and contingencies.....			.1	3.2	+3.2
Undistributed intragovernmental transactions.....	-2.9	-4.6	-5.1	-5.7	-2.8
Total.....	118.6	178.9	183.7	195.3	+76.7

<sup>1</sup> Less than \$50,000,000.

Although total Federal budget receipts are also expected to increase substantially between 1964 and 1970, they lagged substantially behind outlays through fiscal year 1968, producing a budget deficit in that year of more than \$25 billion. This was the largest deficit in the history of our Nation except for the three World War II years, fiscal years 1943-45. In fact, the cumulative deficit in the 8 fiscal years, 1961-68, exceeded \$60 billion.

The new administration inherited a fiscal year 1970 budget totaling \$195.3 billion in outlays. By the middle of April 1969, it became clear that the programs proposed by the previous administration in that budget would require outlays of \$196.9 billion, principally because of increases in interest on the national debt and in farm price support payments. Moreover, in view of the steadily mounting inflationary pressures, President Nixon came to the conclusion that it would be necessary to reduce total Federal spending for fiscal year 1970 by \$4 billion below the revised January estimate, to a new total of \$192.9 billion. This reduction, it was then anticipated, would produce a surplus of \$5.8 billion for fiscal year 1970. A surplus of this magnitude, the President pointed out, "will speak louder than any words to the business and labor communities in this country and to the world that the United States is determined to bring a halt to the inflationary spiral which has seriously affected our economy these last 4 years."

However, by July 22, when the President signed the final supplemental appropriation bill for fiscal year 1969 into law, the budget picture had considerably worsened. Expenditure estimates for such uncontrollable items as interest on the public debt, medicare, social security, and so forth, had gone up by an addi-

tional \$2.5 billion and congressional actions up to that time had added another \$1 billion, making a total increase of \$3.5 billion. Together with the \$1.6 billion identified in April, the total estimated increase in fiscal year 1970 expenditures amounted to \$5.1 billion. In other words, the January budget estimate of \$195.3 billion in outlays had, by July, grown to \$200.4 billion, excluding the reductions made by the President in April.

Inasmuch as the inflationary pressures were continuing unabated and the Congress had established a new Federal expenditure ceiling of \$191.9 billion, plus not to exceed \$2 billion in increases in certain uncontrollable budget categories such as interest on the public debt, the President had no better alternative than to hold Federal expenditures to his April estimate of \$192.9 billion, \$7.5 billion below the newly adjusted January estimate of \$200.4 billion.

Because a large proportion of non-Defense expenditures are beyond the control of the executive branch, and the Congress had already made it clear that further substantial reductions should be made in fiscal year 1970 defense program, the President, with the concurrence of Secretary of Defense Laird, decided that Defense should absorb \$4.1 billion of the \$7.5 billion in gross expenditure reductions, or approximately 55 percent. Since Secretary Laird had already achieved an expenditure reduction of \$1.1 billion in his earlier review of the January budget, the remaining amount to be achieved was \$3 billion, and this was the new expenditure reduction goal he announced on August 21 of this year.

Mr. Chairman, I believe it is of the utmost importance that the American people clearly understand the reasons which have led both the executive branch and

the Congress to decide on substantial reductions in the fiscal year 1970 Defense program at this particular time.

Our economy has been experiencing rapid inflation since 1965. Interest rates, as we all know, have virtually doubled since the summer of 1965.

Certainly, there should be full agreement that the forces of inflation must be brought under control, and promptly. They not only bear most heavily on the people who can least afford them, but they also tend to distort our entire economy and undermine the strength of the dollar at home and abroad. Furthermore, if they are not brought under control soon, the stability of our economy could be gravely endangered.

At the same time, I am well aware that the Nation is confronted with many pressing domestic needs—alleviation of poverty, elimination of urban blight, modernization and expansion of our transportation systems, pollution abatement, and further improvements in health and education. The growth in these domestic needs is outstripping the financial capabilities of individuals, private organizations, and State and local governments, thus adding further to the burdens of the Federal Government.

## THE THREAT TO WORLD PEACE—NEED FOR ADEQUATE DEFENSE

While recognizing the pressing need to reduce defense expenditures, the committee was well aware of the fact that we still live in a very dangerous and uncertain world. Aside from the present administration's new approach to the Vietnam problem, which will be discussed in more detail later, and, hopefully, a successful outcome of the strategic arms limitation talks with the Soviet Union, it would be difficult to point with confidence to any change in the international situation or in the size and character of the threat to our security which would, in itself, justify a significant decrease in our defense effort this year.

With regard to the Soviet Union, the strategic balance which has for so long been in our favor is now beginning to turn against us. The Soviets are continuing to deploy ICBM's, including both the large SS-9's and the smaller SS-11's, at a relatively rapid rate. Including those silos still under construction, and it should be noted that the United States has not built any new ICBM silos since 1967, the Soviet Union is now well ahead of us in numbers of ICBM's. And, because of the very large yield of the SS-9, up to 25 megatons for the single warhead version, they are far ahead of us in land-based missile megatonnage.

Moreover, they are continuing to test a version of the SS-9 with three multiple reentry vehicles, each with an estimated yield of 5 megatons and an accuracy sufficient to pose a threat to the survival of our Minuteman force. They are also continuing their tests of a fractional orbital bombardment system on their SS-9's, which could be used to launch a surprise attack on our bomber forces, including even those aircraft on 15-minute ground alert.

Construction of Soviet Y-class sub-

marines, which are similar to our Polaris, is proceeding at a rate which could be as high as eight per year. As Secretary Laird pointed out to the committee, even at a rate of only six per year the Soviet submarine-launched ballistic missile—SLBM—forces could equal our own, in terms of numbers, by 1975. Should the Soviets design their SLBM's for depressed trajectory launch, which we are told is not very difficult to do, these Y-class submarines could pose a severe threat not only to our cities and soft military bases but also to our bombers maintained on 15-minute ground alert.

It was for these reasons that Secretary Laird, earlier this year, reached the conclusion that the Soviet strategic offensive missile forces could well pose a very serious threat to the survival of our own land-based strategic offensive forces by the mid or late 1970's. He pointed out that we would then be dependent upon our Polaris and Poseidon forces, unless we were willing to launch our Minuteman force on warning. While he did not wish to foreclose that possibility, he strongly urged that we not allow ourselves to get into a position where the President would have no other choice.

Secretary Laird expressed the greatest confidence in the survivability of our Polaris/Poseidon SLBM force, at least through the early to mid-1970's. But, he made it very clear that in his judgment it would be entirely too risky to rely upon only one of the three elements in our strategic offensive forces. He pointed out the obvious fact that we cannot preclude the possibility that the Soviets in the next few years may devise some weapon, technique, or tactic which might increase the vulnerability of our SLBM force.

Nor did the Secretary believe that we could preclude the possibility that the Soviet Union might deploy a more effective and extensive ABM defense. Such a defense, in combination with a substantial Soviet hard target kill capability, he noted, could seriously degrade our assured destruction or deterrent capability.

These were the considerations which led Secretary Laird and President Nixon to conclude that at least a start should be made in the deployment of the Safeguard system, initially for the defense of our Minuteman force and later for the defense of our bomber forces should the Soviet threat to those forces continue to develop.

More recently Secretary Laird informed the committee that the Soviets are believed to have begun flight tests of a new medium-jet bomber. This aircraft is estimated to have a combat payload somewhere between the FB-111 and the proposed advanced manned strategic aircraft—AMSA. Like the Soviet supersonic medium-range bomber, the Blinder, it will probably have a standoff air-to-surface missile capability and might also be equipped for inflight refueling. In the latter event it could in time pose a threat to the Continental United States.

I do not want to overstate the importance of this new development, but it is something we will have to watch closely in the years ahead. It could have an important bearing on the future of our air defense program.

With regard to the Chinese Communist strategic nuclear threat to the United States, the events of the last year give us no grounds for complacency. Although the Chinese have yet to launch their first ICBM they are continuing to move forward with their nuclear weapons program, and with their testing of medium-range ballistic missiles. Their progress in nuclear weapons development and testing has been rapid. In a period of 3¼ years, ending in December 1968, the Chinese detonated eight nuclear devices, one of which was delivered by a missile. Five of these eight tests involved thermonuclear materials. Two of them produced a yield of about 3 megatons and are considered suitable for delivery by an ICBM.

During the current calendar year, the Chinese Communists detonated two more nuclear devices, one underground with a relatively low yield, and one in the atmosphere with a yield of about 3 megatons. The latter was the third successful test of a nuclear device in the 3 megaton range.

On the basis of what is known about the Chinese nuclear weapons and ballistic missile testing programs our intelligence community has concluded that China could attain a force of about 10-25 operational ICBM's on launchers by the mid-1970's. It was on the basis of this intelligence judgment that the Nixon administration decided that an option should be included in the Safeguard program to provide protection for our population against the Chinese Communist ICBM threat, if it should emerge.

Although the Soviets have been devoting large amounts of resources to the buildup of their strategic forces, they have by no means neglected their general purpose forces. The latest intelligence indicates that they may have actually increased their land forces, particularly in connection with their problems along the Chinese border.

In Europe, Soviet forces still occupy Czechoslovakia, posing a more forward threat to the Allied central front in Europe than previously. The Soviet leaders demonstrated willingness to use force in maintaining their control over what they call the "Socialist Commonwealth" cannot but have a disturbing effect on the stability of Central Europe. Moreover, their ability to move large forces quickly over long distances came somewhat as a shock to our NATO allies as well as ourselves. How long these forces could have been sustained in combat, however, remains an unanswered question.

Even though the Soviet leaders must now be less certain of the loyalty and support of some of their Warsaw Pact partners, the pact forces, and particularly the Soviet Army and tactical Air Forces still constitute a formidable threat to Western Europe. The reality of this threat has been amply demonstrated in the last year by the extensive maneuvers undertaken by Soviet and other pact forces, not only throughout Central Europe but also on the North Sea. And, the Soviets are continuing to develop more advanced tactical aircraft and nuclear armed tactical missiles, as well as

more conventional land forces weapons and equipment.

In the Middle East, North Africa, and the Mediterranean the Soviet Union continues to expand its influence and military presence. Whether they have formally established naval bases in the Mediterranean is less important than the fact that such bases are available for their use. President Nixon's initiative in seeking the cooperation of the Soviet Union in ameliorating the Arab-Israeli dispute and reestablishing peace in that region has yet to bear fruit. Our Government's efforts to achieve an agreement on the limitation of arms shipments to both sides in that conflict have also been unsuccessful. Meanwhile, the Soviets continue to equip, supply, train, and encourage the military forces of the more radical Arab States in that region. In this environment, the presence of the U.S. 6th Fleet in the Mediterranean is making a major contribution to the stability of the region.

As I have noted in past years, the Soviet Union is definitely becoming a global naval power. During this last year their warships have operated in virtually all of the oceans of the world, and this past summer they deployed a sizable fleet to the Caribbean. Their naval power consists not only of large numbers of submarines but also modern cruisers, frigates and destroyers, as well as large numbers of smaller combatant types.

Also they have decided to concentrate on guided missile ships with both surface-to-surface and surface-to-air capabilities, as well as a land-based naval air arm. The rationale for this policy was explained by the commander in chief of the Soviet Navy, Adm. S. Gorshkov, in an article written in February 1967, pertinent excerpts of which can be found in part 6, pages 642 and 643 of our hearings on the fiscal year 1970 Defense budget. Briefly, the Soviet leaders believe that aircraft carriers, like battleships after World War II, will decline in importance and that submarines and land-based naval aircraft equipped with missiles and nuclear weapons will take their place as the backbone of offensive naval power.

That submarines have a very important place in Soviet naval strategy, we have known for a long time. Several months ago, Admiral Rickover brought our committee up to date on the status of the Soviet submarine program. As of that time they had about 270 attack submarines, of which 20 were nuclear powered. They also had about 60 cruise missile-firing submarines, of which some 30 are nuclear powered. These are in addition to the 45 ballistic missile-firing submarines, about 15 of which are nuclear powered. Thus their total submarine force numbers about 375.

Moreover, the Soviets are introducing several new types of submarines and they have a large organization devoted exclusively to the design and construction of these vessels. As is well known, their submarine construction capability is substantially greater than ours. Admiral Rickover maintains that their submarine yards are the largest and most modern in the world today, and that the Soviets

are now operating their submarines out of area for longer periods, in greater numbers and at greater distances than ever before.

#### ASIA AND WESTERN PACIFIC

The problem of most immediate importance and gravest concern to the American people is the resolution of the conflict in Southeast Asia. We need not recount the event which led to our extensive involvement in that conflict. Nor would it serve any useful purpose at this particular point in time to pass judgment on the decisions of the prior administration which brought about the situation in which we now find ourselves. As President Nixon said in his speech of May 14:

... the urgent question today is what to do now that we are there, not whether we should have entered on this course, but what is required of us today.

From the point of view of where we go from here, I believe it is fair to say that the Nixon administration has adopted a very responsible and realistic policy with respect to Vietnam and, in fact, the entire region of Asia and the Western Pacific. It will be recalled that both at Guam last July and in his address to the Nation on November 3, President Nixon enunciated three basic principles which would guide our future policy in that part of the world:

First. The United States will keep all of its treaty commitments in the area.

Second. The United States will provide a shield if a nuclear power threatens the freedom of a nation allied with us or of a nation whose survival we consider vital to our security.

Third. In cases involving other types of aggression, we will furnish military and economic assistance when requested in accordance with our treaty commitments, but we shall look to the nation directly threatened to assume the primary responsibility of providing the manpower for its defense.

#### TROOP REDUCTION

It is within this framework that the Nixon administration has formulated its new policy on the resolution of the Vietnam conflict.

The crux of this policy has become known as Vietnamization; namely, turning over to the people of Vietnam the responsibility for their own defense and the management of their internal affairs. To assist them in assuming these responsibilities, the basic emphasis in our overall effort in Vietnam has been shifted from trying to do the job ourselves to helping them do the job. In the military sphere, the equipping, supplying and training of the South Vietnamese Armed Forces has been significantly accelerated. More important, the goal of this effort has been expanded to include an ability on the part of the South Vietnamese to defend themselves not only against the Vietcong, but against the North Vietnamese as well. This is a very significant change from the objective reflected in the original fiscal year 1970 budget prepared by the preceding administration. Since January, Secretary Laird has added \$156 million to the Defense

budget for this purpose; \$36 million was provided in the fiscal year 1969 supplemental and \$120 million is included in this bill. Inasmuch as the original fiscal year 1970 budget request contained \$532 million for the modernization of the South Vietnamese forces, the total recommended in this bill for that purpose is \$652 million.

Good progress has been made since the beginning of this year in implementing the Vietnamization program. Let me give you some of the specific accomplishments:

The Regular Army demonstrated at Ben Het that it can stand and fight—and win.

Except for U.S. helicopter, engineer, tactical air, and naval support, the Vietnamese have largely assumed responsibility for the war in the Mekong Delta.

The Vietnamese have assumed responsibility for the security of Saigon and the immediate vicinity.

They have met and exceeded the manpower goals they set for expanding regular forces as well as the regional and popular forces.

Volunteers outnumber conscripts by about three to one.

Training is now being carefully reviewed to find those areas which will really count in raising the effectiveness of the Armed Forces of the Republic of Vietnam.

The Vietnamese are making progress in their efforts to neutralize the Vietcong infrastructure. This is a high priority problem.

And, let me point out that Vietnamization means a lot more than the modernization of the South Vietnamese Armed Forces to permit them to assume more of the combat burden. Vietnamization means the progressive transfer to the South Vietnamese of responsibility for all aspects of the war and management of their affairs, including the further development of their governmental institutions, the strengthening of their economy, and the improvement of their internal security capabilities.

Already, President Nixon has found it possible to announce two reductions, totaling 60,000 men, in U.S. military strength in South Vietnam. The first reduction of 25,000 was completed by the end of August, on schedule. The second reduction of 35,000, announced by the President on September 16, scheduled for completion by mid-December, was actually completed 3 weeks ahead of schedule. Since January, the authorized U.S. troop ceiling in South Vietnam has been reduced from 549,500 to 484,000, a drop of 65,500. As of November 22, the actual strength was down to 484,300.

With regard to the future, further reduction in U.S. forces in South Vietnam will be based upon the three criteria set forth by President Nixon in June 1969:

First, progress in negotiations at Paris;

Second, a reduction in the level of hostilities in South Vietnam; and

Third, the increased capability of the South Vietnamese forces.

The reductions announced to date have been based primarily on the last criterion, which is the only one within the control of our side in the struggle. This

does not mean that the Nixon administration has lost interest in negotiations, even though the results to date have been very disappointing. A negotiated end to the conflict in Vietnam would, of course, be greatly welcomed. But it takes two to negotiate, and the other side has not evidenced much interest in a realistic and just settlement of the conflict.

Nor can we and our allies in South Vietnam unilaterally reduce the level of hostilities. Indeed, our limited objective in this conflict has left most of the initiative to the other side. They have been able to choose when and where to launch their attacks. We have adopted what Secretary Laird calls a policy of protective reaction, as far as American forces are concerned. This, of course, includes whatever actions are necessary to safeguard the security of our forces in South Vietnam, which must always be foremost in the thoughts of our military commanders there. But if the other side is willing, the new policy of protective reaction does provide a basis for a mutual reduction in the level of hostilities in South Vietnam.

The Nixon administration's new Vietnam policy has already contributed importantly to the reduction in the military and civilian personnel end strengths originally planned for fiscal year 1970—220,000 military and 68,000 civilian. These reductions are reflected in the committee's recommendations for the military personnel and operation and maintenance appropriations. Although further reductions related to additional withdrawals of U.S. troops from Vietnam may well be announced before the end of the fiscal year, the timing and extent of these reductions are not now known. Accordingly, the committee was not in a position to anticipate them in its recommendations on this bill. Moreover, we are greatly concerned that the enemy might suddenly choose to escalate the conflict, and we do not want our forces to be placed in jeopardy because of a lack of readily available support.

#### KOREA-JAPAN

Elsewhere in Asia, the North Koreans continued to threaten and harass the people of South Korea. The situation on the Korean peninsula remains very precarious. We have significantly improved the readiness of both the South Korean and our own forces there during the last year. But more may have to be done if the North Koreans continue their belligerent attitude.

The reversion of Okinawa to Japan, which the President recently announced, will take place in 1972 and will undoubtedly create some problems for our military forces in the Far East. But this action is consistent with the President's new Far East policy, and sufficient time is available to make the necessary adjustments in our forces there. It is my hope that our allies in that part of the world, particularly Japan, will make good use of that time in strengthening their defenses. President Nixon has clearly put them on notice that they will have to pick up more of the burden of the defense of the region in the future than they have in the past.

## ACTION ON MAJOR MILITARY PROGRAMS

It should be stressed once again that the committee had under consideration not the original fiscal year 1970 budget proposed by the outgoing administration but rather the amended budget submitted by President Nixon on April 15, 1969. All of the reductions and the few additions recommended by the committee were taken against the amended budget request.

Also, subsequent to the submission of the amended budget further reductions were made in fiscal year 1970 forces and programs by the Defense Department at the direction of the President, for reasons which were discussed earlier. The section on major military programs contained in the committee report on the bill does not spell out the details of these later changes. Consequently, I believe it would be useful to summarize at this point the major adjustments made in the force levels originally planned for end fiscal year 1970 in the January budget.

Secretary Laird has assured the committee that given the need to reduce Defense expenditures by a total of \$4.1 billion within the current fiscal year, the Service Secretaries and Chiefs agree that these force adjustments will have the least adverse effect on our overall military posture. Nevertheless, the committee is aware that reductions of the magnitude recommended in this bill will, in some degree, limit the power and effectiveness of the U.S. Armed Forces. However, it is not believed that they will reduce our military posture below a reasonably acceptable level in the light of all of the circumstances.

In the strategic forces, one of the most significant adjustments is the phase-out of all the B-58 medium range supersonic bombers by the end of the current fiscal year instead of in fiscal year 1974, as planned in the January budget. To offset this reduction, three more B-52 C-F squadrons will be retained in the forces for the strategic nuclear mission. Because of the drop in the B-52 sortie rate in Southeast Asia, from 1,800 per month actually flown in the first half of this calendar year to a new planned rate of 1,400 per month, the number of B-52 C-F squadrons required for that mission has been reduced from five to three. With regard to the FB-111, the amended fiscal year 1970 budget reduced the planned program from six to four squadrons.

The adjustments proposed in the air defense forces for end fiscal year 1970 reflect an acceleration of the phasedown projected in the January budget. These forces as presently constituted are of limited effectiveness. Pending a resolution of the modernization problem, we agree with the Defense Department that some cutback in the lower priority forces is warranted in order to help reduce expenditures. I want to assure the Members, however, that appropriate action has now been taken by the Air Force to maintain a reasonable level of air surveillance over the southeastern part of the United States. Whether this action in itself can preclude another Cuban Mig-type incident remains to be seen.

But the Air Force is well aware of the problem and the concern of the Congress in this matter.

In the general purpose forces program, the land forces are being reduced by 1 $\frac{2}{3}$  division force equivalents, one Army and two-third Marine Corps, below the level originally planned for end fiscal year 1970. This reduction was made possible by the withdrawals of U.S. forces from Vietnam already announced by President Nixon. Even so, we will still have a total of 31 division force equivalents at the end of fiscal year 1970, including, of course, the Reserve components.

The adjustments in the general purpose air forces are relatively small since the objective of the Defense Department is to retain as much tactical air power as is feasible under the circumstances. The largest single reduction is in the special operations forces, which will be cut by about 15 percent. These forces have been extensively used in South Vietnam, but the need for them is now less urgent. In contrast, the number of aircraft to be made available to the Air Force Reserve components will be increased somewhat. This is an action which the Committee has long urged on the Defense Department.

One of the most significant reductions in the general purpose forces is in naval vessels. Well over 100 ships will be inactivated in fiscal year 1970. Most of them are older ships which had been scheduled to be phased out over the next few years in any event. Nevertheless, this action constitutes a significant reduction

in the size of the active fleet and emphasizes the need to move forward with the new construction program.

Included among the ship inactivations are two antisubmarine warfare—ASW—aircraft carriers. The January budget provided for six ships and five air groups. Under the revised plan we will have at end fiscal year 1970 four ships and four air groups.

The reductions made in the airlift forces are quite small. Because of the delay in the production program, there will be 17 fewer C-5A transport aircraft in the force at end fiscal year 1970 than originally planned. However, as to other transport aircraft, the Air Force will have one additional C-130E squadron because attrition of this aircraft has been less than originally estimated. All of the remaining C-124's in the active force will be phased out in fiscal year 1970 instead of fiscal year 1971, but 18 more C-124's will be retained in the Air Force Reserve in place of some 35 C-119's. The Air National Guard will also retain an additional 18 C-97's in fiscal year 1970, in lieu of two C-141 associate units previously planned for this year.

Finally, some 200 indirect support aircraft will be phased out of the active forces in fiscal year 1970, including 24 WB-47 weather reconnaissance aircraft, with the balance mostly proficiency training aircraft.

The administration plans a sizable overall personnel reduction, currently estimated to be 216,800 military and 48,600 civilians. The details by service are shown in the following table:

CHANGES IN END FISCAL YEAR 1970 PERSONNEL STRENGTHS

	January budget	Amended budget (Apr. 15, 1969)	Revised plan	Net change	
				From January budget	From amended budget
<b>Military:</b>					
Army.....	1,507,900	1,509,300	1,435,400	-72,500	-73,900
Navy.....	771,500	766,900	694,300	-77,200	-72,600
Marine Corps.....	314,500	314,500	294,200	-20,300	-20,300
Air Force.....	861,200	861,200	811,200	-50,000	-50,000
<b>Total.....</b>	<b>3,455,100</b>	<b>3,451,900</b>	<b>3,235,100</b>	<b>-220,000</b>	<b>-216,800</b>
<b>Civilian*</b>					
Army.....	444,100	430,420	412,350	-31,750	-18,070
Navy/Marine Corps.....	403,800	395,836	380,000	-23,800	-15,836
Air Force.....	318,200	319,814	306,800	-11,400	-13,014
Defense agencies.....	68,900	68,930	67,250	-1,650	-1,680
<b>Total.....</b>	<b>1,235,000</b>	<b>1,215,000</b>	<b>1,166,400</b>	<b>-68,600</b>	<b>-48,600</b>

\*Full-time, permanent civilian employees.

These adjustments have been taken into account in the committee's recommendations. We have also given careful consideration to other budget adjustments proposed by President Nixon and Secretary Laird. Many of them have been fully embraced by the committee and are reflected in this bill.

In making our recommendations to the House, the members of the committee have, of course, relied upon their own judgment. Some of the reductions recommended go beyond those presently being considered by the administration. A number of them have been made in an effort to enforce better economy and better management in the Defense Department as well as in recognition of the

urgent need to reduce Federal expenditures. And, as in past years, other reductions have been made to underscore various shortcomings and inadequacies in certain programs. In some cases the committee felt that the programs presented in the budget were not ready to go forward at the rate proposed and reductions were made on that account. Finally, a number of programs were deleted or reduced in scope by the action of the Congress in enacting the authorizing legislation.

SUMMARY OF BILL BY TITLE  
TITLE I—MILITARY PERSONNEL

Because retired pay is rapidly becoming a major item of expense in the Defense Department budget and funding

requirements cannot be controlled through the appropriation process since the retirees and their survivors must be paid as provided by law, the committee recommends that this item be deleted from title I and be set out as a separate title. On this new basis, the committee bill provides a total of \$21,057,200,000 for title I—military personnel—a reduction of \$584,700,000 from the amount requested in the amended fiscal year 1970 budget. The bulk of this reduction, \$521,270,000 reflects the troop redeployments from Southeast Asia and the overall military personnel cuts announced by the administration. Another \$30,000,000 represents reductions recommended in the Reserve component appropriations, reflecting, for the most part, more realistic estimates of projected drill pay strengths.

The balance of \$33,430,000 is made up mostly of selective reductions in overhead items. For example, the committee recommends a reduction of \$7,735,000 in funds for military personnel assigned to headquarters staffs. In the Washington, D.C., area alone, the fiscal year 1970 budget provided for a total of 115,000 headquarters personnel, about 73,000 civilians and 42,000 military. In the judgment of the committee, this number is excessive even for so large an organization as the Defense Department, and reductions in civilian as well as military personnel are recommended. In addition, a reduction of \$2,455,000 is levied against military personnel assigned to public affairs, public relations, and public information activities.

Because automatic data processing activities have been expanding so rapidly, inefficiency and duplication of effort have resulted. Accordingly, the committee recommends a reduction of \$7,300,000 in funds for military personnel assigned to that area.

There are various programs in the Department of Defense which are not strictly military, inasmuch as the results of such programs are not for direct military efforts. Some of these more social-oriented programs are Project 100,000, to upgrade previously disqualified inductees; Project Transition, to prepare men to transfer from military to civilian life; Project Value, to train personnel for employment; and Project Referral, to help find positions for retirees. The cost of just these programs is now approaching \$40 million a year and since there is some question as to whether they are entirely appropriate for funding by the Department of Defense the committee recommended a reduction of \$6,935,000. Of this amount, \$2,260,000 is a reduction in the appropriation for military personnel and \$4,675,000 is applied to operation and maintenance.

Other military personnel reductions include \$5,300,000 in permanent change of station costs and about \$6 million in subsistence. The latter reflects a more realistic estimate of the absentee rates being encountered in mess halls.

#### TITLE II—RETIRED MILITARY PAY

The committee recommends for retired military pay a total of \$2,735,000,000, the full amount requested in the amended

budget but \$285 million more than the amount appropriated for fiscal year 1969. As pointed out in the committee report, retired pay by the year 2000 could exceed \$7.3 billion per annum, assuming a constant active force but no additional pay or price increases. With an annual increase of 3.5 percent in pay and 1½ percent in the price index, retired pay by the year 2000 could exceed \$12.7 billion per year, again assuming a constant active force.

#### TITLE III—OPERATION AND MAINTENANCE

For all of the operation and maintenance appropriations, combined, the committee recommends a total of \$20,878,100,000, \$914,000,000 below the amended budget estimate and \$1,477,718,000 less than the amount appropriated for this purpose in fiscal year 1969.

Of the net reduction totaling \$914,000,000, almost \$400,000,000 is related to the troop withdrawals from Southeast Asia and the overall reduction in forces and activity rates which I discussed earlier in connection with the military personnel appropriations. About \$140,000,000 is related to the reduction in the end fiscal year 1970 civilian personnel strength subsequent to the submission of the amended budget.

For reasons which I have already discussed in connection with the military personnel appropriations, the committee recommends a reduction of \$82,400,000 in automatic data processing activities, \$55,000,000 in headquarters operations, \$4,700,000 in the social type programs such as Project 100,000, Project Referral, and so forth, and \$2,500,000 in public affairs activities.

The committee has again spent considerable time this year in reviewing the operations of the various communications systems of the Department of Defense and, again, the committee hearings have disclosed duplication of management responsibilities, ineffective cooperation, duplication of review procedures and inadequate effort directed toward the elimination of so-called dedicated networks. The details of our findings are set forth in the committee report and I will not take the time to repeat them here.

But, needless to say, the committee was not satisfied with the rate of management improvement being made in that area. The committee believes that there is a need for better overall management of existing communication assets; a need for centralization of control of all communications operations including, possibly, the elimination of "strategic," "tactical," and "common user" distinctions among systems; and the need for a single authority for the validation and approval of all communication requirements, including the upgrading of existing systems and the development of new systems.

The committee is aware that all communication operations in the Department of Defense are currently receiving a thorough review by the Deputy Secretary of Defense and his staff. We have also been advised that this is one of the areas which the blue ribbon panel will study intensively.

To underscore the committee's concern in this area we recommend a reduction

of about \$45,000,000 in the amount to be made available for the operation and maintenance of the communications systems.

The committee has again reviewed the Defense intelligence operations this year. This review has reemphasized the need for tighter top management control over this important operation and improvement in the management of the entire system. The committee has been advised by the Secretary of Defense of the organizational changes he has recently initiated in an endeavor to improve intelligence operations and the intelligence product. Nevertheless, the committee did not see any reason for an increase in funds in fiscal year 1970 and, accordingly, reduced the appropriations for these purposes by approximately \$30,000,000.

Another area of concern to the committee has been the substantial increase over the last few years in the cost of service support contracts throughout the Department of Defense. The committee recognizes that benefits can accrue through having various service support activities, such as food services or vehicle maintenance, provided under contract in certain circumstances. The committee recognizes the need for these contracts but believes the rate of growth is disproportionate to the needs of the services. Accordingly, the committee recommends a reduction of more than \$60,000,000, spread among the four services and the defense agencies, in order to hold the cost of these contracts at about the fiscal year 1969 level. Moreover, the committee intends to give this area further attention in its review of the fiscal year 1971 budget requests.

The committee also noted that the services and defense agencies increased in fiscal year 1970 their requests for various management studies by independent commercial consultant firms. The committee is still of the opinion that the Department of Defense is not exercising adequate control over these studies and therefore recommends an overall reduction of about \$7,000,000 in the funds to be made available for that purpose.

For several years, now, the committee has discussed with the Navy and Air Force the need for training helicopter pilots in fixed wing aircraft. Last year the committee suggested in its report that this type of training for helicopter pilots could be dispensed with, particularly in view of the urgent need for these pilots. The committee pointed out that fixed wing training could be provided later for those pilots whose subsequent duty might require it. The estimated average cost of training a pilot for fixed wing aircraft operations prior to helicopter training is approximately \$60,000. Since both services together train about 1,000 helicopter pilots each year, the total cost of this training amounts to about \$60,000,000 a year.

The committee believes that these funds could be expended to better advantage for more urgent requirements. Accordingly, the committee recommends a reduction of \$10,000,000 each in the budget requests of the Navy and the Air

Force for pilot training. This reduction will still leave sufficient funds to provide for a gradual phaseout of the program by June 30, 1970. In addition, the committee has reduced the Navy request for pilot training by \$13,000,000, reflecting the cutback planned by the Navy in its fiscal year 1970 program.

For reasons I have already discussed in connection with the military personnel appropriations, the committee recommends a reduction of \$18,000,000 in operation and maintenance funds for the Reserve components. A reduction of \$5,000,000 is also recommended in the contingencies, Defense, appropriation inasmuch as the largest amount used by the Department in recent years has been \$2.7 million. The \$5,000,000 recommended for this purpose should be sufficient in this year of budget stringency.

#### TITLE IV—PROCUREMENT

For all of the procurement appropriations covered by this bill, the committee recommends a total of \$18,092,148,000, \$2,794,652,000 below the amended budget request and \$2,527,352,000 less than the amount appropriated in fiscal year 1969. About one-third of the reduction from the fiscal year 1970 procurement request is accounted for by the deletions and decreases in the authorizing legislation enacted by the Congress.

In the procurement of equipment and missiles, Army account, the committee recommends the inclusion of \$86,000,000 for the procurement of the 170 AH-1G helicopters which were authorized by the Congress to replace helicopter gun ship losses in Southeast Asia and to fill the void caused by the cancellation of the AH-56A Cheyenne procurement contract.

Among the more important reductions recommended by the committee in the PEMA account are the following:

First. A reduction of \$16,000,000 in the proposed buy of U-21A utility aircraft. This aircraft is not of sufficiently high priority to fund more than 22 of the 72 requested for fiscal year 1970.

Second. A reduction of \$23,400,000 for the procurement of the improved Hawk system, \$14,200,000 more than the \$9,200,000 which failed authorization. This system is still in the testing stage and the committee does not believe it is ready for full-scale procurement.

Third. A reduction of \$13,500,000 in the proposed Chaparral program because of slippage.

Fourth. A reduction of \$5,100,000 in the Pershing missile program since these funds are not now required.

Fifth. A reduction of \$9,700,000 in missile spares and repair parts, reflecting reductions in the Hawk and TOW missile programs.

Sixth. A reduction of \$50,900,000 in communications and electronics procurement.

Seventh. A reduction of \$92,800,000 in ammunition, based primarily on reduced consumption.

Eighth. A reduction of \$25,000,000 in production base support funds for the modernization of certain Army facilities and ammunition plants.

In the procurement of aircraft and missiles, Navy account, the committee recommends a reduction of \$275,000,000

related to the procurement of six production F-14 aircraft. In lieu thereof the committee recommends the addition of \$146,000,000 to the Navy R.D.T. & E. appropriation for three additional research and development models, plus tooling and test support. This action will not disturb the existing F-14 contract options, but will avoid committing the aircraft to production at this time. The committee is concerned about the past practice of tying the various procurement options to fixed calendar dates instead of to the completion of specified milestones. I am pleased to note that this practice is being changed by Secretary Laird. Under past practice, failure to exercise these options by the prescribed dates left the Government with no alternative but to renegotiate the contract on a sole source basis. This practice also gave the Congress very little flexibility in deciding whether and when to fund each increment of the program. For example, in the case of the F-14, the Navy must exercise its option for lot III, involving at least 15 production aircraft, by October 1, 1970, about 3 months prior to the scheduled flight of the first prototype aircraft. This, in the opinion of the committee, is not a prudent way to proceed with a program of such great scope and complexity. We expect the top management of the Defense Department to give this problem close attention in the year ahead, and the committee will review it again in connection with the fiscal year 1971 budget.

Another important reduction in the Navy procurement account is the deletion of \$62,400,000 requested for new KA-6D tanker aircraft. The committee believes that the Navy should modify additional A-6 aircraft to the tanker configuration in lieu of buying new aircraft.

The committee has reduced by another \$67,100,000 the funds requested for the CH-46 helicopter. Attrition rates do not support the proposed fiscal year 1970 buy of this helicopter. The remaining \$25,300,000 plus \$5,000,000 of prior year funds will provide for the procurement of 12 such aircraft. The committee also recommends a reduction of \$41,900,000 in aircraft spares and repair parts and \$12,800,000 in aircraft modifications. Other reductions include \$4,500,000 in the Sparrow III missile program and \$9,500,000 in the Shrike missile program.

The major change in the shipbuilding and conversion program is the addition of \$152,700,000 for a third SSN-688 class nuclear-powered, high-speed submarine which was authorized by the Congress in addition to the two in the amended budget. The committee did not fund the three fast deployment logistic ships which failed to receive authorization from the Congress. The recommended programs will fund a total of 14 new ships and the conversion of 17 others. This compares with a revised fiscal year 1969 program of six new ships and 16 conversions.

The committee is well aware of the need to modernize the fleet. However, the Navy since World War II has built or has currently under construction about 570 new ships plus conversion of some 360

ships. Of these totals, approximately 150 new ships and almost 50 conversions were still in work as of early June 1969. In addition, there were four new ships and 13 conversions yet to be awarded. Accordingly, the committee decided not to fund at this time the total congressional add-on of \$351,800,000 to the shipbuilding program proposed in the President's budget.

In the other procurement, Navy account, the committee recommends reductions totaling \$560,900,000. Some of these reductions are related to the earlier than planned inactivation of ships during the current fiscal year. Other reductions included \$70,900,000 for communications and electronics equipment, \$134,800,000 for aviation support equipment, \$240,200,000 for ordnance support equipment, and \$60,400,000 for civil engineering support equipment.

In the Marine Corps procurement account the committee recommends a reduction of \$149,752,000 of which \$16,700,000 is levied against the procurement of the improved Hawk missile system which I discussed earlier in connection with the Army program.

In the aircraft procurement, Air Force account, a reduction of \$340,500,000 is recommended. Of that amount, \$134,500,000 represents deletions and reductions enacted by the Congress in authorizing legislation. Among the other specific reductions recommended are \$52,000,000 in advanced procurement funds for the C-5A aircraft. These funds are no longer needed since the Air Force does not now plan to buy any more of these aircraft after fiscal year 1970. Other reductions included \$39,200,000 for the RF-4C aircraft, \$10,700,000 for aircraft spares and \$13,300,000 for war consumables.

Most of the reductions in other procurement, Air Force account, are for munitions and associated equipment and reflect the latest consumption rates in Southeast Asia.

#### TITLE V—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For all of the appropriations encompassed under this title, the committee recommends a total of \$7,197,600,000. This is \$1,024,800,000 below the amended budget request for fiscal year 1970 and \$352,228,000 less than the amount appropriated for this purpose in fiscal year 1969.

This year the hearings held on the various research, development, test, and evaluation appropriations were more detailed than usual, totaling some 1,767 pages, printed in two volumes. Very detailed examinations, supported in most instances by staff investigative reports or reports by the General Accounting Office, were held on the main battle tank, the Sheridan, Project Mallard and the Cheyenne helicopter programs of the Army; the F-14 aircraft program and the Phoenix missile program of the Navy; and the C-5A aircraft, F-111 aircraft, Mark II avionics system, manned orbiting laboratory, Hard Rock Silo, Minuteman missile, and short range attack missile programs of the Air Force.

The amount in the Navy R.D.T. & E. account recommended by the commit-

tee includes the \$146,000,000 added for the F-14 as mentioned earlier in my discussion of title IV, procurement. That amount is comprised of \$90,000,000 for three additional research and development aircraft, \$36,000,000 for tooling and \$20,000,000 for test support. None of these funds are to be utilized for hard tooling or for production aircraft, since the committee feels it is premature to commit the F-14 to production at this time.

I also want to point out that the committee's recommendations reflect the reduction of \$400,000,000 made by the authorizing legislation in the manned orbiting laboratory—MOL—program.

In the Army R.D.T. & E. program I want to call particular attention to the committee's recommendation on the MBT-70, the main battle tank. The present design, in our judgment, is overly sophisticated, unnecessarily complex and too expensive. We believe the most prudent course at this time would be for the United States to design a tank that could be produced at about one-third the cost now estimated for the current version, even if this should require terminating the joint development program with the Federal Republic of Germany.

The committee has also specified a reduction of \$5,000,000 in the Army R.D.T. & E. program for Project Mallard, an international joint development program involving the United States and three other countries. The Mallard project proposes to develop and produce a major tactical communications system for use by the field armies of the participating countries, at an estimated total program cost of well over \$1,000,000,000. It is inconceivable that the Department of Defense would embark on an international development program of this nature and magnitude when a militarywide tactical communications system has never been developed for the military services of the United States. As a matter of fact, the Department of Defense inventory is replete with communications equipment having a lack of commonality. Historically, joint international development programs are inherently turbulent and trouble ridden. A good example is the MBT-70 development program; and Mallard involves four participating countries. For these reasons, the committee recommends termination of the Project Mallard program.

The committee also recommends the termination of the Navy Condor air-to-surface standoff missile system. This program has already slipped more than 3 years behind the original schedule because of technical difficulties, and the unit cost of the missile is expected to be almost triple the original estimate. Furthermore, there is a serious question as to whether the size of the proposed Condor warhead is adequate for its intended mission. Accordingly, additional funds for this project have been denied and it is recommended that termination costs be financed through the use of existing prior year unobligated balances.

In the Air Force R.D.T. & E. program, the committee recommends the deletion of all A-X development funds. The authorization act has already reduced the amount from \$12,000,000 to \$8,000,000.

This recommendation would eliminate the remaining \$8,000,000. There are already a large number of attack aircraft of various types in the active inventory of the Navy, Marine Corps, and the Air Force. It may be that an aircraft specifically designed for the close air support role would be superior in some ways to those currently available, but the Air Force has not yet demonstrated that the advantages to be gained would justify the cost of developing and deploying the proposed A-X. The committee realizes the importance of the close air support role and expects that at some time a new aircraft for this role will be required.

#### CONCLUSION

The administration and Secretary Laird are to be commended for the new look imparted to the management of defense matters and the orderly improvements already made in the solution of problems.

And I know I speak for the vast majority of Americans when I state the admiration we hold for the uniformed men of our armed services and especially the admiration we hold for the fine men who have fought and served in Southeast Asia. This Nation is represented and served on the battlefield by a fine group of Americans.

The committee has spent the better part of 1 year in study, scrutiny, and analysis of the Defense Department budget proposal for fiscal year 1970. The committee began receiving testimony on January 29, 1969 and concluded with testimony from the Secretary of Defense on November 17 and markup of the bill on November 20.

Every effort was made to ferret out every savings possible and this involved some very difficult decisions. In my view the amount recommended in the bill represents the minimum level needed for our national security.

I urge the House to pass H.R. 15090. The funds it would provide are needed to fulfill our hopes for peace with honor and freedom.

Mr. MAHON. Mr. Chairman, I yield 15 minutes to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, the distinguished chairman of the committee has given his customarily outstanding discussion of defense funding problems. He has answered many of the questions which may be expected to arise. I congratulate the gentleman from Texas today, as I have previously, upon his leadership.

Before I discuss the bill, let me join my colleagues in the statements which have been made and which are being made about the important services rendered by Bob Michaels to the Committee on Appropriations through many dedicated years. Bob Michaels is a most knowledgeable member of the staff, and he has carried a big part of the load which has had to be borne by staff members on this very important committee. There has been a superhuman responsibility. They have performed their task admirably, and Bob Michaels has been an outstanding leader in their activities. The committee will miss his valuable services.

I believe, Mr. Chairman, the most im-

portant question before Congress in matters of defense is that of modernization. The able and great Senator from Mississippi, Senator STENNIS, has stated he fears a second-rate role for the United States in 1975 unless Congress permits new weapons development. I am willing to go a step further: We already are in or dangerously near a second-rate role, because there has not been sufficient modernization of weapons. This applies in so many areas. It applies to the fleet and it certainly includes submarines. It applies to aircraft and includes both the Air Force and the Navy air arm. It applies to nearly every level of equipment funding.

It is understandable that the war in Vietnam has prevented diversion of resources into the development of newer weapons, but this has not been the only problem. There has also been the very serious gap occasioned by the 111 aircraft series—the TFX—in its various categories. Then there have been inexcusable delays in the development of some other new weapons, including tanks. As a result of all this, both we and our allies are using equipment which is not as modern as that possessed by the Russians and their friends, and the situation is going to get worse before it can possibly get better.

This bill does not go far enough to close the gap. Lack of modernization may be the most serious omission in the bill. It is something that deserves much more thought and action than it has received.

There is the matter of cost—and defense is costly. In the midst of all the blame that is being leveled by critics at defense spending, I would like to suggest we take a quiet look at the way in which defense costs have been leveling off.

Take away the cost of the Vietnamese war—and that is very considerable, \$25 billion to \$30 billion a year—and then compare, if you will, the relative purchasing value of the dollar with its purchasing value 5 to 10 years ago. When these things are done you will find we are getting more defense for a dollar than we have obtained at any time in recent history, and this despite cost overruns, inflation, escalation, high wages and all the other factors which contribute to today's high defense costs.

So it is time, Mr. Chairman, to give some credit along with the blame that presently is being directed at defense spending. Some of both are in order, I do not argue that, but there are two sides to the story.

Considerable emphasis is being placed on the size of the cut inflicted in this year's defense appropriation bill, but what may not have been stated is that this is the deepest cut percentage-wise that has been made on any appropriation bill this year. It is also the largest cut percentage-wise made on any defense appropriation bill since the end of the Korean war.

Those who have clamored for a reduction in defense and a buildup of other expenditures for domestic needs—and I recognize the pressure of domestic need—those who want less defense and more domestic spending, can take comfort from what is now happening to defense

expenditures. There have been a number of appropriation bills in which amounts have been raised above the budget this year, significantly raised either in committee or on the floor. This one has been deeply cut. As a matter of fact, most of the total of the fund reductions which have been achieved in appropriation bills this year are in defense.

I am not at all certain that cuts of the magnitude shown in this bill can be justified. I know there is a need for modernization of weapons and equipment beyond that which is possible under the terms of the bill. I can even see in the magnitude of the cuts which have been inflicted that we may be embarking on unilateral disarmament, and I trust that the House, which is usually very sensible about these things, fully realizes the danger of unilateral disarmament at a time when we are just embarking on talks with the Russians about mutual limitations on defense programs.

The Russians seem to be more fully informed on some of these things—at least, their government is—than the American people, and they will take advantage, and full advantage, of any reduction in military strength which we inflict on ourselves without requiring a quid pro quo in the negotiations.

The cuts which have been announced by the Office of the Secretary of Defense prior to the markup and reporting of this bill are in general in the same pattern as those in the bill, and that I believe is fortunate.

I do believe that the combined total represents reductions enough to be inflicted on the military establishment during this fiscal year.

I realize that money must be saved and expenditures must be reduced wherever it is possible. I am not sure that the cuts which have been imposed will accomplish the objectives which are desired. For instance there is the matter of reduction in civilian employment. Among the most severe are the reductions in the naval aircraft rework facilities at a number of naval bases. The effect of these severe cuts will be to deprive experienced, capable, and dedicated civilian employees of a livelihood. However, the aircraft rework must still be done. Planes will continue to require repair and rebuilding operations. That means additional contract work will be necessitated. Contract overhaul and repair is not necessarily the most economical. In most instances it is more costly because it is not as dependable and because of miscalculations in contract awards.

I note, too, that, although it is proposed to dismiss American employees at home, the Department of Defense expects to do overhaul and repair operations abroad. That means continued gold flow. It means foreign nationals will receive employment instead of U.S. nationals, and it means that foreign economies will be boosted while ours suffers. This does not make sense to me. I urge that the Department of Defense remedy this situation post haste.

I have also questioned the present practice of the Department of Defense in the use of overtime in large amounts for

civilian employees. The use of overtime is a costly procedure. The present very considerable amount of overtime adds materially to the total cost of civilian employment. It occurs to me that there should be reductions of overtime to the greatest extent possible in order to permit more civilians to retain their positions. Those who lose their jobs will be very severely affected and I am convinced that the use of less overtime would permit more civilians to retain their employment. This in itself would be a morale builder and a desirable approach.

Now let me turn to a subject not generally discussed in connection with the bill.

In August, I visited a number of countries which are far off the beaten track to most Congressmen. These are nations in Southeast Asia and in Mediterranean areas where change is in the making and where important decisions affecting their future and ours are in process. Wherever I went, I was struck by the importance of the work done by U.S. training missions overseas and by the valuable results obtained from the training of foreign military personnel in U.S. military programs and schools and in U.S. colleges and universities. Certainly these are an important element of our foreign assistance programs. I am convinced that these programs should be expanded very considerably. The foreign military personnel who train here or who study here learn something about America that is just as important as their military or technical training. The U.S. missions abroad have an opportunity to tell the story of America in a way that is equally as important as to any other phase of their contributions. This interchange of personnel and ideas is too valuable to remain at the current level. While we continue these programs at a comparatively low level, the Russians and the Red Chinese are working vigorously to expand their own mission programs and their efforts are meeting with a measurable degree of success. The same benefits accrue to Russia from these interchanges that I seek for the United States. I can state that nearly every non-Communist country would prefer to have its personnel train in the United States and to have U.S. military missions in their midst. It is our own fault if we do not take advantage of this inexpensive procedure for important missionary work.

You have grown accustomed to my concern about the position held by the Reserve components. I trust you will accord me the right to speak from the standpoint of personal and intimate knowledge of Reserve affairs gained through many years of actual participation in Reserve programs. From that knowledge and from the hearings conducted this year, I am convinced that emphasis, particularly on equipment for the Reserve forces, is lagging badly, and this, in itself, has adversely affected training programs and morale. There is a reason for this situation. The Vietnamese war has required that many Reserve units give up their most modern equipment or that they not receive modern equipment which had been scheduled for delivery to them. As the pressure of

the requirements for the Vietnamese war diminishes, there should be renewed emphasis on modernization of the Reserve components. They should not continue to occupy, as one publication has stated, "An ill-outlined, shadowy place in the OSD organizational sun." This bill gives little help.

It will be noted that the National Board for the Promotion of Rifle Practice has been surfaced and restored to a position more in keeping with its importance as an established and responsible board. Let me remind the House that this board has been responsible for the civilian marksmanship program, which was first brought to life by the Congress in 1903. This program, through two World Wars and the Korean and Vietnam conflicts, has assured a civilian army of a needed cadre of trained civilian shooters at a token cost to the Federal Government.

The program of the national board has fallen upon evil times in recent years and was in fact almost destroyed. Apparently the same groups which have sought to take guns away from the law-abiding citizens in America also want to destroy the civilian marksmanship program. To people who know firsthand about weapons and infantry combat and who are deeply aware of the need for better marksmanship for the frontline troops, this threat to a modest national program for civilian marksmen seems almost unbelievable.

However, the fact remains that through the past 2 years the programs for the National Board for the Promotion of Rifle Practice have been reduced to the present token amount of \$52,750. This amount is barely sufficient for survival. It does not contain marksmanship funds, which were carried in previous bills, and this would require an additional \$171,600. The present request is \$203,650 less than the amount actually appropriated for fiscal 1968. Present PEMA funds will permit the free issue of .22 caliber ammunition in the amount of \$84,000, the same figure as in fiscal 1969. The present funding level does not provide support of the rifle matches. It is my hope that now that attention has been drawn to the plight of the board and that it has at least been restored to its rightful place in the bill, that the Senate will take a realistic view of the needs of the board and provide funding for the marksmanship program.

It is incomprehensible to me that this program which patriotically supports our Government and its objectives should be subjected to a pinch-penny policy while organizations such as the National Student Association has received from the Office of Economic Opportunity and others nearly a million dollars in tax funds with which to oppose the war against communism in Vietnam and to fight military preparedness in the face of world menace. It does not quite add up to common sense standards which inspire public confidence.

I should mention also the work of the Logistics Management Institute, which from its inception 8 years ago, has conducted studies in logistics and related areas directed toward improved readiness and reduction in cost of defense op-

erations. It has been my belief that over the last several years, recommendations contained in LMI reports have resulted in cost savings and management improvements as these recommendations were implemented in the Department of Defense. Cost savings have been initiated. The background and expertise of the LMI staff can provide a basis for additional cost savings through improved management practices. It appears to me that we should think twice before we force the Defense Department to deprive itself of this capability.

Now let me turn to an altogether different subject. It should be a matter of more than a little concern that Red China is, in the view of many qualified observers, now in the midst of preparation for war. Possibly this is because of fear of a Soviet attack. But it is hardly to be anticipated that these two principal Communist powers would reach a falling out of such a serious nature. It is more logical that Red China sees in a military build-up a measure of insurance against a Soviet attack, plus an added capability to exercise aggression upon the weaker neighbors along her border. Whatever the reason, it appears indisputable that Red China has stepped up its war preparedness programs and that it is conducting air raid drills, building air raid shelters, accumulating stockpiles of emergency food rations, plus a buildup in modernization for its forces. This has the effect of disciplining the population and consolidating the Government's grasp upon it, and in sharpening and pulling together the Chinese army. The Red Chinese army has been engaged in many chores during recent years which are not military in nature. These range all the way from running railroads to harvesting crops. Now there is emphasis on the restoration of professionalism to the army. All of this comes at a time when revolutionary activities are being stepped up all along China's borders. Training and equipping of cadres to stir up trouble in other nations is going on constantly, and there is a frequent exchange of personnel between the Red Chinese forces and the revolutionary units which are active among Red China's neighbors.

Let me add this and then I will be through: It should be quite apparent that communism respects strength and only strength. The Communists will not attempt to overrun a country which is militarily prepared to defend itself. We are seeking to extricate ourselves from the conflict in South Vietnam. We must first help South Vietnam to become sufficiently strong to withstand aggression. This is in process and we are making important and valuable progress in that direction. It will not come overnight, but the South Vietnamese are making the most determined effort yet to reach the point where they can stand on their own feet. The House should be encouraged at the progress there.

Communism will in time, regardless of Vietnam, seek other victims. Communist nations today are promoting revolution in every country in the world and particularly those whose borders they touch on. They will even consider direct aggression when it suits their purpose,

but keep this in mind: Communist China would not dream of attacking Taiwan, for instance, unless a speedy conquest could be anticipated. North Korea will not attack South Korea unless South Korean equipment and forces are inadequate to cope with the North Korean onslaught. Communist nations want quick conquest in order to accomplish their goals before world opinion sours and before world sentiment can coalesce against their aggression.

It should be very clear that what we now seek is to strengthen friendly countries so that they can defend and protect themselves and so that American forces will not be required for their survival. This is in keeping with the administration's stated aims to reduce our involvement in the affairs of foreign nations and to induce those nations to depend on their own capabilities. Again that is why I have urged modernization. It is much less costly to provide modern weapons than it is to send American bodies. The failure to provide modern weapons for our friends and the failure to develop them for ourselves can, in time to come, require the sending of American bodies instead.

But the immediate objective is an adequate defense for America. There is no substitute for preparedness at home; there is no substitute for the capability to defend ourselves. Those who wear our uniform must have adequate equipment and proper training. This we seek to provide. These are the best guarantees of the survival of this Nation and the survival of the free world.

Mr. MINSHALL. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, as usual, my good friend and colleague, the gentleman from Texas (Mr. MAHON), the chairman of our subcommittee, has done, as always, an outstanding job in presenting this bill in a very succinct and very understandable form on the House floor. As the chairman pointed out and as my good friend from Florida, BOB SIKES, has pointed out, the bill that our committee presents to the House represents the greatest dollar reduction proposed since fiscal year 1954 at the end of the Korean war. This is no mean accomplishment at a time when we are engaged in another costly conflict for there is approximately \$23.2 billion in this bill alone for Vietnam. Yet I am certain that the remarkable reductions represented in this budget in no way jeopardize a single American serviceman who relies on us for responsible action to assure his ability to defend himself on the battlefield. Nor does it imperil the general security of the United States itself.

The fiscal 1970 defense appropriation calls for \$69,960,048,000, a reduction of \$4,442,201,427 below the fiscal 1969 appropriation, and I should like to emphasize that this budget is \$7,780,152,000 below the recommendation made for fiscal 1970 by the previous administration early last January and \$5,318,152,000 under the original estimates submitted by the new administration.

There is not a Member in this House who does not earnestly hope that future events will permit us to bring forth

even more drastically reduced military appropriations when we next come to the floor with the 1971 fiscal budget.

I am optimistic on this score on two counts: I think we are at last on the right course, under President Nixon, to disengaging ourselves from the Vietnam war, which will have cost us \$104,607,000,000 from its inception to the end of fiscal 1970. And, second, we on the Defense Appropriations Subcommittee look with pride on one of our alumni, our brilliant former colleague, Melvin R. Laird, who assumed the duties of Secretary of Defense last January and who has been sweeping out the skeletons that were hidden in Pentagon closets ever since. He took with him to the Department of Defense the keen and probing mind which served our committee, the Congress, and American taxpayers so well during his years on Capitol Hill.

The committee report quite aptly calls fiscal 1969 the "year of the cost overrun." These overruns, to the tune of \$16.2 billion over the last several years are not music to the ears of the much-put-upon taxpayer. Taxpayers can rejoice, however, that Secretary Laird is the man who has ferreted out this information, with the same uncanny faculty for uncovering waste, duplication, extravagance, and clumsy and dubious procurement practices that made him such an invaluable member of the Defense Subcommittee. He and his staff have uncovered laxities—improperly defined specifications, delays in delivering Government-furnished equipment, and an overload of concurrency between research and development and production.

Having his skilled investigative talents at work in the Pentagon has been a boon both to the Defense Subcommittee and to the American taxpayer. Here is the sort of candor he displayed in testifying before our subcommittee—and it is to be found in part 7 of the hearings if any of you would like to read it:

I am still not convinced that we have uncovered all the deficiencies in our current programs and we will continue to examine them and keep the Congress informed.

And Secretary Laird went on to say:

I should also note that the cost growth of the 34 major weapons systems on which we are reporting to the Congress is, as shown in table 2, some \$16.2 billion over original baseline estimates. This problem will affect our budget planning for some years to come, as is evidenced by the size of the cost growth and the \$1 billion near-term financial deficiencies. Hard decisions must be faced as a new system enters the production phase and additional amounts of the \$16.2 billion must be provided within limited budget funds in future years.

He said further:

We will continue to devote top level management attention, as we have since January, to solving our current problems and preventing, to the maximum extent possible, recurrences in the future.

And this I sincerely believe.

At the conclusion of remarks I will include the table to which the Secretary referred in his testimony. It details a June 30, 1969, summary of cost growth on 34 major weapons systems, ranging as high as 443.9 percent over the original plan.

These are outlined in part 7 on page 367.

This is the first we have had a Secretary of Defense who has come before Congress and put all the facts on the line, identifying cost overruns in every major weapons system in all three branches of the service. It was one of the first tasks he had his staff undertake when he assumed his new duties, to identify all of these areas in the Army, Navy, and Air Force so that they are assembled in one place. The overruns were inherited; as a matter of fact the earliest disclosure of a potential overrun was developed right in our committee when Mel Laird was still a member. He went on well equipped to the Pentagon to undertake the gargantuan task of trying to turn it into a tight ship. I think he should be commended for the magnificent job he is doing.

I know that he is looking into and encouraging competitive procurement among the services, something our Defense Subcommittee has urged and insisted upon for years. Competitive procurement has been on a steady decline, although Defense officials themselves have said that experience shows that savings of 25 percent and more can be realized through this procedure.

Just as an example, during our hearings it developed that all three services are procuring survival radios independently of one another and at accelerated costs as a result.

The radio is the small, lightweight affair that I have here, a very lightweight piece of equipment carried on the person of each aircrew member. Should his craft go down, the radio enables rescuing aircraft or ships at sea to "home" on his downed location.

He can pinpoint his whereabouts and "talk in" the rescue plane or helicopter to his precise location. There is no doubt the personal survival radio is a necessary and invaluable device which has saved many lives.

But, testimony developed in our subcommittee and through staff investigations brought to light the fact that the Army, Navy, and Air Force have been going off in all directions in procuring these radios. Unit costs have soared as a result, all the way from \$213 per radio for the Air Force to \$820 for the Army—and I might add that civilian off-the-shelf radios of the same type and serving the same purpose are even less costly.

There is not a shadow of a doubt that had there been competitive, coordinated procurement these radios would now be produced at a fraction of those costs.

Virtually no effort was made toward acquiring a single standard radio suitable to all branches of the service, since its purpose would be identical to all. This situation has been developing since the early 1960's and right now there are seven different types of sets in DOD's survival radio inventory and an eighth one in the R. & D. oven. The inevitable delays which accompanied development and refinement of these radios, as each service indicated its desires for more elaborate capabilities, resulted in overruns which range from 15 percent to more than 100 percent.

This is a small example, but an ex-

pensive one, of the kind of duplication which multiplied many times over gives our citizens good reason to grumble when April 15 comes around. I have said that I am convinced our good friend and former colleague will run a far tighter ship than what he inherited last January. He already has started caulking the seams and he is well aware that this whole area of procurement practices is in dire need of immediate attention. Our committee has asked the Director of Defense, Research and Engineering to report to us at next year's hearings as to what duplications have been uncovered and eliminated. I am optimistic that under Mel Laird's guidance the report will be happy reading for the taxpayer.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman.

Mr. RHODES. Mr. Chairman, I thank the gentleman from Ohio for yielding and wish to compliment him on the fine statement that he is making.

I am sure the gentleman would agree with me that Secretary Laird, having tested the water, as he always has tested the water, realized that cuts would be made in the outlays for the Department of Defense for the fiscal year 1970, and he further realized that appropriation bills have been and are in the habit now of being rather late in passage, and if he waited until a bill was actually passed, it would be very difficult then for the Department of Defense to make the total cuts that were necessary, and to make that cut effective in the last part of the fiscal year. As a result, the Secretary actually has instituted many of the cuts which we are now discussing as a prospective matter. Actually they are already being made by the Department of Defense because of the alertness and the knowledge of the Secretary of Defense.

Mr. MINSHALL. My good friend, the gentleman from Arizona, is exactly right. Not only has he made the cuts this year, as were pointed out—but some of the savings especially in the Pentagon procurement—the savings will amount to literally hundreds of billions of dollars in the years to come.

Despite the frustrations of a drawn-out session, with delays in bringing our bill to the floor completely unrelated to our committee, I am pleased with the streamlined budget we are presenting to the House. I am realistic enough to know that it is not beyond criticism, but I think even our severest critic will have to admit that we have achieved a highly creditable reduction. We have cut this budget \$4 billion under last year and \$7 billion below the amount Lyndon Johnson and Clark Clifford recommended. Those are substantial sums.

As we worked, we were mindful always of our great responsibility to our troops in Vietnam and to our solemn commitment to provide our citizens with a strong defense during these badly troubled times. Simultaneously, we worked aware of the blight of inflation which is increased by big spending, and of the many pressing needs calling to us on the domestic front. And, we were always conscious of the forgotten American, the citizen who foots the bill for every money measure we pass in this House.

I think the committee has done a darn good job, working with a keen and conscientious Secretary of Defense.

It is my greatest hope, as I know it is that of this entire House, that both world conditions and a more tightly run Pentagon will permit us to come to this floor in 1970 with a defense bill which will show even greater savings.

Mr. Chairman, I should like to conclude by offering in the RECORD an article which appeared in this morning's Washington Post which states "Congress Leading the Way on Military Cutbacks."

Mr. Chairman, I think it is a very well written article and I just want to say in passing, that any time the Washington Post agrees with a committee and this Congress, we have done a darn good job.

The matters referred to follow:

#### CONGRESS LEADING WAY ON MILITARY CUTBACKS

(By George C. Wilson)

The House today takes up a defense money bill which reflects the new mood of the Congress toward the military.

The bill, written by the House Defense Appropriations Subcommittee, serves notice that Congress is going to lead the way toward retrenchment of the U.S. military establishment by exercising its power of the purse.

Defense Secretary Melvin R. Laird, the bill says in effect, will have Congress with him rather than against him on money saving schemes.

It was only a few years ago that former Defense Secretary Robert S. McNamara clashed with Congress by refusing to spend money for such projects as the Air Force B-70 bomber.

He made gains for a while against both military leaders and their supporting congressional committees by overwhelming the opposition with facts, figures, color charts, feints, overstatements and strong backing by President Kennedy.

His plan was to accentuate the positive and eliminate the negative.

As it turned out, McNamara got his way most of the time in his first few years as defense secretary.

The TFX airplane contract award, for example, was challenged by Sen. John L. McClellan (D-Ark.), starting in 1963 but did not slow McNamara down for some time.

But by this year the cost overruns on such programs as the TFX fighter, C-5A transport and minuteman missile had shown that McNamara had not been the complete manager after all. Members of Congress had reason to try their own hand at managing the Pentagon.

Such newcomers as Sen. Walter F. Mondale (D-Minn.) saw this right away as he attacked the Navy's most sacred cow, the aircraft carrier. The Navy won, but the political soundness of opposing a pet military project on cost-effectiveness grounds was demonstrated. A politician need not look like a peacenik.

The House Defense Appropriations Subcommittee is made up of old timers who have strongly supported most military projects in the past. The fact that the subcommittee cut \$5.3 billion off the Pentagon's fiscal 1970 budget showed that such support has a limit when constituents are demanding a rearrangement of national priorities.

Yesterday, another old friend of the military—Sen. John Stennis (D-Miss.) predicted on the ABC "Issues and Answers" television program that the Senate would go along in "large measure" with the gigantic \$5.3-billion House cut. That cut is larger than the annual budget of \* \* \* important to the defense effort as to any other sector of the economy."

That statement takes the words right out of the mouths of several liberals in Congress who have been arguing all year that the nation cannot afford *not* to cut military spending. The fact that the conservative Appropriations Committee both said it and the Nixon defense budget by 5.3 billion represents a trend which cannot be measured alone by recent votes on the attempts to kill specific Pentagon projects.

George H. Mahon (D-Tex.), chairman of the House Defense Appropriations subcommittee as well as the parent appropriations committee, himself said he could not have pushed the full Pentagon budget through the House in 1969 and was responding to what he called the "realities." He announced early in the year that he was going to cut the Pentagon's fiscal 1970 budget by \$5 billion. And his old committee colleague, Defense Secretary Melvin R. Laird, scurried around and made as many of his own cuts first as he could. Laird said his cuts will amount to \$3 billion in spending. Mahon's cuts are put at \$5.3 billion in new money (new obligatory authority) some of which would show up as a spending cut beyond fiscal 1970.

With Congress taking the lead in the cuts, the Defense Secretary's job is much easier.

"Look, general," the Secretary can say, "the Congress is going to cut your budget by \$1 billion. Better we do it ourselves than have them do it for us." McNamara in his early years would cut the general's budget himself and then had to defend the reduction hour after hour before the congressional committees armed with information supplied by the military.

The young people who do not believe the Russians are coming, the Vietnam war, the mess of the cities and the environment all are putting the old hawks on the defensive. The once overly friendly military committees realize they will lose their power unless they approach the military budget more critically.

Mahon said appropriations subcommittee conducted more investigations in 1969 than any other year. Chairman Stennis of Senate Armed Services Committee is reorganizing his operation, replacing some investigators with budget specialists. And while Chairman L. Mendel Rivers (D-S.C.) of the House Armed Services Committee remains four square behind the military, his committee can only authorize how much money should be appropriated. Mahon and Stennis have the most to say about how much will be appropriated.

Military leaders naturally do not like the change in the wind. Many feel the press is at fault for only writing about the projects that go wrong. For example, right after Vice President Agnew lambasted the press, several officers at the Naval War College showed up for classes wearing "We love you, Spiro" buttons.

One hard fact that does not seem to be appreciated by the embittered military leaders under attack is that the Pentagon simply is not a place for good works. Inherently, money for defense is wasted with nothing like a rehabilitated neighborhood to point to after it is spent. Without a war, the money for the military is high-priced insurance—protection money extorted out of the taxpayer, in the extreme view. With a war like Vietnam, the results of the money are not apparent to the critics.

The press aside, Mahon and his committee have a reputation for responsibility and fairness. The military cannot lightly dismiss the committee findings made after hearing 5,947 pages worth of testimony. The findings show—among other things—that McNamara did not master the Pentagon. They also serve notice on Laird that he is under heavy challenge from his old friends in Congress.

TABLE 2.—SELECTED ACQUISITION REPORT ON 34 MAJOR WEAPON SYSTEMS, JUNE 30, 1969, COST SUMMARY

(Dollars in millions)

Contract definition plan (Col. 1)	Planned cost current quantity (Col. 2)	Current estimate total program (Col. 3)	Cost growth (Col. 3 minus 2)	Percent cost growth over original plan	Contract definition plan (Col. 1)	Planned cost current quantity (Col. 2)	Current estimate total program (Col. 3)	Cost growth (Col. 3 minus 2)	Percent cost growth over original plan	
A-7D	\$2,012.1	\$2,012.1	\$0.0	0.0	F-14 A/B	\$6,166.0	\$6,166.0	\$6,373.0	\$207.0	
AWACS	2,652.7	2,652.7	.0	.0	Torpedo MK48 Mod 0	700.3	715.3	3,890.7	3,175.4	
B-1	8,800.0	8,800.0	.0	.0	Torpedo MK48 Mod 1	71.6	71.6	111.0	39.4	
C-5A	3,370.0	3,370.0	4,832.0	1,462.0	43.4	SSN 688 class	1,614.0	3,462.0	(*)	
F-15	6,039.0	6,039.0	7,700.0	1,661.0	27.5	CVAN 68	427.5	427.5	536.0	108.5
F-111 A/C/D/E	5,505.5	2,941.9	7,401.3	4,459.4	151.6	CVAN 69	519.0	519.0	519.0	0.0
FB-111A	1,781.5	655.7	1,218.5	562.8	85.8	LHA	1,346.5	1,346.5	1,379.4	32.9
RF-111D	1,579.4	542.1	895.6	353.5	65.2	DXGN	726.6	3,264.0	4,750.1	1,486.1
Maverick	391.8	391.8	374.7	(17.1)	(4.4)	S-3A	2,891.1	2,891.1	2,891.1	0.0
Minuteman II <sup>2</sup>	4,164.2	4,168.2	4,280.7	112.5	2.7	DD 963 class	1,396.5	1,737.5	3,350.3	1,612.8
Minuteman III <sup>2</sup>	4,339.0	4,060.3	4,226.0	165.7	4.1	Safeguard	4,185.0	4,185.0	4,185.0	0.0
SRAM	261.1	421.0	1,470.1	1,049.1	249.2	Cheyenne	(*)	(*)	(*)	(*)
Poseidon C-3	4,384.0	4,384.0	5,602.0	1,218.0	27.8	General Sheridan	398.1	548.0	689.6	141.6
Condor (AGM-53A)	126.0	126.0	167.0	41.0	32.5	General Sheridan Ammo	370.1	380.3	489.0	108.9
Walleye II	345.0	123.9	134.6	10.7	8.6	Shillelagh	373.1	380.3	573.2	192.9
A-7E	1,465.6	1,421.5	1,919.1	497.6	35.0	Lance (XRL)	543.8	421.9	472.3	50.4
Phoenix	469.0	529.5	1,013.8	484.3	91.5	Total	66,735.8	63,089.1	79,266.2	16,177.1
Sparrow III 7E	740.7	265.6	258.1	(7.5)	(2.8)					
Sparrow III 7F	393.0	246.3	425.9	179.6	72.9					
P-3C	1,294.2	2,265.3	2,261.7	(3.6)	(.2)					

<sup>1</sup> Planning estimates.<sup>2</sup> Baseline changed to March PSR.<sup>3</sup> Minuteman II and III counted as 1 weapon system.<sup>4</sup> Not available.<sup>5</sup> Not in totals because of lack of definitive cost estimates and status of negotiations.<sup>6</sup> Not available because of pending litigation.<sup>7</sup> Not considered as a weapon system.

Note—Numbers represent June 30, 1969, SAR revised through Nov. 14, 1969.

Mr. WHITTEN. I yield myself 10 minutes. Mr. Chairman, with regard to the appropriation bill which is before the Congress today, I would like to join with my colleagues in expressing our thanks for the very splendid help we have had from Bob Michaels and other members of the staff.

I think it has been pointed out by others that this matter of handling appropriations for the Defense Department consists of so much detailed work and covers so many major problems, it is next to impossible to master it. However, Mr. Chairman, in addition to quite a large and fine staff, we have many, many investigations that are in turn carried out by those who are expert in this field and borrowed from other agencies, in most cases.

Mr. Chairman, I take this time to let you know what a terrific job our chairman has had but which he has handled in a very fine manner, supported by the subcommittee this year. There is no way

around the fact that we are meeting at a time when we are somewhat in a period of readjustment, realignment, a time of review. As many of you know, through the years I have taken the view that, after World War II, when we had the atomic bomb and other nations did not, we more or less went around the world telling far too many people, "We will take care of you," and we got ourselves injected into the internal affairs of many countries around the world, which in many cases has turned out to be a mistake. Time has shown that we no longer have a corner on many, many things in the way of weaponry. It has also disclosed to us that we cannot exactly run any other country, and we have become a bone of contention in many of those countries. We have reached such a point in so many areas of the world, we now have to bring about a readjustment which raises with us some real serious questions as to how we can do so and at the same time defend our country, main-

tain ourselves as a free power in the world, a great power for good and a great power for defense in case we need it.

I believe all believe we must bring the war in Vietnam to an honorable end; but, Mr. Chairman, we must ever be cognizant that we must do so with the maximum protection of our men who are there and elsewhere in Asia.

But in the doing of the things I have mentioned, there are some things we should think about. I recall having heard Admiral Nimitz, Chief of the Pacific Fleet, say some years ago, when it was said that the then President was going to turn Okinawa back to Nationalist China—he was talking privately and he said:

What we do not realize is that when we build a big airfield and set up weapons of that type, we cannot destroy them. We may drop bombs on an airfield and make holes in it, but they can fill the holes with dirt and put asphalt on top of that, and you have the airfield ready to operate. We have gone around the world creating weapons that can-

not be destroyed and to talk about turning such weapons over to some country which cannot hold it is foolhardy and dangerous. We had better think of that principle today.

It being true that we are facing an inflation that a few years ago was running at a rate of 7 percent a year, probably more now, when we try to maintain adequate forces during the period while we reassess and, as I have said, review our equipment, certainly we have a real job in keeping a sense of balance within our Committee on Appropriations and in our recommendations to Congress.

I say here that our chairman has done a fine job in that area. We have backed him up. We expect to continue to do so. But in the process we have to think of a variety of things, one of which is that we have our economy in many areas of the country geared up to defense spending. But that is not as disturbing as it might be on the face of it, because, as someone said some years ago, if that same amount of extra effort was put forward in peacetime activities, into our production, that we would have a wealthier country, whereas in time of war and preparation for war we burn our gasoline and destroy our material things and end up a poorer country.

So we are faced here with trying to bring about a financial readjustment, to rearrange our relationship with many countries around the world, and at the same time stay strong and see that we have adequate defense to protect ourselves, not only during this period, but in the years ahead.

I am not going to detail the specific actions that have been spelled out so well by my chairman and by other members of the committee, but I say here that I believe under the leadership of the present Secretary of Defense, a man who has studied this subject matter and has cooperated with our chairman and with the committee through the years, we will have an objective and new look at our defense spending and our commitments, and we can expect full cooperation between him as a representative of the executive department and the House as a legislative body of the Congress.

It has been pointed out there is a substantial cut in the funds of this bill amounting to between \$5 or \$6 billion. What does not show is that within the last 8 or 10 years many things have crept under the tent designated as defense, which really are not defense spending in the pure sense of the word. Certainly many of those things I do not consider to be real defense in the short range and perhaps not so much in the long range. These things we must pull back, so as to strengthen the dollar which is as important to defense as it is to the domestic economy.

As we read the figures in the bill, they show the result of some major surgery, but that was done with a friendly and intelligent hand, and the total amount of money available is tremendous. I say again for the record that under the policies which have been set up by our chairman and the committee on the matter of reprogramming efforts, if there are any places in this bill where funds later

are determined could better be used in some other place, all the Secretary of Defense has to do is come up and ask that those funds be reprogrammed into those things considered most essential.

The bill before the Members is well prepared and well thought out and tries to meet the problems as we see them now, but we have kept an escape clause, so that we can rearrange the funds as circumstances may require. We are living in a changing world and one in which we will have to change our own attitudes and some of our commitments. While we are at this and while we are discussing some of those subjects today, we should determine whether we have not gone into too many unilateral contracts—under which we have promised to take care of other areas where such area has made no such commitment to us.

As a member of this committee for a long time I think I can say the committee has done a fine job under trying circumstances. But for those who may be worried about the safety of the country, let me say this bill is fully funded to meet the needs as we see them and as the Secretary of Defense sees them. In case we have some funds in the wrong paragraphs, as time unfolds and the situation unfolds, there are ways provided to reprogram and put the funds where they will be most needed to meet the changing needs of the future.

I conclude by saying we must keep up this review on policy, commitments, and other problems, as well as funding.

Mr. MINSHALL. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona (Mr. RHODES).

Mr. RHODES. Mr. Chairman, this is a huge bill, but this time it is not as huge as it has been in years past. As was indicated by the chairman of the committee and by the gentleman from Ohio, much of the credit for the fact that this is a reduction from past years must go to the present Secretary of Defense, a former distinguished Member of this body, and a former member of the Defense Subcommittee of the Appropriations Committee. The fact that we have been able to make these cuts, I am sure, comes largely as a result of the wisdom of the President of the United States in appointing as Secretary of Defense a man who did not have to learn about the Defense Department because he already knew about the Defense Department from long experience on this Appropriations Subcommittee.

As a result, without creating havoc in the Department of Defense, we will reduce the new obligatory authority from that suggested by the Nixon budget by approximately \$5.3 billion. I think even more importantly in this year of financial inflation, the cash outlay for fiscal year 1970 will be reduced by more than \$3 billion.

This was not an easy thing to do. It was not an easy thing for the Department of Defense to advise. It was not an easy thing for the subcommittee to accomplish. As the gentleman from Mississippi has just stated, there is no Member on the subcommittee who is not thoroughly dedicated to the idea that the defense of this country is the highest priority in the

business of the Government of the United States.

This bill is a result of a revision of some national priorities. As the Congress well knows, the Nixon administration early made a decision to Vietnamize the war in Vietnam and in so doing to reduce as rapidly as possible and to a figure as low as possible the numbers of American troops, who will participate in that war.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I am delighted to yield to my good friend, the Speaker.

Mr. McCORMACK. I hear a lot about the Nixon administration's Vietnamizing the war. I approve of it, and agree, but does not the gentleman agree that President Johnson also did a lot of work in that direction under his administration?

Mr. RHODES. Mr. Chairman, I say to my good friend, the Speaker, it was certainly not any intention of mine to indicate that the opposite was the situation. The fact that the Vietnamization process was undertaken so early in this administration would certainly have to indicate in the mind of any fair individual that a groundwork had been laid, which had to have preceded the inauguration of this administration. There can be no doubt about that.

I thank my friend the Speaker for bringing this up, because there is nothing political about this and there is no desire by anybody to take any political credit for what I believe is a successful program and will be a successful program.

Mr. McCORMACK. I realize there was nothing political. I certainly would not want the RECORD to show I had the slightest thought in that regard, because I know the gentleman is as far removed from politics in his thoughts as I am.

Mr. RHODES. I consider that to be a compliment, Mr. Speaker.

Mr. McCORMACK. I want to make the RECORD clear that this is something other administrations also were carrying out. I support the carrying out of it and the intensification, and I hope it will be very successful, but the history of it goes back to other administrations.

Mr. RHODES. However, I am sure the Speaker would agree with me that the facts do indicate and the figures do indicate that at the time the Nixon administration came into power there were 540,000 some troops in Vietnam and we now have under 500,000 and we hope that the figure is going down.

I believe the Speaker would have to agree with me that the administration which is in power, at the time the actual reduction occurs, would certainly be that administration which should receive the lion's share of the credit.

We have no way of knowing what would have happened under another administration. The plans which they had developed—I presume they had plans because the Speaker says they did—certainly might have continued to lay dormant, as they had prior to the time this administration came into power.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I yield to my friend from Ohio.

Mr. MINSHALL. After listening to this colloquy between the gentleman and my good friend the Speaker, I certainly want to say some of the groundwork as has been pointed out for Vietnamizing the war did occur during the last year of the Johnson administration. I would also like to point out I know the Vietnamization of the war has been intensified and speeded up under this administration, to the tune that today we have 66,000 net less troops in Vietnam than we had when this administration took over January 20.

Mr. RHODES. I think my friend from Ohio will agree, also, as long as we have gotten into a course in history with regard to the war in Vietnam, that it might be well to record right here that in January 1961 when the Democratic administration headed by the late President Kennedy came into power there were some 676 American troops in Vietnam. After 8 years of Democratic administrations there were 540,000 troops in Vietnam.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I am always happy to yield to the Speaker.

Mr. McCORMACK. I was interested in and somewhat intrigued by the observations made by the gentleman from Ohio about the withdrawal of troops. Of course, the withdrawal is based upon circumstances and conditions which permitted it, but they did not arise overnight. The origin of them goes back several years. We all approve of it, of course. However, I do hope that we will never agree on an imposed Communist coalition government in Vietnam. If that day ever arrives, it will be a sad day in the history of America, because to me that would be a complete capitulation. The observation of my friend from Ohio, of course, is completely free from any political connotation. I know that. However, all I was thinking was to have my friend from Arizona's remarks appear to, as I am sure he wanted them to be, impartial. I know nobody is supporting the President of the United States more strongly than I am, but the history of Vietnamization goes back into previous administrations, also.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. About as free from political connotation as was the cessation of bombing at the zero hour before the election a little more than a year ago.

Mr. RHODES. I am sure the gentleman is referring to a rather fortuitous circumstance, which was not intended to have any effect on the last election. Will the gentleman agree with that?

Mr. GROSS. No, I would not agree with that at all.

Mr. RHODES. I did not think the gentleman would.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I am happy to yield to the gentleman.

Mr. MINSHALL. So my position is absolutely clear, I want to point out that I merely recounted what the facts are and what the record is, Mr. Chairman, be-

cause the facts are that there are 66,000 less troops in Vietnam today than there were last January 20. I should like to point out, also, that this year we are spending nearly \$7 billion less in Vietnam than we had in the previous fiscal year.

Mr. ADDABBO. Will the gentleman yield?

Mr. RHODES. I yield to the gentleman.

Mr. ADDABBO. Will the gentleman from Arizona also agree that President Johnson's speech of April 1968 spoke of South Vietnamese assuming a greater responsibility and our subcommittee seeing to it also that the South Vietnamese would be given more modern equipment and arms so that they could effect the present Vietnamization of the war?

Mr. RHODES. I am not familiar with the facts that the gentleman relates, but if the gentleman states them as facts, I will accept them as such. However, I think the gentleman from New York will also agree with me that the process of reequipping and reestablishing South Vietnamese forces was only a dream until the present Secretary of Defense undertook it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MINSHALL. I yield the gentleman 5 additional minutes.

Mr. RHODES. Until he realized those plans and actually did something about them.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from Mississippi.

Mr. WHITTEN. My colleague is so gracious in yielding that he has not had a chance to make his own speech. I would like to make a comment that there is enough of a job for all of us to do from now on without arguing too much about who deserves what credit up to date. Will the gentleman agree?

Mr. RHODES. I agree wholeheartedly with my friend from Mississippi.

I remember the remark made by the last incumbent of the Presidency at one stage of the Vietnam war. It went something like this: "If the Vietnamese war comes off well, there will be credit enough for everybody. If it does not come off well, only one person will be blamed, and you are looking at him."

And, of course, this is the situation as it often occurs. As the gentleman from Mississippi well knows, the person who has the ultimate responsibility in any great endeavor is the one who carries the blame if there is to be blame.

Mr. Chairman, I had intended to speak about the ABM. However, it is my opinion that this entire body is very well aware of the facts and figures concerning the proposed deployment of the ABM and I do not intend to get into that subject at this particular time.

However, I would like to say that there are \$779.4 million in this bill for the ABM, \$400.9 million being for research and development training and evaluation and \$345.5 million for procurement.

Mr. Chairman, there are other items which are of a miscellaneous nature.

Mr. Chairman, I am thoroughly sold

on the necessity of deploying the ABM system. I think we have waited long enough. We have tested it thoroughly enough. The hardware has been well tested. The radar has been well tested. Now it is time to proceed with deployment. It has been said in our subcommittee, and I think it is true, that you can test a weapons system to death. The time has come for giving it the final test by putting all of the systems together in order to see if it will work. This is the only thing that remains to be done in providing this country with an ABM system which will be meaningful from the standpoint of certain types of attacks.

This is not a full-scale deployment. In fact, our committee has been assured that the amount of funds requested for future ABM sites, if any, will be made each year. So, the Congress of the United States and the President have not wedded themselves to a policy which must proceed willy-nilly to some kind of full deployment of the ABM system. The opposite is the truth.

Mr. Chairman, this bill also funds a nuclear carrier. I have heard many people say that we should not spend more money on aircraft carriers. I do not believe it is true. Let me just quote from Mr. Raymond Blackburn, the editor of *Jane's Fighting Ships*—and Mr. Blackburn is an Englishman. He does not have any ax to grind insofar as American ships are concerned but he says:

The nine great American carriers including the nuclear-powered *Enterprise* are the latest and finest instruments of seapower ever devised.

I doubt he would have said this if the aircraft carrier is an antiquated vulnerable instrument of warfare.

As a matter of fact, the modern, up-to-date aircraft carrier is a real miracle of precision, a real miracle of ability to defend itself from practically any threat known to man. It is a very efficient manner of projecting the power of the United States. This country has always been able to project its power on the seas.

Mr. Chairman, I feel very strongly that if and when we ever get into a situation where we no longer have the ability to project our power on the seas, we will then truly become a second-rate nation. I say this with full knowledge of the fact that the U.S.S.R. thinks well of the necessity of projecting power on the seas. She is building a mighty fleet for the purpose of bolstering the Red Navy. However, she is also building a merchant marine fleet next to none. This is a matter of great interest which this Congress ought not to neglect.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. MINSHALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. RHODES. I think that along with a fighting modern up-to-date Navy there must also be an up-to-date efficient merchant marine. This country at the end of World War II was without peer insofar as a merchant marine capability was concerned.

We now find ourselves where we are probably eighth or ninth in ranking

among the merchant marine fleets of the world. This is a matter which must be faced up to, and which the present President of the United States has agreed that he would face up to. I am sure that he will.

So, Mr. Chairman, as I said at the outset, this is a bill which recognizes national priorities. It does not put as many dollars into the Defense Department, as many people feel very conscientiously are necessary in order to provide the type of defense this country needs and must have in the years to come. However, in the opinion of most of us it is an adequate bill and it does provide for the type of defense which we must have. There are other priorities to which our Nation must address itself. We feel that we are addressing ourselves to those priorities but also to our defense. I think that in a matter of balancing of interest that this is a good bill, an adequate bill, and I hope that the House will support it.

Mr. MAHON. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. ADDABBO), a member of the Defense Subcommittee on Appropriations.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 15090, the Defense Department appropriation bill for the fiscal year ending June 30, 1970. This bill is the result of extensive work done by the committee in an attempt to strike a proper balance between the desire to maintain a strong defense posture and the need to curtail nonessential military expenditures.

I commend the chairman, the gentleman from Texas (Mr. MAHON), and all of my colleagues on the committee for their great combined effort in developing and bringing forth this bill. I commend and thank the very able staff of the committee for their assistance and dedication especially when our staff of less than 10 has to match the hundreds of backup experts the military services have in presenting their testimony to the committee.

I again take this opportunity to commend our chief staff member, Bob Michaels, on his outstanding and dedicated service and wish him well in his retirement.

H.R. 15090 provides a total Defense appropriation of slightly more than \$69,960,000,000, a reduction of more than 10 percent from the January 1969 budget and a reduction of more than \$4.4 billion from the last appropriation. This represents the largest cut in Defense spending since the end of the Korean war.

As a member of the Defense Appropriations Subcommittee, I participated in the extensive hearings on this legislation and during the course of those hearings I raised several questions concerning possible reductions in spending. I am pleased with the bill as reported and I believe it is a responsible effort to reduce Defense spending without adversely affecting our national defense present or future.

The major bulk of the reduction comes in the area of personnel but other important areas include additional reductions in chemical and biological warfare and more than \$2 billion in procurement. By way of comparison we should remem-

ber that this proposal translated into 1964 economics by subtracting the cost of inflation and salary increases is far below the \$49 billion appropriation approved in 1964.

I am also pleased that the committee has approved my recommendation that the Navy policy with respect to ship repairs be changed to allow open competition for ship repairs within a 350 mile radius of the home port where repairs cannot be done at home port. This change in policy recommended and discussed in the committee report will result, I believe, in a reduction of repair costs by encouraging competition and will bring some relief to the New York-New Jersey area through a greater distribution of the repair work. With the closing of the Brooklyn Navy Yard several years ago, defense work in the New York area has been limited. Therefore, it is my hope that with this change in policy the New York area will receive its fair share of defense work.

Mr. Chairman, I urge my colleagues to support H.R. 15090 as an important step in achieving a responsible balancing of national priorities.

Mr. MAHON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. YATES).

Mr. YATES. That shows how ineffective and indefinite the proposed safeguard ABM system would be.

In fact, later on there is another program that has been approved by this subcommittee relating to defense against incoming enemy missiles and that is the so-called hard rock silo program.

On page 703 of the hearings, the gentleman from California (Mr. LIPSCOMB), asked this question:

Mr. LIPSCOMB. Do you think that we need both?

Colonel GROSSMILLER. Until we can positively prove that one is more effective than the other, I believe we do need to test both.

We who are opposed to the deployment of the ABM system favor its continued research. The incongruous part of the action of the committee to me is to read their very eloquent statement in the report in opposition to concurrency in which they stated their opposition to the action of the Department of Defense in deploying a weapons system before the research and development was ready for it.

They objected to that most positively and urged the Department of Defense not to continue.

Well, what did they do in the ABM system? The ABM has \$400 million in this bill, approximately, for further research for the safeguard ABM.

There is in prospect within the next few years an expenditure of more than \$1 billion to be spent in further research on the ABM.

Why then should we approve of deployment at this time? There is a time for research, there is a time for deployment. This program has not passed the research stage.

I know very well of the threats and tensions in the world today. I know that we must have a strong armed force in order to protect our national security. We must be concerned with our survival

in a world in which Winston Churchill has described "Safety is the sturdy child of terror and survival is the twin brother of annihilation." I know there will be some who will arise and say that I and my colleagues who are opposing deployment of the ABM system are threatening to pull the rug out from under the negotiators at the Helsinki talks. Nothing is further from the truth, Mr. Chairman. We do not want to pull out and we do not want to undercut those talks in any respect because we know how very important they are.

Approval of the amendment which I will offer when the bill is read for amendment will show that the Congress does favor curtailment of the nuclear arms race and that there should be no speedup of the race through ABM deployment.

I recall the words of President Eisenhower which were uttered on December 8, 1953 before the General Assembly of the United Nations when he said:

For me to say that the defense capabilities of the United States are such that they could inflict terrible losses upon an aggressor, for me to say that the retaliation capabilities of the United States are so great that such an aggressor's land would be laid waste—all this, while fact, is not the true expression of the purpose and the hope of the United States. To pause there would be to confirm the hopeless finality of a belief that two atomic colossi are doomed malevolently to eye each other indefinitely across a trembling world. To stop there would be to accept helplessly the probability of civilization destroyed—the annihilation of the irreplaceable heritage of mankind handed down to us generation from generation—and the condemnation of mankind to begin all over again the age old struggle upward from savagery toward decency, and right and justice.

Then President Eisenhower went on to urge the settlement of controversies by peace rather than by bloody conflict—to which all of us subscribe.

Our national security cannot be established and maintained only if the United States buys every new strategic weapon that might possibly work and buys it in greater quantity than the Soviet Union happens to buy it.

Mr. Chairman, those of us who are opposed to the deployment of the ABM believe that the facts elicited in the hearings do not indicate that this system at this time—at this time—when proponents of it are urging deployment, will add anything to the safety or to the national security of the United States. When the appropriate time comes, I propose to offer an amendment to strike out "deployment."

Second, Mr. Chairman, I propose to offer an amendment to strike out the so-called Tow missile. In conversations with the distinguished gentleman from New York (Mr. STRATTON) who is a member of the Armed Services Committee of the House, and with Members on the opposite side of the aisle who are members of that committee, they say that the appropriation for the Tow missile program is, in their view, totally unneeded. There is in our armament inventory an excellent missile which performs the same purpose, and which can

be purchased for a third of the cost of the Tow.

Mr. MAHON. Mr. Chairman, I yield such time as he may require to the gentleman from New York (Mr. PIKE).

Mr. PIKE. Mr. Chairman, I thank the gentleman for yielding. I have requested this time in order to ask a couple of questions which came to my mind as a result of the language appearing on page 57 of the report. First, in talking about the change in the schedule of procurement of F-14 aircraft, what the committee has done, as I understand it, is change the procurement from the Navy's request of six R. & D. models and six production models to a total of nine, instead of 12, all of which will be R. & D. models. The thing that interests me, however, is this language:

The committee would like to make it abundantly clear, however, that none of the funds provided are to be utilized for tooling beyond that needed for fabrication of the test aircraft.

I simply find it a little difficult to understand how you can tool up for the test aircraft without tooling up at the same time for the production aircraft, and is there any intention to prevent the tooling which is being used from being used for production aircraft later on?

Mr. MAHON. I think the gentleman has raised a good point. The object of the committee is to avoid a pell-mell approach to production of the F-14 aircraft by accelerating tooling beyond what is necessary for the aircraft needed in research and development. I would assume that tooling up for a research-type aircraft and tooling for the regular production aircraft would be somewhat the same. The tooling would be generally interchangeable.

I think we have to agree that we mean that they would proceed with the tooling to the extent that is necessary to produce the R. & D. aircraft. We would have to realize that, and hope that when we go forward—and I hope we will and expect that we will—with the production aircraft, the tooling used for the R. & D. aircraft can be used for the regular production aircraft. I believe that would be a reasonable interpretation of what the committee has in mind.

Mr. PIKE. I thank the gentleman for his response. I hope that is what the committee has in mind.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Chairman, I think, just to add a little bit to the answer of my chairman, it is true we are not production people. I do not know whether the tooling needed to build nine research and development aircraft would be the same as that needed to build 120 production aircraft. I suspect some of it is not. All we really want to do is to make sure the production tooling which will be built in accordance with this appropriation bill will not exceed those which are absolutely necessary to build the nine research and development aircraft.

The gentleman from New York will recall the experience which this Govern-

ment has had with the F-111 aircraft. We just do not intend to let that happen again if we can stop it. We want to have these nine aircraft built, tested, and evaluated before we proceed pell-mell on any further orders for the F-14A. As the gentleman knows, the F-14A is only the first version. There will be a followon version with a better engine. We have some worries too about being able to interface the advanced engine with the existing airframe. We do not want the company to proceed with production tooling beyond that needed to fabricate the test aircraft, but at the same time we do not want to inhibit the fabrication of the first nine test aircraft.

Mr. PIKE. Mr. Chairman, I thank the gentleman for his response. I did want to make it clear on the record that there is not going to be any inhibition on using the tooling required to build the test aircraft for the further production aircraft if, in fact, that is subsequently authorized and funded.

Mr. MAHON. Mr. Chairman, if the gentleman will yield further, the gentleman makes a very good point. I believe the gentleman had a reservation or a question in regard to another matter in the report?

Mr. PIKE. Yes. If the gentleman from Texas will permit me a further question, I am curious about the language also as to the KA-6D aircraft, which again is on page 57 of the report. The committee has struck out the sum of \$57,600,000 to buy new KA-6D tankers, and the committee says it "recommends that the Navy modify additional A-6 aircraft to the tanker configuration in lieu of buying new aircraft."

That is all very well, but, having taken the money out of the bill for the new one, has the committee put any money in to remodel the old one?

Mr. MAHON. The gentleman's question relates to the report, near the bottom of page 57. The budget itself, as pointed out, does provide for the modification of four aircraft, but there are no additional funds for the modifications of additional aircraft.

Actually, if the funds are to be available, one or more of several processes could be used in seeking to acquire the funds. If the Navy is convinced that the committee has provided insufficient funds in this connection, of course a request can be submitted to the other body, and the funds can be sought in that way.

Another way to make available the funds in many cases is to find funds that are not going to be used for the purposes for which requested or from a program which has slipped or has been abandoned and reprogram them.

Mr. PIKE. Mr. Chairman, I thank the gentleman for his response.

I think it is obvious to those who have listened to some of the debate on the authorization bill that perhaps in the course of preparing this appropriation bill, the committee has found it necessary to go quite a few ovens, and I do not mind conceding that one of mine got bloodied up a little bit in here, despite all of which I simply want to say I think the Appropriations Committee in general on this bill has done an outstanding job.

I was unable to vote for the authorization bill simply because in my opinion at this stage in our national history it just plain had too much money in it.

I was particularly upset by the \$1 billion add-on for ship construction.

In this case I want to commend the chairman and all the members of the committee for a bipartisan effort. Regardless of the fact that this is always a painful process, the committee has done an outstanding job and deserves to be commended.

Mr. MAHON. I thank the gentleman very much for those generous remarks.

Mr. MINSHALL. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin (Mr. DAVIS).

Mr. DAVIS of Wisconsin. Mr. Chairman, prior to this year, it was in another decade that I last served on this subcommittee, so I do not presume to talk with the depth of knowledge of my colleagues on this subcommittee, but perhaps a period of absence may help to enhance the perspective I might be able to shed for my colleagues upon this measure.

Probably no other bill which confronts us here in this body entails more responsibility upon our part than does this one. There simply is not anyone else to do it. In many of the domestic programs which we discuss here we can look in greater or lesser degree for assistance in problem-solving and decisionmaking to the States, to the local governments or to individuals. But clearly the defense of our country is entirely a Federal responsibility, and it is one where the center of responsibility lives right here in Congress.

Perhaps nowhere else does the significance of the committee system demonstrate itself more clearly. This matter of providing for the common defense is a massive responsibility, and in today's technology, with the sophistication of our weaponry systems, it is impossible for any of us to be completely an expert. I suppose that applies not only to individual Members of this body and to the members of the full committee but also to the 11 men who serve on this subcommittee.

So, while we cannot claim to be experts in all the areas encompassed in this bill we can but claim to be a group of intelligent, careful, and reasonable men who have arrived at our judgment in order to fulfill the responsibility which has been delegated to us.

This bill does represent our judgment, a judgment based upon diligent efforts to obtain information upon which this bill, and our report are based.

I suppose if we were to single out any as being the architects of this particular measure we would have to include our former colleague the Secretary of Defense, the distinguished chairman of the full committee and of this subcommittee, and the ranking minority member, the gentleman from California (Mr. LIPSCOMB.)

But I submit that every member of the subcommittee has made a contribution to this evidence of our combined judgment that appears before you today.

We cannot assure you completely that this measure is adequate to our times.

We cannot assure you that every dollar here is necessary. We cannot assure you that every dollar will be efficiently spent. We can only assure you that we have applied ourselves diligently to the task to which you, our colleagues, have assigned us.

We have avoided in this measure the extremes of those who believe that we can avoid world problems by dismantling our defenses. We have avoided the extremes of those who clamor for everything that the military might desire as the ultimate in defense capability.

We have pinpointed and eliminated items that we consider to be largely duplicatory and in some cases we have funded research and development efforts which are apparently but not actually duplicatory. For instance, in the Tow and the Shillelagh missile systems some people will claim that we have one and we do not need the other. In fact, they are based on different concepts. One has capabilities not completely present in the other. We have attempted to assure—

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I am happy to yield to the gentleman from California.

Mr. GUBSER. Is the gentleman implying that the Shillelagh missile has not been fired in the ground mode?

Mr. DAVIS of Wisconsin. I cannot answer that specifically as to whether it has been successfully so used or not.

Mr. GUBSER. I might say to the gentleman, if he is, I can show him a movie where the Shillelagh has been fired in the ground mode, and I do not understand why the Army does not admit it.

Mr. DAVIS of Wisconsin. I am not prepared to say what the Army will or will not admit. It is entirely possible. But I am sure the gentleman will concede they are based on different concepts and the capabilities of the two are certainly not entirely coincidental.

We have attempted to assure maximum research and development before funding for procurement but for some sophisticated weapons systems there comes a time when the laboratory and the testing range are no longer adequate: when installation and in-being facilities must be procured and constructed to test under actual operating conditions. This is precisely why the funds for the ABM are included in this bill. The ABM installations we are speaking of in this measure give us prototypes—a phase of a system in being. I suggest ABM in-being is necessary not only as an advanced technology but as an essential element to the success of the pending disarmament discussions. Indeed, rather than detracting from the potentialities of SALT, as the Foreign Affairs Committee effectively reminded us, the implementation of phase 1 of ABM strengthens our hand in these negotiations. I would suggest in that respect—and I believe this is the unanimous opinion of our subcommittee—those of us who heard the hearings arrived at an entirely opposite view from some members of the committee who signed a minority report without appearing at our hearings. I think it is of some significance that while it may be un-

usual for 10 members of the Committee on Appropriations to sign a minority report, you will not find a single member of the subcommittee which heard the hearings listed among those dissenters.

We have not been insensitive to criticism. We have not been and we are not today spokesmen for the Pentagon. In addition to the seven volumes of hearings that are available to anyone who wishes to be informed on our hearings, there have been numerous informal hearings to discuss matters of expressed public concern, and, in some instances, matters of obvious Defense Department shortcomings. There have been numerous staff investigations. There are numerous staff investigations now pending or to be undertaken before the hearings next year.

There has been, and there will be a great deal of discussion of a number of specific programs.

Now, Mr. Chairman, I want to take just 1 minute to talk a little bit about Sanguine, one of the projects for which money is included in this bill and one which has aroused rather vocal opposition in some areas.

Sanguine is an extremely low-frequency communication system now in the research and development phase administered by the Department of the Navy. It provides worldwide communications potential and particularly so with respect to our Polaris submarines.

Thus far something like \$27 million has been invested in its development. It operates best where certain low-conductivity rock conditions exist. So it has been tested in an area in North Carolina and Virginia and in a national forest in northern Wisconsin. These tests have demonstrated some problems such as the ringing of telephones, interference with telephone use, the electrification of long metal objects such as fences and there have been some questions raised relating to plant and animal life. But this is why we are continuing the research and the development in this area, in order to find ways to mitigate these problems.

This will require several small tracts of land where the transmitters will be located. There will be required easements in larger areas of land where the antennas are to be buried.

But we have already learned enough to know that we can use a much smaller area with much less power than had previously been contemplated and that the problems are solvable, that Sanguine is capable of performing its worldwide naval communications mission.

Mr. Chairman, the solution of problems is the purpose of research and development. That is why there is \$5 million in this bill.

I hope that some highly vocal organized opposition will not succeed in scuttling this useful program administered by the Department of the Navy.

Mr. MINSHALL. Mr. Chairman, I have no further requests for time.

Mr. MAHON. Mr. Chairman, I yield 7 minutes to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I rise at this time to comment on one of the amendments which the gentleman from

Illinois (Mr. YATES) is going to offer under the 5-minute rule; namely, the amendment to strike out \$100 million for the Tow Army antitank missile.

Mr. Chairman, I believe Members of this body are well aware of the fact that I am not one of the more vocal doves in this House and that I do not have any particular antimilitary bias. As a matter of fact, in the past few weeks I have taken this well on several occasions to fight for programs that the Pentagon has wanted. I think the Record also shows, however, that as a member of the Armed Services Committee and as a member of the investigating subcommittee of that committee, one of them on the sinking of the submarine *Guitarro* and one of them on the Sheridan tank program, I try to call the shots as I see them and have not hesitated.

I strongly believe that we should end waste and duplication in the Defense Department and not just talk about it. The Appropriations Committee in its report on the Defense bill indicates that its hearings "reveal instances in which—the military services are pursuing duplicating development efforts" and indicated that as a result of these duplicating developments "procurement costs are needlessly increased over a period of several years." Yet the committee, which usually takes pride in reducing every authorization ceiling, has in this bill fully funded, to the extent of \$100 million, a missile program which, although it was included in the authorization bill conference report, was originally knocked out by the House itself on the grounds that it was "unacceptable redundancy." In fact, the authorization conference had included Tow funds with a specific reference to the need for further research and development into the possibility of doing the antitank job the Army wants to do with one weapon system rather than two.

As a member of the conference committee I went along with that \$100 million authorization reluctantly, recognizing that we rarely get everything that we authorize fully funded anyway. The authority is now in the law in case subsequent developments indicate it would be wise to undertake full-scale procurement of this weapon. But I think it would be a very serious mistake to fund the full \$100 million even before this preliminary testing, and the shootoff between the Tow and Shillelagh directed by the conference committee has taken place.

The other day Senator STENNIS, chairman of the Senate Armed Services Committee, directed his committee to undertake an immediate investigation to "determine whether the military services are building duplicate weapons."

He said:

In view of the large sums of money involved, a proliferation of missiles capable of carrying out the same missions would represent a waste of funds and resources and must be avoided.

Well right here with the Tow missile, is a classic example of the very thing the Senator is speaking about. If we really want to eliminate waste and duplication, especially where large sums of money are involved in this case, specifically a billion dollars, here is the place for us to start.

In the first place, the Tow and the Shillelagh are almost identical weapons, not in their configuration, as the gentleman from Wisconsin mentioned a moment ago, but they are in their performance, but the Shillelagh is already in mass production, whereas the Tow is still in research and development.

Moreover, the Tow is more than twice as expensive as the Shillelagh. And if we go the full distance on the Tow, as I have already said, it would cost \$1 billion.

General Westmoreland, whose desire to get the Tow, is very largely, as I understand, the reason that the committee has put this money in for the full amount, talked with me the other day and urged me to support Tow. I said I checked into some of these things and he gave me a classified fact sheet on Tow and Shillelagh performance. He said:

Sam, you can see from this fact sheet just how different these two weapons are.

But the thing that amazed me when I looked the classified fact sheet over, and saw the performance of these two weapons, was that they are almost absolutely identical with one exception, and that is that the Shillelagh weighs 10 pounds more than the Tow. But half of the extra 10 pounds is because of a heavier and more lethal warhead. Theoretically, the difference between the Tow and the Shillelagh is that the Tow is supposed to be for infantry, as the gentleman from California (Mr. GUBSER), a very capable member of the subcommittee, pointed out a moment ago, and the Shillelagh is supposed to be for tanks. But the fact of the matter is that both of them can already be used in helicopters. And the fact is that the Shillelagh, which the Army claims cannot be used in the infantry mode, was actually fired, as the gentleman from California mentioned a moment ago, in 1962 in the infantry mode. And our subcommittee has in its possession a motion picture to prove it—and incidentally it took a lot of wrangling and arm-twisting to get that out of the Army.

Not only that, but the chief of Army Research and Development, Lieutenant General Betts, who appeared before us as the expert witness in these technical matters, was not even aware of the fact that the Shillelagh had been fired in the infantry mode back in 1962, and had never seen the pictures.

In fact, the Army has long been aware of this potential duplication, and back in 1962 there was an Army staff study made which we also have in our subcommittee. The result of that study is that the most expensive way for the Army to go in antitank weapons would be to go the two separate routes of developing the TOW all the way, and the Shillelagh all the way. Yet that is exactly what the Army is now asking us to do and what the Appropriations Committee proposes to fund.

Earlier this year our investigating subcommittee discovered certain problems in connection with the Sheridan tank program, and those surfaced in the press under the headline of the "billion-dollar boo-boo." And after this case came out, people said to us: Why did not the mem-

bers of the Committee on Armed Services find out this problem in advance?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STRATTON. Mr. Chairman, could I have 2 more minutes?

Mr. MAHON. Mr. Chairman, may I ask how much time we have left on our side?

The CHAIRMAN. The Chair will state that the gentleman has 3 minutes remaining.

Mr. MAHON. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. I thank the chairman.

People said to us, Why did not your committee find this out before the billion dollars were spent rather than after the billion dollars had been spent? I had to admit that was a pretty good question. We had not kept in as close touch with this Sheridan tank program as we should have. But here with the Tow missile is a case where we can lock the barn door before the horse is stolen rather than waiting until after the horse is stolen, to issue a report and then complain about the situation.

Here is a perfect opportunity for us to exercise our leadership and prevent the waste of \$1 billion, rather than pointing out the error after the taxpayers' money has been spent.

The strongest argument which the Army has for the Tow missiles is that it is urgently needed for ground troops in Europe to protect them against a massive Soviet tank threat. Now one wonders just how serious this threat is since the Army regarded it so lightly only a few years ago that they stopped producing its major antitank weapon, the M-60, and even started selling some of those in its inventory to non-NATO allies. Nevertheless, if the increased threat is as great as the Army says it is, then it should be pointed out that proceeding at the rate the Army proposes, we will only have 200 or 300 Tow launchers in Europe by the end of the next calendar year, and it will be 1974 or 1975 before we have that weapon fully deployed there. Yet the Army has on hand at this very moment the capability of putting 500 Shillelagh launchers into Europe almost overnight, since we have some 500 Sheridan tanks sitting around unused, in storage today, because they cannot fire their conventional ammunition, but are still fully capable of firing the Shillelagh missile. If we are really worried about an urgent threat, that would seem to be the fastest and best way to meet it.

As a matter of fact, the only real difference between Tow and Shillelagh infantry deployment in Europe is that we cannot have the Shillelagh fully deployed as an infantry weapon in Europe until about 18 months or 2 years later than we can have Tow deployed. Yet, since what we are talking about is a 1974 to 1976 time frame, if I read the papers correctly and the RECORD of this Congress, by that time we will be pulling many of our troops out of Europe rather than putting them in, and this would certainly apply to infantry handled weapons.

Tow is called an infantry weapon. But let me point out that it can only be man-

handled for a distance of about 200 yards. Beyond that it needs a jeep at least to carry it. So it is really not much more mobile than a Shillelagh fired from the highly mobile Sheridan tank.

So, Mr. Chairman, if we really mean what we say about preventing duplication and waste, and if we really believe that this Congress ought to be calling the shots on military spending rather than just rubberstamping the generals and the admirals, then we ought to go slow in funding the Tow system, at least until we have completed the additional research and the shootoff between the Tow and the Shillelagh which the House and Senate conferees directed in their report. I believe we ought to eliminate these funds today. I believe we should send 500 Sheridans with Shillelagh missiles to Europe immediately to defend against the Soviet tank threat, and then leave the decision about going down another billion dollar road for still another Army weapon until after we have concluded the careful examination which this House strongly recommended just a few weeks ago.

Mr. MOORHEAD. Mr. Chairman, I would like to commend Chairman MAHON and the members of the Appropriations Committee for their efforts on this year's military appropriations bill. They have brought about the largest reduction in the military budget since the end of the Korean war. Through their diligence, some \$5.5 billion has been trimmed from the budget—and in the words of the distinguished chairman—these are not paper savings. They are real savings to the taxpayers of the country.

Although the Appropriations Committee literally made history with its report, there is still much to be done toward returning the military budget to proportions that are reasonable in light of the other problems which this country faces.

But for now let me dwell on what the committee actually did and those tasks that remain to be accomplished.

There are two significant areas of reduction in weapons systems procurement:

First. The F-14 program was curtailed with \$129 million cut from the overall program.

Second. The shipbuilding and conversion program was curtailed by \$352 million.

These and the other minor cuts made by the Appropriations Committee in concert with the Defense Department are salutary. However, many of the original questions which I and many of my colleagues have had for over a year are left unanswered:

First. The ABM which created such dispute throughout the country with respect to its feasibility, necessity and wisdom remains untouched.

Second. The C-5A and the accompanying scandal still haunts us. Although I was impressed that the Air Force decided they did not need 120 C5's any longer—that they could perform their mission with only 81—I am still not convinced that they cannot do the job with their presently funded 58.

Third. The CVAN-69, the nuclear attack carrier appears of dubious neces-

sity in the years to come because of the rapid changes in technology, warfare, and our changing role in the world's security. Our only potential adversaries in the area of naval warfare—the Soviet Union—does not have a single aircraft carrier, while we maintain and renew our force of 23 attack and ASW carriers—a superiority, mind you of 23 to 0. Yet this remains untouched.

Fourth. The AMSA, the advanced manned strategic aircraft, that will add only marginally to our strategic and retaliatory forces, and which was not justified by the Department of Defense remains untouched.

All of these major programs and others were spared the scrutiny and the scalpel that was so deftly applied to the smaller weapon programs.

The lack of reduction in the larger weapon systems despite the fact that they have not been justified or that have been demonstrated to be procurement horror stories of the first magnitude remain the largest problem in defense procurement facing the Congress. The Appropriations Committee has, in effect, admitted this. They have castigated the Minuteman program for weakening our defenses. They have censured the DOD and the industry for gold-plating weapons systems. They have stated their displeasure with the C-5A program, its contracting practices, the overly optimistic estimates and the rest of this sordid tale. And they have, in effect, blasted the services for their slovenly management practices. Yet none of these large programs was touched despite the fact that they rob the taxpayers of many billions of dollars per year—far more than the amount they cut out of the bill. This is the remaining problem facing Congress, and this is the problem we intend to pursue when the new budget is submitted to Congress.

Mr. VANIK, Mr. Chairman although I would support a reasonable and understandable appropriation for the Department of Defense I must oppose the provisions of this \$70 billion bill. Frankly, it is impossible for a Member of Congress to make a fair and adequate appraisal for a commitment of this dimension in a single appropriation bill. The committee has made an effort this year for which it is to be commended, but the basic problem is the submission of an omnibus bill which lumps good with bad and necessary with wasteful, all under the guise of the national security.

In spite of the diligent efforts of the Appropriations Committee, this bill is filled with waste and extravagance of an awesome dimension. During his presentation in support of this bill, the chairman of the Appropriations Committee, the Honorable GEORGE MAHON, of Texas, stated that this bill also included carry-over appropriations totalling \$39.9 billion making available to the Department of Defense in this fiscal year a sum totaling almost \$109 billion. The availability of this kind of expenditure makes it completely within the power of the executive and the military services to determine the course of military spending. It would seem to me that Congress should insist on the power to place an overall ceiling on total expenditures in the current fiscal year if it is to make a proper assessment

of national security needs and domestic priorities. This is completely impossible under the omnibus bill which is submitted for our consideration today.

The essential information relating to this legislation, the hearings, were not completely available to Members of the House until last Tuesday, December 2. The decisions of the Subcommittee on Appropriations were not available to Members of the House until last Wednesday, December 3. It is insulting to assume that the membership of the House has had an adequate opportunity to review 5,947 pages of hearings and 102 pages of the report and form a responsible judgment on whether this \$70 billion appropriation should be approved or disapproved.

When the authorizing bill was under consideration, I opposed the granting of a blank check for defense. I supported amendments to strike out funds for the deployment of the anti-ballistic-missile system. I also opposed the addition of over \$1 billion for the construction of an additional carrier which was not requested by the President. This spending is wasteful and unnecessary evidence of commitments not related to the defense of our country.

I also opposed the \$481 million request for the procurement of the fourth C-5A Air Force squadron which was subsequently reduced in its size. While many of the procurements for research and development contained in this bill deserve our earnest support, others raise serious questions of need, cost, duplication, waste, and inefficiency. Some programs are outrageously ill conceived and should be rejected outright.

Since this appropriation bill includes wasteful and unnecessary appropriations for so many questionable programs, I feel that this bill should be opposed until it can be cured of defects which I consider of important relevance to the security of America and the taxpayer interest.

If we are to prepare an adequate defense, if we expect to win the fight against inflation, if we are to respond to our responsibilities as members of this legislative body, now is the time to begin.

Mr. MONAGAN, Mr. Chairman, I support H.R. 15090. In the present state of the world, it is necessary that we have a Military Establishment and that this establishment be furnished with equipment that is adequate to meet any reasonably foreseeable threat to our security. This objective would be adequately served by the present bill.

At the same time, this bill is significant in its substantial limitation of military activities and the committee which voted out the bill has shown a welcome willingness to cut appropriations when it deemed this course possible and to view with critical eye all the requests of the military.

I have never believed that military recommendations should be accepted without the exercise of independent congressional judgment any more than I believe that the military policy should shape the course of our Nation. From the beginning of our history, our national policy has held the military under civilian

control and I believe that this has been a sound policy and should continue. Surely, the military plays an important and irreplaceable part in the life and security of our Nation, but neither the military nor the Nation would be served by permitting undiluted military policy to dominate our national thinking.

This bill cuts appropriations \$5.3 billion below the revised budget estimates and \$7.7 billion below the original January estimates. More significantly, it represents a cut of \$4.4 billion below the 1969 appropriations. Cuts in requests are not as vital as cuts in actual appropriations amounts. These cuts are substantial since the appropriation is cut 6 percent, but I hope that they will not be the last word and that we shall be able to continue to make these reductions. I trust that the words of the committee report will be prophetic when they state:

Further withdrawals of U.S. forces may make additional funding reductions possible during the remainder of this fiscal year.

Mr. FRASER, Mr. Chairman, I shall vote for this bill in view of the substantial cuts made by the committee. My vote indicates approval of the \$5 billion reduction, but does not extend to many items included in this appropriation. The ABM and a number of other weapon systems which the bill finances should have been eliminated or deferred. I favor an early end to our involvement in the Vietnam war. This will finance that involvement as well.

Yet my views on these weapon systems and upon Vietnam have been made clear by other votes, some of them against authorizations for military spending. Since we have debated and discussed these questions earlier, I am not surprised that the Appropriations Committee elects to fund them now.

The significant aspect of this bill—the welcome surprise—is in the substantial savings effected. This kind of reduction must become the trend over the long term. We must not permit unrestricted demands for new military hardware to eat away at resources needed for more peaceful and constructive uses at home and abroad.

The debate which the House engaged in when the military procurement bill was under consideration must be continued. So must efforts to reduce manpower totals. So must efforts to trim unnecessary units from our forces.

The United States needs an adequate deterrent and effective conventional forces of modest size. I believe we can buy the national defense we need for funds totaling much closer to \$50 billion a year than the present figures. As Vietnam recedes we must press for this result. In the meantime I commend the committee for its actions in reducing the military budget without impairing our security.

Mr. BINGHAM, Mr. Chairman, I want first to commend the Committee on Appropriations, and particularly the Defense Subcommittee, for much that they have done on this legislation—the fiscal year 1970 Defense appropriation bill. This is an enormous piece of legislation in terms of the number of programs for which it provides funding and the total

amount of funds it contains. With a price tag of nearly \$70 billion, it is one of the biggest money bills ever to come before this House, and the task of conducting a careful review in committee was, I am sure, similarly enormous.

I am gratified by the magnitude of the total cuts imposed by the committee—\$5,318,000,000 from the latest budget estimates, and \$7,780,152,000 from earlier budget estimates. But more significant than the size of the cuts, it seems to me, is the magnitude of this appropriation in comparison with the 1969 budget. The total funds proposed to be allocated in this legislation amount to nearly \$4.5 billion less than the 1969 appropriation. I think we are long overdue for a change in the trend of military expenditures, which has been steadily and precipitously moving upward over the past several years. I sincerely hope that this marks the beginning of a steady and even precipitous downturn in our expenditures for military hardware and personnel in the future.

The committee has acted commendably by exercising caution on several new weapons systems. During consideration of the Military Procurement Authorization, I proposed that we implement additional research and development on the new F-14 Navy fighter, at least to the point where we have completed some flight tests of the aircraft and its various component systems, before we take it into production. I therefore proposed that the \$275 million for the first six production models of the F-14 be deleted from the fiscal year 1970 budget, and that we refrain from authorizing or appropriating such funds until we have flight tested this very complex and innovative aircraft.

I was permitted only a few moments to defend that amendment during the debate on Defense procurement, and it was defeated. Apparently, however, the Appropriations Committee took note of the caution flags raised on the F-14 program, which follows hard on the heels of the F-111 fiasco which ran up such large cost overruns. The committee has deleted the very same \$275 million for F-14 production that I urged be deleted, adding \$146,000,000 for three additional R. & D. models.

I wholeheartedly endorse the strong language used by the committee concerning the scandalous inflation of final weapons costs over initial estimates. I particularly agree with the committee that one of the major reasons for these immense and costly overruns is the "tendency to move too fast into production even before development and testing has reached the point where a reasonably intelligent decision to enter into production can be made." It was this weakness in our approach to defense buying that I was trying to get at with my amendment on the F-14, and I feel the committee has done the American public a great service by recognizing this problem not only with regard to the F-14, but also other proposed new weapons systems.

Now, there are several aspects of this legislation which I find disturbing, and I must note from the outset that I think these negative items in the bill outweigh the encouraging aspects I have mentioned.

For reasons I have often stated before, I share the opposition expressed by 10 members of the committee to the appropriation of \$359.5 million for deployment of the Safeguard ABM system.

With the SALT talks currently underway in Helsinki and showing signs of possible fruitfulness, it would be especially foolish for us to begin deployment of an ABM system now. With almost no risk whatsoever, we could postpone such a move until we have had a chance more fully to explore the possibility of reaching agreement with the Soviets to control this and other destabilizing strategic weapons systems. I must take strong exception to the presumption of the Committee on page 8 of its report which argues that, because the SALT talks are "preliminary in nature, there is no reason to believe at this time they will have any impact on the fiscal year 1970 Defense budget." The report goes on to say:

If a safe and meaningful limitation on strategic weapons were to be agreed to, the budgetary impact would be felt in future years.

That may well be true. But it is not, in my view, a convincing argument for moving immediately to deploy a new weapons system such as the ABM. Not only may these deployment funds be wasted if we later reach restrictive agreement with the Soviets on ABM, but immediate deployment will also make such agreement more difficult to reach.

For these reasons, I intend to support the efforts I understand will be made by a member of the Appropriations Committee, the gentleman from Illinois (Mr. YATES), to amend this legislation to delete the deployment funds for ABM.

In light, also, of the SALT talks which are now underway, I think it is tragic that this legislation is based on a continuation of the philosophy that, in the committee's words:

This country must maintain its military superiority over any other nation.

Adoption of such a philosophy will doom any arms limitation talks to failure and thus will accelerate the arms race, not dampen it.

In the testimony—just released last week—before the committee, Air Force Chief of Staff, Gen. John D. Ryan stated that the United States is working to develop "hard-target killer" MIRV's. This statement will doubtless be construed by the Soviets to the effect that we are seeking to develop a first-strike capability. General Ryan's unsettling statement is in contrast to what the DOD told the House Subcommittee on National Security Policy and Scientific Developments; in its report on MIRV testing, that subcommittee noted:

DOD witnesses testified before the subcommittee that the objective of U.S. MIRV's is to assure penetration of Soviet ballistic missile defenses, a second strike mission which does not require high accuracies.

To talk about "hard-target killers" is clearly something else again.

I was the first Member of Congress to call a suspension of flight testing of MRV's prior to the commencement of the SALT talks, and I am disturbed that this legislation contains funds for continued testing without even the most minimal, nonrisk restrictions to demon-

strate our good faith in attempting to reach some agreement with the Soviets on MIRV's. I am even more disturbed, however, by the continuing contradictions in administration statements concerning the purposes and capabilities we are pursuing in the development of these highly provocative and destabilizing weapons. In my view, we have much to gain and nothing to lose from refraining from further MRV flight testing while the SALT talks are getting off the ground, and there is no justification for the development of MIRV's with a hard-target capability that will cast doubt on their deterrent function and force the Soviet Union to suspect first-strike intentions. To the considerable extent that this legislation contradicts these considerations, I feel compelled to vote against it.

I am disturbed by the large proportion of these funds which are likely to be used by the Defense Department and the individual services to propagandize the American public. I have noted the evidence on this matter which Senator FULBRIGHT has revealed in the past week, and I have done some investigating myself. It seems clear that as much as \$27,000,000 was expended in 1969 by the various services for public relations and public information. A significant portion of these funds provide the materials and manpower with which the armed services, in effect, promote their own goals, programs, and policies.

Until 1959, strict limits were included in the Defense Appropriations bills on the amount that could be devoted to public relations and public information. In 1959, that limit was \$2.7 million. During the 10-year absence of such limitations, this expenditure has swelled 1,000 percent, to at least \$27 million. That is the admitted figure and the real figure is probably much higher.

While this wasteful and improper use of funds is not of such magnitude that it would justify opposing this legislation, I do feel that it is of more than sufficient import to require immediate attention and remedial action. With that in mind I intend, at the appropriate time, to offer an amendment to limit to \$10,000,000 the amount of funds in this act which may be devoted to public information and public relations activities. This amendment, I feel, is necessary despite the cuts totaling \$4,955,000, made by the committee in the public information and public affairs budgets of the respective military services.

In addition to the various other unnecessary and, indeed, undesirable items of expense, this bill, of course, also provides billions of dollars for a seemingly unlimited continuation of our tragic military involvement in Vietnam.

This bill, therefore, runs counter to the views which I have previously expressed here in relation to the need for much more drastic steps to extricate ourselves from Vietnam than have yet been taken or seem to be envisaged by the President or the Appropriations Committee.

For all of these reasons, I shall vote against H.R. 15090.

Mr. SCHEUER. Mr. Chairman, I oppose this bill. Though the Appropriations

Committee deserves praise for its scrutiny of H.R. 15090, I believe further cuts are possible without causing any danger to our national security. For the carelessness Ernest Fitzgerald revealed about the C-5A is surely not exceptional in Pentagon planning.

Many Members have questioned the effectiveness of our spending in the war against poverty—and properly so. But cannot we recognize that mistaken judgments in a single Department of Defense program are frequently responsible for cost overruns greater than the entire budget appropriated for the Office of Economic Opportunity?

Today, I am questioning more than the ultimate use of our defense money. I am also questioning the administrative policies of the Department of Defense.

For years we have been told that "efficiency" and "cost-effectiveness" are the hallmarks of our defense spending. And yet, what does the history of the Defense Department cost estimates actually reveal? The cost of the missile systems of the 1950's and the early 1960's was 3.2 times the original estimates. Initially, the cost of the Air Force's manned orbiting laboratory was estimated at \$1.5 billion. The most recent estimate was \$3 billion. Equally grave miscalculations were made for the Sheridan armored vehicle, the Cheyenne helicopter, and countless other weapons.

Indeed, incidents of faulty planning are becoming more common, and apparently, more acceptable in the Pentagon. Last week the chairman of the Senate Armed Services Committee announced that the Navy's Mark-48 torpedo program has a cost growth of 395 percent over the original estimate. The House Appropriations Committee report on H.R. 15090 has labeled 1969 "The Year of the Cost Overrun."

Of course, some of the higher cost can be explained by inflation and improved technology. However, the House Appropriations Committee has declared that 49.2 percent of the cost increases is due to revision of estimates, something that any private business would avoid as a matter of policy. Indeed, any company that used equally lax managerial practices would soon go bankrupt.

Some immediate action must be taken. The contractors must become accountable for their original estimates. There must be an increase in competition for contracts. For years the Defense Department officials have told us that savings of at least 25 percent can be realized through competitive procurement practices. Yet, within the past 4 years there has been a decrease in competition. In 1966 50 percent of the total military procurement was awarded competitively. In 1968, the figure was only 42.1 percent.

The need for reduced military spending is glaring. Our Nation's internal problems are clamoring for treatment and funds. The air we breathe in our cities is endangering our health. Our cities' schools are becoming market places, not of ideas, but of crime and narcotics. Inflation is hurting the middle class as well as the poor.

Mr. Chairman, while our country's domestic problems have been worsening, 35 defense weapons programs have overrun

their original estimated costs by 19.9 billions. Until we end the war in Vietnam, until we clean our air and our waterways, until our cities receive adequate funding, until we bring military expenditures under rational, hard-headed cost controls, I cannot favor the military appropriations bills brought before this House.

This Nation must begin to establish a set of rational priorities. No longer can we allow our military spending to continue to dominate our entire national budget.

Mr. RYAN. Mr. Chairman, although the Appropriations Committee has reduced the administration's budget request of \$75.2 billion by \$5.3 billion to \$69.9 billion, the military budget reflects the serious imbalance in our national priorities and underwrites the war in Vietnam. The Appropriations Committee estimates that some \$23.1 billion appropriated by H.R. 15090 will be allocated to the Vietnam war in fiscal year 1970.

As in the past, I again point out to the House that the only way to change the policy in Vietnam is to refuse to finance that tragic war. From January 1, 1961, through November 29, 1969, 39,642 American lives have been lost through hostile action in Vietnam. As long as the House votes the funds and supports the administration's policy, as it did last week by a vote of 333 to 55, it must bear its share of responsibility for the continuation of the war. Therefore, I cannot in good conscience support this bill.

In opposing the bill, no Member of Congress is denying that an appropriate amount of funds should be appropriated for the legitimate defense needs of the Nation. Instead, opponents are critical of a bill which is the result of the outdated assumptions of the cold war, the expansive growth of the military-industrial complex, and the war in Vietnam.

The Congress has failed to exercise its responsibilities and has constantly voted in favor of military budgets with little, if any debate; and those critical of the budget receive only nominal support. This abdication of responsibility by the Congress has permitted a growing concentration of critical policy decision to be made in the executive branch.

An area of the bill which is of particular concern is the proposed anti-ballistic-missile system. This bill provides \$799.4 million for the Safeguard system: \$400.9 million for R.D.T. & E., \$345.5 million for procurement, \$23.2 million for operations and maintenance, and \$9.8 million for military personnel.

In the past, I opposed funds for the deployment of the Sentinel system, and I have the same basic objections to the Safeguard which I outlined on October 2, 1969, when the military authorization bill was before the House.

ABM deployment threatens to upset the present delicate strategic balance, encourage escalation of the arms race, and impair the U.S. position at the strategic arms elimination talks in Helsinki.

In addition, the moneys being used to fuel the fire of the spiraling arms race only add to the inflationary pressures on the economy. Certainly, these funds could be better used to help solve some of our critical domestic problems.

Ten of the members of the Appropriations Committee, in separate views in Report No. 91-698, expressed their opposition to the funds appropriated for procurement, operations and maintenance, and personnel which total \$359.5 million. They question the appropriation of funds for deployment before the research, development, and evaluation has been made and point out how much waste in military spending has resulted from appropriations of funds for deployment at the same time as funds for research and development.

To provide funds now for deployment risks huge overruns on a system which is presently slated to cost over \$8 billion.

Mr. Chairman, I would like to mention one item for which funds have been cut—the manned orbiting laboratory. For years, I have pointed out that the MOL duplicated a NASA program. A year ago, the Secretary of the Air Force refused to brief Members of Congress on the project. In September of 1968, I introduced an amendment to the DOD appropriations bill to reduce the military budget by 8.5 percent. Included in the amendment is the deletion of \$550 million for the MOL.

Although my amendment was not adopted, the Defense Department has now abandoned the MOL because, in its words, of "first, continuing urgency of reducing Federal defense spending and second, advances in automated techniques for unmanned satellite systems.

This is an example of the kind of waste that Congress has allowed in the past. The money for the MOL could have been used to feed the hungry, build adequate housing, provide better health and medical care, and permit every American child the opportunity to receive an education. These are goals for which we should be striving.

The imbalance in our priorities is clear. H.R. 15090 appropriates almost \$70 billion to the military, while our domestic social programs are starved.

That I cannot justify.

Mr. MIKVA. Mr. Chairman, I will vote against the fiscal year 1970 Department of Defense appropriations bill for three reasons. I do this with some reluctance because of the already sizable cuts made by the Appropriations Committee and the members of the Defense Appropriations Subcommittee. I believe that the committee, chaired by the distinguished gentleman from Texas (Mr. MAHON) and the subcommittee, also chaired by him, have done an impressive job in reducing the inflated size of the DOD budget. I want to make clear that my voting against this bill has nothing to do with any of the cuts which the committee has made.

Rather, my opposition to this bill is based on three items which indicate how totally out of proportion to the real defense needs of this Nation the present \$70 billion Pentagon budget is. The first of these unjustifiable "unnecessaries" is the Safeguard anti-ballistic-missile system. This bill, H.R. 15090, contains almost \$400 million of taxpayers' money to deploy the ill-advised ABM. Not only is the ABM a waste of taxpayers' money because of its doubtful efficacy, it is a positive danger to American

security because of the threat it poses of further escalation of the nuclear arms race between ourselves and the Soviet Union. When I consider that the need for the ABM has not been convincingly demonstrated, that we have no proof that it will even work, and that we will never be able to effectively test it as a weapons system, I simply cannot justify casting a vote to spend the money on this monstrous military miscalculation.

The second reason that I feel compelled to vote against this appropriations bill is that it contains substantial sums to support the war in South Vietnam. As I have said elsewhere, my own belief that the way to end the war in South Vietnam is to begin immediately the complete withdrawal of all American forces and to complete the withdrawal as soon as a move involving so many men and so much material is possible. But the present bill contains funds to support the present policy of indefinite delay in the withdrawal of American forces. It contains funds to continue the participation of American military forces in a war which most citizens have long ago decided was a mistake from the beginning. It contains money to continue the fighting and the dying by Americans in that land so far away from our shores and so remote from our national interests. I cannot support a bill which provides money for these purposes so at odds with the national interest of the United States.

Finally, I must vote against this appropriations bill because it continues to provide funds for military manpower which far exceeds the real needs of this country. Although that number has been lowered from 3.46 million men at the beginning of this year to something under 3.3 million by the end of fiscal 1970, we still have on active military duty far more men than are required to serve the security needs of this Nation. What is even more disappointing than the excessive number of men is the reluctance of this Congress to assert its constitutional prerogatives to determine the size of the Armed Forces.

It is difficult to think of a congressional responsibility which is more clearly spelled out in the Constitution than the duty to determine the size of America's Armed Forces. Yet for almost 20 years we have left the job of sizing U.S. forces to the men who command them—the generals, admirals, and military planners of the Pentagon. I cannot endorse this abdication of congressional responsibility by voting for funds to support troop levels which have never been adequately justified to Congress. Until our force levels and the number of men on active military duty are reduced to levels more consistent with our real security requirements, I cannot support a bill which provides funds at grossly exaggerated force levels.

Mr. Chairman, no Member can lightly vote against a bill which provides funds for the defense of the United States. But when such a bill provides so much more money than is really required that it both distorts the economy of this country and robs the Government of resources to meet the pressing domestic

needs of America, then I feel compelled to cast my vote "No."

Mr. MINSHALL. Mr. Chairman, I have no further requests for time.

Mr. MAHON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1970, for military functions administered by the Department of Defense, and for other purposes, namely:

Mr. YATES. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 305]

Abbutt	Foley	O'Neal, Ga.
Adair	Fraser	Ottinger
Andrews,	Fulton, Tenn.	Patman
N. Dak.	Gallifanakis	Pepper
Baring	Gallagher	Peage
Bell, Calif.	Gettys	Podell
Betts	Glaimo	Powell
Bingham	Green, Oreg.	Price, Tex.
Blackburn	Griffin	Reid, N.Y.
Boland	Halpern	Reifel
Bolling	Hammer-	Riegle
Brademas	schmidt	Robison
Brotzman	Hanley	Rogers, Colo.
Brown, Calif.	Hays	Rooney, Pa.
Buchanan	Hébert	Ruppe
Bush	Hollifield	St Germain
Cahill	Horton	Scheuer
Celler	Hosmer	Smith, Calif.
Chisholm	Jones, N.C.	Smith, Iowa
Clark	Karth	Smith, N.Y.
Clay	Kirwan	Staggers
Cowger	Landrum	Steiger, Ariz.
Cramer	Lipscomb	Tiernan
Daddario	Long, La.	Tunney
Dawson	Lukens	Ullman
Dingell	McCarthy	Utt
Edmondson	McDade	Whalley
Edwards, Ala.	Macdonald,	Wilson,
Edwards, La.	Mass.	Charles H.
Ellberg	Mailliard	Wright
Farbstein	Meeds	Wylder
Fascell	Michel	Young
Findley	Nichols	
Flowers	O'Hara	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 15090, and finding itself without a quorum, he had directed the roll to be called, when 337 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal. The Committee resumed its sitting.

The CHAIRMAN. The Clerk will continue reading.

The Clerk read as follows:

#### TITLE I

#### MILITARY PERSONNEL

#### MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for

members of the Army on active duty (except members of reserve components provided for elsewhere); \$8,312,000,000.

#### AMENDMENTS OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer several amendments.

The Clerk read as follows:

Amendments offered by Mr. YATES: On page 2, in line 10, strike out "\$8,312,000,000" and insert in lieu thereof "\$8,308,000,000".

On page 6, in line 19, strike out "\$7,214,447,250" and insert in lieu thereof "\$7,204,447,250".

On page 15, in line 6, strike out "\$4,281,400,000" and insert in lieu thereof "\$3,935,900,000".

Mr. YATES. Mr. Chairman, all the amendments that have been read relate to the principal amendment of striking out deployment funds for the ABM.

I ask unanimous consent that all three may be considered en bloc at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. ARENDS. Mr. Chairman, we cannot hear the gentleman. Will the gentleman repeat his request.

Mr. YATES. Mr. Chairman, my amendments relate to three different sections of the bill, all of which are related to the deployment of funds for the ABM. I ask unanimous consent that they may be considered en bloc at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The gentleman from Illinois (Mr. YATES) is recognized.

Mr. YATES. Mr. Chairman, I ask the Members of the House to take a look at the committee report because they will see one of the few instances when dissenting views are filed to the report of the Committee on Appropriations. You will note that 10 members on the Committee on Appropriations—20 percent of the entire membership of the committee united in opposing funds for deployment of the ABM.

At the start of the debate today, my good friend, the chairman of the committee, the gentleman from Texas (Mr. MAHON) spoke of cost overruns, and he also talked about the evil of concurrency. He must have had the Safeguard ABM in mind because there will be substantial overruns in the future.

My arguments in opposition to the deployment of the ABM are taken from the report and hearings of the committee.

On page 48 of the committee report, you will see what to many may be a new word—the word "concurrency." That word refers to an obnoxious practice, the practice of the Department of Defense in conducting research and deployment or production at the same time. This practice has resulted in the waste of hundreds of millions of dollars. Programs that come readily to mind of such concurrency and the evils that flow from it are the F-111 program, the Sheridan tank program; there are many others that could be cited.

There is one that I would like to tell you about.

I want to tell you about the so-called DASH helicopter program, which is de-

signed to fly from a ship or base, detect an enemy submarine, and destroy it.

The DASH helicopter program, since 1960, has lost 362 out of the 746 helicopters which were procured under a concurrency program, lost, because they were made prematurely, made and used before they were ready, without even an emergency. Some of the helicopters remain on station today. The rest are in storage, presumably for good—another example of the so-called concurrency program. That is why I oppose ABM today, because the ABM program may be another example of deployment that is premature.

Those of us who opposed deployment, as you will see by the report, favor continued research on the program, and funds are present in this bill for such continued research.

We are also opposed to this program because we consider it to be ineffective. I suggest you may wish to read page 387 of volume 4 of the hearings, where the gentleman from Texas (Mr. MAHON) asked the witness, General McNickle, this question:

General McNickle, do you feel that the development of an effective antiballistic missile system is feasible within the current state of the art?

That is the \$64 billion question. What did General McNickle say? He said:

Yes; I think proof of that is what we have been able to do with our space programs.

Not any statement that the ABM's have been effective, not any statement that they have been shooting missiles out of the skies with an ABM missile program, but he says that we have done this so well in the space program, we have faith we will be able to do as well with the ABM system. It cost \$21 billion to put a man on the moon. Will it cost that much to put an ABM missile into the sky?

Then Mr. MAHON repeated the question, because he was not satisfied with the answer. On that same page, Mr. MAHON said:

Do you foresee that we could develop a totally effective defense against the ICBM?

General McNickle. If totally effective means stopping all incoming warheads I think there will always be some that would get through under any circumstances that you talk about, sir.

Some would get through. How many incoming nuclear-headed missiles would have to get through in order to destroy the targets? How effective is an ABM system that does not shield this country from incoming missiles? Yet the proponents of the ABM system say that deployment will protect this country from any kind of serious or determined attack from the enemy.

So, Mr. Chairman, it seems to me, if we have a high regard for the taxpayer and for avoiding premature military programs of the type that have cost hundreds of millions of dollars without bringing any measure of security to the Nation, we must stop deployment of the Safeguard ABM. I urge the Members of the House to support my amendment.

Mr. PELLY. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, in connection with the

Department of Defense appropriation bill, I have given much thought as to the advisability of providing funds for the Safeguard anti-ballistic-missile system. The amount as stated on page 11 of the report shows a total of \$779.4 million, including \$400.9 million for research and development and \$359.5 million for deployment.

Deployment of the ABM system will be one of the subjects to be discussed by the Soviet Union and ourselves at the important disarmament discussions now being held in Helsinki, Finland. These discussions will include nuclear offensive and defensive missiles.

Earlier this year I had hoped for a delay in deployment of the Safeguard system, at least until after these talks, but I must say now it would hardly be appropriate; in fact it could well be most unwise for Congress to act in any way to prejudice the position of our negotiators. Certainly the President will control expenditure of these funds, and if he sees any hope of an agreement with the Russians of halting deployment of ABM's he will take appropriate action to defer expenditures. He will do so if he decides it can be done consistent with national security.

And, frankly, it may well be that because of Red Chinese capability in the nuclear missile field, the Soviet Union will not find it expedient to agree to ban defensive missiles but rather would prefer to limit offensive missiles where admittedly both nations have a huge overkill capability.

However, at this late date, as I said, Congress should not intervene while talks are going on, and therefore I must put my trust in the President. And, I do trust him. These funds have been previously authorized by Congress, and now I believe the money should be made available and included in this bill, even though many of us here today fervently hope it will not be spent.

In my opinion, nothing we do must in any way jeopardize the discussions to halt the suicidal nuclear arms race. Therefore, Mr. Chairman, I do not support this amendment to limit the use of funds for the ABM, although I do sincerely hope both Russia and the United States will mutually agree to ban this weapons system which many scientists say will not work and which could indeed boomerang and prove to be a weapon of self-destruction.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, does not the gentleman believe if the House approved the amendment I offered, that could give notice to the Russians that Congress does favor curtailment of these missiles systems that are costing so much to both our nations and that it would give impetus to the talks to stop this never-ending arms spiral with its accompanying tensions?

Mr. PELLY. Mr. Chairman, I would say to my friend, the gentleman from Illinois, that I believe the proper negotiations should be conducted by the executive branch, and it is not well for us here

in the legislative branch to undertake to twist the arm of anyone or indicate our position.

Certainly the Soviet Union knows just as well how some of us feel about this ABM system. We do not need to take action here today to let them know we want to cut this suicidal nuclear arms race. I commend the gentleman for his interest in that field, because I share it.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Chairman, the Russians are in a little different situation than we are, having already deployed the missile system, I am sure they would look on any action by this House to withdraw from deployment, with a great amount of satisfaction.

Mr. YATES. Mr. Chairman, will the gentleman yield on that point?

Mr. PELLY. Mr. Chairman, I yield to the gentleman from Illinois if he wants to respond.

Mr. YATES. Mr. Chairman, I do want to respond. One has only to look at the interrogation by our chairman of Dr. Foster, of the Department of Defense's R. & D. department, in last year's hearings to see that Dr. Foster is not at all concerned with the deployment by the Soviets of the so-called Talinn and Galosh ABM systems, because our missile strength could overwhelm them at any time. They are woefully inadequate systems and from the testimony, ours will be no better.

Mr. PELLY. Mr. Chairman, I wonder how much the Soviet Union worries about our ABM and how successful that might be.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we could discuss the question of whether or not we should deploy the anti-ballistic-missile system program for hour upon hour, however, a major portion of the time of this session of the Congress has already been devoted to the discussion of this question. I see no point now in a complete, fullscale debate of this problem at this time.

I can understand the gentleman from Illinois in offering his amendment. No doubt, he knows the amendment will be defeated, but he maintains his position by offering the amendment—which is understandable. But I think, Mr. Chairman, we all have made up our minds as to how we are going to vote. There is no use in having a complete replay of this issue.

I think most of us are convinced that it is well to go forward with only two sites, one in North Dakota and one in Montana, and we have been working to that end.

We have been working on the anti-ballistic missile for 14 years. In 1962 we made our first intercept of a ballistic missile, then designated in the Nike-Zeus program.

We have worked on the development for years and years and years. The time has come to move to deployment on this program. We do not know in fact, and with great precision, where it will lead. We know it is very expensive.

We hope some kind of agreement can

be reached for a slowdown in the arms race. We hope we can slow down the production of strategic weapons and perhaps abandon the whole ABM program, but we should not do it unilaterally.

I would hope that the Members could extend their remarks in the RECORD, or refer to remarks made previously in the session, and go ahead and vote on this issue. We all know what our views are and how we are going to vote.

I do not want to preclude debate, but I do believe we should move forward in view of the very busy schedule of the House this week.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. YATES. I was going to say, Mr. Chairman, the excellent report of the committee gave those who oppose the deployment of the ABM additional ammunition in support of their position.

My position is against concurrency, and what is proposed by Safeguard deployment is a concurrence of research and deployment.

The gentleman from Texas well knows there has been allocated for future years more than a billion dollars for research on this missile system. I believe it is foolhardy to start deployment when research necessary to precede deployment is not complete.

Mr. MAHON. With respect to concurrency, concurrency means to start the research and development and at the same time proceed with production of the weapon.

Since we have worked for more than a decade on this program under research and development, and since it is a matter of the highest priority with the administration, as it was with the previous administration, and with a majority of the Members of Congress, it seems to me that we must now move forward.

With respect to concurrency, if we had all the time in the world we could avoid concurrency in proceeding with a system. We have waited a long time before deploying this system, and are making a minimum deployment. We have to do some deployment to know whether or not the ABM system as a whole will be workable.

I have grave doubts as to whether or not it will ever be totally effective. I do not know of any missile we have ever developed for any purpose, including intercepting aircraft, that is totally reliable. But because we do not have the perfect answer is no reason why we should not proceed.

The time has come to proceed with a limited deployment in order that we can know more precisely where we are. It would seem to me that it would not be to our advantage, as we proceed with the SALT discussions, for us to limit our resolve or to reduce our efforts in this field at this time. Our negotiators need the solid backing of the Congress at this time and in my judgment they will have the solid backing of this Congress, the overwhelming backing of the Members of the House.

Mr. COHELAN. Mr. Chairman, I rise in support of the amendments.

Mr. Chairman, I rise in support of the amendments of the gentleman from Illinois (Mr. YATES). Those who have followed the ABM debate know that I was among the earliest opponents of this system. In all the subsequent debate I have retained my serious doubts about the technical and strategic arguments used to justify this complex weapons system.

As has been pointed out on numerous occasions, there is grave concern whether the ABM can accomplish its task. First, can it intercept incoming missiles of a total first-strike effort; and second, if it can intercept these missiles, will it pollute the atmosphere to such a degree that we have, in effect, just temporarily delayed the effects of an all-out nuclear exchange? Also there is grave question of the basic assumption of the need for ABM, the first-strike capability of the U.S.S.R., is or will be present.

This is not the time to go through a lengthy discourse on the ABM, but to ask a rather simple question: Is this the proper time to allow the deployment of an untested, complex and expensive weapons system? I think the answer is "no."

In the supplemental views which I signed, there was reference to the majority committee view, that the "concurrency between research, and development and production" was not desirable. The majority correctly pointed out that there should be two distinct phases. One for research and development and then production and deployment. Why not apply the same analysis to the ABM? For all the talk and justification of proponents of the ABM there is very little data to suggest that the ABM is operational. In the absence of such proof, why commit deployment funds?

This amendment answers this question in a positive and constructive way. It allows the appropriations of \$400.9 million for research, development, testing, and evaluation, but would, in effect, remove the \$359.5 million that will be used for deployment. I must point out that I do not feel that R.D.T. & E. requires the full-scale construction of two ABM complexes in the continental United States. In fact I feel that accurate testing; that is, using missiles to intercept missiles, can only be done at the Kwajalein Islands test site.

My objection to this deployment goes beyond a generalized concern for waste in our defense effort. We must realize that this initial commitment is but a small portion of the total price tag of this questionable project. The most conservative estimate is that it will cost \$10 billion more than is available under this year's budget constraints for our cities, open spaces, education, and welfare. This is a glaring example of our mistaken priorities and some small effort can be made to alter these priorities by confining the ABM to these priorities by confining the ABM to a research and development effort.

Another compelling reason to defer deployment at this time relates to the continuing progress at the arms limitation conference in Helsinki.

These talks began after the fiscal 1970 procurement authorization was passed,

and the debate on the ABM at that time did not consider the impact of deployment on ongoing discussions.

Two facets must be considered. The first is that we should do nothing now which could hamper successful negotiations on arms limitation. The second is that a meaningful arms limitation agreement—formal or informal—will include strictures on ballistic missile defense deployment. I am optimistic that we may be on the road to such agreements, but recognize that an agreement will be increasingly harder to find as deployment of such missiles progresses.

We have heard the numerous arguments asking for delay of deployment on technical grounds. I subscribe to these arguments. But to those reasons we must add the effect of deployment on arms limitation.

At this time the arguments are most compelling for a self-imposed halt in deployment funding until we see where we are going, both technically and politically.

Mr. MAHON. Mr. Chairman, when we return to the House I shall ask that all Members may have permission to revise and extend their remarks on the subject of ABM at this point in the RECORD. I hope we could now limit debate or else vote on the issue.

Mr. RHODES. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. RHODES. Mr. Chairman, the gentleman from Illinois made some points about the fact that for this system we are asking research, development, test, and evaluation funds of \$400.9 million. The implication seems to be that if we need R.D.T. & E., the system is not developed to the point of deployment.

Mr. Chairman, the Defense Department asks for R.D.T. & E. funds for weapons systems which have been in operation, in procurement and deployment, for years. We never quit R.D.T. & E. on a weapons system, and that is the reason we have been able to improve and upgrade so many of the systems which we now have. That is the reason we do it. There is nothing unusual about asking for R.D.T. & E. funds in a situation like this.

Mr. Chairman, we have researched and developed this system to death. The only thing that remains now is to put the system together in order to make sure that it works. This requires limited deployment. We are going to deploy at only two locations. It is not a full deployment by any means. It is not intended to be. Further deployment decisions will be made at the proper time and when the necessity arises. But the fact remains that the Russians have already deployed what they call an anti-ballistic-missile system. It makes no difference whether it is a perfect system or whether it is not. Certainly, the system which we develop will not be a perfect system after the deployment.

Hopefully, however, we can progress with R.D.T. & E. to make it better. But I defy anyone to name a defensive system which will be 100 percent successful to overpower the offense. You will never have a defensive system which will keep

intercontinental ballistic missiles from landing on our shores if someone fires enough of them. However, the main thing is to keep them from being fired. So, the main element we seek is the deterrent effect, which is an extremely important factor. This is why the whole system is worth the money. If the first missile is fired, the game is up—probably for all our civilization. The thing we must do is to keep that first missile from being fired.

Mr. Chairman, as all of us know the Russians have played an international game of poker with us. They are great poker players and great chess players. They think they have an anti-ballistic-missile system. This is the most dangerous fact I know of. They think we do not have an anti-ballistic-missile system and this is the second most dangerous thing I can think of. They could try to parley these two facts into an international game of blackmail which could be disastrous to our system and to our Nation.

Mr. Chairman, I think we should bear in mind today that the Safeguard system can end up with giving us a credible anti-ballistic-missile system to keep this country from having to sustain an attack from abroad. I think it is absolutely necessary that we do this and proceed with it. I hope that we will, proceed to vote this amendment down and proceed to deploy an anti-ballistic-missile system. Mr. Chairman, this is the only type of language which is really understood by the people who are unfortunately now our adversaries.

If we can have talks in Helsinki or some other place and some plan will come into being to keep them from being an adversary, I will be the happiest person in the world. But in order to keep them from being an adversary we must get the point across to them that after once marching up the hill insofar as deployment is concerned, we will not then march back down the hill again, in a unilateral act. Let them destroy their ABM system, and if they do, I would then be in favor of refraining from deploying ours.

Mr. REUSS. Mr. Chairman, I move to strike the requisite number of words.

Does the gentleman from Illinois desire me to yield to him?

Mr. YATES. Yes; will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. YATES. I merely want to say in response to my good friend from Arizona who refused to yield to me during his time, the arguments he makes in favor of the anti-ballistic-missile system were made last year to sustain the so-called Sentinel system by the proponents of that system in order, as they said, to protect the people living in the cities. Now, President Nixon earlier this year exploded that thesis completely. He said Sentinel could not protect people in the cities and he cancelled that program. However, the same proponents of that system now make the argument that the Safeguard is much better. How the same system can be better by a mere change of name escapes me. The arguments that were made last year for Sentinel are now advanced for an

equally inadequate system, the Safeguard.

Mr. REUSS. Does the gentleman from Arizona desire me to yield to him to respond to the gentleman from Illinois?

Mr. YATES. The gentleman from Arizona would not yield to me during his time.

Mr. RHODES. This may be an indication as to why there is no credibility gap in this administration as there was with the previous one. The system which was planned to be deployed in the previous administration obviously would not have protected the cities, with the configuration and quantities of the planned deployment complexes. It would, however, have added to the credibility of our deterrent.

Mr. YATES. Why did you vote for it at that time?

Mr. RHODES. The Safeguard system is supposed to protect only certain Minuteman missile sites which gives us a deterrent. If we did not do this the Russians would never know that if they launched a preemptive attack that they would not knock out our missile sites, and thereby do away with our retaliatory capacity.

Mr. FRASER. Mr. Chairman, if the gentleman will yield—

Mr. REUSS. I yield to the gentleman from Minnesota.

Mr. FRASER. I wonder if the gentleman from Arizona might tell us whether he thinks he was right last year, or whether President Nixon is right this year.

Mr. REUSS. Does the gentleman from Arizona desire to respond?

Mr. FRASER. Last year the gentleman supported the so-called Sentinel version. Is that true?

Mr. RHODES. Yes.

Mr. FRASER. Now President Nixon has come out as wanting to shift the objectives and mode of deployment. At which time does the gentleman from Arizona believe that he was right?

Mr. RHODES. Mr. Chairman, if the gentleman will yield further, I supported last year the only system that came to the floor for a vote. I do not believe it makes too much difference just where the system is deployed and which way it is aimed, because these incoming missiles are coming from outer space. It really does not make a lot of difference whether you have the ABM missiles here or over there, as long as they have the range and capability to engage the incoming missiles. The main thing is to have a system which helps the credibility of our deterrent. Both Safeguard and Sentinel did that.

Mr. FRASER. Then the gentleman would side with President Nixon?

Mr. RHODES. I did not say that.

Mr. FRASER. He indicated the Sentinel system was not an acceptable concept, and that all it might do was serve notice to the Soviet Union that we were going for a first strike capability.

Mr. RHODES. I do not think the gentleman from Minnesota can find that quotation from President Nixon. I do not recall his saying that. Both Sentinel and Safeguard add to our deterrent—the latter more effectively than the former.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. YATES. I am pleased that the gentleman from Arizona acknowledges his error in voting for Sentinel last year when it is conceded that it was an ineffective system. Why is this system any better? Solely because of a new name or a new administration? That is hardly a reason for spending hundreds of millions of dollars.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendments offered by the gentleman from Illinois (Mr. YATES).

The question was taken; and on a division (demanded by Mr. YATES) there were—ayes 25, noes 78.

So the amendments were rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265, 3019, and 3033 of title 10, United States Code, or while undergoing reserve training or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; \$308,000,000.

Mr. CAREY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time first to say to the committee what I have already said to the chairman privately with regard to the form in which the appropriation bill and report have been sent to the Chamber. I think they deserve the gratitude and appreciation of all the Members here for the manner in which they have set forth the list and checklist of the progress being made on authorizations and appropriations so that we can have clearly before us how far down the road we have to go before we finish our work for this session.

This is most helpful to us. The clarity in which the report is written deserves commendation. I think we can all say to the chairman and the committee that this is a job well done.

Mr. Chairman, I also take this time to raise briefly a minor item. In fact, I am almost hesitant to bring such a small amount to the attention of the committee, but on page 95 of the report there is set forth an explanation of the permanent new budget—obligational—authority, Federal funds, in the amount of \$282,000 per annum which, as set forth in the fine print, is beyond the reach of the bill. In other words, there is no way in which a member of the Committee of the Whole here at this time can do anything to strike or increase or otherwise affect the amount set forth.

Now I am somewhat familiar with this so-called conservation program, I might say. I am thoroughly in favor of conservation. As I recall, this is a program under which we have hunting and fishing and other sports pursuits and game activities on the military reservations. Incident thereto are some very worthwhile measures of conservation and also the stocking of fish ponds and game preserves.

I ask the chairman of the committee—Is it true that what we have here, \$282,000, is in large sum the disbursal of moneys which are collected pursuant to this program from the agreements and arrangements made with private sporting groups and service personnel and nonservice personnel who hunt on the reservations and pay a fee? As I understand it this money is disbursed by the Secretary in furtherance of this activity without having to come back for an appropriation? I ask the gentleman if that is the sense of this?

Mr. MAHON. I want first to thank the gentleman from New York for his generous references to the report which has been submitted by the committee.

As the gentleman has pointed out, this matter involves a permanent authority which does not require annual appropriation. These funds are available as a result of a law to which the gentleman referred.

Mr. CAREY. I will ask the chairman this—As a practice is it not true that this is somewhat unique and actually it is against what we have been told is good budgetary and appropriation practice and procedure?

I have in mind a similar fund which applies to all of the public land areas of the United States—the national parks and so forth—the offshore oil lands and the land and water conservation fund is in exactly analogous terms, the collection of fees paid by those who go on the parks and other public lands. This money is then accumulated in a fund in trust for the acquisition of further public lands. Under that procedure, the program, the land and water conservation fund, is it not true that every single disbursement from that fund must follow the route of appropriation by Congress?

I am wondering why if in this case it is good and sound practice to return the fees of the hunters and the sportsmen in the military reservation, why it is not also sound practice under the land and water conservation fund to have constantly available for disbursement by the Secretary, after due clearance from Congress, moneys contained in this program for public recreation for all the people of the United States.

Mr. MAHON. I would like to say to the gentleman, I do not have the pertinent statute before me. I am a little unclear as to what the precise situation is.

I do think it is good practice for the Congress generally to reserve unto itself the actual appropriation of funds as a general proposition. I shall expand on my response for the RECORD in order to provide a more precise answer to the gentleman's question.

Mr. CAREY. I thank the gentleman.

Mr. MAHON. Under leave to revise and extend, I should like to point out that the legislation establishing the wildlife conservation program for military reservations, and establishing its financing, was separately enacted by Congress in 1949—Public Law 81-345—and amended in 1960—Public Law 86-797. It is, as the gentleman has pointed out, significantly different than the basic law underlying the land and water conservation programs of the Department of the Interior. I am generally opposed to so-called

"back-door" spending authority, as the gentleman knows. However, in an effort to be helpful, the reports of the committee include tabulations of all funds available to the departments, whether they be trust fund, permanent appropriations, or otherwise. Thus, in the present instance, the amount is not in the bill before us, but appears in the report tables by way of information only.

Mr. SAYLOR. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to commend our colleague, the gentleman from New York, for bringing this matter to the attention of the Members of Congress.

It is rather strange that the Committee on Appropriations uses one method of treatment for military reservations and those personnel who hunt on the military reservations, but use an entirely different criteria for those who use the public domain.

I suggest that if the Congress has placed this fund beyond the action of this House and the Senate for appropriation, there is absolutely no reason why the \$200,000,000 that annually goes into the land and water conservation fund should not be placed under the same condition.

The reason I state this is the Bureau of the Budget has said that the \$200,000,000 in the land and water conservation fund cannot be spent. It is frozen. The House Committee on Interior and Insular Affairs was very gracious to the Committee on Appropriations and asked that they supervise and approve the expenditure of the land and water conservation fund.

But if you are going to have one rule for the military, then you should have the same rules for the civilian personnel on the public lands.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. YATES. The gentleman is absolutely right. The gentleman's argument is exactly correct. This is the so-called Generals' Hunting Preserves Amendment over which there was so much controversy some years ago and it comes as a surprise to many of us that the Committee on Appropriations now has no control over legislation that is passed. Apparently that privilege of the generals is frozen into law and the funds will go automatically toward building up the hunting preserves for the military services. The Committee on Appropriations of the House will have no control over it at all.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the chairman of the committee.

Mr. MAHON. I have before me Public Law 797 of the 86th Congress, which originated, I believe, in the Committee on Merchant Marine and Fisheries. As the gentleman from Illinois has pointed out, the Committee on Appropriations has no jurisdiction over funds under these circumstances as a result of the wording of the substantive law that deals with the subject.

Mr. SAYLOR. In that case, I might say

to my distinguished chairman and members of the committee, that I expect to introduce legislation which would follow the same pattern as far as the land and water conservation fund is concerned, and I invite anyone who is interested to join me.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentleman from New York.

Mr. CAREY. I would join my colleague on the Committee on Interior and Insular Affairs, the ranking member of our committee, by saying that further perusal of the basic act, known as the Eglin Reservation Act, for it originally applied to the Eglin Air Force Base in Florida, will indicate not only is there an amount of \$282,000 available for expenditure, but the Secretary of the Interior is directed in the basic law to provide to the military fish, game, and wildlife specialists on the stocking of fish ponds and such other aids and assistance that may be required to make sure that there is always something to shoot at and something to hook. Perhaps in this instance the taxpayers are apt to get a little hooked. We ought to make sure that not only will the Department of Interior have the expenditure available, but also we will make sure that the generals and those that are their guests are able to get a good day's bag when they go hunting. I would like to have the same opportunity for my constituents when they go on public lands to do the same thing.

Mr. SAYLOR. I might say to my colleague that is my complaint with the present law, which has been specified and referred to by the chairman of the full committee. If this is right for those who are in the military, it should be right for the taxpayers of this country who foot the bill for all of these projects.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to ask a question or two concerning the bill.

Did I understand that there are several billion dollars in this bill to fund cost overruns?

Mr. MAHON. No, there are not several billion dollars in this bill to fund cost overruns. There are many cases where cost overruns take place. In those cases, additional appropriations are requested to complete a weapons system over a period of years. It is all but impossible to ascertain what part of the fiscal year 1970 budget is for costs in excess of the original cost estimates given on the individual items.

Mr. GROSS. What is the estimate of cost overruns that are included in this bill, that is, the money required to take care of cost overruns? Was there not some figure given earlier in the debate this afternoon?

Mr. MAHON. I believe a figure was mentioned, but not by a member of the committee. I was not familiar with the figure given. The Secretary of Defense, Mr. Laird, in testifying before the Committee on Appropriations, as shown in part 7 of our hearings, points out that in the last several years there have been cost overruns on major weapons systems totalling \$16 billion. This does not

mean that the \$16 billion is in the bill for fiscal year 1970. But this is an oversimplification of the problem. The \$16 billion means that the programs have been given redirection. It means that in a 5-year period inflation has upped the costs. It means that the Department of Defense has specified additional parts and expanded programs in certain systems, and so forth.

What usually happens in a cost overrun situation is that the Navy, for example, may ask for a couple of billion dollars for ships and then find that they have underestimated the cost of ships. Then, the Navy will delete from the program the lowest priority ship and ask concurrence of the Congress to use those funds to finance the overruns on the other ships.

Mr. GROSS. I will say to the distinguished chairman of the committee that the Department of Defense was established several years ago, during my time in Congress, and I opposed it. This heavy layer of bureaucratic fat was established over the already existing Secretaries and Assistant Secretaries of the various Armed Forces and for the alleged purpose of providing economy through commonality of purchases, closer scrutiny of contracts, and so on. Yet today we heard from the gentleman from Ohio (Mr. MINSHALL), the story of the survival radio which ranges in cost from \$203 to \$820, according to the manufacturer. The gentleman from Ohio says the cheapest model is adequate.

All this figures into the cost overruns and the lack of good administration in the Defense Department. We do not have commonality in purchases, and we do not have common cataloging of purchases. We do not have commonality, period. Anyone who has read the newspapers recently knows that we are running into excessive cost overruns in the purchase of major hardware and major supplies for the Armed Forces.

My question is: What is being done about it and what can be done about it?

I realize we here today in consideration of this bill are in what is commonly known as a bind. We can do little as of this day and hour except protest. But what is being done to put a stop to this business?

Mr. MAHON. Mr. Chairman, I would say to the gentleman from Iowa that cost overruns are taking place throughout the Government and private industry as a result of inflation.

Mr. GROSS. The gentleman gave us an example.

Mr. MAHON. If the gentleman heard my opening remarks, he heard that.

Mr. GROSS. Yes, I did.

Mr. MAHON. The cost overrun on the lunar module for landing on the moon was 500 percent, and the highway program was about 100 percent. So there have been cost overruns and we must do whatever we can to get accurate estimates of costs.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 3 additional minutes.)

Mr. MAHON. Mr. Chairman, if the gentleman will yield further, except for

the work that has been done, this bill today, instead of being \$69 billion, could have been \$109 billion, in my opinion. However, a great deal has been achieved by way of commonality and otherwise in the Defense programs. There is still very much to be done, but the Department is making progress. It is a continuing struggle. The reductions made in this year's Defense budget are for the purpose of mandating better management.

Mr. GROSS. I sincerely hope the Appropriations Committee or some committee of the House of Representatives will go further in mandating the Department of Defense on these and other items on which costs are running so high.

This bill is \$5.3 billion below the budget, and approximately \$4.5 billion below last year's spending for the same general purposes. Does the gentleman anticipate that, as usual, there will be a restoration of funds that have been cut through a supplemental appropriation bill at a later time?

Mr. MAHON. I think I can say with complete confidence that unless there is an escalation of the war, or a turn of events which is wholly unanticipated at this time, there will not be a supplemental of any consequence for the Defense Department, except for about \$2,100,000,000 to cover the cost of pay raises which have been provided by the Congress.

Mr. GROSS. Yes.

Mr. MAHON. Of course, there will continue to be cost overruns in many of the programs—in ships and in intercontinental ballistic missiles and in the ABM—there will be different cost overruns. They will be announced from time to time with respect to all these programs.

Various committees of the Congress are working in this field.

The Department of Defense is working in this field.

This is all a wholesome and healthy sign. I would say the chances of a supplemental of any significance are not great, and it is not anticipated at all at this time.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

I want to congratulate the chairman of the Appropriations Committee and the members of his committee for bringing before us a bill that has \$5.3 billion less earmarked for defense than was requested by the Department. I am encouraged by this and can certainly support it.

I believe the chairman has done a good job in assuring us that this is not going to be recovered in a subsequent supplemental appropriation at some future time. I hope the chairman will impress upon the agencies that they had better not come in here, except under extremely extenuating circumstances.

I am disturbed however by the colloquy which just preceded this. I am disturbed about the fact that there does not seem to be enough opposition to this business of cost overruns.

I am disturbed by the fact that the General Accounting Office almost every day, with monotonous regularity, is

handing down extensive reports about mismanagement in the Defense Establishment.

I am disturbed that when defense manufacturers come before the agency with a claim for more money because of an overrun they do not show anything as to what cuts they have made in other parts of their operations.

There is no question in my mind that anybody who has traveled around this country and looked at some of our defense plants and some of the top management operations will see that they are living in the Garden of Babylon. They are traveling first class. As one looks at the facilities of some of the defense plants one sees there is no effort being made to take cognizance of the fact that some taxpayer is paying for all this.

Certainly I am not going to stand here and support any action that would deny any American soldier everything he needs to perform his duty. I do not believe any American citizen wants to shortchange any soldier, sailor, or airman.

But I say this in all honesty and sincerity: The citizens of this country have been very generous in support of our defense effort. America has spent almost \$2 trillion in the last two decades on the Defense Establishment of this country.

It does seem to me that when these people come in with a cost overrun the distinguished chairman of the Appropriations Committee and the distinguished chairman of the Armed Services Committee, who I know have spoken time and again about this subject, should insist that any company that comes in with an overrun must show in great detail what it has done to curb other expenses.

I noticed that after the successful moon shot—and we have the same thing in the Defense Establishment—we saw the newspapers and magazines of the full page ad after full page ad in all of country, bragging about the equipment that they built for these operations. Who do you suppose is paying for that? The company out of its profits. Forget it. They are paying for that out of operating expenses.

I have heard the distinguished chairman of the Armed Services Committee say here that he has taken steps in his committee to evaluate and inventory these overruns. I am also advised that the chairman of the Armed Services Committee of the other body has set up an inspection subcommittee to look at overruns.

I am told that of the 21 major weapons systems there are overruns in every one of them.

I would hope that before we vote on this bill we would have an expression from the chairman of the Appropriations Committee and hopefully from the chairman of the Armed Services Committee that indeed there is going to be some tightening of the belt in all these luxurious services and all these fine, first-class facilities which the defense contractors of this country have been building with the taxpayers' money, and that these are going to be toned down.

Several years ago I had occasion to

meet a young man who flew a Russian Mig out of Poland into Denmark. His name was Lt. Frank Jarecki. He came to America on a good will tour. They took him around to some of our defense plants. He flew one of our F-81 Sabre jets out to the west coast, and when he came back I had occasion to meet him at O'Hare Field in Chicago. I asked him how he liked our best fighter of that era.

He said, "What is this: a fighting aircraft?" I said, "Of course it is." So he took me around and showed me all of the luxuries, including the luggage compartment, in that aircraft. He said, "When the Soviet Union builds an aircraft they want speed, distance, and a heavier payload." It is high time our own manufacturers got to taking some of the frills out of the defense budget and got down to the real business of spending the taxpayers' money in a way that will get us top value for our money.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 265 of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law; \$131,400,000.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Under leave to extend, let me briefly respond to the remarks of the gentleman from Illinois just concluded.

The report of the committee on this bill contains many examples of waste which have been uncovered by the committee and in which specific funding deletions were made. I would hope my remarks during debate today should assure the gentleman, and others, that we are seeking to obtain a dollar in value for a dollar spent.

The reductions made below the budget are, in significant part, recommended for the purpose of demanding better management and more economical procurement.

The Committees on Appropriations and Armed Services, the General Accounting Office, and others are constantly reviewing and investigating Defense programs and activities.

The Secretary of Defense and the military services have many programs designed to avoid waste.

I believe that we are doing a creditable job in insisting on better utilization of available resources.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 265, 8033, or 8496 of title 10 or section 708 of title 32, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law; \$97,300,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

Mr. RIVERS. Mr. Chairman, I move to strike the last word.

(By unanimous consent, Mr. RIVERS was allowed to proceed for 5 additional minutes.)

Mr. RIVERS. Mr. Chairman, I want to say at the outset that I generally agree with the Committee on Appropriations. I recognize the problems it has in sustaining and maintaining a bill that will withstand those who are constantly urging additional cuts in the Defense Department. It is hard to get anything these days. We know what this is. I would like to take 1 minute to refer to my dear friend from Chicago, Mr. PUCINSKI, for whom I have the highest regard, to say this: I do not like to see some of these corporations using these full page ads. I see them after the moon shots. This may be a fault of our tax structure. Maybe they should not be permitted to write off these kinds of things.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman.

Mr. MAHON. The Congress, the Pentagon, and the Internal Revenue Service insist that these items cannot be written off as part of the cost.

Mr. RIVERS. I was just getting ready to say that. We have already addressed ourselves to that, and I hope the chairman will continue to reiterate it, because certainly we have tried to do many things that the gentleman from Illinois has already mentioned. We can look at what has been done in many areas. The Kennedy Center has already had a 45-percent overrun. There are overruns in everything, you see. Every single thing in this budget is going to be touched by inflation. If you look at it, you will see that the Secretary of Defense has already laid up over 111 ships. If he keeps this up, all he will have left is the admiral's gig. We will not even have anything on the high seas. That is the way he is approaching it. I think that is a mistake. The thing to do is to meet the need and tell the American people, "If you want a Navy, pay for it. Otherwise lay it up and let the Soviet Union take over the oceans." That is the way the DOD is to meet these people who are giving us hell on every street corner. We can go to them and say, "Certainly. You are right. We do not need the U.S. Navy. Sink it."

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. Of course I yield to my good friend.

Mr. MILLER of California. When you said the only thing the Navy would have left is the admiral's gig, that would be only a repetition of what took place during the war when you had one small ship down here at the navy yard but all of the ranking naval officers were attached to that ship so that they could draw overseas pay.

Mr. RIVERS. If you want to leave that in the RECORD, you go ahead and leave it in. I am not in that kind of business.

According to Admiral Moorer, the Chief of Naval Operations, the greatest need of the Navy today is new ships. Both the Secretary of the Navy and the Chief of Naval Operations see an urgent need for a new 10-year shipbuilding program of between \$3 billion and \$3.5 bil-

lion yearly as the minimum. This is just your Navy end of it.

A recognized expert, "Jane's Fighting Ships," and they are the bible of the industry worldwide, says that some of our Navy ships are so old as to be a liability instead of a protection.

Mr. Chairman, the Armed Services Committee has again and again pointed out the need for new ships. This year the authorization which our committee recommended and which this House approved envisioned a shipbuilding program of close to \$3.6 billion in order to make the initial start on those naval vessels which are now so badly needed. In conference we finally agreed on a program of just under \$3 billion.

The bill before us today would cut that program even further, to \$2.58 billion. While this is the largest shipbuilding appropriation in several years, nevertheless, keeping in mind this inflation, it is far short of the minimum we need.

Now, Mr. Chairman, I am not going to offer any amendment or fight the Appropriations Committee as I told the distinguished chairman when I appeared before that great and dedicated committee. It is a question of judgment and I told them that. I am not here to criticize the chairman, my friend, the gentleman from Texas (Mr. MAHON), for whom I have such a lofty affection. I am just calling this to the gentleman's attention. We have testified and urged the Appropriations Committee in its wisdom to see if we could not increase this.

Mr. Chairman, it is a choice between ships and dollars, the choice of its being made now or next year which could well be too late since it takes at least 3 years to build a new ship. They are becoming more and more and more sophisticated all the time and on everyone of those ships is a sophisticated gadget of some kind which has just come from the minds of the scientists.

So far, Mr. Chairman, I have spoken primarily about the need for combatant ships with which to meet the challenge of the ships being built in increasing numbers—increasing numbers I tell you—by the Soviets. They have one yard to the far north that can turn out from 15 to 20 Polaris submarines every single year. We have nothing even in that ball park. The Navy has growing desperate need for supply ships. Do not lose sight of this. It will not help us and the Navy if we have a lot of new ships but still have the old oilers and tankers which are so old and decrepit that the new ships cannot be reached for replenishment of supplies. We need the whole business.

Mr. Chairman, it has been said that even if the funds are appropriated, the money would not be spent by the Department of Defense.

Mr. Chairman, I would point out that the fault for replacing ships not be put up to us but be put up squarely to the executive department. Let them default in their responsibility. I am not willing to anticipate failure. I just never have and I am not starting on the 8th of December 1969. I tell you we need these things.

It is most regrettable that the money was not funded to do these things.

Now, my dear friends on the Appropriations Committee—and I want the chairman to listen—chase to remark that the Navy has aged hulls that can be modernized. I regret to say that this is not a fact—this is not a fact.

We have previously pointed out that the Navy's ships are too old to go through any other modernization. Fleet modernization and repair, which we call FRAM, cannot be exercised on some of the hulls we have. They have reached their capacity in the amount of electrical power that they have available for new systems. They have reached the end of the endurance of the sailors who have re-patched the boilers over and over again. It does not make any sense to spend a fortune on new equipment, even if it could be designed to go into the space available on the old ships, and come within the limits of the electrical power available, if the boilers keep breaking down.

See the report made by the distinguished gentleman from Florida (Mr. BENNETT), look at the photographs contained in these reports about the conditions of the boilers in our ships that we have in our fleet.

Mr. Chairman, I have seen the casualty reports of our fleet. They are indeed shocking. The Committee on Appropriations says that the age of our ships is not a proper base to determine effectiveness. Unfortunately, Mr. Chairman, our ships are not like vintage wine, they are not and they do not grow better with age. They are growing old, and that is the simple fact.

To me, Mr. Chairman, the Navy is one service which can be used best to keep any future war from being fought on or over American soil.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

(By unanimous consent, Mr. RIVERS was allowed to proceed for 1 additional minute.)

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. Mr. Chairman, I have one further paragraph, and then I will be happy to yield to the gentleman from Ohio.

Perhaps the best example of seapower to prevent a conflict was most recently illustrated by the use of our Navy during the Cuban missile crisis—when a task force of over 150 ships supporting eight aircraft carriers put a quarantine around Cuba. This action forced the Soviets to have second thoughts, and gave us time to make other plans. It may have prevented a holocaust—who knows, I do not. We are now observing that power being duplicated before our very eyes.

Mr. Chairman, the time to act is now. Tomorrow is powerfully late, it could be too late.

Mr. Chairman, I now yield to the distinguished gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I thank the gentleman for yielding. I certainly have the highest regard for my good friend, the gentleman from South Carolina, Mr. RIVERS. I know of no Member of the Congress who is more con-

cerned about the status of our military than he is, and who has done more for it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MINSHALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would ask the distinguished gentleman from South Carolina to remain for a question.

Mr. RIVERS. Mr. Chairman, I will be ready to answer any questions.

Mr. MINSHALL. Mr. Chairman, I would like to point out to the gentleman again that I hold the gentleman in the highest regard. In this year's budget I know the gentleman wanted additional funds for the Navy. But the appropriation in 1969 was a total of \$820 million, last year. This year we have recommended in this bill \$2.5 billion in additional shipbuilding for the Navy. I think that that is a substantial increase. Further this is just the first stage of a complete refurbishing and building program.

Mr. RIVERS. It is a substantial increase, but when you take into consideration all of the escalation and the inflation, then it is not a substantial increase. Our fleet is being methodically laid up and dissipated and worn out. I know it costs money to maintain our fleet. You have given us one additional submarine.

Mr. MINSHALL. I would like to point out to the gentleman from South Carolina that this is three times as much as we appropriated last year.

Mr. RIVERS. I know that. I said that. This is not even the minimum needed.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I would like to join the gentleman from Ohio in expressing my deep appreciation for the good work and the dedication of the gentleman from South Carolina (Mr. RIVERS).

He has through the years fought the battles for the security of our country. We, on the Committee on Appropriations, have worked with the gentleman generally and we, of course, are all for the security of our country.

If the fiscal conditions were different and if the atmosphere were different generally, this bill would not have been cut as deeply as it has been. But this does not mean that the Committee on Appropriations or that the gentleman from Ohio are anti-Navy. We realize, as does the gentleman from South Carolina, that the Navy must be modernized and we are moving in that direction. Of course we would like to move more rapidly. But I do not think that what we are doing this year will, over the long pull, be disastrous to a program of maintaining supremacy over the Soviet Union in all important areas of defense.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I yield to the gentleman.

Mr. RIVERS. The fact that the chairman has made that statement is the very reason I did not want to get on the

floor and put in an amendment. I am glad that the chairman is alert to the Navy's need for help and for money. Pro rata, relatively, because of inflation it does not do as much. I recognize the gentleman had to do it and I appreciate the gentleman's attitude. For that very reason, I will not, and I am not criticizing your great committee.

Mr. KYL. Mr. Chairman, I move to strike out the last word to direct a question to my distinguished friend, the chairman of the Committee on Armed Services, the gentleman from South Carolina (Mr. RIVERS).

We had a little debate on the matter of two missile systems and I will take your word for the decision which you made on that point. But I would like to ask how and when do we get some action on some other things that continue year after year.

I am not antimilitary and I certainly am not anti-God. But I use this expression to get to the kind of detail we have in this bill. The Army, Navy, and the Air Force use the same prayer book. One of them has a red cover; one has a green cover, and one has a gray cover. They are not provided by the same source—I do not know how you could change those things. It has nothing to do with the arms or arms race or anything else. We have manuals that all three branches of the services use except one of them has two holes punched in them and some of them have four holes punched in them and some of them have five—and they do not come from the same source.

How do we take care of those things and when do we take care of them, sir? How do we do this? I have to ask you as an expert about it.

Mr. RIVERS. Of course, we do not administer the law or administer these acts. The executive branch administers them.

I can tell you that 15 or 20 years ago a former Member of this body, William Hess, was head of the subcommittee, who was followed by the gentleman from Louisiana (Mr. HÉBERT), and a fellow Californian, a very dear friend of yours, Jack Anderson, and then Mr. Porter Hardy of Virginia had it, and now I have it.

We have asked that these things be done. We cannot make them do it. Time and time again we have put amendments in bills requiring this. Much as I dislike some of the things that Mr. McNamara did, he was the first Secretary of Defense who had a common procurement for gasoline and for handkerchiefs and for Kleenex or whatever they use, and there are hundreds and hundreds of thousands of items involved.

Do you know how many items there are in a defense supply building down in a big naval shipyard or on a big airbase? There are 300,000 or 400,000 or 500,000 or 600,000 items of inventory.

Mr. Pike got up on this floor and showed you a screw that somebody brought up, or some kind of a gadget that we paid \$2 or \$3 for, when you could get it for 50 cents off the shelf.

We are watching this all the time. We work with the General Accounting Office. I agree with the gentleman, we work on such a vast, vast problem here. The big-

gest corporation in America is 50 or 100 times smaller than the Department of Defense and these things about which you complain do happen and I agree with you and we try to stop them. Every time we see a rat hole, we try to stop it up. That is all I can say to you.

Mr. KYL. I just want to say to the gentleman that I think I represent quite a group of Members of this body.

Mr. RIVERS. I agree with you.

Mr. KYL. We are not opposed to the spending of every single cent that is necessary for national defense. But, we are absolutely without further patience. This waste does exist.

Mr. RIVERS. I would suggest to the gentleman to read some of the reports made to the gentleman from Maryland (Mr. FRIEDEL), from the investigating committee.

Mr. KYL. I read those every week.

Mr. RIVERS. We save hundreds and hundreds of millions of dollars. We get the GAO after those people and we try to stop all this waste. Inevitably there is some in preparation for war. We have tried to cut it down and do the same things the gentleman has suggested. I am sure the distinguished chairman of the Committee on Appropriations has done the same thing. Wherever we see these things we try to stop them.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from California.

Mr. GUBSER. I commend the gentleman for bringing up this point of unnecessary duplication, and I do so to preface an argument which is going to take place on an amendment to be offered by the gentleman from Illinois (Mr. YATES) in just a few moments whereby we will be procuring two missiles, the Tow and the Shillelagh, to do exactly the same job. But this is going to cost a lot more than a prayer book. This will cost several hundred millions of dollars out of the taxpayer's pocket.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Arizona.

Mr. RHODES. I wish to refer to another duplication which I have tried to get the services to eliminate. The lawyers of the three services enforce the same law, the same military code of justice, and yet there are three separate schools for the judge advocates of the three services. It seems to me that it makes a lot of sense for these three schools to be consolidated, and if there is any specialized training needed for the services, that could be arranged later.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The Clerk will read.

The Clerk read as follows:

TITLE IV  
PROCUREMENT

PROCUREMENT OF EQUIPMENT AND MISSILES,  
ARMY

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, equipment, vehicles, vessels, and aircraft for the Army and the Reserve Officers' Training Corps;

purchase of not to exceed five thousand two hundred and seventy-six passenger motor vehicles (including one medium sedan at not to exceed \$3,000) for replacement only; expenses which in the discretion of the Secretary of the Army are necessary in providing facilities for production of equipment and supplies for national defense purposes, including construction, and the furnishing of Government-owned facilities and equipment at privately owned plants; and ammunition for military salutes at institutions to which issue of weapons for salutes is authorized; \$4,281,400,000, and in addition, \$50,000,000 shall be derived by transfer from the Defense stock fund, to remain available for obligation until June 30, 1972.

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: on page 15, in line 6, strike out "\$4,281,400,000" and insert in lieu thereof "\$4,181,400,000".

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. YATES. Mr. Chairman, this amendment seeks to sustain the position taken by the Committee on Armed Services of the House in respect to antitank missiles. There is \$100 million in this bill for the so-called Tow missile. There is \$50.5 million for the so-called Shillelagh missile. Both of these are antitank weapons. The two missiles perform missions so similar that to procure them both would be redundant and wasteful.

I agree completely with what was said a few moments ago by the gentleman from California (Mr. GUBSER) when he stated that this would be an expensive duplication, unneeded in the interest of our national security. The \$100 million requested for the Tow missile ought to be denied. The Army's backup for this fiscal year 1970 budget request indicated that the performance of Tow and Shillelagh are very similar, but the unit cost of Tow was given as \$6,300 compared to \$2,970 for Shillelagh, and a projection through 1974 indicates that there will be an overall Tow cost of \$1.2 billion, and a projection through 1974 indicates that an overall Tow cost of \$1.2 billion will have to be made compared to only \$686 million for Shillelagh.

The performance statistics of both weapons are identical, except that Shillelagh is 10 pounds heavier, with 5 of those pounds accounted for by a larger and more lethal warhead.

This is the logical time, Mr. Chairman, to bring the redundant development of these two missiles to a halt, since the \$100 million in this bill for the Tow missile would pay for the first major production procurement. The Shillelagh is already in production and is a proven commodity.

The House version of the 1970 military authorization bill denied the \$100 million request for the Tow missile. The Senate restored that amount in its version of the military authorization bill. In conference, after 3 weeks of negotiating and bargaining, the fund for the Tow missile was reinstated. I hope, Mr. Chairman, that the production of the Tow missile which is authorized in this bill, and which my amendment seeks to knock out—I hope my amendment is sustained.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Chairman, I thank my good friend, the gentleman from Illinois, for yielding. The gentleman and I have locked horns on the SST's and everything else in the last few months. I would like to ask the gentleman, who is such an authority on these weapons systems, what does Tow stand for?

Mr. YATES. I am sorry, I did not hear the gentleman.

Mr. MINSHALL. It has a significance.

Mr. YATES. Is the gentleman talking about an acronym?

Mr. MINSHALL. Yes. It is tube launched open-sighted wire-guided missile system.

I want to point this out to the gentleman, that it is not competing with the Shillelagh, it is complementing it. This is designed primarily for the infantry units.

Tow is a wire-guided missile for the Infantry and Shillelagh is designed to be fired from a tank. It cannot be removed for assault use by ground forces. This Tow weapons system has been proven and already successfully test-fired. It weighs only 10 pounds lighter, but it is available now for the ground troops, which is what it was designed for.

Mr. YATES. The information the gentleman has just given to the House is directly contrary to the information given to me by the very knowledgeable and distinguished member of the Armed Services Committee, the gentleman from New York (Mr. STRATTON), who is chairman of the subcommittee of the House Committee on Armed Services. His subcommittee investigated the question of the Sheridan tank and the missiles which are to be used in connection with its operation.

The gentleman from New York comes to an entirely different conclusion than does the gentleman from Ohio. I suggest the gentleman from Ohio may want to listen to the arguments of the gentleman from New York in connection with my amendment.

Mr. STRATTON. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have heard a number of interesting comments here earlier this afternoon on the subject of Defense overruns and how to avoid excessive spending in the Defense Department. Obviously the first way to prevent excessive overruns is to prevent unnecessary spending before it gets started.

Mr. Chairman, the Tow missile is a classic example, as I indicated a moment ago, of an unnecessary expenditure. The gentleman from Ohio (Mr. MINSHALL) mentioned a moment ago that the Tow missile was designed to be an infantry weapon, and was a wire-guided missile, whereas the Shillelagh was designed to be fired from a tank and was an infra-red-controlled missile.

But the fact is despite their differences in configuration and in spite of their initial programing and planning, the two missiles are almost identical in their per-

formance. The Army considered 7 years ago the question whether they ought to be going down two separate roads in the development of two separate anti-tank missiles, one of them to be fired by infantry troops and the other by a tank. A study concluded then that the most expensive way would be for them to continue down these two separate roads instead of adapting one missile for both purposes, yet the Army ignored their own study.

The House itself, on the recommendation of the Committee on Armed Services, contained in the report on our defense authorization bill, on page 44, refers to the idea of spending another billion dollars to develop Tow as an additional antitank missile to be used by infantry troops, when there already is an antitank missile to be fired from the Sheridan vehicle, as an "unacceptable redundancy."

Those are not my words. Those are the words of the committee.

The House overwhelmingly endorsed the committee recommendation, as it always does, under the leadership of the gentleman from South Carolina (Mr. RIVERS). When we went to conference we found we had a good deal of pressure from the Senators. They did not seem to understand the missile situation as clearly as we did. That sometimes is a problem in dealing with the other body. So we had to yield and approve \$100 million for Tow, a cut of \$42 million.

But even the conference report points out, on page 16, that \$20 million was to be allocated from Army R. & D. funds for the further development of the Shillelagh in its ground mode, and we also proposed that there be a shootoff between the Shillelagh and the Tow in the helicopter mode.

None of these things has been done yet. It does seem to me that it would be wise for us not to obligate \$100 million for full procurement of the Tow until after this additional research and development recommended even by the conferees is carried out and we have a chance to assess the results.

If we really want to save money, we ought to delete this \$100 million this year, carry out the shootoff, and then come back next year to see whether we really want to build two separate missiles to do the same thing, or whether we can get the same job done more cheaply with a single missile.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I am happy to yield to the gentleman from Ohio.

Mr. MINSHALL. I certainly respect the gentleman's good judgment on many of these matters, but on this one we disagree. We are providing funds in this budget so that they can have a shootoff to decide what they want to do. They impressed upon us the fact that if we take these funds away now we will be depriving the ground infantryman of an antitank weapon another kind of which cannot be produced for at least 4 years.

Mr. STRATTON. In terms of depriving the infantryman of a weapon, I would not worry too much about that, because we have 500 Sheridan launchers in storage around the country today.

Those could be put in Europe tomorrow, or shortly thereafter, to fire the Shillelagh antitank missile, and protect our troops. They would be available much more rapidly, to give the infantryman the same protection that the Tow would be able to give only a year or so later.

Mr. MINSHALL. The problem is this: the Shillelagh cannot be used by the ground infantryman, but can only be used from the Sheridan tank or another tank.

Mr. STRATTON. The point the gentleman does not consider is that the Tow may be called the infantry weapon, but one can only manhandle it for about 200 yards. It has to be carried on a jeep. The Sheridan can get around much more easily than can a jeep, so it could get virtually everywhere that a man could personally haul a Tow with the help of a jeep.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in this bill there are for the so-called Tow missile, about \$100 million for procurement, and there are \$50 million for procurement of the Shillelagh missile.

The Shillelagh missile is an antitank missile. The Tow is also an antitank missile but it is a more flexible missile. It can be used by the infantry and can be used on helicopters.

The Shillelagh missile depends upon an infrared homing device, and the Tow missile is a wire-guided device.

The infantryman cannot use the Shillelagh missile. It is now adopted to tank vehicles.

Anything we can do to make the plight and the security of the infantryman better, it seems to me, if it is at all practical, should be done. That is the object of the Tow missile, to make this weapon available to the infantryman in the shortest time possible.

The Tow is a lighter missile. It weighs 10 pounds less than the Shillelagh, which weighs about 60 pounds. The Tow can also be used from a helicopter; it might be possible to fire Tow from a tank, so far as that is concerned, but this would cost many millions of dollars in research and development funds and would take a considerable period of time to accommodate Tow for use on a tank.

There was a great deal of discussion about this matter and after considerable hearings on both antitank missile systems and a conference between the House and the Senate on the authorization bill, the conferees decided—and Mr. STRATTON was a member of that conference—that they would go forward with both missiles. I do not believe the Committee on Appropriations could now overturn what the Committees on Armed Services of the House and Senate in conference agreed upon, and what both houses of Congress apparently agreed upon, and enacted into law. The Senate would probably insist on its earlier position.

If you want to try to adapt the Shillelagh missile for use by the infantryman, it will take 2 or 3 years to do this job. That is another one of the complicated and costly problems involved.

Mr. Chairman, General Westmoreland

came to my office one day. He said, "I am going to Europe." I said, "General, is there anything you want to discuss with me before you go?" This was because we were in the midst of the hearings on the defense budget at the time.

He said, "Yes. I want to put in a good word for the Tow missile. Our infantrymen need it and the Army needs it and we hope that the Congress will provide us with funds for the Tow missile."

Well, Mr. Chairman, I do not claim to be an expert on these matters. We have all studied this problem—Mr. STRATTON, Mr. YATES, and many others. The problem has been resolved in the authorization bill. The Committee on Appropriations has gone along and provided the funds for the buy out of the Shillelagh missile; we are at the end of the Shillelagh procurement program. We will have the Tow missile which will be a great advantage to our infantrymen and to our people in helicopter gunships. I cannot for a moment entertain the thought of eliminating the Tow from this bill. There is some duplication between these two in that they are both antitank missiles. It is unfortunate that the Shillelagh was not configured several years ago so that it could do all three jobs, but the Tow missile is regarded as being more flexible at this point in time, and more useful in the hands of the infantryman.

So, Mr. Chairman, I urge defeat of the amendment.

Mr. STRATTON. Mr. Chairman, will the gentleman yield to me?

Mr. MAHON. I yield to the gentleman.

Mr. STRATTON. The gentleman from Texas said that the Tow missile is more flexible. Actually the Tow missile cannot be fired from a tank. It cannot be used on the Sheridan. But the Shillelagh missile can be fired not only from the Sheridan tank, but it can be at the present time fired from a helicopter just as readily as the Tow missile and it can also be fired in the infantry mode. It was fired in the helicopter mode in 1962. So the Shillelagh is actually the more flexible. The only delay is for the development of some compact control machinery, which will take a little extra time.

Mr. MAHON. They say it will take 2 or 3 years.

Mr. STRATTON. I think 18 months to 2 years is a better estimate. But in terms of flexibility, the Shillelagh is actually much more flexible than the Tow missile.

Mr. MAHON. The opponents in the House of this missile have cited their views, but I think the House will do the right thing in supporting the urgent request of the Secretary of Defense, the Secretary of the Army, General Westmoreland, the Chief of Staff of the Army, and others who have supported the Tow missile as an important weapon in the hands of Army troops. Mr. Chairman, I trust that the amendment will be defeated.

Mr. GUBSER. Mr. Chairman, I rise in support of the amendment.

(By unanimous consent, Mr. GUBSER was allowed to proceed for 5 additional minutes.)

Mr. GUBSER. Mr. Chairman, I rise

in support of the amendment offered by the gentleman from Illinois (Mr. YATES).

I rise as the ranking Republican on the Stratton subcommittee, which I respectfully submit probed more deeply into the Shillelagh system than any committee of the Congress at either end of this Capitol. Based upon the information which we developed during those exhaustive and extensive hearings, I must in good conscience support the Yates amendment.

Let me invite you to come with me for a moment to view the strange world of Howard Hughes, the human enigma of the 20th century.

Howard Hughes is the man who built the Spruce Goose that flew once while he was at the controls. It is still in a large warehouse in Southern California, maintained at a cost of thousands of dollars a month, as the most expensive souvenir that a man could have.

It was Howard Hughes and his company that made a deal with the Army for a light observation helicopter, a deal which our Subcommittee on Investigations probed very deeply.

Through a hanky-panky contract with the Army, Hughes agreed to furnish light observation helicopters at less than \$20,000 per airframe. The follow-on contract is in the neighborhood of \$50,000 for the very same airframe.

Now, it is a great aircraft. There is nothing wrong with it. But, if that deal is not a pure and simple case of a company buying in on a contract, I have never seen one.

This is typical of the strange happenings in the world of Howard Hughes, the man whom I understand from press reports has apparently bought the city of Las Vegas, Nev. Today he is asking us to buy the Tow missile from his company at a needless, duplicative expense to the taxpayers of this country which will run into the hundreds of millions of dollars.

I predict that within 3 years this purchase of Tow will occupy headlines as an example of a multimillion-dollar waste of taxpayers' money.

Mr. Chairman, these two missiles do exactly the same job. Yes, one, Shillelagh, is 10 pounds heavier than the other, but that 10 pounds is due to the bang it carries. It is more lethal. It is more powerful. They are practically the same in mission and capability.

The Shillelagh has been service-fired from the ground mode. We have motion pictures to prove that it has been so fired. The Tow was originally developed to go into the Cheyenne helicopter so it could have the advantage of shooting downward without the danger of guidance wires getting tangled up in brush and in trees as they certainly will if the infantryman tries to use it. However, the Cheyenne helicopter has been canceled. Now they are trying to adapt the Tow system to the Cobra helicopter. It will take some more work and expense in order to do that.

Mr. Chairman, some try to justify Tow on the ground that this is an infantryman's weapon. Did you know that the launching tube that the infantryman will have to carry into combat is going to cost \$96,000 per copy? Is it not

something he can carry on his back and pull out of a knapsack. It will possibly take two or three men and probably a jeep to carry it.

Mr. Chairman, the Shillelagh missile is what we are now using in the Sheridan vehicle. The Tow cannot work in the Sheridan system but the Shillelagh can work far in the infantry ground mode.

Some will try to say that we are having trouble with the Shillelagh. There is trouble but not with the missile. The firing tube in the Sheridan vehicle is also supposed to fire a conventional artillery round. The Army has developed a combustible cartridge case which has given trouble. Please note that this has nothing to do with the Shillelagh missile.

Now, all that needs to be done is to adapt the Shillelagh system to the use of the infantryman and to the ground mode. We must miniaturize the launching apparatus, something which is well within the state of the electronics art today and which can be done very easily at a cost of less than \$30 million. Then we can have one missile which can be fired from the Sheridan system, from the Cobra helicopter, and by the infantryman on the ground.

Mr. Chairman, we can save the expense of introducing two different kinds of missiles into the inventory, and the cost of maintaining hundreds of thousands of parts and supplies, the maintenance, the training and all the costs that go with having two weapons systems to do the same job.

It has been mentioned that the Shillelagh can be produced for about \$2,000. This is because it is currently in production and we are far enough along on the learning curve so that costs are down. However, if you add this system to a second system the new missiles would cost more than \$6,000 each.

The argument is made here today that the Tow is an infantry weapon and that the Shillelagh is not. We have seen launch pictures of the Shillelagh missile being fired in the ground mode. We are assured that the system is adequate, that the state of the art for its adaptation is available.

Now, they say there will be a gap in our defense in Europe if we do not give the infantryman this weapon and give it to him right now.

No one has mentioned the French wire-guided missile. I believe it is called the SS-11. It is currently in the inventory with the German troops of our NATO shield.

I was in northern Germany during the first part of June, and I saw a brigaded-sized firing by the German Army. Fifteen of these French wire-guided missiles were fired at a range of 3,000 meters, to equal what the Tow can do. Of the 15 missiles fired there were 14 direct hits and one misfire.

Now, do not tell me that we do not have a defense of this kind in our NATO inventory today, because we do. We have enough protection so we can buy the time to miniaturize the launching apparatus and bring the Shillelagh along so we can have one missile in inventory capable of doing everything required.

Let us not forget, as I conclude, that

the Tow cannot replace the Shillelagh, but the Shillelagh can replace the Tow. There is no point in a \$200 million or \$300 million duplication—and that is exactly what this is going to turn into. I suggest that we should not allow ourselves to remain in the strange world of Howard Hughes. I do not believe that it is up to the taxpayers of the United States of America to subsidize a duplicative, foolish, and needless effort simply to do the bidding of the ex officio mayor of Las Vegas.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Illinois.

Mr. YATES. Then in this amendment we have a very real opportunity to save the taxpayers hundreds of millions of dollars without in any way curtailing our national defense; is that correct?

Mr. GUBSER. It is my considered opinion that it does. I do not profess to be an expert, but that opinion is based upon weeks and months of hearings as a member of the Stratton subcommittee which went into this in depth. I do not believe our defenses would be endangered, and I think we would eventually be saving countless millions of dollars. Right today, we would have \$100 million.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, I commend the gentleman on the statement he has made. I might mention, if I am not mistaken, that the SS-11, or a prototype thereof, was in the Israeli armed forces in 1960. So the point the gentleman is making I think is entirely correct.

Mr. GUBSER. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. YATES).

The question was taken; and on a division (demanded by Mr. MAHON), there were—ayes 44, noes 40.

Mr. MAHON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. YATES and Mr. MAHON.

The Committee again divided, and the tellers reported that there were ayes 43, noes 59.

So the amendment was rejected.

Mr. BINGHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there are many things in this bill which I cannot support, but I do want at this point to pay my respects and compliments to the committee for the many reductions they have made.

I particularly want to call attention to the fact that the procurement money for the production models of the F-14 aircraft was removed by the committee.

During consideration of the authorization bill, I offered an amendment to this effect and it was, if I may say so, rather brusquely treated by the spokesmen for the Armed Services Committee. But the Committee on Appropriations in its wisdom has now recommended elimination of those production models.

They have added some R. & D. funds for the F-14, so the net reduction is not in

the total amount of \$275 million. However, the committee's action means we will not be going forward with the production of this aircraft until we are sure that it is an effective and practical aircraft. I commend the committee on that action.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

## TITLE VI

## GENERAL PROVISIONS

## AMENDMENT OFFERED BY MR. REUSS

Mr. REUSS. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. REUSS: On page 23, line 11, insert a new section 601, renumber all subsequent sections in title:

"Sec. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress."

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. REUSS. Mr. Chairman, the amendment I offer is a very simple one. It uses language such as is contained in many other appropriation bills. It uses language almost identical with that contained in the act with respect to the Arms Control and Disarmament Agency, where propaganda expenditures are prohibited.

Surely if we prohibit propaganda about arms control and disarmament, we ought to forbid propaganda about arms production, arms deployment, and arms use.

The fact is that expenditures for propaganda and related purposes in the last 10 years have been multiplied almost tenfold, from \$2.7 million back in 1959 to \$27 million today, including shepherding and leading businessmen on tours of the country, running cruises to Hawaii on Navy ships for civilian VIP's, and so on.

The Department of Defense should get out of the propaganda business and stick to factual information, just as the other agencies are asked to do. My amendment would encourage them to remove the propaganda and stick to the information, and I hope, because it is in language identical to that contained in the other appropriation bills, that there will be no objection to it.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the distinguished chairman.

Mr. MAHON. There have been many sharp reductions in civilian personnel and a considerable reduction in military personnel. One of the reductions in both civilian and military personnel has to do with the public affairs and public relations activities of the services. I see nothing in the gentleman's amendment which would prohibit publicity operations which are authorized by law, and I have no objection to the gentleman's amendment.

Mr. REUSS. I thank the gentleman. The committee has made some excellent provisions with respect to restricting what the Department does about information other than propaganda.

The amendment will mean that those remaining officials will be able to carry on their task.

The CHAIRMAN. The question is on

the amendment offered by the gentleman from Wisconsin (Mr. Reuss).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

## AMENDMENT OFFERED BY MR. BINGHAM

Mr. BINGHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BINGHAM: On page 43, after line 23, add a new section as follows:

"Sec. 642. Funds provided in this Act for public information and public relations activities, including personnel costs, shall not exceed \$10,000,000."

Mr. BINGHAM. Mr. Chairman, my amendment would limit the amount to be spent under this bill for public information and public relations activities to a total of \$10 million. Until 10 years ago there was such a limitation in the defense appropriation bills. At that time it was provided that there should be no more than \$2,755,000 spent for this purpose. Since that time, the total of the defense appropriations have doubled, while the amount for public relations and public information has gone by 10 times, to more than \$27 million.

If the Members would like a breakdown of the funds as they have been supplied by the DOD and the services for last year—not for the coming year—they are as follows:

For Department of Defense itself, \$3.7 million; for the Army, \$4.9 million; for the Air Force, \$9.4 million; for the Navy, \$9.9 million; for a total of \$27,922,000 for public relations and public affairs activities.

It seems to me that this amount has gotten entirely out of hand. I am not talking exclusively by any means about the systematic support of controversial programs which has been carried on under cover of these activities. I am content for now to talk on the assumption that these are legitimate public information and public relations activities. But how in the world can the Pentagon justify increasing its budget for this purpose by 10 times, by 1,000 percent, when the total amount for defense appropriations has increased by only 100 percent in that period?

I know the committee has made an effort in this regard. As far as I can make out from the committee report, reductions in this area in the various segments of the bill add up to about \$5 million. But I submit that is not enough. I think it is legitimate to propose that a ceiling of \$10 million be set for these programs, returning to the custom of 10 years ago.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I take it it is not the gentleman's intention in any way to affect the liaison offices that operate in conjunction with Congress?

Mr. BINGHAM. That is not my intention.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment. It places a ban under certain circumstances on funds spent on public information.

The people of this country, in our free society, are entitled to information with regard to the Defense Department.

There should not be any abuse, but I would not want the Congress to appear to go on record as trying to suppress the distribution of defense information to the American people.

I will agree that much of the information with regard to the war, for example, has been adverse, but nevertheless the people are entitled to the truth.

What is this material which we get through the legislative liaison offices of the Services for our constituents in regard to programs and in regard to casualties and what not? What is that other than public information?

I do not believe we ought to go on record as wanting to suppress information that might be available to the people through the Members of Congress and otherwise. I fear that this amendment would not achieve the purpose which the author has in mind.

We have already cut funds for public relations and public information activities by about \$5 million. We have reduced funds for personnel otherwise. We have made some sharp cuts in the general overall field of administration. But we certainly have not undertaken to restrict the availability of information to the public, or to the Congress, from the Department of Defense.

This amendment limits specifically the funds provided in this act for such information and public relations activities and so forth. I would think this would be most unfortunate.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. BINGHAM. I thank the distinguished chairman for yielding.

I would ask if it is not true that 10 years ago there was a limit precisely like what I propose on public relations and public information for the Department of Defense, and that the limit at that time was \$1,755,000.

Mr. MAHON. The activities in the organization of the Department of Defense in this field have been restructured in recent years, and the situation has been changed.

At one time it was felt—and I was one of those who felt that way—that the Pentagon had officers going about the House Office Buildings and the Senate propagandizing the Congress.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. MAHON was allowed to proceed for 2 additional minutes.)

Mr. MAHON. I believe the liaison people now are doing a good job in providing information to the Congress, and a reasonably good job is being done in providing information to the general public. The need for adequate information in

regard to the farflung operations of the Department of Defense is very great.

The amendment which we agreed to just a few minutes ago provided that no part of any appropriation in this bill shall be used for publicity or propaganda purposes not authorized by Congress. I would think we have met adequately the situation about which the gentleman is concerned. I believe it would be dangerous to proceed further.

Mr. MINSHALL. Mr. Chairman, I rise in opposition to this amendment. In so doing I concur in everything the gentleman from Texas (Mr. MAHON) has said.

I should also like to point out that the committee on its own cut back the funds asked for this particular part of the bill from \$30,669,000 down to the 1965 level, of about \$20 million. The amendment offered here today would cut that in half and seriously impair the very rightful duties of this particular information office.

I should like to point out, also, to the gentleman that on page 576, of part VI of our hearings, the Secretary of Defense, Mr. Laird, sent a memorandum letter to all of the Secretaries of the services dated March 4, 1969, which specifically says that it is the intent of the Department that public information funds will not be used for any kind of propaganda.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. I am glad to yield to the gentleman from New York.

Mr. BINGHAM. I thank the gentleman for yielding.

As I understood what he said, he said there had been a cut of some \$10 million in these activities. However, in going through the report, as I did, very carefully, I added up every one of the cuts made that were referred to here in the various points in respect to public information and public relations activities. Those cuts only added up about \$5 million as I read them.

Mr. MINSHALL. The gentleman is absolutely correct in his statement. The cuts actually amount to \$4,955,000, but because of reduction in civilian personnel and headquarters and administration cost an additional \$5 million cut could be obtained in the information operation.

Mr. BINGHAM. I thank the gentleman for his comment.

Mr. SIKES. Mr. Chairman, will the gentleman yield further?

Mr. MINSHALL. Yes, I am glad to yield to the gentleman from Florida.

Mr. SIKES. Is it not important to call to the attention of the House the fact that a great part of this increase is occasioned by the fact that we are now in a war and the people of the country are concerned about that war. Is it not a fact that it is taking several times as much money now to carry on this public information activity as was required, let us say, 10 years ago when the figure was much, much smaller than it is now? Is it not also true that this is a nationwide activity, a worldwide activity, supplying information to the people about what the Department of Defense and the military installations are doing?

Mr. MINSHALL. The gentleman is absolutely correct.

Mr. Chairman, I yield back the balance of my time.

Mr. SCHEUER. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, I rise in support of the Bingham amendment.

Mr. Chairman, I might say that I would not want to do anything to diminish the capability of the Department of Defense from serving Congressmen in every way and providing their constituents with information. But I believe that we have too many layers of personnel placed between these aggressive newspapermen and the sources of the news. I have the highest confidence that the American press, the most enterprising press in the world, is quite capable of ferreting out news if they are given unobstructed access to the sources. Events of the last several weeks have proven this far more dramatically than any words of mine. But it seems to me that we have over-structured the public relations and news media capabilities of the Department of Defense so that they are unnecessarily retarding and restricting the enterprising newspaperman. I think it would be highly salutary for more effective news and more effective scrutiny and analysis of our effort in Vietnam for these excessive restrictions to be removed.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I will be happy to yield to my friend from Maryland.

Mr. LONG of Maryland. The point has been made here by the gentleman from Florida that a large part of this inflation and cost with reference to public relations on the part of the military is due to the fact that we are all calling upon them for certain information and, of course, we are all conscious of that fact as Members of Congress and recognize that this places a great burden upon them. I direct a lot of mail to the liaison officers and to the military branches themselves.

However, the question arises in my mind that this is not the first time we have been at war. We can refer to the Korean war as well as World War II.

I would like to ask the gentleman from Florida or the gentleman from New York whether they have made any comparisons as to the cost of public relations during the Korean war and World War II as compared to the present in order to find out whether the expenditures are inflated with respect to other similar comparisons to the war we are engaged in now?

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman from New York.

Mr. BINGHAM. In relation to the remarks of the gentleman from Maryland, I am sorry that I cannot answer the gentleman except to say that 10 years ago, as I indicated, the figure was \$2.7 million.

With reference to the remark that a lot of these funds are needed to service Members of Congress, I would point out that the Air Force alone in fiscal 1969 spent \$9.4 million. That included a staff

of 944 people in the public relations program in the Air Force alone.

Mr. SCHEUER. And, that adds up to just about 2 for every Member of the House and the other body.

Mr. Chairman, let me just reiterate, it seems to me there is far too much obfuscation of the real news. I think we ought to let the newspaper professionals get to the sources of the news. This will eliminate much of the expense for public relations money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BINGHAM).

The question was taken; and on a division (demanded by Mr. BINGHAM) there were—ayes 31, noes 84.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: On page 43, between lines 23 and 24, insert the following:

"SEC. 642. Notwithstanding any other provision of this Act, the aggregate amount which may be appropriated under this Act may not exceed \$62,964,043,200."

Mr. OTTINGER. Mr. Chairman, the bill before us today, appropriating nearly \$70 billion for the Department of Defense, is one of the most important measures to come before the House this year. Its importance cannot be measured only in terms of the military programs it includes; it must be weighed in terms of its representation of the expenses of continuing the Vietnam war and its tremendous impact on our economy, on the Federal budget, on the international arms race, and on our entire structure of national priorities.

Before commenting on this legislation and the issues it raises, I want to commend the Committee on Appropriations for the very exhaustive consideration and study it has devoted to the Defense budget for fiscal 1970. The record developed in seven volumes and 5,947 pages of testimony and supporting data certainly reflect the growing sentiment in Congress for greater knowledge and control of military spending. The committee also should be commended for the \$5.3 billion it has trimmed from the budget request and for its expressions of concern over defense procurement practices.

Unfortunately, the committee did not go far enough, either in reducing the defense appropriation to a reasonable level or in bringing the entire process of defense spending under effective congressional control.

Inclusion of \$359.5 million for procurement, operations, and maintenance and personnel related to deployment of the Safeguard antiballistic-missile system is sufficient cause, in my view, for rejecting the entire bill. I am convinced that the ABM will merely touch off an offensive-defensive cycle of arms escalation, resulting in vastly greater destructive power on all sides, without any increase in security. Furthermore, to commit \$359.5 million to ABM deployment before research and development answers the many technical questions which have been raised vastly increases the risk of

huge cost overruns. We have just heard the Secretary of Defense admit that cost overruns in major weapons systems have exceeded \$16 billion in the past few years. The lesson should be clear, and it should be applied to the ABM.

But, Mr. Chairman, there are global considerations in the bill before us today. Recent studies have concluded that we are involved in a runaway arms race that will see arms outlays in the early years of the next century exceed the entire present world production of all goods and services.

At least partially because of the impetus of U.S. military spending, world military spending over the past 20 years rose at an average rate of 5.9 percent a year, with a frightening 50 percent rise to 8.9 percent in the last 3 years.

A study team from the Stockholm International Peace Research Institute, of which Gunnar Myrdal is chairman, reported recently that the world spent \$159.3 billion for military purposes last year, of which \$79.3 billion was spent by the United States, \$39.8 billion by the Soviet Union, and approximately \$7 billion by Communist China.

The most immediate hope for a break in this perilous course lies with the current SALT talks in Helsinki. An agreement on limitation of strategic weapons could be the breakthrough that sees our resources turned back to programs aimed at improving the quality of life for all people.

But we need not wait for the conclusion of the SALT talks to reassert congressional control over military spending, and at least start a basic reordering and restructuring of our national priorities. We can start with this bill today. We can start by recognizing that while we must retain a strong national defense posture to protect against outside threats, we must also deal effectively with threats from within our society—the poverty, blight, disease and malnutrition which scars our urban areas, the despoliation of our lakes and rivers, the poisoning of the very air we breathe, the inadequacy of current efforts to keep pace with the need for expanding employment and education opportunities.

Consider the nearly \$70 billion appropriated in this bill in relation to the less than \$500 million appropriated to feed undernourished American children through food stamps, school lunches, and the special milk program, combined. Consider it in relation to the \$2 billion provided for all federally-assisted housing programs, including model cities.

It is obvious that we cannot make or meet national requirements in education, transportation, environmental protection or any other domestic area while so great a proportion of our national incomes are spent on the defense industry and on our far-flung network of foreign military bases.

A tragic example of how the mad momentum of military spending distorts national priorities recently came to light. On the spending side was the Defense Department's routine announcement that the Army was awarding a \$5.7 million contract to the Martin Marietta Corp. for "Pershing missile component and power station research and development." What really was involved were

relatively minor improvements in an 11-year-old missile system.

On the other side of the story was the decision of the Nixon administration to cut out five health programs designed to find ways of putting the findings of research scientists to work in practice. The projects to be cut out at the end of this year are the pap smear test program to detect uterine cancer in women; the Framingham, Mass., heart study which, after 20 years, was getting to the point where it might tell why some people suffer heart attacks and others do not; the neurological and sensory disease program which includes a widespread program of testing for glaucoma, a disease that can cause blindness if it is not detected in time; and programs dealing with chronic respiratory diseases, diabetes and arthritis.

This distortion of priorities is bad enough on its own merits.

What is worse is the incompetence, mismanagement, and outright fraud which has so often marked the Pentagon's \$44 billion procurement program. The Joint Economic Committee, Admiral Rickover, and others have uncovered myriad examples of incredibly sloppy procurement practices, ranging from billion-dollar cost overruns on the C-5A cargo plane which were deliberately hidden from Congress to the \$67.50 the Navy paid for each of 30 insulated couplings which the manufacturer's catalog listed at \$2.75.

It is clear that despite the Appropriations Committee's concern over military procurement policies, no fundamental reforms are being undertaken which will prevent future abuses. Military spending is still not considered—either by Congress or the White House—in the overall context of national needs and problems.

I intend to offer again on this bill, as I did on the military authorization bill, an amendment to reduce the total military appropriation by 10 percent, or approximately \$7 billion. I am supporting efforts to eliminate the \$359.5 million for ABM deployment. And, as protest against the continued dominance of military spending and the unwarranted influence of the defense industry, I intend to vote against the bill in its entirety.

Time is running out on us to correct our distorted priorities. The hungry and undernourished people in our cities cannot be expected to wait for their demise. Winter imperils thousands who are condemned to live in unsafe, unsanitary, and unhealthy housing. To produce the funds needed for these critical needs, the defense budget must be reduced far more sharply than it has been in this bill.

Mr. SIKES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Subcommittee on Defense of the Committee on Appropriations has done the most meaningful job in making reductions in expenditures that has been accomplished since the Korean war. The reductions are \$7 billion below the Johnson budget, and \$5.3 billion below the Nixon budget.

The gentleman from New York (Mr. OTTINGER) who has offered the amendment, now proposes another \$7 billion reduction. He is proposing to cut \$1.5 billion a minute for the time that he

spent on the floor in explaining his amendment.

The best the committee could do in a year of deliberation was to cut an equal amount—\$7 billion below the Johnson budget with the benefit of the staff and the combined efforts of all of the members of the subcommittee. We feel that we have done a very thorough job and we hope with some misgivings that we have made cuts which are acceptable, and which do not cripple our defenses.

Now, I must say that to follow the recommendations of the gentleman from New York would be to gut the defense program. I do not believe that is what the House wants to do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. OTTINGER). The amendment was rejected.

Mr. RYAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to call the attention of the House to a matter of grave concern regarding the activities of the Department of Defense in using its power to undermine the nationwide boycott of California table grapes, which the United Farm Workers have been carrying on.

Mr. Chairman, since 1965 there has been a nationwide boycott of California table grapes in support of the attempts of the United Farm Workers to organize.

In the past most attempts to organize farm labor have failed. But the strike by the United Farm Workers has been successful in its attempts to achieve better wages and working conditions for farmworkers. In the 4 years of the strike, the United Farm Workers have signed contracts with 10 grape growers in California, and its membership at peak harvest time is as high as 7,500.

However, while Americans across the Nation have endorsed the grape boycott and its goal—a decent working wage, sanitary working and living conditions, prevention of child labor—the Department of Defense, an agency of the U.S. Government, has continued to purchase grapes from the farms of boycotted growers. Moreover, Defense Department purchase of grapes since the beginning of the 1965 boycott has greatly increased.

In 1965, the Defense Department was the 17th largest purchaser of California table grapes in the Nation; in 1968, it was the third largest purchaser. The Defense Department claims that it has remained neutral in the strike, buying only 1 percent of the grapes sold in fiscal year 1968.

This figure is misleading, however, because it represents Defense Department purchases against all grapes sold—table grapes, grapes for wine, and grapes for raisins. In fact, the Department of Defense bought over 2 percent of the U.S. production of table grapes in both fiscal years 1968 and 1969.

Regardless of whether the Defense Department of purchase of grapes is equal to 1 percent or 2 percent of total grape purchases, its action is affecting the price. A change in only 1 percent of the demand for table grapes can affect the price of the grapes by 3 percent or 4 percent. Senator MONDALE, at recent hear-

ings on migrant and seasonal farm-worker powerlessness said:

We have farm programs, we spend millions and millions of dollars trying to affect the market by 1 percent, because for 1 percent you can affect the market three or four percent. One percent can make the difference in winning or losing a strike. To argue that one percent is neutral is just not good economics.

(Hearings on Migrant and Seasonal Farm Worker Powerlessness—Efforts to Organize, Subcommittee on Migratory Labor, Senate Committee on Labor and Public Welfare, July 15, 16, 17, 1969, at p. 88).

Last February I formally called upon the Secretary of Defense to cease buying California table grapes. The cessation of grape purchases should be an administrative matter, and no legislation should be necessary. But the Defense Department has continued to buy the grapes.

By purchasing California and Arizona table grapes, the Defense Department is lending its power to efforts by the grape growers to break the strike. For this reason I have introduced legislation, H.R. 14640, with 10 cosponsors to prohibit the Defense Department from purchasing California table grapes. The United Farm Workers have brought a legal action against the U.S. Government to prohibit the Defense Department from buying table grapes at levels above fiscal year 1966 purchases.

The Department of Defense has continued to increase its purchase of California table grapes. In fiscal year 1966, the Department bought 7.5 million pounds at the cost of \$1.04 million. In fiscal year 1969, 10.42 million pounds of grapes costing \$1.7 million were bought by the Department. And in the first quarter of fiscal year 1970, ending September 30, 2.55 million pounds have been bought at a cost of \$464,000.

Similar increases occurred in Vietnam. In fiscal year 1967, 468,000 pounds of grapes were shipped to Vietnam. In fiscal year 1969, the amount of grapes shipped to Vietnam rose to 2.1 million pounds. However, during the same time, troop strength in Vietnam rose from 392,000 to 539,000. The troop figure in 1969 is about one-third higher than 1967. The grape shipment increase between 1967 and 1969 is almost fivefold.

On a worldwide basis, troop levels decreased from 3.6 million in 1968 to 3.5 million in 1969, a decrease of about 3 percent. During the same period of time, total purchases of California table grapes increased from 6.9 million pounds to 10.42 million pounds, an increase of over 41 percent.

I again urge the Secretary of Defense to discontinue the purchase of California and Arizona table grapes. The Defense Department must cease using its power to further the efforts of the grape growers to break the strike of the United Farm Workers.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the

State of the Union, reported that the Committee, having had under consideration the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered. The SPEAKER. The question is on the amendment.

The amendment was agreed to. The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. MAHON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The question was taken; and there were—yeas 330, nays 33, not voting 70, as follows:

[Roll No. 306]

YEAS—330

- |                |                 |                 |
|----------------|-----------------|-----------------|
| Abernethy      | Cohelan         | Goodling        |
| Adair          | Collier         | Gray            |
| Adams          | Collins         | Green, Oreg.    |
| Addabbo        | Colmer          | Green, Pa.      |
| Albert         | Conable         | Griffiths       |
| Alexander      | Conte           | Gross           |
| Anderson,      | Corbett         | Grover          |
| Calif.         | Corman          | Gubser          |
| Anderson, Ill. | Coughlin        | Gude            |
| Anderson,      | Crane           | Hagan           |
| Tenn.          | Culver          | Haley           |
| Andrews, Ala.  | Cunningham      | Hall            |
| Annunzio       | Daniel, Va.     | Halpern         |
| Arends         | Daniels, N.J.   | Hamilton        |
| Ashbrook       | Davis, Ga.      | Hanna           |
| Ashley         | Davis, Wis.     | Hansen, Idaho   |
| Aspinall       | de la Garza     | Hansen, Wash.   |
| Ayres          | Delaney         | Harsha          |
| Baring         | Dellenback      | Harvey          |
| Barrett        | Denney          | Hastings        |
| Beall, Md.     | Dennis          | Hathaway        |
| Belcher        | Dent            | Heckler, Mass.  |
| Bennett        | Derwinski       | Henderson       |
| Berry          | Devine          | Hicks           |
| Bevill         | Dickinson       | Hogan           |
| Blaggi         | Diggs           | Holifield       |
| Biester        | Donohue         | Howard          |
| Blanton        | Dorn            | Hull            |
| Blatnik        | Dowdy           | Hungate         |
| Boggs          | Downing         | Hunt            |
| Boland         | Dulski          | Hutchinson      |
| Bow            | Duncan          | Ichord          |
| Bray           | Dwyer           | Jacobs          |
| Brinkley       | Eckhardt        | Jarman          |
| Brook          | Erlenborn       | Johnson, Calif. |
| Brooks         | Esch            | Johnson, Pa.    |
| Broomfield     | Eshleman        | Jonas           |
| Brown, Ohio    | Evans, Colo.    | Jones, Ala.     |
| Broyhill, N.C. | Evins, Tenn.    | Jones, Tenn.    |
| Broyhill, Va.  | Fallon          | Karth           |
| Burke, Fla.    | Feighan         | Kazen           |
| Burke, Mass.   | Fish            | Kee             |
| Burleson, Tex. | Fisher          | Keith           |
| Burlison, Mo.  | Flood           | King            |
| Burton, Utah   | Flynt           | Kleppe          |
| Byrne, Pa.     | Ford, Gerald R. | Kluczynski      |
| Byrnes, Wis.   | Ford,           | Kuykendall      |
| Cabell         | William D.      | Kyl             |
| Caffery        | Foreman         | Kyros           |
| Camp           | Fountain        | Landgrebe       |
| Carter         | Fraser          | Langen          |
| Casey          | Frelinghuysen   | Latta           |
| Cederberg      | Frey            | Leggett         |
| Celler         | Friedel         | Lennon          |
| Chamberlain    | Fulton, Pa.     | Lloyd           |
| Chappell       | Fuqua           | Long, La.       |
| Clancy         | Gallagher       | Long, Md.       |
| Clark          | Garmatz         | Lujan           |
| Clausen,       | Gaydos          | Lukens          |
| Don H.         | Gibbons         | McClory         |
| Clawson, Del   | Goldwater       | McCloskey       |
| Cleveland      | Gonzalez        | McClure         |

- |                |               |                |
|----------------|---------------|----------------|
| McCulloch      | Perkins       | Smith, N.Y.    |
| McDade         | Pettis        | Snyder         |
| McDonald,      | Philbin       | Springer       |
| Mich.          | Pickie        | Stafford       |
| McEwen         | Pike          | Stanton        |
| McFall         | Pirnie        | Steed          |
| McKneally      | Poff          | Steiger, Ariz. |
| McMillan       | Pollock       | Stevens        |
| MacGregor      | Preyer, N.C.  | Stokes         |
| Madden         | Price, Ill.   | Stratton       |
| Mahon          | Price, Tex.   | Stubbsfield    |
| Mann           | Pryor, Ark.   | Stuckey        |
| Marsh          | Pucinski      | Sullivan       |
| Martin         | Purcell       | Symington      |
| Mathias        | Quillen       | Taft           |
| Matsunaga      | Railsback     | Talcott        |
| May            | Randall       | Taylor         |
| Mayne          | Rarick        | Teague, Calif. |
| Melcher        | Reid, Ill.    | Teague, Tex.   |
| Meskill        | Reuss         | Thompson, Ga.  |
| Miller, Calif. | Rhodes        | Thompson, N.J. |
| Miller, Ohio   | Rivers        | Thomson, Wis.  |
| Millis         | Roberts       | Udall          |
| Minish         | Rodino        | Van Deulin     |
| Mink           | Roe           | Vander Jagt    |
| Minshall       | Rogers, Fla.  | Vigorito       |
| Mize           | Rooney, N.Y.  | Waggonner      |
| Mizell         | Rooney, Pa.   | Wampler        |
| Mollohan       | Rostenkowski  | Watkins        |
| Monagan        | Roth          | Watson         |
| Montgomery     | Roudebush     | Watts          |
| Moorhead       | Ruth          | Weicker        |
| Morgan         | St Germain    | White          |
| Morse          | St. Onge      | Whitehurst     |
| Morton         | Sandman       | Whitten        |
| Moss           | Satterfield   | Widnall        |
| Murphy, Ill.   | Saylor        | Wiggins        |
| Murphy, N.Y.   | Schadeberg    | Williams       |
| Myers          | Scherle       | Wilson, Bob    |
| Natcher        | Schneebeli    | Wilson,        |
| Nelsen         | Schwengel     | Charles H.     |
| Nix            | Scott         | Winn           |
| Obey           | Sebelius      | Wold           |
| O'Hara         | Shipley       | Wyatt          |
| O'Konski       | Shriver       | Wylie          |
| Olsen          | Sikes         | Wyman          |
| O'Neill, Mass. | Sisk          | Yatron         |
| Passman        | Skubitz       | Zablocki       |
| Patten         | Slack         | Zion           |
| Pelly          | Smith, Calif. | Zwach          |

NAYS—33

- |                |                 |            |
|----------------|-----------------|------------|
| Bingham        | Hawkins         | Rees       |
| Brasco         | Hechler, W. Va. | Reid, N.Y. |
| Burton, Calif. | Helstoski       | Rosenthal  |
| Button         | Kastenmeier     | Roybal     |
| Carey          | Koch            | Ryan       |
| Chisholm       | Lowenstein      | Scheuer    |
| Clay           | Mikva           | Vanik      |
| Conyers        | Mosher          | Waldie     |
| Farbstein      | Nedzi           | Whalen     |
| Gilbert        | Ottinger        | Wolf       |
| Harrington     | Podell          | Yates      |

NOT VOTING—70

- |                 |               |               |
|-----------------|---------------|---------------|
| Abbutt          | Findley       | Nichols       |
| Andrews,        | Flowers       | O'Neal, Ga.   |
| N. Dak.         | Foley         | Patman        |
| Bell, Calif.    | Fulton, Tenn. | Pepper        |
| Betts           | Galifianakis  | Poage         |
| Blackburn       | Gettys        | Powell        |
| Bolling         | Giaimo        | Quie          |
| Brademas        | Griffin       | Reifel        |
| Brotzman        | Hammer-       | Riegle        |
| Brown, Calif.   | schmidt       | Robison       |
| Brown, Mich.    | Hanley        | Rogers, Colo. |
| Buchanan        | Hays          | Ruppe         |
| Bush            | Hébert        | Smith, Iowa   |
| Cahill          | Horton        | Staggers      |
| Cowger          | Hosmer        | Steiger, Wis. |
| Cramer          | Jones, N.C.   | Tiernan       |
| Daddario        | Kirwan        | Tunney        |
| Dawson          | Landrum       | Ullman        |
| Dingell         | Lipscomb      | Utt           |
| Edmondson       | McCarthy      | Whalley       |
| Edwards, Ala.   | Macdonald,    | Wright        |
| Edwards, Calif. | Mass.         | Wylder        |
| Edwards, La.    | Maillard      | Young         |
| Ellberg         | Meeds         |               |
| Fascell         | Michel        |               |

So the bill was passed. The Clerk announced the following pairs:

On this vote: Mr. Hébert for, with Mr. Brown of California against. Mr. Foley for, with Mr. Edwards of California against.

Until further notice: Mr. Daddario with Mr. Andrews of North Dakota.

Mr. Glalmo with Mr. Robison.  
 Mr. Edmondson with Mr. Lipscomb.  
 Mr. Ellberg with Mr. Horton.  
 Mr. Brademas with Mr. Steiger of Wisconsin.  
 Mr. Griffin with Mr. Buchanan.  
 Mr. Hays with Mr. Betts.  
 Mr. Ullman with Mr. Hosmer.  
 Mr. Tunney with Mr. Malliard.  
 Mr. Tiernan with Mr. Cahill.  
 Mr. Landrum with Mr. Blackburn.  
 Mr. Young with Mr. Bush.  
 Mr. Patman with Mr. Brown of Michigan.  
 Mr. Rogers of Colorado with Mr. Brotzman.  
 Mr. Smith of Iowa with Mr. Findley.  
 Mr. Staggers with Mr. Michel.  
 Mr. Fulton of Tennessee with Mr. Hammer-schmidt.  
 Mr. Fascell with Mr. Cramer.  
 Mr. Dingell with Mr. Coughlin.  
 Mr. Macdonald of Massachusetts with Mr. Reifel.  
 Mr. Pepper with Mr. Quie.  
 Mr. Hanley with Mr. Wylder.  
 Mr. Nichols with Mr. Ruppe.  
 Mr. Meeds with Mr. Powell.  
 Mr. Kirwan with Mr. Utt.  
 Mr. Flowers with Mr. Edwards of Alabama.  
 Mr. O'Neal of Georgia with Mr. Whalley.  
 Mr. Wright with Mr. Riegle.  
 Mr. Abbt with Mr. Galifianakis.  
 Mr. McCarthy with Mr. Dawson.  
 Mr. Edwards of Louisiana with Mr. Gettys.  
 Mr. Jones of North Carolina with Mr. Bell of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the Department of Defense appropriation bill today may have permission to revise and extend their remarks in the body of the RECORD, and include pertinent additional material.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 14751. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14751) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June

30, 1970, and for other purposes," asks for a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MANSFIELD, Mr. BIBLE, Mr. PROXMIER, Mr. YARBOROUGH, Mr. RUSSELL, Mr. SYMINGTON, Mr. BOGGS, Mr. PEARSON, Mr. FONG, Mr. YOUNG of North Dakota, and Mr. GOLDWATER to be the conferees on the part of the Senate.

#### APPOINTMENT OF CONFEREES ON H.R. 14751, MILITARY CONSTRUCTION APPROPRIATIONS, 1970

Mr. SIKES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 14751, making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Florida? The Chair hears none, and appoints the following conferees: Messrs. SIKES, McFALL, PATTEN, LONG of Maryland, MAHON, CEDERBERG, JONAS, TALCOTT, and BOW.

#### PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON FOREIGN ASSISTANCE APPROPRIATIONS, 1970

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the foreign assistance appropriation bill for the fiscal year 1970.

Mr. SHRIVER reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

#### PERMISSION FOR MANAGERS TO FILE CONFERENCE REPORT ON H.R. 12964, STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATIONS, 1970

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent that the managers of on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 12964) making appropriations for the Departments of State, Justice and Commerce, the judiciary and related agencies for the fiscal year ending June 30, 1970.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### CONFERENCE REPORT (H. REPT. NO. 91-709)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12964) "making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1970, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 6, 8, 14, 15, 16, 19, 28, and 30.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 13, 20, 27, 29, and 33.

And agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,344,500"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$6,000,000" and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$74,300,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$268,000,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$174,500,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$19,500,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$121,350,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$24,300,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,000,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment insert "\$14,000,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$900,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$12,500,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$650,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$160,750,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$2,600,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 21.

JOHN J. ROONEY,  
(except as to amendments Nos. 22, 23, 24, and 25),

ROBERT L. F. SIKES,  
JOHN M. SLACK,  
JOHN J. FLYNT, JR.,  
GEORGE MAHON,  
FRANK T. BOW,  
GLENARD P. LIPSCOMB,  
E. A. CEDERBERG,  
MARK ANDREWS,

*Managers on the Part of the House.*

JOHN L. MCCLELLAN,  
ALLEN J. ELLENDER,  
JOHN O. PASTORE,  
J. W. FULBRIGHT,  
MARGARET CHASE SMITH,  
ROMAN L. HRUSKA,  
CLIFFORD P. CASE,  
(except on Senate amendments 22, 23, 24, and 25),

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12964) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1970, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

#### TITLE I—DEPARTMENT OF STATE

##### *International commissions*

International Boundary and Water Commission, United States and Mexico

Amendment No. 1: Appropriates \$400,000 for "Construction" as proposed by the House instead of \$1,900,000 as proposed by the Senate.

American Sections, International Commissions

Amendment No. 2: Appropriates \$561,000 as proposed by the House instead of \$593,000

as proposed by the Senate. The Commission should continue to call on the Department of State and the Corps of Engineers for such technical assistance as may be needed.

Amendments Nos. 3 and 4: Insert language proposed by the Senate providing for the payment of salaries to Commissioners.

##### *International Fisheries Commissions*

Amendment No. 5: Appropriates \$2,344,500 for expenses instead of \$2,335,000 as proposed by the House and \$2,354,500 as proposed by the Senate. The sum of \$9500 is included for the International Commission for the Conservation of Atlantic Tuna.

##### *Educational exchange*

Mutual Educational and Cultural Exchange Activities

Amendment No. 6: Appropriates \$31,425,000 for expenses as proposed by the House instead of \$32,925,000 as proposed by the Senate. Amendment No. 7: Provides that not less than \$6,000,000 shall be used for payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, instead of \$8,500,000 as proposed by the House and \$4,500,000 as proposed by the Senate.

##### *General Provisions—Department of State*

Amendment No. 8: Deletes language proposed by the Senate. The majority of the conferees are in agreement with language inserted by the Senate relating to changing status of any territory referred to in Article 3 of the Treaty of Peace with Japan but feel that it should be a part of a legislative bill rather than an appropriation bill.

#### TITLE II—DEPARTMENT OF JUSTICE

##### *Federal prison system*

Salaries and Expenses, Bureau of Prisons

Amendment No. 9: Appropriates \$74,300,000 instead of \$74,179,000 as proposed by the House and \$74,540,000 as proposed by the Senate.

##### *Law enforcement assistance administration*

Salaries and Expenses

Amendment No. 10: Appropriates \$268,000,000 instead of \$250,000,000 as proposed by the House and \$275,500,000 as proposed by the Senate. The amount allowed is allocated as follows: \$21,000,000 for planning grants; \$215,000,000 for action grants; \$18,000,000 for academic assistance; \$8,500,000 for the National Institute of which not less than \$1,000,000 plus whatever savings can be effected is for the National Criminal Justice Information and Statistics Service; \$1,200,000 for technical assistance; \$4,300,000 for general administration.

#### TITLE III—DEPARTMENT OF COMMERCE

##### *Economic development assistance*

Development Activities

Amendment No. 11: Appropriates \$174,500,000 instead of \$170,000,000 as proposed by the House and \$178,231,000 as proposed by the Senate.

##### *Operations and Administration*

Amendment No. 12: Appropriates \$19,500,000 instead of \$19,000,000 as proposed by the House and \$19,829,000 as proposed by the Senate.

Amendment No. 13: Provides that not less than \$1,200,000 shall be advanced to the Small Business Administration for the processing of loan applications as proposed by the Senate instead of \$2,000,000 as proposed by the House.

##### *International activities*

Salaries and Expenses

Amendment No. 14: Appropriates \$19,000,000 as proposed by the House instead of \$20,366,000 as proposed by the Senate.

Amendment No. 15: Provides that \$11,100,000 shall remain available for interna-

tional trade promotions until June 30, 1971 as proposed by the House instead of \$12,466,000 as proposed by the Senate.

##### *Participation in U.S. Expositions*

Participation in New York World's Fair

Amendment No. 16: Deletes Senate proposal to appropriate \$350,000.

##### *Environmental science services administration*

Salaries and Expenses

Amendment No. 17: Appropriates \$121,350,000 instead of \$121,000,000 as proposed by the House and \$121,700,000 as proposed by the Senate. Of the increase allowed over the House amount, \$100,000 is for aviation weather forecasts and \$250,000 is for air pollution forecasts and for the basic communication network.

##### *Research and Development*

Amendment No. 18: Appropriates \$24,300,000 instead of \$24,000,000 as proposed by the House and \$24,685,000 as proposed by the Senate.

##### *National Bureau of Standards*

Research and Technical Services

Amendment No. 19: Appropriates \$37,000,000 as proposed by the House instead of \$37,100,000 as proposed by the Senate.

##### *Maritime Administration*

Ship Construction

Amendment No. 20: Appropriates \$15,918,000 as proposed by the Senate. The conferees would be receptive to a realistic substantial request in a supplemental budget at an early date for additional funds for "Ship Construction."

#### TITLE IV—THE JUDICIARY

##### *General provision*

Amendment No. 21: Reported in technical disagreement. The managers on the part of the House will offer a motion to insert amended House language relative to availability of funds for salaries and expenses of any deputy clerk in any District Court Clerk's office.

#### TITLE V—RELATED AGENCIES

##### *Department of Health, Education, and Welfare*

Office of Education

Amendment No. 22: Provides not to exceed \$2,000,000 for salaries and expenses instead of \$1,500,000 as proposed by the House and \$2,850,000 as proposed by the Senate.

Amendment No. 23: Appropriates \$14,000,000 for "Civil rights education" instead of \$12,000,000 as proposed by the House and \$20,000,000 as proposed by the Senate.

##### *Equal Employment Opportunities Commission*

Salaries and expenses

Amendment No. 24: Provides \$900,000 for payments to State and local agencies for services to the Commission pursuant to title VII of the Civil Rights Act instead of \$700,000 as proposed by the House and \$1,200,000 as proposed by the Senate.

Amendment No. 25: Appropriates \$12,500,000 instead of \$11,500,000 as proposed by the House and \$15,905,000 as proposed by the Senate.

##### *Foreign Claims Settlement Commission*

Salaries and expenses

Amendment No. 26: Appropriates \$650,000 instead of \$450,000 as proposed by the House and \$781,000 as proposed by the Senate.

##### *National Commission on Reform of Federal Criminal Laws*

Salaries and expenses

Amendment No. 27: Appropriates \$300,000 as proposed by the Senate instead of \$250,000 as proposed by the House.

*Small Business Administration*

Amendment No. 28: Deletes the language of the Senate, without prejudice, on the assurance that the House legislative committee will expedite the consideration of the legislation pending before it.

Amendment No. 29: Makes no appropriation for additional capital for the Business Loan and Investment Fund, as proposed by the Senate, instead of appropriating \$25,000,000 as proposed by the House.

*Special representative for trade negotiations*  
Salaries and Expenses

Amendment No. 30: Appropriates \$482,000 as proposed by the House instead of \$559,000 as proposed by the Senate.

*U.S. information agency*  
Salaries and Expenses

Amendment No. 31: Appropriates \$160,750,000 instead of \$160,000,000 as proposed by the House and \$161,500,000 as proposed by the Senate.

*Special International Exhibitions*

Amendment No. 32: Appropriates \$2,600,000 instead of \$2,500,000 as proposed by the House and \$2,766,000 as proposed by the Senate.

## TITLE VII—GENERAL PROVISIONS

Amendment No. 33: Inserts August 1, 1969 in Sec. 706 as proposed by the Senate instead of October 12, 1968 as proposed by the House.

JOHN J. ROONEY,  
(except as to amendments Nos 22, 23,  
24, and 25),  
ROBERT L. F. SIKES,  
JOHN M. SLACK,  
JOHN J. FLYNT, JR.,  
GEORGE MAHON,  
FRANK T. BOW,  
GLENARD P. LIPSCOMB,  
E. A. CEDERBERG,  
MARK ANDREWS,

*Managers on the Part of the House.*

## PROPOSED TAX REFORMS

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, a great deal of publicity has been given to the numerous tax relief devices which the other body has added to our tax reform bill. Many of these devices were accepted almost casually after a brief debate on the floor, but inevitably there will be moves here to build support and ultimately to instruct the conferees to accept some of these relief measures. I hope my colleagues will not succumb too readily to these opportunities, however popular they may appear to be.

The purpose of this reform bill was to improve the credibility of our system of raising money to support the activities of the Government. As sent to the other body, our bill achieves its goal in that it limits the tax preferences which in some cases have come to be used more for tax avoidance than to express national priorities. But if the goals of tax reform are lost because our National Legislature cannot keep its eye on the ball, not only the credibility of the tax system, but of our whole system of Government, will have been damaged.

Tax relief is a commendable goal also, but it is quite different from tax reform. Tax relief has to be properly timed, and

carefully designed, if the economy is not to suffer and if the benefits are to reach the people who need them most. Even with the best intentions, I do not think this Nation can afford at this point to give up the fiscal battle against inflation, nor should we here in Congress take a step now which would inevitably increase the percentage of total public moneys which will have to be raised by the comparatively unfair local and State property and sales taxes.

In short, Mr. Speaker, I hope my colleagues will pause and consider, before they leap into the tax pattern the other body has established.

## DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1970

(Mr. WHALEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHALEN. Mr. Speaker, today the House of Representatives will consider H.R. 15090, the Department of Defense appropriation bill for fiscal year 1970.

This measure, like all other appropriation bills, funds new and on-going programs. One project for which moneys are allocated in H.R. 15090 is our military effort in Vietnam.

Normally each program, before receiving congressional funding approval, should meet three criteria.

First, it should be directed toward a specific need or problem.

Second, if funded in the past, should reflect a favorable benefit-cost ratio.

Third, future spending should be expected to produce similar results.

It is only reasonable that our Vietnam operation, for which \$23.2 billion will be spent this fiscal year, be subjected to this same three-way test. This I shall attempt to do in the following paragraphs.

## II. OUR VIETNAM PROGRAM

## A. THE NEED OR PROBLEM

Deployment of U.S. combat forces in Vietnam first occurred in March 1965.

What was our purpose in undertaking this commitment? Several theories have been advanced, then discarded.

First, we were told that our SEATO—Southeast Asia Treaty Organization—obligations compelled our military intervention in Vietnam. As former Presidential Assistant Arthur M. Schlesinger, Jr., noted: this proposition first was advanced by Secretary of State Dean Rusk in January 1966. Yet appearing before the Senate Foreign Relations Committee 17 months earlier—August 6, 1964—Secretary Rusk, according to Schlesinger, testified:

We are not acting specifically under the SEATO Treaty.

Henry Brandon, the London Times Washington correspondent, in his new book "Anatomy of Error," quotes a memorandum issued to the President on February 12, 1966, by George Ball, Under Secretary of State:

Our only treaty commitment in that area is to the SEATO partners, and they have without exception viewed the situation in Vietnam as not calling the Treaty into play.

Indeed, only four of the eight SEATO signatory nations have sent combat troops to Vietnam.

Second, after the SEATO argument became unpalatable, it then was contended that our presence in Vietnam was necessary to "arrest the tide of Communism in Southeast Asia." If South Vietnam fell to the Communists, the argument went, so would its neighboring states.

In espousing this "domino" doctrine our leaders were oblivious to the new forces motivating the peoples of the world.

Since 1945 those millions inhabiting colonial areas have been struggling for self-determination, a national identity, a national dignity.

From this thrust has emerged over 60 new nations, their subsequent adherence to the policy of nonalignment, the inevitable demise of monolithic communism, and the resultant discrediting of the so-called "domino theory."

With the collapse of the domino concept, "stop communism" lost its credibility as a basis for our Vietnam intercession.

Third, the United States "self-interest" next was cited as the reason for sending combat troops to Vietnam. For reasons outlined in section II, B, this rationale, too, was abandoned.

Thus, to this date our Government has been unable to identify for the American public a plausible Vietnam *raison d'être*. Instead, we now admit that we were wrong in becoming involved there. No wonder our youth—who must fight this war—have become so alienated.

## B. PAST RESULTS

Our Vietnam commitment has cost 46,682 American lives—39,642 in combat; 7,040 in nonhostile action.

Since January 1, 1961, we have sustained 259,828 casualties, more than in World War I.

In dollar terms, Vietnam has been the second most expensive venture in U.S. history. Since fiscal year 1965, \$81.407 billion has been allocated to this undertaking.

Expenditures of this magnitude have dissipated our financial will and capacity to deal with pressing domestic problems. This failure has dimmed the hopes of the oppressed for whom the "Great Society" held such great promise. Civil unrest has been the natural concomitant.

Vietnam has increased the citizens' tax burden. In July 1968, Congress imposed a 10-percent surtax on individuals and corporations to cover the increased Government costs occasioned by our growing military budget.

The surcharge notwithstanding, inflationary pressures have been, and continue to be, generated by our Vietnam expenditures. Production of war materiel creates income advances which are not matched by corresponding increases in consumable merchandise—the old story of more money chasing fewer goods. Hence, the Consumer Price Index has risen 17.6 percent since December 31, 1965 from 109.9, to September 30, 129.3 percent of the 1957–59 average.

The disposition of 550,000 servicemen

in Vietnam has been viewed by many nations as an American assumption of the former French colonial role in Southeast Asia. This, obviously, has tarnished our image abroad in recent years.

Finally, our military posture has been weakened by our Vietnam adventure. Committing over half a million troops there has cost us flexibility. We have become less able to respond to other, perhaps more important international problems which may occur elsewhere in the world. Indeed, the knowledge of this relative immobility could prompt foreign rivals to precipitate such crises in a deliberate attempt to embarrass us.

Too, as Vietnam has consumed a greater portion of our Defense budget, research and development programs bear less relevance to military needs of the future. As Robert Hotz, editor, *Aviation Week and Space Technology Magazine*, observed in his November 3, 1969 editorial:

This area (R&D) has been drained badly to fund Vietnam expenses. Nearly an entire generation of technical progress in key weapons development has been vitiated as a result.

What about Vietnam, itself?

In our desire to save that nation from the evils of communism, we literally have destroyed it.

Depending upon the source of the statistics, the war has cost the lives of 50,000 to 300,000 South Vietnamese civilians. Another casualty figure is estimated as high as 700,000.

American aircraft have deposited on Vietnam soil more bombs than we dumped in Europe during World War II.

With the tremendous influx of American dollars, inflation there has become rampant. A culture is being despoiled by over-Americanization of the countryside.

Perhaps most disturbing, however, is our arrogance in denying to the inhabitants of South Vietnam those civil rights which are guaranteed our own citizens. In the United States, to enter and search a house and its occupants requires a legal warrant. Upon being arrested, an American is apprised of his rights and is assured of a fair trial for his alleged offenses.

In Vietnam, however, villagers' homes are invaded daily by foreign troops without legal sanctions. Those who fail to provide satisfactory responses to their foreign interrogators are turned over to South Vietnamese military personnel for further "disposition."

#### C. FUTURE RESULTS

What can this country expect if the Congress approves H.R. 15090 in its present form?

First, as previously noted, \$23.2 billion will be reserved for continuation of our military exercise in Vietnam.

Second, this expenditure will divert money—and attention—from needed domestic programs, thus planting the seeds of future civil strife.

Third, the polarization of our society will accelerate.

Fourth, inflationary pressures will persist as long as billions are spent.

Fifth, the administration may be forced to request further extension of the surtax.

Sixth, among the community of nations our reputation as a neocolonial power will grow.

Seventh, essential new weapons systems, as well as military research and development programs, will remain underfunded.

Eighth, in Vietnam, itself, innocent civilians will continue to suffer from the ravages of war.

Ninth, and most important, many more thousands of American servicemen will lose their lives in a war we now declare unwise and unwinnable.

#### III. CONCLUSION

Members of Congress have limited jurisdiction in the conduct of a war. We cannot plan military strategy. We cannot dictate tactics. We cannot order troop reductions or troop withdrawals. We cannot initiate peace negotiations. We cannot conduct peace negotiations. All of these are prerogatives of the Commander in Chief, the President of the United States.

Some Members have expressed their concern in the various Vietnam resolutions now before this Congress. As a means of illuminating this issue, these resolutions are no more effective than a candle in a wind storm.

We in Congress do possess, however, two specific war powers.

First, we have the authority to declare war. In the case of Vietnam, the Congress abrogated this responsibility.

Second, we can influence the direction of a war through the appropriate process.

For me the "moment of truth" about Vietnam came shortly after being sworn in as a Member of the 90th Congress. In March 1967, I was asked by the bereaved parents of a young man who had given his life in Vietnam:

For what purpose did our son die?

I could not answer them. I am unable to do so today.

Yet for 2 years I assuaged my doubts by convincing myself that "it is the President's job to terminate the conflict." Thus, in the hope that the Chief Executive would do just that, I supported the two Defense appropriations bills which came before the House of Representatives in 1967 and 1968.

This week, if this body approves H.R. 15090, as now written, we are condemning to death another substantial number of young Americans. At the same time we are telling our servicemen in Vietnam:

We admit this war is wrong. We cannot win it. Therefore, you really should not be in Vietnam, and we hope to bring you home as soon as possible. Meanwhile, in all honesty, we must confess that many of you will die this coming year.

This I cannot accept.

Thus, I intend to vote against H.R. 15090 in its present form.

I do not view this as a protest vote. Rather, I consider that I am availing myself of the one opportunity by which a Member of the Congress can effect a policy change—and at the same time, in my case, clear my conscience of responsibility for the cruel and needless deaths of many additional fine young Americans.

I will support H.R. 15090, however, if

it is amended to require complete U.S. troop withdrawal, effective December 31, 1970. If 217 other Members concur, our Vietnam policy can and will be changed.

#### "SHOOTOUT" IN CHICAGO

(Mr. MIKVA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIKVA. Mr. Speaker, at 4:40 a.m. on December 4, 1969, Fred Hampton and Mark Clark, leaders of the Illinois Black Panthers, were shot to death in a police raid on Hampton's apartment. The police who participated in the raid were under the direction of the Illinois State's attorney's office. They had a search warrant based on a police sergeant's sworn statement that a cache of illegal weapons was located in the Hampton apartment. Weapons were found at the apartment.

At this time, these meager facts are about all we know for certain about the events on that early Thursday morning. But in Chicago, and I suspect throughout the Nation, people are disturbed by a number of unanswered questions in the Hampton-Clark shootings. Police who conducted the raid have said that they were fired upon by those in the apartment, and estimated that over 200 shots were exchanged between police and those in the apartment. On the other hand, witnesses at the scene indicate that evidence there shows that Hampton, at least, was lying in his bed when he was shot. A private autopsy conducted on Hampton's body, which was reported in yesterday's *New York Times*, seems to indicate that the body was in a reclining position at the time the bullets entered and left it.

The raid on Fred Hampton's apartment has become a subject of great controversy in only the few days since it took place. The major daily newspapers in Chicago have all editorialized on the subject, and it has received extensive news coverage. Despite the apparent paucity of facts, sweeping conclusions are already being drawn by various elements of the community. The State's attorney's office has termed the shootings justifiable acts of self-defense. Other elements of the community, both black and white, have characterized the Hampton-Clark shootings as nothing less than deliberate assassination, part of a nationwide campaign to eradicate the Black Panthers. My own view is that no conclusions can be drawn until we have more facts. But we must be sure that we are going to get those facts, and get them from a source which will be objective and credible to all parties concerned. As the *Chicago Sun-Times* said in an editorial:

This potentially explosive situation must be calmed by a full airing of the facts concerning the events that occurred in the early Thursday morning raid on the Black Panther apartment.

I believe that the concern of many Chicagoans about this matter is justified. If there was illegal possession of firearms, then the police should have moved in to confiscate them and arrest those illegally possessing the contraband as they are

bound by law to do. But illegal possession of firearms is not normally an offense which, if proved, carries the death penalty, or even a very long jail term. Nor is it normally an offense for which a search or arrest warrant is served at 4:40 in the morning. Finally, men who are engaged in a "shootout" with the police do not normally do their shooting from a reclining position. For all of these reasons, whatever answers are eventually developed to the questions surrounding the "shootout," must, if they are to be credible answers, come from some source other than the State's attorney's office or the testimony of his police.

For this reason, I am today writing a letter to Dr. Milton Eisenhower urging that the National Commission on the Causes and Prevention of Violence initiate an investigation into the nature of the shootings in Chicago last Thursday. I understand that the Illinois Division of the American Civil Liberties Union has done likewise. There are several reasons that such an investigation by an impartial Federal commission is necessary. First, whatever story is revealed during the trial of Panther leaders arrested at the time of the "shootout," it is bound to be based primarily on the testimony of those directly involved in the incident. Thus, whatever the trial discloses, it will still be less than credible to those who already have doubts about the shootings. Second, the Violence Commission already has significant experience and expertise in investigating the nature of violent incidents. The commission staff investigated in depth a shootout incident which occurred in Cleveland last year. It has the manpower and the techniques to make a thorough and objective investigation.

Finally, and perhaps most important, the central reason for concern in the Hampton-Clark shooting is directly within the scope of the commission's mandate. The commission was established to investigate the reasons for excessive violence in American life, whether on the part of criminals, private citizens, or the police. As one who has sought stringent gun control laws, I am hardly sympathetic to the stated philosophy of the Black Panther party. My reason for concern is, rather, that whenever violence occurs in our society, all citizens are hurt, all our lives are endangered. What has been worrying so many Americans about crime is not the money they will lose, it is violence—the threat of physical harm to themselves or their families. It is excessive violence, whether perpetrated by private citizens or officials of the State, which we have most to fear. Thus in a very real sense, "law and order" demands that the reasons and responsibility for the violence which occurred last Thursday be brought to light.

I insert a New York Times article referred to above and an article by Barbara Reynolds in the yesterday's Chicago Today at this point in the RECORD:

[From the New York Times, Dec. 7, 1969]

**PANTHERS SAY AN AUTOPSY SHOWS PARTY OFFICIAL WAS "MURDERED"**

(By John Klener)

CHICAGO, December 6.—A black alderman and attorneys for the Black Panther party asserted today that an independent autopsy

performed on the body of Fred Hampton, a slain Panther official "confirms our theory that he was murdered while he was asleep."

Mr. Hampton, the 21-year-old Illinois state chairman of the Panthers, and Mark Clark, a Panther leader from Peoria, were shot to death in a police raid on Mr. Hampton's apartment here early Thursday morning.

The police have said that the two men were shot in a gun battle lasting at least 10 minutes when the raiding party entered the apartment a block from the Panther offices at 4:40 A.M. in a search for weapons. The police said that what they termed a "shootout" ensued after a woman in the apartment opened fire on them with a shotgun. They said they had seized a number of weapons.

Four other Panthers were wounded in the apartment, and three more were arrested. One policeman was grazed on the leg with a shotgun pellet and another cut his hand on a piece of glass.

#### PARTY AIDE SURRENDERS

The Panthers charged that the police had burst into the apartment and opened fire and that the occupants had had no opportunity to shoot back.

The Panthers' deputy minister of defense, Bobby Lee Rush, the ranking surviving party official here, surrendered to the police this morning at a meeting of the Southern Christian Leadership Conference's operation breadbasket.

He had been sought on a warrant charging him with failure to register a weapon since the police staged a raid on his apartment at 5:30 A.M. yesterday. He was not at home then.

The police said that the raid had produced a 22-caliber, two-shot derringer, several hundred rounds of ammunition, dried leaves that might be marijuana, military instruction manuals and literature that they described as "inflammatory."

Mr. Rush was held on \$1,500 bond.

The private autopsy was held at the funeral home owned by Alderman A. A. Rayner, where Mr. Hampton's body is awaiting burial on Monday.

#### LAWYER WATCHES AUTOPSY

Francis Andrew, one of three attorneys for the Black Panthers who arranged and observed the examination, said that the autopsy had been conducted by "a leading pathologist, a renowned expert in forensic medicine. He was assisted by two other distinguished doctors."

All three doctors were white.

Mr. Andrew said, "A bullet hole was found just below Fred Hampton's hairline above his right eye. An examination of the angle of the wound showed that if Hampton was lying on his back, the person who shot him would have been standing above him, slightly to the right and behind his head."

"Another bullet hole was below the right ear, with an exit hole on the left side of the lower neck, showing exactly the same angle as the other bullet hole," the lawyer continued. "There were two other bullet grazes, one of the front left shoulder, again at the same angle, and one on the right arm."

"No exit wound could be found for the bullet hole in the top of the head, but the doctors could not find the bullet, which is very curious," he said.

James J. Walsh, administrative assistant to coroner Andrew J. Toman, said yesterday that the official examination showed Mr. Hampton had been struck by a bullet in the left temple and by another in the lower portion of his neck, while a third had grazed his arm.

Meanwhile, Edward V. Hanrahan, state's attorney, announced that Alderman Rayner himself was under investigation for his connection with the Panthers. Mr. Hanrahan's office said that copies of the lease on the Panther headquarters "uncovered" yesterday had been signed by Mr. Rush and Mr. Rayner.

#### SAYS HE SIGNED LEASE

The alderman confirmed that he had co-signed the lease and added: "The police red squad has been asking people in the area about my work with young people."

The Panthers have been conducting tours of the apartment in which their leader was slain. Hundreds of people, including some whites and two Negro state senators, have passed through, listening as Panthers lecture and point out the bullet holes.

The small, five-room apartment does not have extensive scars, pockmarks and bullet holes. Many walls and entire rooms have no visible scars, and most of the bullets are clustered in the area where the Panthers were shot.

Roy Innis, national director of the Congress of Racial Equality, called yesterday for investigations into the deaths of 23 Black Panther party members killed in clashes with the police since January, 1968.

Mr. Innis made the request in telegrams to President Nixon, Attorney General John N. Mitchell, Mayor Richard J. Daley of Chicago and other officials.

#### A REPORTER SOUNDS OFF: HOW WILL THEY SEE HAMPTON'S DEATH?

(By Barbara Reynolds)

I found myself standing in Fred Hampton's blood.

As I stood there Thursday in my friend's home at 2337 W. Monroe st., I could almost see him greeting me with his sweet smile, clenched fist, and "All power to the people, sister."

I looked at the blood spattered wall, the crimson mattress, and the bullet holes in his green bedspread, and I wondered what people who didn't know Fred Hampton were thinking about his violent death.

Would they think he was just another "hood," who was better off dead? Or would they feel he died because he had ceased to be a "boy," and had determined, at 20 years of age, that was time to be his own man or die trying?

Fred was no fool. He knew other Panthers who tried to change the system had either been killed, thrown in jail or run out of the country. He knew he would be gagged in one form or the other, just as Bobby Seale had been gagged in Judge Hoffman's courtroom. But, perhaps, he felt he hadn't much to lose. If you're living in bondage, you're not really living anyway.

The end came quickly. At 4:30 in the morning someone decided to issue a search warrant because a witness said there were guns inside Hampton's apartment. It took 50 armed policemen who cordoned off a two-block area around his home to deliver the warrant.

Police said as they tried to enter, Panthers inside opened fire. So they blasted the back and front doors down. More than 200 shots were exchanged in 12 minutes of rapid firing, the police said.

Yet both doors were still standing when I arrived as a reporter and the only thing I could see wrong with the back door was that it needed painting.

There were few bullet holes from all the 200 shots that were supposed to have been fired, except in Fred's bedroom where blood was still oozing from his mattress down to the floor.

Bobby Rush, the Panther's deputy defense minister, claims Hampton was murdered in his sleep.

This story sounds strange, also. But it is no stranger than the inconsistent police accounts of the event.

On the whole it matters little how Fred was killed. The fact is he is dead. He had to be killed, imprisoned or exiled because he believed the system won't allow black folks to run around leading a revolution that will make democracy work in favor of its black minority.

I will never see my friend again. But I will see his militant spirit roaming the streets of Chicago in the black masses who would rather fight and die than live with police brutality, ghetto housing, and poverty in a nation of plenty.

#### JUVENILE INSTITUTE BILL

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RAILSBACK. Mr. Speaker, today I have introduced, along with the gentleman from Illinois (Mr. MIKVA), the gentleman from Pennsylvania (Mr. BIESTER), and more than 80 other Members, a bill which would create an FBI Academy-type institution to provide trained workers and information for use in the battle against juvenile delinquency.

This bill is not simply another study or research effort. We have sought in this proposal to make some very real and measurable progress in this Nation's efforts to deal with and prevent juvenile delinquency.

A detailed study recently released by the Justice Department has revealed that the astounding total of 72 percent of youths once arrested were rearrested within 5 years. This bears repeating: almost three-fourths of the youths once arrested and supposedly within the reach of our juvenile justice system were rearrested. Statistics on crime are easily cited to demonstrate the seriousness of the problem. For instance, during 1968 there was one murder every 39 minutes, one forcible rape every 17 minutes, one robbery every 2 minutes, one aggravated assault every 2 minutes, one auto theft every 41 seconds, and one burglary every 17 seconds. There was an average during 1968 of one violent crime every 54 seconds. But even more disturbing are the statistics which show the almost unbelievable increase in crime among our young people. During the period from 1960 to 1968, the number of arrests of juveniles for serious crimes increased by 78 percent. As tragic and disheartening as the above may seem, it should strike at the hearts of all of us that this represents only the beginning of a career in crime for many of these youthful offenders. With a three-quarters repeater rate, we just are not stopping careers in crime.

In its 1967 Task Force Report on Juvenile Delinquency and Youth Crime, the President's Commission on Law Enforcement and Administration of Justice estimated that in the inner city as much as 70 percent of the young people find themselves in trouble with the law before their 19th birthday. A report by the New York City Department of Corrections has found that more young men are put in detention centers or jails between the ages of 16 to 20 than at any other time in their lives.

Earlier this year a timely symposium was held in Washington, D.C., under the joint sponsorship of the American Parents Committee and the National Council of Juvenile Court Judges. The thought-provoking title of this symposium was "Youth in Crisis—Our Nation's Stake in Juvenile Delinquency Prevention." It is encouraging that public interest in try-

ing to save young people from a life of crime is increasing. As representatives of the interested citizens in our home districts, we in Congress have contributed some action and many words. In this proposal we hope to make possible more action and leadership.

Almost one-half of those arrested in 1968 for criminal offenses were under the age of 18. In other words, what we are talking about today is, simply put, one-half of the crime problem. We have designed our legislation to strike at the very heart of crime. We think our proposal represents a new approach to attacking the root causes of recidivism so far as juvenile offenders are concerned. We are convinced that juvenile crime is the single most pressing and threatening aspect of the crime problem. The failure to deal effectively with criminals and with the causes of crime has become a near disaster for this country. Our bill is intended to provide not just more talk, but some very definite action.

We propose the creation of the Institute for Continuing Studies of Juvenile Justice. As it is envisioned, the Institute will provide a two-pronged attack on juvenile crime. The main purpose would be to provide expert "graduate" or continuing education and training for persons working to combat juvenile delinquency at the State and local level. The operation would be patterned after the very respected and successful FBI Academy, and would offer training by experts for local law enforcement officers, judicial personnel, welfare officials, correctional officers, probation officers, and others connected with the treatment and control of juvenile offenders. The second purpose would be to establish a clearinghouse or data bank for the valuable information on juvenile delinquency presently existing but not in any one convenient or central location. This information would be put into useful forms and disseminated to the State and local people who can put it to work in their everyday dealings with the juvenile offender.

The problem of juvenile delinquency is primarily a local one. However, to the extent that there are 50 States and countless local communities which are presently approaching the problem in different ways, we believe that some guidance and assistance should be available on a coordinated basis to these State and local governments. Admittedly, some States have done more than others in the area of juvenile delinquency prevention and control. The Governor's Conference has placed the responsibility as follows:

The burden rests with the individual governments to adopt, adapt, and act against crime.

The Governors at their 1969 meeting also reported the following recommendations:

In recognition of the key role which state governments play in the intergovernmental effort to prevent and control juvenile delinquency, the National Governor's Conference urges the following actions by states: (1) Each state should establish the necessary administrative machinery to provide leadership and coordinate the planning and services of all state agencies which

contribute to the prevention, control, and treatment of juvenile delinquency. (2) Each state should emphasize and strengthen its commitment to programs designed to prevent delinquency, giving particular emphasis to home and school-centered programs aimed at youth who are in danger of becoming delinquent.

One outstanding example of helping the State and local governments has been the FBI Training Academy and the local training schools operated by the FBI. In fiscal 1969, training was afforded to 233,741 municipal, county, and State law enforcement officers who attended 7,804 schools. Of the over 5,000 graduates of the FBI Training Academy, 27 percent are now the heads of their agencies. We think this is a fine example to follow, and by applying a similar approach to training State and local personnel in the field of juvenile delinquency, we hope for very real benefit at a reasonable, if not comparably inexpensive, cost.

To demonstrate the varying laws among the States with respect to juveniles, 24 States expressly deny the right to a jury trial in juvenile proceedings. In 14 other States the statutes make no reference to jury trials in juvenile proceedings. In the dozen other States, a jury trial is guaranteed. This condition exists in spite of the May 20, 1968, U.S. Supreme Court decisions in the cases of Duncan against Louisiana and in Bloom against Illinois in which the Court gave very strong hints that jury trials would be required. Only 1 month ago, the Supreme Court was asked in the case of DeBacker against Brainard to rule that jury trials are required. The Court said only that it would not so rule with respect to cases which arose prior to May 20, 1968, the date of the above decisions. Not only do one-half of the States deny jury trials, even more States do not have full-time specialized juvenile judges or courts. Only five States were found to have a complete system of juvenile courts. Some 16 other States had partial systems involving specialized courts in some counties or cities. In 28 States, judges on regular circuit courts were assigned on occasions to handle juvenile cases. In only 31 States was there a guarantee of a right to counsel in express terms. In short, with one-half of serious crime perpetrated by juveniles, we have a long way to go in simply providing the law and court structure to effectively deal with these offenders.

The Joint Commission on Correctional Manpower and Training pointed out recently two problems present in attempting to deal with any aspect of the crime problem.

(1) Correction today is characterized by an overlapping of jurisdictions, a diversity of philosophies, and a hodge-podge of organizational structures which have little contact with one another; and

(2) Lacking consistent guidelines and the means to test program effectiveness, legislators continue to pass laws, executive mandate policies, and both cause large sums of money to be spent on ineffective corrective methods.

The findings of the Commission indicate that what we need if we are to achieve more timely results is a single model or leader to coordinate activities in the field of juvenile delinquency.

The National Council on Crime and Delinquency has recommended "increased professional training, and additional training programs to upgrade the skills of those already in the field." The President's Task Force on Juvenile Delinquency said simply:

Personnel training is an obvious need . . . The kind of leadership needed at the Federal level requires a better integration of the various disparate Federal programs than is found at present.

And the need for such an institution as we have proposed is recognized by juvenile authorities throughout the world. Even in the police states of the Communist-controlled countries of Czechoslovakia, Hungary, and Yugoslavia, the oppressive governments recognize the problem and all require that their judges and police receive special training in child handling.

We have already accumulated vast amounts of knowledge concerning juvenile offenders and the offenses they commit, but we simply have not put this information to the best use. It must be supplied to all those concerned with the problem of juvenile delinquency. Furthermore, we must assist in the training of individuals to cope with juvenile offenders. After consultations with recognized experts, both within and without the government service, we are convinced that a multidisciplinary approach is needed in effectively dealing with juvenile offenders. In other words, what is needed is a combination training effort including the viewpoints, expertise, and disciplines of correctional, probational, judicial, law enforcement, and welfare personnel.

As the President's Commission stated in 1967:

America's best hope for reducing crime is to reduce juvenile delinquency and youth crime.

The bill which we are introducing today is intended to do just that.

Mr. Speaker, I include the text of the bill, as well as a section-by-section analysis of the bill in the RECORD:

H.R. 15124

A bill to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice

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

SECTION 1. Part IV of title 18, United States Code, is amended by adding at the end thereof the following new chapter.

"CHAPTER 404.—INSTITUTE FOR CONTINUING STUDIES OF JUVENILE JUSTICE

"Sec.

"5041. Establishment; purpose.

"5042. Functions.

"5043. Director and staff.

"5044. Powers.

"5045. Advisory Commission.

"5046. Location; facilities.

"5047. Curriculum.

"5048. Enrollment.

"§ 5041. Establishment; purpose

"There is hereby established an Institute for Continuing Studies of Juvenile Justice (hereinafter referred to as the 'Institute'). It shall be the purpose of the Institute to provide a coordinating center for the collection and the dissemination of useful data regarding the treatment and control of ju-

venile offenders, and it shall also be the purpose of the Institute to provide training for representatives of Federal, State, and local law enforcement officers, juvenile welfare workers, juvenile judges and judicial personnel, probation personnel, correctional personnel, and other persons, including lay personnel, connected with the treatment and control of juvenile offenders.

"§ 5042. Functions

"The Institute is authorized—

"(a) to serve as an information bank by collecting systematically the data obtained from studies and research by public and private agencies on juvenile delinquency, including, but not limited to, programs for prevention of juvenile delinquency, training of youth corrections personnel, and rehabilitation and treatment of juvenile offenders;

"(b) to publish data in forms useful to individuals, agencies, and organizations concerned with juveniles and juvenile offenders;

"(c) to disseminate pertinent data and studies to individuals, agencies, and organizations concerned with juveniles and juvenile offenders;

"(d) to devise and conduct in various geographical locations, seminars and workshops providing continuing studies for persons engaged in working directly with juveniles and juvenile offenders;

"(e) to devise and conduct a training program of short-term instruction in the latest proven-effective methods of prevention, control, and treatment of juvenile delinquency for law enforcement officers, juvenile welfare workers, juvenile judges and judicial personnel, probation officers, correctional personnel, and other persons, including lay personnel, connected with the treatment and control of juvenile offenders; and

"(f) to develop technical training teams to aid in the development of training programs within the several States and with the State and local agencies which work directly with juveniles and juvenile offenders.

"§ 5043. Director and staff

"(a) The Institute shall be under the supervision of an officer to be known as the Director of the Institute who shall be appointed by the President, by and with the advice and consent of the Senate, to serve for a term of four years. The Director of the Institute shall receive basic pay at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

"(b) The Director shall have authority to supervise the organization, employees, enrollees, financial affairs, and all other operations of the Institute and may employ such staff, faculty, and administrative personnel as are necessary to the functioning of the Institution. The Director shall have the power to acquire and hold real and personal property for the Institute and may receive gifts, donations, and trusts on behalf of the Institute. The Director shall also have the power to appoint such technical or other advisory councils comprised of consultants to guide and advise the Advisory Commission. The Director is authorized to delegate his powers under this Act to such persons as he deems appropriate.

"(c) If the Office of Director is left vacant, by resignation or otherwise, the President shall appoint a successor who shall serve for the unexpired portion of the term of office.

"§ 5044. Powers.

"The functions, powers, and duties specified in this Act to be carried out by the Institute shall not be transferred elsewhere or within any executive department unless specifically hereafter authorized by the Congress. In addition to the other powers, express and implied, the Institute is authorized—

"(a) to request any Federal department or agency to supply such statistics, data, program reports, and other material as the In-

stitute deems necessary to carry out its functions. Each such department or agency is authorized to cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information and advice to the Institute;

"(b) to arrange with and reimburse the heads of Federal departments and agencies for the use of personnel or facilities or equipment of such departments and agencies;

"(c) to confer with and avail itself of the cooperation, services, records, and facilities of State, municipal, or other public or private local agencies;

"(d) to enter into contracts with public or private agencies, organizations, or individuals, for the partial performance of any of the functions of the Institute;

"(e) to compensate consultants and members of technical advisory councils who are not in the regular full-time employ of the United States, at a rate to be fixed by the Director of the Institute but not exceeding \$75 per diem and while away from home, or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently; and

"(f) to report to the Congress at appropriate intervals on programs which have been implemented with the cooperation of the Institute within and among the several States, and to recommend to the Congress further legislative action which may appear desirable.

"§ 5045. Advisory Commission

"(a) The overall policy and operations of the Institute shall be under the supervision of an Advisory Commission.

"(b) The Advisory Commission shall consist of the Director of the Institute, the Attorney General (or his designee), the Director of the United States Judicial Center (or his designee), the Director of the National Institute of Mental Health (or his designee), and fourteen persons having training and experience in the area of juvenile delinquency appointed by the President from the following categories:

"(1) law enforcement officers (two persons),

"(2) juvenile or family court judges (two persons),

"(3) probation personnel (two persons),

"(4) correctional personnel (two persons),

"(5) representatives of private organizations concerned with juvenile delinquency (four persons), and

"(6) representatives of State agencies established under the Juvenile Delinquency Prevention and Control Act of 1968 or under title I of the Omnibus Crime Control and Safe Streets Act of 1968 (two persons).

"(c) Members of the Advisory Commission shall serve for terms of four years and shall be eligible for reappointment, except that for the first composition of the Commission, one-third of the members shall be appointed to one-year terms, one-third to two-year terms, and one-third to three-year terms, thereafter each member's term shall be for four years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

"(d) While performing their duties, members of the Commission shall be reimbursed under Government travel regulations for their expenses, and members who are not employed full time by the Federal Government shall receive in addition a per diem of \$100 in lieu of subsistence, as authorized by section 5703 of title 5, United States Code,

for persons in Government service employed intermittently.

"(e) The Director shall act as Chairman of the Advisory Commission. The Commission shall establish its governing rules of procedure.

"§ 5046. Location; facilities

"(a) A suitable location for the Institute shall be selected by the Advisory Commission.

"(b) Following the selection of a location for the Institute, the Director, with the approval of the Advisory Commission, shall—

"(1) acquire such property as has been selected pursuant to subsection (a), and

"(2) make such arrangements as may be necessary or desirable for the construction, equipping, and physical organization of the Institute.

"§ 5047. Curriculum

"The Advisory Commission shall design and supervise a curriculum utilizing a multi-disciplinary approach (to include law enforcement, judicial, correctional and welfare as well as probation disciplines) which shall be appropriate to the needs of the Institute's enrollees.

"§ 5048. Enrollment

"(a) Each candidate for admission to the Institute shall apply to the State agency established under the Juvenile Delinquency Prevention and Control Act of 1968 (82 Stat. 462; 42 U.S.C. 3801 et seq.), or the State agency established under title I of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 198; 42 U.S.C. 3701 et seq.), in the candidate's State. The State agency or agencies shall select an appropriate number of candidates and forward their applications for admission to the Director of the Institute. The Director shall prescribe the form of all applications for admission to the Institute and shall make the final decision concerning the admission of all students or enrollees.

"(b) While studying at the Institute and while traveling in connection with his study, including authorized field trips, each student or enrollee in the Institute shall be allowed travel expenses and a per diem allowance in the same manner as prescribed for persons employed intermittently in the Government service under section 5703(b) of title 5, United States Code."

SEC. 2. The table of contents to "PART IV—CORRECTION OF YOUTHFUL OFFENDERS" of title 18, United States Code, is amended by inserting after

"403. Juvenile delinquency----- 5031" the following new chapter reference:

"404. Institute for Continuing Studies of Juvenile Justice----- 5041".

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SECTION-BY-SECTION SUMMARY OF BILL TO CREATE AN INSTITUTE FOR CONTINUING STUDIES OF JUVENILE JUSTICE

Amend Part IV of title 18 U.S.C. to add a new chapter 404.

Section 5041. Establishment; purpose.

Section 5042. Functions.

Section 5043. Director and staff.

Section 5044. Powers.

Section 5045. Advisory Commission.

Section 5046. Location; facilities.

Section 5047. Curriculum.

Section 5048. Enrollment.

Section 5041 creates the Institute to provide a coordinating center for collecting useful data re the treatment and control of juvenile offenders; and to provide training for individuals in such treatment and control.

Section 5042 authorizes the Institute to:

(a) Serve as an information bank by systematic collection of data from all sources re juvenile delinquency.

(b) Publish data in useful forms.

(c) Disseminate published data to interested persons.

(d) Conduct seminars and works.

(e) Provide short-term training of law enforcement officers, juvenile welfare workers, juvenile judges, probation officers, correctional personnel, and other persons, including lay personnel, connection with the treatment and control of juvenile offenders.

(f) Send out training teams to work at State and local levels.

Section 5043: Director of the Institute shall be appointed by the President with advice and consent of the Senate.

Section authorizes the Institute to obtain data, personnel, facilities and other cooperation from Governmental agencies and departments (Federal, State and local) as well as from private individuals and agencies.

Section 5045 provides for Advisory Commission to set policy and supervise operations of the Institute. The Commission members would consist of:

(a) Director of the Institute.

(b) Attorney General (or designee).

(c) Director of U.S. Judicial Center (or designee).

(d) Secretary of Health, Education and Welfare (or designee).

(e) Director of National Institute of Mental Health (or designee).

(f) 14 persons having training and experience in the area of juvenile delinquency, to be appointed by the President from the following categories:

(1) Law enforcement officers (two persons).

(2) Juvenile judges (two persons).

(3) Probation personnel (two persons).

(4) Correctional personnel (two persons).

(5) Representatives of private organizations concerned with juvenile delinquency (four persons), and

(6) Representatives of State agencies established under Juvenile Delinquency Prevention and Control Act or under title I of Omnibus Crime Control and Safe Streets Act of 1968 (two persons).

Commission members would have four year staggered terms.

Section 5046 directs that a suitable location be selected.

Section 5047 requires Advisory Commission to design and supervise a curriculum utilizing a multi-disciplinary approach (to include law enforcement, judicial, probation, correctional, and welfare worker disciplines) appropriate to the needs of the Institute's enrollees.

Section 5048: Candidates for admission and enrollment in the Institute shall be established under the Juvenile Delinquency Prevention and Control Act of 1968 or the Omnibus Crime Control and Safe Streets Act of 1968 (title 1) with final decision concerning admission being made by the Institute Director.

RECAPITULATION

Rather than simply further study juvenile delinquency, this bill seeks to establish a clearing house or data bank for all the valuable information presently existing but not in any one convenient or central location—a function which could not be easily fulfilled except at the federal level. The other main purpose is to provide expert "graduate" or "continuing" education and training for two persons who are now working to combat juvenile delinquency at the State and local level.

THE LABOR DEPARTMENT AND THE UMWA

(Mr. WAMPLER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WAMPLER. Mr. Speaker, on November 28, 1969, the Labor Department released information on the United Mine Workers of America. Such action repre-

sents a first for the Department—the first time that the Landrum-Griffin Act has been used to influence a union election.

I am disturbed by the action of the Labor Department. I feel that it warrants a complete investigation by the Congress, followed by appropriate action if the investigation reveals deviation from the mandate of the Department under the labor laws of the United States.

The Department's action indicates a certain bias in the current UMWA election campaign. It seems, at first glance, to be a campaign tool for one of the candidates and a blow for his opponents. Moreover, it does not reveal the exhaustive attention to detail that should characterize an investigation of alleged wrongdoing by the Labor Department. On the contrary, much of it has become a matter of public record in the months since the election campaign within the UMWA has begun. Other information could easily be obtained from the Labor Department and the records filed under the law. To place the seal of the Labor Department on material of this type, and to release it to the press as "sensational new news" smacks of partisanship and anything but impartial justice.

It is not the function of the Labor Department to determine who shall be the president of the United Mine Workers of America. It is not the mandate of the Department to engage in political controversy of this type for any cause, no matter how noble. Rather, the Department's responsibility is to enforce the law and to protect the rights of union members. I would stress that one of these rights is the ability to elect the officers of their union without harassment from either union or outside sources, among which Government agencies must be included.

This action by the Labor Department will cause injury to that Department in the years ahead. Members of unions have traditionally resented such outside interference. This is especially true in the United Mine Workers.

It would be a tragedy if this incident were to cause a strain between organized labor and government—a strain that would hamper the cooperation which must exist if the Nation's economy is to function smoothly.

For, in the final analysis, if the union movement and the Government cannot trust each other, if they hold no respect for each other, our country will surely suffer.

At this time, Mr. Speaker, I would like to insert in the RECORD a resolution adopted Sunday, November 30, 1969, in Clintwood, Va., by the local unions representing 10,500 members of district 28 of the UMWA:

RESOLUTION

Whereas, The Federal Government has improperly interjected itself through the U.S. Labor Department into the election campaign for International Officers in the United Mine Workers of America, and

Whereas, the U.S. Department of Labor has done so in violation of proper democratic concepts and in violation of the primary principles guaranteeing the fostering of free labor unions, and

Whereas, this interference of the U.S. Department of Labor not only is wholly improper, but is also completely biased, and

Whereas, the recent release of a prejudiced report to the news media by the U. S. Department of Labor on the eve of the United Mine Workers of America election, calculated to influence the election is utterly reprehensible and has connotations of a fascist technique in undermining a labor union, and

Whereas, the U. S. Department of Labor rendered this report out of context and in a manner intended to hide from the coal miners and from the general public by suppressing certain aspects of it, many facts that militate against the incumbent W. A. Boyle and redound to in a favorable manner toward his opponent, and

Whereas, the issuance of this report in a partial manner is designed for nefarious reasons to elect a man as head of the United Mine Workers of America who is a convicted burglar, a self-confessed thief on multiple occasions, a deserter of his family according to court records, a purveyor of union influence, a shakedown artist in politics, and a man totally lacking in principle and integrity who will stoop to any level for personal self aggrandizement, and

Whereas, we believe that this entire deplorable government scheme is intended as retaliation for the leading role the United Mine Workers of America played in the last election for President of the United States after Hubert Humphrey announced his candidacy at our International Convention in Denver, Colorado in 1968, and

Whereas, we believe that the man the U. S. Labor Department is assisting in his candidacy for President of the United Mine Workers of America is receiving this help because he is susceptible to political sellouts contrary to the best interests of the United Mine Workers of America,

Now therefore be it resolved, that we contact each congressman, each United States Senator, every high government official, and apprise them to the facts involved in the election campaign in which the United Mine Workers of America is involved, and call upon them to censor the U. S. Department of Labor for their improper and biased conduct, and

Be it further resolved, that a copy of this resolution be sent to the President of the United States, Richard M. Nixon; Speaker of the House, John McCormack; Senate majority leader, Mike Mansfield; and Secretary of Labor, George P. Shultz.

RAY THORNBURY,  
Chairman, Resolutions Committee.  
E. W. GILBERT,  
Secretary.

#### BELLAIRE MEDICAL FOUNDATION

(Mr. MONAGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, on September 24, 1969, the Committee on Government Operations approved and adopted House Report No. 91-523 entitled, "Office of Economic Opportunity and the Medical Foundation of Bellaire, Ohio." This report followed an investigation by the Special Studies Subcommittee, of which I am chairman, of the comprehensive health services project operated by the Medical Foundation in Belmont County, Ohio, and adjacent counties, with grant funds provided by the OEO. The subcommittee held hearings on the matter in Washington, D.C., on May 20, 21, and 22, 1969.

By letter dated November 11, 1969, Mr. Donald Rumsfeld, Director, OEO, advised the full committee chairman, Hon. WILLIAM L. DAWSON, that he had read the committee's report with great interest

and care and had directed that every feasible step be taken by the OEO staff to attempt to carry out the recommendations of the committee as rapidly as possible. Mr. Rumsfeld described actions that had been taken to correct the identified administrative deficiencies and to strengthen the operations of the project. The actions taken, as described by Mr. Rumsfeld, are consistent with recommendations of the committee, and include efforts directed toward increasing the number of local physicians actively participating in the project, in line with the objectives and standards of the comprehensive health services program guidelines. Mr. Rumsfeld is to be commended for his prompt action on these recommendations.

Mr. Rumsfeld's letter to Chairman DAWSON follows:

OFFICE OF ECONOMIC OPPORTUNITY,  
Washington, D.C., November 21, 1969.

HON. WILLIAM L. DAWSON,  
House of Representatives,  
Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of October 22, transmitting copies of House Report No. 91-523 entitled "Office of Economic Opportunity and the Medical Foundation of Bellaire".

We have reviewed with great interest and care the Report of the Committee, especially the findings and recommendations on pages 10-12. I have directed that every feasible step be taken by the Office of Economic Opportunity staff to attempt to carry out the recommendations of the Committee as rapidly as possible.

There is enclosed a report on the actions that have already been taken. We will continue to follow through on these matters both to correct the identified administrative deficiencies and to strengthen the operations of the Bellaire comprehensive health services project.

Sincerely,

DONALD RUMSFELD,  
Director.

#### ACTIONS TAKEN ON RECOMMENDATIONS OF HOUSE REPORT NO. 91-523

Recommendation (1) The OEO should consider providing for the active participation in the comprehensive health services project in Belmont County of the greatest feasible number of the practicing physicians, hospitals, and private clinics in the target area. This consideration should involve the problem of providing a broader choice of physician, and whether this broader participation would not aid materially in solving the current problem of transporting enrollees.

Arrangements have been made by the OEO staff to further and assist discussions between the Medical Foundation of Bellaire and officers of the Belmont County Medical Society with the aim of increasing the number of local physicians actively participating in the OEO-assisted comprehensive health services project, in line with the objectives and standards of the Comprehensive Neighborhood Health Services Program Guidelines. An amendment to the existing work plan has been developed by the Medical Foundation to involve in the project additional physicians who are interested in contributing to this effort; this proposal has been discussed with Dr. Robert Lewis and Dr. Richard Phillips, President of the Medical Society. Staff of the Office of Health Affairs have met with representatives of both the Foundation and Society to encourage and support these local negotiations. Dr. Phillips is reported to have indicated on October 17, 1969 that preliminary agreement has been reached. The OEO

staff will continue to offer its assistance in facilitating local discussions so as to extend the effectiveness of the health services available to poor families in need and to help conclude the long-standing community health dispute.

Recommendation (2) OEO should give consideration to making the Community Action Commission the grantee for the health project and whether this would not increase meaningful coordination and cooperation between and among all OEO-sponsored projects in the area, and with various local health resource agencies or groups as well.

The potential advantage of transferring the grant arrangements so that the Community Action Commission is the grantee for the health project is being considered as part of the planning for the new program year, scheduled to begin March 1, 1970. Actions along these lines need to be closely related to the negotiations currently underway between the various local medical groups, as discussed above under Recommendation (1).

Recommendation (3) OEO, in its administration of the project, should place strong emphasis on adherence to the requirements of the act, as well as to the guidelines, through constant oversight and consultation with grantees.

The staff of the Office of Health Affairs has increased its efforts to monitor and provide assistance to the Bellaire project. To supplement the continuing efforts of the staff of the OHA Comprehensive Health Services Division, the Acting Deputy Chief of the Office of Health Affairs has been appointed to help assist the development of the Bellaire project, especially the discussions between the local medical groups.

Recommendation (4) The outreach activities of the program, especially social services, health education, and home nursing services, should be closely coordinated or integrated by the Community Action Commission with other antipoverity area projects to eliminate duplication and unnecessary expense.

The staff of the OHA Comprehensive Health Services Division has been reviewing with officials of the Medical Foundation of Bellaire the best ways of coordinating outreach activities of the project with other available local resources. Particular attention will be given this subject in planning for operations during Program Year C.

Recommendation (5) OEO poverty guidelines for determining eligibility for enrollment in a comprehensive health services project should be revised to define for grantees the meanings of the terms "farm" and "nonfarm", "income" and "family". Also the guidelines should be revised to specify the exceptions from the poverty line index which OEO considers appropriate such as for cases of "unusual medical expenses".

The OEO guidelines with respect to "farm" and "nonfarm", "income", "family" and "unusual medical expenses" are being reviewed with the aim of providing more effective definitions. It is intended to revise the Program Guidelines in the near future to deal with these issues and to reflect other changes indicated by operating experiences and new legislation. In order to facilitate the integration of the OEO Comprehensive Health Services Program with the Medicaid program, these definitions need to take into account the practices being followed in the administration of the State Plans under Title 19 of the Social Security Act.

Recommendation (6) To allay community friction, OEO should enforce its procedures for implementing the "wage comparability" requirements of the act to insure that the salaries and wages of project employees are, in all cases, equitably established and comparable to the wage structure and economic circumstances of the local community. In this regard, OEO should see that a comparability study is made of all the positions in the foundation's program, using all of the

area's five hospitals and private clinics for this purpose.

The staff of the Office of Health Affairs is working with the local grantee to plan and undertake a wage comparability study, including the area's hospitals and clinics.

As a result of the subcommittee recommendation, OEO internal auditors subsequently made an audit of the Medical Foundation of Bellaire. In a report dated October 31, 1969, the internal auditors questioned charges to the grant for the 6-month period ending December 31, 1969, totaling \$36,009.38, because of the grantee's methods of distributing and assigning costs. Among the charges recommended for disallowance was \$715.82, which had been charged to the OEO grant for food and gifts incident to a Christmas party held for project employees.

The OEO internal auditors' report also identified other areas, such as leasehold improvements, use of Government property, accountability for Government property, and participation of the indigent, which the OEO auditors believed were in need of further evaluation for compliance with OEO requirements.

This report, which, in effect, strongly supports the decision of the committee to make this investigation, is in the files of my subcommittee, room B-377, Rayburn House Office Building, and will be made available to Members who wish to read it there.

The report follows:

Subject: Report of Audit, The Medical Foundation of Bellaire, Bellaire, Ohio 43906, Grant No. OHIO-CG-8868, EOA Section 222(a)(4).

To: Thomas Bryant, M.D., Assistant Director Health Affairs Office.

OFFICE OF ECONOMIC OPPORTUNITY,  
GREAT LAKES REGION,

Chicago, Ill., October 31, 1969.

Attached is a copy of our audit report of the Medical Foundation of Bellaire. Our audit was directed toward an evaluation of the grantee's system for allocating costs and to determine the propriety and equitability of that system. Also on a limited basis, we appraised compliance with OEO regulations, policy and grant conditions.

We invite your attention to our observations summarized in Part II particularly, that (1) we have questioned charges to the grant in the amount of \$36,009.38 because of the grantee's method of distributing and assigning costs, (2) other areas, such as leasehold improvement; use of government property; accountability for government property; and participation and representation of the indigent are in need of evaluation for compliance by Health Affairs.

Also your attention is invited to Part VI of our report where we discuss: comparison of expenditures with services received; the consideration of a single rate for indirect medical costs; the need for guidance to the Citizens Health Program Advisory Council; the need for defining income eligibility and income levels; the problem of reimbursements to the grantee and the need for local coordination; and free medical care provided trustee members.

We will appreciate being advised by December 30, 1969 of the action you propose or initiate on the audit comments and recommendations.

Please let us know if you desire any further information.

JAMES H. ARD,  
Regional Auditor.

[Grant No. OHIO-CG-8868]

OBSERVATIONS AND RECOMMENDATIONS FOR  
OEO: THE MEDICAL FOUNDATION OF BELLAIRE, BELLAIRE, OHIO

I. INTRODUCTION

At the request of Dr. Gary D. London, former project manager, Health Services, Community Action Program, OEO, we conducted an audit of The Medical Foundation of Bellaire during the period June 9 to June 23, 1969. The request for audit was the result of questions raised by the certified public accountant relating to the grantee's system of allocation of various expenses. An exit conference with the Foundation's Executive Director, Clinic Administrator, Business Manager and OEO Project Director was held on June 24, 1969.

The Medical Foundation of Bellaire received OEO grants totalling \$1,514,991 as of June 24, 1969. A summary by program year follows:

Program year:	
A. May 17, 1967 to June 30, 1968	\$404,480
B. July 1, 1968 to February 28, 1969	439,493
C. March 1, 1969 to February 28, 1970	671,018
Total	1,514,991

A detailed schedule of personnel contacted is appended hereto as Attachment A.

II. SUMMARY OF OBSERVATIONS

Our audit of the grantee's system for allocating costs to the OEO program disclosed areas of cost distribution which did not provide an equitable distribution of expenses. The cost distribution system is in need of revision to meet the requirements of OEO and the Foundation for distributing costs that are equitable to all programs.

As a result of our audit we are questioning charges to the grant, applicable to the first six months of program year B, (minimal charges applicable to prior program year), of \$36,009.38, consisting both of direct and indirect charges that were: (1) allocated using a basis that was not equitable for distribution to the OEO program, (2) based on estimated time and material efforts, where justification was not sufficiently clear and, (3) expenses not appropriate and allowable under the grant.

In addition, the grantee has not: (1) submitted written approval for leasehold improvements, (2) adequately explained non-payment for the use of government property by non-OEO programs, (3) accounted for government property in accordance with government regulations, (4) increased CHC-OEO representation on the Board of Trustees to desired level of representation.

The effect of the deficiencies was excessive charges to the grant for medical services; use of government property without compensation for its use; lack of control over government property; and the indigent do not have an active role in the administration of the program.

We discussed in general our preliminary observations with the grantee and he agreed in principle with our observations, which had not been refined at the time of our exit conference.

Part III of this report presents details of our observations, summarized above, and the related recommendations. These observations and recommendations are applicable to program year A 1/68-6/30/68; the remaining two months of program year B; and the current program year C.

III. STATEMENTS OF OBSERVATIONS AND RECOMMENDATIONS

Background

The Medical Foundation of Bellaire is a non-profit, tax exempt, community-based

corporation established in October 1958. The Foundation in May 1959, took over the assets, at no cost, and the medical program from a group of physicians known as The Bellaire Medical Group.

The Medical Foundation operates three out-patient clinics in the State of Ohio for the group practice of medicine; a central clinic in the town of Bellaire and two smaller branch clinics, one in Harrisville, and one in Powhatan Point. The Harrisville Clinic was built in 1959, northwest of Bellaire to serve the community surrounding Belmont, Harrison, and Jefferson Counties. Also in 1959, the Foundation opened the Community Clinic of Powhatan Point, sixteen miles south of Bellaire to serve the population of southern Belmont County and Monroe County.

In 1963, the Foundation was granted exemption from Federal income taxes, as a community welfare corporation and operates under the incorporation code of Ohio as a non-profit corporation relating to health and medical matters. Under its legal structure, no earnings may be distributed except in furtherance of the purposes of the corporation, and upon dissolution all the net assets must go to a non-profit educational organization for medical education or research.

The Foundation owns or leases all facilities, provides all equipment and supplies, and employs all non-physician staff. The Foundation has an agreement with the aforementioned Bellaire Medical Group, a professional corporation of physicians, to provide the medical services.

The purpose of the Foundation is to provide out-patient preventive, diagnostic, and treatment services to low-income families. The program provides health services to three main groupings of patients: (1) Beneficiaries of the United Mine Workers Welfare and Retirement Fund, (2) Members of the low-income families enrolled in the OEO funded Community Health Centers Program, and (3) Individual citizens in the community, who are not enrolled in the above two programs, and pay for services on a fee-for-service basis.

The business and affairs of the Medical Foundation are managed by a Board of Trustees. The Board of Trustees consists of not more than twenty-five members.

There are two classes of trustees: (1) Trustees-at-large are elected by subscribers to the Foundation's health plans to be representative of the general community (The Foundation is a membership corporation and all subscribers to the Foundation's health plans automatically are members.); and (2) Trustees representing each organization participating in the Foundation's health plans.

The trustees select and appoint an administrator, who is subject to the approval of the Medical Group, to conduct the administration of the Foundation.

The trustees also appoint a medical advisory committee consisting of three or more physicians who may or may not be trustees or members. No member of the medical advisory committee can be a member of the lessee Medical Group, with the exception of the Group Medical Director. It is the responsibility of the committee to advise and make recommendations to the trustees on matters of a medical nature.

The appointment of the Medical Director, who is a member of and selected by the Medical Group, is subject to the approval of the trustees.

The Bellaire Medical Group was started in 1952 by four physicians who came to the Bellaire area to establish a group practice. The physicians agreed in 1952, to hold the assets and facilities of the program in trust until such time as the community could organize a nonprofit corporation. This was accomplished in October 1958, with the incorporation of the Bellaire Medical Foundation.

The Bellaire Medical Group is a separate legal entity. It is not viewed as a non-profit organization from a legal and tax viewpoint,

although in concept, intent and practice it operates as such. The physicians are compensated by salary in accordance with an agreed salary schedule based on professional training and experience.

In accordance with an agreement between the Medical Group and The Bellaire Foundation, all income earned by the group in excess of salary and operating costs, accrue to the Foundation in the form of rent to provide for plant and equipment maintenance and expansion.

The medical staff of the group has grown from four members in 1952, to fifteen in 1969. Thirteen of these physicians are full-time and two are part-time.

The Community Health Center's program (CHC-OEO) began program year A on May 17, 1967; however, clinical services were not available under the program until January, 1968. During this period the operation of the program consisted of renovating and acquiring facilities and staff to implement the program and to enroll OEO patients.

The method of charging expenses to CHC-OEO for the first six months of the grant therefore was necessarily different from that of the second six months of program year A. Consequently, the amounts chargeable to CHC-OEO for the first six months consisted mainly of direct expenses and Category II, clinical services allocation, was not applicable as a formula for allocating expenses. Once the program became operative for clinical patients the three categories of costs, discussed in subsequent paragraphs, were applicable.

#### A. Cost allocation, general

The Medical Foundation operated two programs before the inception of the OEO Community Health Centers program (CHC-OEO). The two programs were: (1) A prepayment plan with the United Mine Workers of America Welfare and Retirement Fund (UMW), which is supplemental by a local prepayment plan for miners, (2) A fee-for-service practice available to the general community. People were served who were able to pay for their medical services.

The Foundation charges the United Mine Workers Welfare and Retirement Fund for medical services under the prepayment plan on the basis of a negotiated amount for the cost of operating the UMW medical program. The range of benefits provided under the UMW plan is specified in the agreement between the Foundation and the UMW. In order to supplement the basic plan and provide a wider range of benefits, a check-off plan is available to the miners, whereby an amount is deducted from the miners' check and paid by his employer, or paid direct by the miner to the Foundation for the additional medical coverage.

The fee-for-service plan is available to persons who are not enrolled in any of the Foundation's programs, and wish to use the clinics' facilities. Charges to fee-for-service patients are based on the published fee schedule of the Medical Group (discussed in a subsequent paragraph).

The CHC-OEO program is for comprehensive health services covering day-to-day medical care, a prescription drug program, outreach services, and other services outside the clinic. The outreach and outside services include the use of social workers, public health nurses, health aide personnel and outside referrals.

The system for allocating costs to the CHC-OEO program divides costs into three categories:

Category I costs are those costs incurred solely for the CHC-OEO program and are charged direct to the grant. These expenses are related directly to drugs, outreach, and outside services.

Category II costs are costs that cannot be identified as belonging solely to CHC-OEO. They are costs that are incurred for clinical patient service by program participants and are allocated to each program in accordance

with that program's percentage of total services.

Records are maintained that show the dollar value of services provided to patients of each program, with services broken down by service departments. The dollar value of services is taken from the published fee schedule of the Medical Group. The scale of dollar values derived from the fee schedule is applied to all programs and patients for clinical medical services.

The dollar values taken from the fee schedule are hereinafter referred to as "Billings". The term "Gross Billings" as used herein refers to billings before adjustment to "Net Billings," which is arrived at by deducting allowances for professional discounts, charitable and community services and bad debts of the clinic. These billings are not the actual charges to OEO, but the basis used to develop the percent of service rendered each program.

The expenses of each clinic service department is allocated to each program in accordance with that program's percent of service in that department as developed from net billings. The service departments are:

- (1) Doctors' Clinic Services.
- (2) Doctors' Hospital Services.
- (3) Treatment (nursing and injections).
- (4) Laboratory.
- (5) X-Ray.
- (6) Pharmacy.

Other or overhead expenses are allocated to each program in accordance with that program's percentage of overall services as measured by total net billings.

Category III expenses are allocated to CHC-OEO in proportion to the estimated time and material used in the administration of the program. These expenses are salaries for administrative and accounting efforts, space occupied by administrative and accounting personnel and a special allocation for telephone expenses. The expenses are allocated to CHC-OEO based on the assumption that a greater portion of time and material is spent on the CHC-OEO program than is accounted for in the Category II allocation previously discussed.

An estimated percentage of time and material expenses are charged direct to the grant and the remaining expenses are included with Category II expenses to be allocated in accordance with the percentage developed for other expenses (see paragraph #1, above).

The following costs by category were charged to the OEO grant for the period July 1, through December 31, 1968:

Category I .....	177,064.16
Category II .....	171,023.12
Category III .....	11,136.21
Total .....	359,223.49

Our review disclosed the grantee's allocation of Category II and III expenses to be inequitable in the following respects for the last six months of calendar year 1968:

#### Category II. Expense Allocation

1. We do not consider acceptable costs of \$6,119.85 allocated to OEO during the period 7/1-12/31/68, using net billings as a base to distribute Category II expenses.

The grantee reduces gross billings to net billings by subtracting allowances for professional discounts, charitable and community service and bad debts of the clinic.

The aforementioned allowances are applicable to the fee-for-service program which is totally unrelated to the CHC-OEO program. As we do not share in any of the fee-for-service income, which is received entirely by the Medical Group, we do not consider the allowances to be proper for use in making allocations to the grant.

Under the system used by the Foundation, total billings are reduced by the allowances, however, OEO billings are not reduced by the same allowances. Since OEO cost allocation is based on a ratio of OEO billings to total

billings, the effect has been that the cost to OEO is increased as the total billings are decreased.

2. The grantee allocated to CHC-OEO injection costs of \$2,985.67 and pharmacy supply costs of \$1,083.43, at the same percent as was applicable for CHC-OEO drug usage. Of the foregoing amounts, we do not consider appropriate injection and pharmacy supply costs of \$1,845.69 and \$669.76 respectively, because injections and pharmacy supplies do not have a direct relationship to drug usage at either cost, or at cost plus a mark-up as used by the grantee.

The cost of pharmacy supplies and injections are allocated to CHC-OEO in the same ratio as CHC-OEO drug usage bear to total drug usage. The rate of usage computed for CHC-OEO was 74.80%. Usage cost (arrived at by taking weekly inventories), is the cost of drugs used during the period plus a 100% mark-up. It is this price (cost plus a mark-up) that is used to allocate injections and pharmacy supplies. The actual cost of drugs is not allocated but charged direct to the patient or program user.

The grantee could not adequately justify his criteria for applying the mark-up to drug costs. Further, we do not consider the base used (drug usage) or the 74.80% rate applied to pharmacy supply and injection expenses to be proper as the service performed has no relation to drug usage or price.

We therefore recomputed the charges using a 28.56% rate based on gross billings for doctors' clinic fees. We consider a rate based on doctors' clinic fees as a more equitable method of allocating injections and pharmacy supply costs. The effect of basing pharmacy supplies and injection expenses on drug usage was to inequitably distribute costs to CHC-OEO.

3. The grantee allocated nursing salaries of \$15,445.09 to CHC-OEO (amount after our adjustment of distribution base to gross billings). We do not consider costs of \$3,564.89 as appropriate as we do not consider the grantee's method of cost distribution, doctor's clinic fees plus drug usage costs, to be equitable.

Nursing salaries and services bear little, if any, relationship to drug usage (previously discussed). We propose a distribution using doctors' clinic fees as being closer related to salaries and services and as a more equitable basis of allocating expenses. The acceptable amount, based on our proposal, is \$11,880.20.

4. Nursing supply costs of \$3,260.83 (after allocation base was adjusted to gross billings previously discussed) were allocated to OEO based on doctors' clinic fees and doctors' hospital fees. We do not consider acceptable costs of \$186.24, because we fail to see the relationship between doctors' hospital fees and clinical nursing supplies.

We consider a distribution using doctors' clinic fees as a more equitable basis of allocating clinical nursing supplies. We consider the amount of \$3,074.59 to be acceptable using the method discussed above.

5. Expenses of the Foundation, which are not included in the service departments, are classified as "other expenses" (previously mentioned). They are allocated to each program in accordance with that program's percent of total net billing. OEO received other expense charges of \$45,835.27 (after our adjustment of the allocation based from net to gross). Of this amount, we do not consider \$4,447.24 as charges distributed on an equitable basis.

The method used by the grantee includes the drug usage costs and mark-up discussed under injections and pharmacy supply costs. The usage cost of drugs should be removed from total gross billings before allocations are made of other expenses, since the usage cost of drugs has the effect of improperly increasing CHC-OEO costs as it has no relationship to the types of costs under other expenses.

6. The grantee allocated \$65,642.63 to OEO for physician salaries and other expenses of

the Bellaire Medical Group, based on net billings for doctors' clinic and hospital services. Of the amount allocated, we do not consider the amount of \$6,484.19 to be acceptable because the method of distribution is not considered equitable and has the effect of overcharging the grant.

We propose a distribution using gross billings for doctors' clinic and hospital services as a better method of allocating salaries and expenses of the Medical Group. Net billings basis of allocation has the effect of improperly increasing the CHC-OEO program costs.

We consider costs allocation of \$59,158.44 as a proper amount of cost for physician salaries chargeable to CHC-OEO for the six month period ending December 31, 1968.

In summary, we question the method of allocating Category II costs to OEO in the following amounts, during the period July 1 through December 31, 1968:

Allowances .....	\$6,119.85
Injections .....	1,845.69
Pharmacy supplies .....	669.76
Nursing salaries .....	3,564.89
Nursing supplies .....	186.24
Other expenses (drug usage costs) .....	4,447.24
Medical group .....	6,484.19

Total costs questioned..... 23,317.86

#### Recommendations

##### We recommend:

1. That Health Affairs disallow \$23,317.86 of Category II costs for the six month period ending December 31, 1968.

2. That Health Affairs advise the grantee to revise its method of allocating Category II costs whereby charges to OEO for clinical services will approximate cost for services provided. This can be accomplished by (a) eliminating the allowances for professional discounts, charitable and community service and had debts of the clinic from the base for allocating costs; (b) allocating injections and pharmacy supply costs based on gross doctors' clinic billings; (c) removing the usage cost of drugs from the base used in distributing nursing salaries; (d) using as a base, gross doctors' clinic billings to allocate nursing supply costs; (e) removing the usage cost of drugs from the base before allocating other expenses; (f) using gross billings, instead of net billings, to allocate expenses of the Bellaire Medical Group.

3. That Health Affairs advise the grantee to make appropriate adjustments to Category II cost allocations, based on our recommended methods of allocations, for program year A; the unaudited two months, January and February 1969, of program year B; and the current program year C.

In addition to Category II costs, questioned above, we are questioning other costs in Sections B through J which are applicable to Category II, other expenses. A summary of total costs questioned is shown as Attachment B.

#### Category III. Expense Allocation

We found that the grantee had no precise basis for estimating administrative and accounting efforts, space occupied by administrative and accounting personnel and the special allocation for telephone charges. We question \$8,290.05 of \$11,136.21 of Category III expenses allocated to the CHC-OEO program.

Of the questioned amount, \$7,390.05 was for administrative and accounting salaries based on an estimate that 20% or one day of each week was devoted to the OEO program. Therefore, 20% of these salaries was charged direct to the grant and the remaining 80% went into other expenses of Category II costs to be allocated in accordance with percentage computed for other expenses.

Space costs of \$900.00 was charged to the grant for occupancy of administrative and accounting functions at the Bellaire Clinic. The space costs were based on 5% of the normal occupancy costs.

The grantee could not firmly justify the estimated 20% for administrative and accounting salaries, or 5% for occupancy costs, bases of allocation. The Foundation in a letter dated November 5, 1968, to Health Services, attempted to explain the basis for estimating Category III expenses. The Foundation could not give a precise basis nor did it support its position with records of any type.

Since we found no support that showed any special efforts for the CHC-OEO program from general Foundation programs, we conclude that a better and more precise method should be found to substantiate these charges to the grant.

#### Recommendations

##### We recommend:

That Health Affairs advise the grantee to develop and maintain a system that will be an equitable basis for determining Category III charges. That charges of \$8,290.05 be disallowed until the grantee can satisfactorily present support or more adequately justify the charges.

More specifically, Health Affairs should advise the grantee to:

1. Develop and maintain records, such as time cards or time sheets for administrative and accounting time, to support the special efforts devoted to the CHC-OEO program.
2. Determine precise space costs based on actual occupancy and use. Thereafter review periodically actual occupancy to support and justify charges made to the grant.
3. Allocate any remaining costs in accordance with the method used for allocating other expenses under Category II.

#### B. Travel allowance

The Foundation's executive director receives a \$65.00 monthly travel allowance in addition to reimbursements for local and out of town travel. OEO was allocated a portion of the monthly travel allowance, which had the effect of assigning improper charges to the grant. OEO was charged \$134.55 during the last six months of calendar year 1968 as its share of the director's travel allowance.

The allowance of \$65.00 per month for travel, is considered improper as it is the policy of the Government to pay for actual costs incurred on a reimbursable basis in accordance with Standardized Government Travel Regulations.

#### Recommendations

##### We recommend:

1. That the charge to OEO of \$134.55 be disallowed as an expense not appropriate to the grant; and that the cost allocation to CHC-OEO, based on the \$65.00 per month allowance for travel by the executive director, be discontinued.
2. That the grantee be instructed to comply with or not exceed Standardized Government Travel Regulations before allocating Travel costs to CHC-OEO.

#### C. Cost of food

Project funds are being expended for the cost of food for employees not in a travel status. The expense is being charged to CHC-OEO on an indirect basis for Foundation employees and as a direct charge for CHC-OEO employees.

During the last six months of calendar year 1968, food costs of \$221.45 were allocated to CHC-OEO as an indirect charge and \$65.57 as a direct charge.

The cost of food for employees or officials not in a travel status is not considered an allowable expense of the grant.

#### Recommendation

We recommend that the charge to OEO of \$287.02 for cost of food be disallowed.

#### D. Special employee events

The Foundation holds a Christmas party for CHC-OEO employees, Foundation employees, and Foundation trustees during the Christmas season. Food and gifts are purchased and OEO is allocated a portion of the

expense as an indirect charge. The amount allocated to OEO for 1968 was \$715.82.

Expenditures for the food and gifts are not considered as appropriate or allowable expenses of the grant.

#### Recommendation

We recommend that the charge to OEO of \$715.82 for the 1968 Christmas party be disallowed, and the practice of expanding grant funds for parties and similar employee events be discontinued.

#### E. Fringe benefits

The Medical Foundation in its budget proposal lists as fringe benefits the following categories of expense: Life Insurance, Hospital Insurance, free Medical Care, Trust Funds, and Payroll Taxes.

The CPA for the Foundation in his report for the last six months of 1968, stated that payroll taxes and fringe benefits were charged at 27.48%, the ratio of CHC-OEO payroll to total Foundation payroll. However, an examination of the CPA's workpapers revealed only hospital insurance and payroll taxes were charged at 27.48%; and the other fringe benefits: life insurance, employee medical care, and trust funds, were treated as other expense (not in accordance with the budget) and allocated to OEO at the applicable 34.50% rate.

The Foundation paid \$28,296.51 for fringe benefits. CHC-OEO was allocated charges for fringe benefits of \$8,834.04 using percents of 27.48 and 34.50. Fringe benefits should include those items approved in the budget proposal and a uniform rate applied. This was not done and the effect was that the grant was charged more than its proper share for fringe benefits.

A charge to the grant for all fringe benefits, as reclassified in accordance with the budget, at the rate of 27.48% would be \$7,775.88 for the six month period. This would represent a decrease in expense to OEO of \$1,058.16.

#### Recommendations

##### We recommend:

1. That the overpayment of \$1,058.16 for fringe benefits be disallowed and the appropriate adjustments made.
2. That the grantee be advised as to the proper classification of fringe benefit items.
3. That Health Affairs advise the grantee that the fringe benefit rate be applied uniformly to all fringe benefit classifications.

#### F. Audit services

The CPA firm of John Wiseman & Company audits the Foundation's books. During calendar year 1968, the OEO grant was charged \$3,101.00 for audit fees. They consisted of \$2,364.00 direct charges, and \$737.00 of indirect charges allocated in accordance with Category II, other expenses.

The CPA has stated that he maintains a record of actual time spent on CHC-OEO audits and that all of his time was charged direct to the grant. Because indirect audit charges were allocated to CHC-OEO, in addition to the mentioned direct charges, CHC-OEO was charged more than its equitable share of audit fees. The direct charges represent the only proper expense to the grant. The allocated amount is not an appropriate charge and is applicable entirely to the Medical Foundation and Medical Group.

Discussions with the CPA lent support to our conclusion that OEO was inadvertently charged \$737.00 more than its share of audit fees.

#### Recommendation

We recommend that Health Affairs disallow \$737.00 of auditing fees as not appropriate to the grant.

#### G. Interest and contribution expenses

The grant was charged \$508.44 for interest expense and \$142.26 for contribution expense. The interest charges represent expenses on loans and mortgages of the Medical Foundation. Contribution charges were the result of

donations to various charities and non-profit private organizations.

Interest expense on borrowed capital and contributions for any purpose were not allowable grant costs.

#### Recommendations

We recommend:

1. That Health Affairs make a determination and advise the grantee as to future allowability of interest and contribution expenses.

2. That unless satisfactory justification is provided, Health Affairs disallow the charges for interest and contribution expenses of \$508.44 and \$142.26, respectively, as not appropriate to the grant.

#### H. Space cost and rentals

For the six month period ending December 31, 1968, OEO was charged \$6,452.82 for space: \$3,010.65 for space costs and rentals, and \$3,442.17 for depreciation of Foundation owned property and leasehold improvements. The charges for each location was as follows:

Rental—Jefferson Street facility	\$1,500.00
Space cost—Bellaire Clinic	1,510.65
Depreciation, leasehold improvement—Bellaire Clinic	2,355.62
Depreciation—Harrisville Clinic	504.42
Depreciation—Powhatan Point Clinic	582.13
<b>Total</b>	<b>6,452.82</b>

The space cost of \$1,510.65 at the Bellaire Clinic was arrived at by charging \$150 per month or \$900 for the six month period for space used in administrative and accounting functions (Category III costs) and the remaining costs of \$610.65 was for general space occupancy (Category II, other expenses).

Space costs at the Bellaire Clinic are estimated at 5% occupancy and includes 5% of the normal occupancy costs, such as rent, heat, light, water and repairs and maintenance. The monthly estimate of space costs was \$3,000.00, of which \$295.00 was for rent and the remaining \$2,705.00 for the above occupancy costs. A monthly charge of \$150.00 or 5% of the estimated expenses was made to CHC-OEO, questioned on page 10.

Our review disclosed that the grant received a duplication of cost because the grantee did not remove the monthly charge of \$150.00 from the applicable expense items before making allocation under Category II, other expenses, for general space occupancy. The duplicate charge was \$310.50 for the six month period. The duplicate charge was arrived at as follows: six months space costs at \$150 per month, or \$900, allocated at the rate of 34.5% which amounted to \$310.50.

#### Recommendation

We recommend that Health Affairs disallow total charges of \$310.50 as excessive to the grant.

#### I. Telephone charges

The CHC-OEO program is being charged both direct and indirect for telephone expenses incurred by the grantee.

Prior to the inception of the CHC-OEO program, the grantee's monthly telephone equipment charge, was \$215.00. The equipment was considered adequate for the Foundation's own needs, but was loaded to capacity. With the undertaking of the OEO program, additional equipment was installed to handle the increase in volume of business. Included in the new equipment was a larger and more expensive switching mechanism centrally located in the Bellaire Clinic, which also serves the CHC-OEO facility on Jefferson Street. Equipment charges rose to \$589.00 and the additional cost of \$374.00 is being charged monthly to OEO as a direct expense, along with an estimated \$100.00 for long distance and toll calls.

After the above total of \$474.00 (\$374

+ \$100) is removed from the clinic's monthly telephone billing, the remaining telephone expenses are allocated to CHC-OEO. Included in the remaining expense to be allocated is the \$215.00 monthly equipment charge which the Foundation was fully utilizing prior to the CHC-OEO program. The above amount should be removed from the pool before allocation of the remaining telephone charges are made to the grant.

For the last six months of calendar year 1968, the Foundation's telephone expense was \$11,783.53, of which OEO was charged \$6,069.37. By removing the equipment charge of \$215.00 from telephone expenses before allocation, the OEO portion would be decreased by \$445.05.

#### Recommendation

We recommend that Health Affairs disallow \$445.05 as excessive charges to the grant, unless the grantee can show that the grant receives a tangible benefit from the original telephone equipment owned by the Foundation.

#### J. Ohio sales tax

OEO paid for the purchase and installation of a Continental Mobile Unit. Included in the charges to OEO was Ohio sales tax of \$62.90, paid by grantee check number 4125.

The grantee admitted the charge of sales tax to the Government was in error and stated that the Foundation would try to recover the above amount.

#### Recommendation

We recommend that the charge to OEO of \$62.90 for Ohio sales tax be disallowed as an expense not appropriate to the grant.

#### K. Leasehold improvement

The Medical Foundation during program years A and B made leasehold improvements to its existing facilities at the Bellaire Clinic. The cost of these improvements was in excess of \$23,000.00, paid for with Foundation funds, and are being depreciated over a three year period. The additional facilities are used by all program users.

OEO is paying a "use" or "depreciation charge" allocated in accordance with the program's percent of all services.

The charge to OEO for the first six months of calendar year 1968 was \$268.07 and the last six months \$2,355.62. The larger amount for the last period was due to an acceleration of the rate to enable the grantee to write off the improvement over a three year period.

OEO reserves the right of approval (or disapproval) prior to the granting of a contract for additions, renovations, and improvements. No written evidence of approval by OEO was presented by the grantee.

#### Recommendation

We recommend that Health Affairs require the grantee to present in writing for approval any contract for leasehold improvements.

#### L. Furniture and equipment usage

The Medical Foundation expanded its facilities at the Bellaire Clinic by purchasing, with grant funds and OEO approval, a mobile unit and furniture and equipment. This addition to existing facilities was considered primarily for OEO use. However, it is being used by all participants enrolled in the health programs. OEO receives no compensation for its use by non-OEO enrollees, which include the fee for service patients.

The Foundation contends that since the mobile unit was primarily for and because of the OEO program a use charge should not be charged non-OEO programs.

The amount of use by non-OEO programs was not determined, however, it was agreed to by the Foundation that OEO is not the sole recipient of its service.

Therefore, we conclude that OEO by paying a use or depreciation charge for the leasehold improvements, discussed in Section K, should likewise be entitled to compensation by the other programs for the use of the mobile unit and furnishings. Its use without con-

sideration for wear and tear is not equitable to OEO.

#### Recommendation

We recommend that Health Affairs require the grantee to determine, explain and support the percentage of use by non-OEO programs, and Health Affairs negotiate an amount as compensation which is commensurate with use.

#### M. Property and supply management

CAP Grantee Financial Policy and Procedures Guide, Volume V, outlines the responsibility of the grantee to record, tag, and inventory nonexpendable personal property.

The Foundation has purchased furniture and equipment valued at \$13,702.43 during program years A and B. The Foundation has not complied with the requirements of the above CAP Guide for control of these items. Property cards have been initiated but are not complete. Individual items are not tagged with the grant number. A complete physical inventory has never been conducted or a complete listing submitted prior to refunding of subsequent actions. Currently, government property is mixed with that of the grantee and positive identification is difficult.

#### Recommendations

We recommend:

1. That Health Affairs instruct the grantee to complete the property cards which should include as a minimum the basic requirements illustrated in CAP Guide, Volume V.

2. That Health Affairs advise the grantee of the requirement of periodic inventories.

#### N. Program income

A special condition to the grant states that program income must be kept in a special account and appropriate accounting records maintained. This income should be used to meet current operating expenses of the programs before grant funds are used. Program income for the grantee includes, but is not limited to, reimbursements from local, state, and other Federal health and welfare agencies, and private health insurance.

The Foundation received program income of \$16,658.00 during program year B and another \$9,348.00 was listed as outstanding receivables. A separate bank deposit is made of program income, but a special account and appropriate accounting records are not maintained. The grantee deposits these funds in the regular Foundation bank account.

With the grantee's method of accounting for program income, it is not possible to determine whether these funds are being used to meet current expenses before the use of grant funds.

#### Recommendation

We recommend that Health Affairs advise the grantee to deposit program income in a special account and establish accounting records that will show the expenses charged against this account.

#### O. Foundation board of trustees

The Board of Trustees are the policy making body of the Bellaire Medical Foundation. The Board consists of twenty-five members, fifteen to seventeen members at large, elected by the membership to be representative of the community and eight to ten members from the United Mine Workers (UMW).

In a draft report showing the dates of visit as September 5-8, 1968, prepared by Program Planning & Evaluation, CAP Health Service Office, it was pointed out that the Medical Foundation Board of Trustees lacked the desirable representation from the CHC-OEO program on the Board. The grant has been operative for two years and has only recently elected one member from the Citizens Health Program Advisory Council to the Board.

The Executive Director of the Medical Foundation proposed that the Board of Trustees consider increasing the CHC-OEO representation to one ninth of the membership, which the Director considered to technically meet OEO requirements. We cannot

and any criteria under which the proposal could technically meet OEO requirements.

The Director discussed the proposal with the Board membership, but five months later no action had been taken to increase CHC-OEO representation beyond the one member.

The Medical Foundation acknowledges that the CHC-OEO program constitutes approximately one-third of the Foundation's medical service, and we found that CHC-OEO absorbs approximately 63%, before adjustments, of the Foundation's cost.

Therefore, we do not consider the one member elected to the Board of Trustees as being adequate representation in compliance with OEO requirements, nor do we consider the proposed increase of CHC-OEO representation to one-ninth as being in a reasonable proportion to Foundation costs absorbed by OEO.

#### Recommendations

We recommend:

1. That Health Affairs make a determination of the feasibility of increasing CHC-OEO representation on the Foundation Board of Trustees in accordance with OEO guidelines.
2. That Health Affairs immediately advise the grantee of its decision as sufficient vacancies now exist on the Board to increase CHC-OEO representation.

#### IV. AUDIT COUNSEL

We will be pleased to provide auditing counsel in connection with any matter discussed in this report.

#### V. SCOPE OF AUDIT

The audit was made for the purpose of evaluating the system of cost allocation used by the Bellaire Medical Foundation to arrive at the amounts chargeable to the grant for comprehensive health services, to determine the propriety and equitability of that system, to ascertain the degree and effectiveness of the representation and participation by the indigent; and on a limited basis, assessed compliance with OEO regulations, policy and grant conditions.

Our audit of cost allocation covered the six month period, July 1, 1968 through December 31, 1968. We limited our coverage to this period as it was the latest period where actual cost had been established by the C.P.A.

In making our evaluation, we reviewed basic grant documents, the grantee's accounting records, financial and audit reports, evaluations and management reports, and other files and records relating to the grantee's activities.

#### ATTACHMENT A—PERSONNEL CONTACTED

##### MEDICAL FOUNDATION

Mr. George Goldstein, Executive Director.  
Mr. Mansfield Beshears, Clinic Administrator.

Mr. James Wolfe, Business Manager.  
Mr. William Burkhart, Pharmacist.  
Miss Bernadine Tracey, Bookkeeper.  
Mrs. Delores Pawloski, Payroll Clerk.

##### DOCTOR'S MEDICAL GROUP

Dr. Jack Paradise, Medical Director.

##### COMMUNITY HEALTH CENTER—OEO

Mr. Merritt Neil, Project Director.  
Mrs. Helen Trusch, Director, Visiting Health Services.  
Mr. Robert Olexo, Training Coordinator—Community Organizer.

##### JOHN WISEMAN AND CO.

Mr. John W. Bole, CPA.

#### ATTACHMENT B.—Medical Foundation of Bellaire, summary of costs questioned, July 1, 1968 to Dec. 31, 1968

Category II expenses:	
Allowance .....	\$6,119.85
Injections .....	1,845.69
Pharmacy supplies .....	669.76
Nursing salaries .....	3,564.89
Nursing supplies .....	186.24

#### ATTACHMENT B.—Medical Foundation of Bellaire, summary of costs questioned, July 1, 1968 to Dec. 31, 1968—Continued

Category II expenses—Continued	
Other expenses:	
Drug usage costs .....	4,447.24
Travel allowance .....	134.55
Cost of food .....	221.45
Special employees events .....	715.82
Fringe benefits .....	1,058.16
Audit service .....	332.81
Interest expense .....	313.25
Contribution expense .....	77.28
Space costs .....	310.50
Telephone charges .....	445.05
Medical Group .....	6,484.19
<b>Total .....</b>	<b>26,926.73</b>
Category III expenses:	
Administrative salaries .....	7,390.05
Space costs .....	900.00
<b>Total .....</b>	<b>8,290.05</b>
Other disallowances:	
Audit service (prior period) .....	403.96
Direct charges:	
Cost of food .....	65.57
Ohio sales tax .....	62.90
Interest expense (prior period) .....	195.19
Contribution expense (prior period) .....	64.98
<b>Total direct charges .....</b>	<b>388.64</b>
<b>Total costs questioned, allocated and direct .....</b>	<b>36,009.38</b>

#### ADDRESS OF COMMERCE SECRETARY ON CONSUMERISM

(Mr. ERLNBORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ERLNBORN, Mr. Speaker, on October 30, the President sent Congress a package of proposals designed to protect the rights of consumers in the marketplace. Last week, Commerce Secretary Maurice H. Stans told the members of the National Marketing Advisory Committee of the administration's commitment to the American consumer, and I believe his address will be of interest to the Members of this House as well:

ADDRESS BY THE HONORABLE MAURICE H. STANS, U.S. SECRETARY OF COMMERCE, BEFORE THE NATIONAL MARKETING ADVISORY COMMITTEE, NATIONAL MUSEUM OF HISTORY AND TECHNOLOGY, WASHINGTON, D.C., DECEMBER 4, 1969

#### INTRODUCTION

Mr. Cleaves has already pointed out that this is an unusual and highly significant meeting of the National Marketing Advisory Committee. I am particularly pleased that in addition to more than 40 members of NMAC who are here for tomorrow's working session with the Department of Commerce, we also have with us tonight representatives of the White House, other Federal agencies, key Congressmen and Senators, and the press. You all are vitally interested in our conference subject—Marketing and Consumer Interests.

I have really been looking forward to this opportunity to exchange views on consumer matters with this top group of marketing executives, which represents both manufacturers and retailers. Without the vital link provided by marketing, producers and consumers could not deal with each other effectively and goods would pile up at our factories. There would be many products ill-suited to customer needs and conversely, important wants would go unrecognized and

unfilled. Our whole society would be a vastly different place if it were not for the American marketing system which it is your job to foster and advance.

First, I want to say how much we in the Department of Commerce value our relationship with the NMAC. You have provided us with expert assistance and wise counsel in the past on a wide range of marketing problems. We sincerely appreciate that help. We hope that this particular conference will afford you, the marketing leaders of the country, and those of us in government, with a unique forum to talk and plan together on how to best meet the growing consumer needs of our most important constituents—the American public.

#### BUSINESS-CONSUMER RELATIONS

A prime secret of the success of the U.S. competitive enterprise system has been the great freedom of interaction between buyers and sellers. That freedom has generated the most dynamic and productive economic system in the world. We need to preserve that system, and build upon its effectiveness.

But that does not mean that there are no problems in the marketplace.

In our complex technological society today, the individual buyer often feels isolated and helpless in what he regards as an increasingly impersonal environment. In fact, this may be the key consumer problem. We all know that purchasing choices are very personal decisions. Even when such decisions are based on factual comparisons and on adequate information, the final decision is a matter of individual judgment. The mass marketplace of today arouses a natural sense of frustration despite its very real contributions to our ever higher material standards of living. When sufficient knowledge on which to base our purchases is missing—and when product dissatisfaction results—the consumer's sense of frustration can reach great heights. Congressmen, Senators and the President himself are no longer surprised at receiving angry letters of consumer complaint with calls for Government action.

Without question the consumer is justified in complaining about products that do not work, warranties that are meaningless, services that do not serve, repairs that cost too much, and workmanship that is shoddy. Even though perhaps only 1% of business is intentionally responsible for these abuses, they reflect upon all.

The consumer has been heard on these matters. Business has recently been placing much greater emphasis on voluntary consumer protection programs. But the efforts to date have left the consumer still not satisfied. One thing should be said in defense of the business community. Without doubt companies have been afraid to meet, to discuss such matters as product standards, sizes and similar subject for fear of anti-trust action. Certainly we must remove this threat in the interest of the consumer to pave the way for voluntary business action.

The extent to which legislation becomes a substitute for free operation of the marketplace in the future will depend on how responsibly we all act—businessmen, those of us in all parts of Government, and even the consumer organizations themselves. But whether we take the legislative route or the route of voluntary action or some blend of both, we need to understand what it is that we really are seeking to protect.

#### BASIC CONSUMER RIGHTS

These are some of the basic rights of the consumer which I believe we must all acknowledge.

First, the consumer certainly must have protection from fraud, deceit, and misrepresentation.

Second, he must have access to adequate information to make an intelligent choice among products and services.

Third, he must be able to rely on products working as represented.

Fourth, he must have the right to expect

that his health and safety will not be endangered by his purchases.

Fifth, our marketing system must provide him with a wide range of choice to meet individual tastes and preferences.

#### THE CHALLENGE

It is this last consumer right which reflects the great strength of our current marketing system and yet causes the most difficulty in assuring the other four rights.

As you gentlemen well know, meeting this challenge is easier said than done. The government could, for example, legislate standards for a whole range of "perfect" products. What would be the point, however, if it forced prices so high that the great majority of consumers wouldn't or couldn't buy the goods? There have been attempts to bring out such products. You may have heard about the electric toaster that was guaranteed not to give an electric shock no matter how badly it was misused. And it really worked. That toaster lived up to its billing. The only problem was that it took twice as long to make a piece of toast and cost 20% extra. You all can guess what happened. Customers weren't willing to pay more and wait longer for their toast just to have that extra protection.

More simply, not every automobile driver wants a Cadillac. His needs may be less and he wants to pay less. He should have that right of choice.

Also, it is pretty clear that there is no "average consumer." At least my wife doesn't think she's average in this regard, and I'll bet yours doesn't think she is either. For each individual consumer, product life and performance legitimately have different meanings and value. The fact is that product qualities which are important to some individuals for some uses are not important to others. To restate, the challenge is how to maintain and preserve a diversity in the options available to the consumer while preventing abuses.

#### BUYER'S BILL OF RIGHTS

From the very beginning of this Administration, President Nixon asked all of us who have consumer responsibilities to give top priority to developing a more constructive consumer program. On October 30th he sent to Congress a "Buyer's Bill of Rights" that will give consumers new protection and at the same time build on the inherent strengths of the American marketing system. The President's program represents an Administration-wide effort focused through Mrs. Knauer, his Special Assistant for Consumer Affairs, and drawing in the Federal Trade Commission, the Departments of Justice, Commerce, and Health, Education and Welfare, and the Office of Economic Opportunity. The President called for:

A New Office of Consumer Affairs in the White House;

Expanded powers for the Federal Trade Commission;

A new Division of Consumers Protection in the Department of Justice;

A new consumer protection law with provisions for consumer class action;

A new consumer products testing law;

A newly activated commission on consumer finance;

Expanded Government consumer education activities;

Increased Federal attention to product safety;

Stronger enforcement of food and drug laws;

Expansion of consumer activities in the Office of Economic Opportunity;

Greater Federal efforts to strengthen State and local consumer programs; and,

A new look at warranties and guaranties and possible legislative remedies.

These proposals stand as the most significant set of Presidential recommendations ever made on consumer interests. Let me emphasize that in this program there is ample room for constructive, voluntary initiatives by business.

The President's consumer program has been hailed as a very significant and positive step forward. There are other views being put forward too. There are those who would resist change and attempt to keep the status quo. There are others who seem to believe that the answer to consumer problems is to have the Government go much further in master-minding the marketplace. Some of their proposals seem to focus only on the very small percentage of present shortcomings while failing to retain the benefits of legitimate market competition.

There is, in my opinion, a middle ground solution. If the American marketplace is to be made to serve the consumer better. We need active involvement throughout the entire marketing community. We want you to use your knowledge and voices in business and trade associations and in the universities where the businessmen and consumers of the future are forming their attitudes which will shape our world of tomorrow.

You men are the top business communicators of America. We are counting on you to make yourselves heard as never before, particularly in the area of voluntary improvements.

#### VOLUNTARY ACTION

How far can we go and what do we really mean by voluntary action? Let's talk some specifics. We can't expect the impossible. No amount of voluntary action (or legislation either, for that matter) to reduce package size proliferation can give us both standard sizes and standard weight of contents. An ounce of perfume and an ounce of cornflakes weigh the same, but they can't be packaged in the same size containers. We are dealing here with the laws of physics rather than the courts. Lawmakers can't change the laws of physics.

On the other hand, this can go too far. Will we really serve the consumer by standardizing the size and shape of perfume bottles?

But we in Commerce have had some good experiences with voluntary actions which have taken place in a framework of law. The National Bureau of Standards wrote the performance specifications for refrigerator door latches to prevent children from being entrapped. Voluntary innovative action by private manufacturers produced the magnetic door latch to meet the need. Working together, business and Government conceived a better product and ended needless deaths.

Do we always need a framework of law to have effective voluntary action? Let's look at another case. For a year we have been working, along with the President's Special Assistant for Consumer Affairs and others, to guide the major household appliance industry towards voluntary improvements in warranties, guaranties, and service. Frankly, it has been complex and difficult going. But we do see significant progress. Their warranties and guaranties are now simpler, easier to read and understand. Agreements have been reached on parts availability, the meaning of "authorized" and "factory trained" service, and the location of model numbers where purchasers can read them without undue effort. I understand that agreement has been reached, after more than a decade of indecision, on how much a pound of wash really is, and we didn't even ask them to settle that one.

Gentlemen, we would like to launch more joint Government-business efforts like this major appliance project. We would welcome suggestions either from the retail or manufacturing segments of industry.

#### MANDATORY ACTION

At the other end of the spectrum there are important mandatory approaches to protecting the consumer. What would our marketplace be like without the rigid standards of weights and measures? Where would we be without standardization on household electric current, light bulbs or pipe threads.

You may have noticed that we finally have reached agreement in the lumber industry on a standard size of a 2x4. Differences in wet and dry measurement will be eliminated and construction costs will be cut without strength impairment.

As the President indicated in his Consumer Message, there are some other areas where the mandatory approach can underlie a sounder program. The proposed consumer product testing law aims not at having Government test every product but at determining what tests should be performed to give the consumer the right information on which to base his purchasing decision. And to have Government certify what constitutes a proper testing procedure to develop that information. We believe this proposal is a sound and practical way to help our consumers be better buyers and our manufacturers and retailers be more reliable sellers.

#### SUMMING UP

What we can observe, then, is that there is no single answer to the protection of the consumer. We must find the best blend of purely voluntary action, voluntarism within a framework of law, and mandatory regulations. Each has its place, and ours is the task of matching each to the need.

How each individual acts—each businessman, each trade association, each Government official and each consumer group—will determine how well we match up problems with the right answers. By helping us and by helping yourselves in your businesses, you can play a crucial role. You are close to the consumer. You know, or know how to find out, what he really needs and wants. You also know business, what it can and cannot do. And as our advisors, you have come to know Government, what we can do and what we must do. You are the professionals on whom the responsibility has fallen to fill two key functions:

First, the early-warning system for business to recognize emerging consumer problems and their solutions before business's inability or unwillingness to solve the problem requires the Government to act; and,

Second, where and when it is necessary for Government to act, you can serve as the most effective business spokesmen to Government on the basis of your unmatched knowledge of the consumer and the marketing system.

So, gentlemen, please recognize that we take most seriously our responsibility to see that the consumer's rights in the marketplace are protected, that the needs of the consumer are being met, and that our marketing system, which we recognize as the world's most productive engine for meeting the consumer's needs, is functioning up to its potential.

Our intent is to act where and when we see consumer problems going unmet, but to do so in a manner which improves the functioning of the marketplace. This means protecting the consumer's freedom of choice and preserving fair initiative for the producer.

Our expectation is that business will recognize the wisdom and profit of meeting the consumer's needs on its own, and of cooperating to the utmost with Government when our involvement is required.

#### BENEFIT INCREASE UNDER SOCIAL SECURITY SYSTEM

(Mr. ZWACH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZWACH. Mr. Speaker, this week the House of Representatives will vote on a 15-percent across-the-board benefit increase under the social security insurance system.

It has been my feeling that an increase should have been put into effect

earlier this year. Now that the bill is finally coming before the House for a vote, I am not pleased with what we will be voting for, which is a 15-percent across-the-board increase in benefits under the old-age, survivors, and disability insurance program.

I had hoped the Ways and Means Committee would provide a flat dollar increase to those who are receiving minimum monthly benefits, rather than the percentage increase provided in the bill, as the percentage increase gives the greatest increase to those who are currently receiving the highest benefits. Certainly, after voting themselves a hefty increase, the Members of Congress could do something more to assist the old-aged than by just a 15-percent increase. Just last week, Mr. Speaker, the Senate increased the minimum base from \$55 to \$100 plus the 15-percent increase. This is more in line with what should be done.

I am very much aware of the difficulties that those on fixed income are facing in trying to meet their expenses in these inflationary times. Those who need the money most would be given an increase which would enable them to keep pace with the rising cost of living. Living costs have gone up for all people and the social security raise should recognize this fact.

At this time Mr. Speaker, it appears there will be no opportunity to amend this legislation which would provide for a flat dollar increase or an automatic cost-of-living raise. Which is too bad. For I would like to see more.

If I am only able to vote on the 15-percent increase, Mr. Speaker, I will certainly support this measure and vote yea; and then proceed to make arrangements to introduce legislation during the next session to provide for a cost-of-living increase. So we may truly take care of our senior citizens.

#### AMENDMENTS TO THE FOOD STAMP ACT OF 1964

(Mr. KASTENMEIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KASTENMEIER. Mr. Speaker, today, I am introducing a bill amending in a small but important way the Food Stamp Act of 1964. My bill would give the Secretary of Agriculture the discretion to distribute a free allotment of food stamps to households now receiving surplus commodities. Although the emphasis in recent years in our Government's efforts to feed the hungry in this country has been on food stamps, for a variety of reasons, the number of needy people served by the Department of Agriculture's commodity distribution program still remains greater than the number benefiting from the food stamp program.

At present, a mix of commodities and stamps is permissible only under restricted circumstances. I propose that in order to significantly improve the diets of those persons now relying on surplus agricultural commodities, some variation in the types of foods available to needy families be introduced through free food stamps.

This should not entail major rearrangements of existing procedures nor excessive administrative costs. What would actually be involved is treatment of the food stamps as an additional commodity in currently operating direct distribution programs. Let us say, for example, that \$5 worth of food stamps were to be provided each family member monthly through the State agency now administering the commodity program. This would give a family of five \$25 each month to purchase such items as fresh fruit and vegetables, fresh milk, and, occasionally, some meat. While the total list of commodities presently available to needy persons numbers 22 items, not all are available in almost all localities, and some of the foodstuffs are difficult to store, prepare, and are unappetizing. The addition of food stamps will not only make a contribution to the improved nutrition of recipients, but will also pave the way for the eventual conversion from commodities to food stamps, which is a prime objective of current planning. By familiarizing families with the proper use of stamps on a limited scale, the changeover to a full food stamp program will be much easier.

I should note that the idea behind my proposal was suggested to me by two people intimately connected with the successful commodity distribution program in Dane County, Wis. These two men are Harold Klubertanz, a former chairman of the Dane County Board of Public Welfare, and Fred Steeves, county administrator of the direct distribution program. Their suggestion was based on on-the-spot, firsthand experience with providing food for over 4,000 persons in Dane County, and their keen awareness of the day-to-day problems facing the people we are trying to help.

Mr. Speaker, I concede that my measure is modest in scope and limited in its application. But, these characteristics, I believe, are precisely its attraction since it would not involve the development of a new and costly program concept, and it could be put into operation without too much advance preparation. It immediately would benefit the close to 4 million needy people in 41 States and four territories now receiving surplus commodities.

I have been gratified over the increasing national focus on the serious problem of hunger in America, and I have been impressed by the strenuous efforts of some of my colleagues both in the House and Senate to find speedy and effective solutions. I am afraid, however, that the broad, far-reaching food stamp measure passed recently by the Senate may not receive as favorable a reception in this House or by the administration. That is why I am hopeful that my proposal will be considered by my distinguished colleagues in the Agriculture Committee, during their current deliberations. Whatever the final outcome, I hope that this House will soon take the necessary steps to move more quickly on the road to banishing hunger from the most prosperous nation on earth.

#### IMMIGRATION HEARINGS

(Mr. FEIGHAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FEIGHAN. Mr. Speaker, Wednesday, December 10, in room 2141, Rayburn Building, at 10 a.m., the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary will hear several witnesses on the subject of the impact of the Immigration and Naturalization Act of October 3, 1965, on immigration from Ireland and Northern Europe.

As early as possible in the next session, the Members of Congress will be given an opportunity to testify or submit statements concerning pending bills that would affect immigration from these areas as well as many other legislative proposals pertaining to immigration.

#### ONE HUNDRED BILLION DOLLAR LOSS IN STOCK MARKET VALUE MAY COST U.S. TREASURY \$20 BILLION LOSS IN ANTICIPATED REVENUES AND TOUCH OFF ADDITIONAL PRESSURES ON RUN-AWAY INFLATION

The SPEAKER pro tempore (Mr. GRAY). Under previous order of the House, the gentleman from Illinois, Mr. PUCINSKI is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, since the beginning of recorded history, man's major and focal endeavor has been to improve his economic lot. In our efforts to reach the ever-distant goals of a better life, we have managed to contrive armies of economic experts, extraordinary complex computers for building economic models and huge amounts of statistical data on economic matters which can be, and often are, interpreted in a number of ways equal almost to the number of stars in the heavens.

Although our tools have indeed reached astounding complexities and efficiency, we seem to have lost complete sight of the individual, the ordinary man whose basic needs and nature have not reached such proportionate changes and who still seems to live in the words of Henry Thoreau, "A life of quiet desperation."

The present course of economic events appears to be heading to change the state from quiet desperation to total disaster.

I have taken this time to spell out in detail the nature of the basic problems we are faced with, the causes which brought about this state of affairs and the tragic consequences which are certain to follow unless we take immediate steps to remedy the present chaotic conditions.

Reduced to its lowest common denominator, the basic problem is high interest rate.

The basic cause is inflation.

For almost a year we have waited and watched the high priests of finance in the Federal Reserve Board tighten the monetary screws with such power and force until the incredible has happened: For the first time in the history of our Nation, the Housing Assistance Administration sought bids for some \$300 million of federally guaranteed notes with the result that over half of those notes failed to attract any kind of bid whatsoever.

This is unprecedented for a federally financed program.

Just how did we reach such a state of affairs? I will tell you. Some 9 months ago, the Chairman of the Federal Reserve Board, Mr. McChesney Martin, began to dispense from his ivory tower economic tranquilizers of "patience and persistence."

And what has he wrought?

The stock market has lost more than \$100 billion in value; our housing industry is on the verge of catastrophe; funds for fighting pollution, crime, and poverty are fast disappearing; and the greatest irony of all is that instead of a hopefully projected \$5.5 billion surplus budget, an essential requisite to reduce inflation, it now appears certain that a large deficit will become inevitable, for the ensuing reasons.

There seems to have been overlooked by Mr. Martin the indisputable fact that his medicine is worse than his disease.

To begin with, the loss of \$100 billion in stock market value will create about a \$20 billion loss to the Treasury; assuming a 20-percent tax rate for the affluent stockholders who will deduct their losses for income tax purposes. I challenge Mr. Martin to refute this possibility.

No one in the administration wants to talk about the fact that its estimate of anticipated revenue may be reduced by some \$20 billion because the stock market has failed to rebound, to overcome the \$100 billion loss in value.

This administration could wind up its first year with a \$15 to \$20 billion deficit because of this factor alone.

In the meantime, as interest rates get higher each month, another tranquilizer appears, the last inoculation happened recently before the Senate Committee on Banking and Currency. We heard testimony and requests for more "patience," although Mr. Martin admitted he came emptyhanded to show any results of his policy of tight credit and high interest rates, except to say that "There are a few straws in the wind here and there."

I recall over a decade ago Mr. Martin said:

We at the FED have the task of leaning against the prevailing economic winds.

For the sake of our Nation it is my hope Mr. Martin finds something stronger to lean on than a few straws in the wind. I will be glad to provide Mr. Martin with more tangible support. We cannot permit the Federal Reserve Board to continue to dribble away the purchasing power of the consumer until he collapses financially. There is a point in time where relentless and excessive squeezing will produce regrettable results.

I am reminded of the farmer who had a horse and decided to economize by feeding him one handful of hay less each succeeding day. On the last day—and this may come as a shocking surprise to Mr. Martin—the farmer remarked:

Jest when I got him to eat nothin', the darn fool died on me.

Mr. Martin's policies have given this Nation three serious recessions under his leadership as Chairman of the Federal Reserve Board. God grant that his suc-

cessor will spare us from a disastrous depression.

The hopes and aspirations of our workmen are not laboratories for experimentation; the hunger in Appalachia is not an ingredient for sociological test tubes; the pollution of 32 million tons per year of effluent from airplanes alone is not a figure for statistical exercise; the collapse of the housing and construction industry may be of interest for economic model building but not for builders and people who need a home.

The extraordinary profits for some banks of more than 50 percent for the first half of this year and an average of 20-percent increase in profits for all banks, will do little to comfort a householder in need to borrow emergency funds at a rate of interest of more than 10 percent—the highest since the great crash of 1929.

Today, no American earning less than \$15,000 a year income can afford to buy a house because of the high cost of financing as well as lack of mortgage money for the lower income group.

And where is all this going to lead us? More tranquilizers of patience and persistence?

I want to remind Mr. Martin that prolonged administration of a single drug will produce immunity. It is particularly true of what is happening in our state of economic affairs.

After repeated doses of patience and persistence from the FED, the business community and the public at large have become immune to the promises that never materialize. Instead, contrary to the hoped for results inflation is galloping and interest rates are racing our astronauts to the moon.

It is an elementary fact of economics that scarcity increases cost. By tightening credit on an unprecedented scale, higher cost of money inevitably takes place. The higher cost of money in turn is reflected in higher interest rates. Moreover, the very thought of expecting higher interest rates creates a stampede to get credit rates while the getting is still good, which in turn results in greater demand for credit, which in turn makes credit even more scarce and results in even higher interest rates.

Perhaps the greatest catastrophe in this isolation ward of economic diseases lurks in the danger of escape for the "creditability gap" virus. This virulent virus is rapidly reaching epidemic proportions and slowly erodes the tenuous tissues of patience and human capacity to continue to trust our economic soothsayers.

It will be considerably depressed within the next 30 days when American industry begins to report its profits and earnings at a substantially reduced rate compared to last year.

What can we do about all this?

To begin with, the Federal Reserve Board should immediately issue a statement that prime rates on interest will be ordered downward by at least 1 percentage point before and not later than February 1, 1970.

This will not only break the vicious cycle of rising interest rates, but prevent a collapse of our entire credit system.

We have recently heard a great deal of

testimony on the subject of price-wage and other selective controls. The Fed and the Treasury Department testified how abhorrent this could be, especially in determining priorities and effectively administering any established controls.

I do not favor such controls but labor unions and a goodly number of business representatives took the contrary view and have concluded that under the circumstances, some controls must at least be considered to curb inflation and reduce interest rates.

The fact of the matter is that today we have in effect the most lopsided controls ever imposed by our Government in modern times. When the construction industry is denied funds to build and is forced to cut production over 50 percent, that is control at the highest level.

When the banking industry is permitted to increase its profits of up to 50 percent, that is lopsided control at the highest level.

However, a critical footnote makes this lopsided picture even more absurd.

When highly skilled mechanics in the construction industry lose their job, they inevitably look for other lines of work and ultimately are lost to the industry when a building recovery does finally take place. The resultant scarcity of skilled manpower in the construction industry is ultimately reflected in the higher costs in housing and the higher price the consumer is forced to pay.

On the other hand, any slack in banking business is mostly reflected in the number of hours computer time is used, since most banks are highly automated.

I suggest the Securities and Exchange Commission immediately postpone by 6 months the permit and authorization of new issues. This will reduce demand on the money supply by some \$12 billion at the current rate of business and will curb speculation and provide another source of money supply to help lower the interest rate.

In addition, I call on the administration to immediately cut Federal spending by \$10 billion on nonpriority items. I shall support such reductions particularly in nonessential defense and space expenditures. I believe when all the appropriation bills have been voted, I will have voted for more than \$10 billion in reductions.

Finally, I, for one, wish to explicitly state my conviction that unless we take immediate measures outlined above, this Nation will face the prospect of an economic disaster similar to that of 1929.

I shall find it difficult, if not impossible, to pay any credence to any statement or prognostication by the Fed or any Government official in this administration on the basis of the performance record to date.

I have only to recall the statement by Charles E. Mitchell who as Director of the Federal Reserve Bank, on the eve of the great crash in 1929, made the following statement:

The industrial condition of the United States is absolutely sound.

Nor should we forget the reassuring words of President Coolidge on December 4, 1928, in his last message on the state of the Union to the reconvening Congress:

No Congress of the United States ever assembled, on surveying the State of the Union, has met with a more pleasing prospect than that which appears at the present time.

History has little compassion for those who tend to forget. It is even more cruel to those who remember and fail to take necessary action.

Mr. Speaker, we are in our 10th year of continuous prosperity. Our Nation is now reaching for a trillion dollar gross national product. By the year 1980, we expect to have a \$2 trillion GNP.

All of this growth is possible if we do not let inflation destroy us. I submit this administration and the Fed have a duty and responsibility to impose some form of limitation on runaway interest rates. I hasten to add that I was just as critical of the Johnson administration for failing to deal forcefully with runaway interest rates. We cannot be talking about price and wage controls while the banks continue to enjoy ever increasing profits at unprecedented rates.

#### INSTITUTE FOR CONTINUING STUDIES OF JUVENILE JUSTICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 30 minutes.

Mr. RAILSBACK. Mr. Speaker, a show of support not often seen in the daily workings of our legislative routine has given me cause for sincere and profound thankfulness at the overwhelming response of my colleagues in joining me in sponsoring legislation to combat juvenile delinquency. Eighty-eight Members, including my original cosponsors ABNER MIKVA and EDWARD BIESTER, have joined in cosponsoring the bill to establish the Institute for Continuing Studies of Juvenile Justice.

The bill provides that a short-term training program similar to that of the FBI Training Academy be created to give advanced training to law enforcement officers, juvenile judges, probation personnel, correctional personnel, welfare personnel and lay personnel working to combat juvenile delinquency. We can think of no better contribution than to better train and educate people to fight the crime problem at the local level. This training includes, of course, prevention as well as control of juvenile delinquency. With one-half of the serious crimes being committed by juveniles and with three-fourths of the juveniles repeating as criminal offenders, we feel that it is time to stop studying the problem and to take steps which will provide some action.

I wish to extend my appreciation to each of these cosponsors, who are listed below in alphabetical order. We are hopeful that with such impressive support this legislation can receive prompt, thorough, and favorable attention by the Congress. There are many efforts now being made at several levels of Government but we feel that the problem of juvenile crime merits the definite and tangible action which we have proposed.

The list follows:

##### LIST OF COSPONSORS

Joseph P. Addabbo, John B. Anderson, of Illinois, Mark Andrews, of North Dakota,

Frank Annunzio, William H. Ayres, Mario Biaggi, Edward G. Blester, Jr., Jonathan B. Bingham, Edward P. Boland, W. E. (Bill) Brock.

John Buchanan, J. Herbert Burke, Phillip Burton, of California, George Bush, Daniel E. Button, John W. Byrnes, William T. Cahill, Eiford A. Cederberg, William Clay, James M. Collins, Silvio O. Conte.

John Conyers, Jr., Robert J. Corbett, James C. Corman, William O. Cowger, Glenn Cunningham, Emilio Q. Daddario, John R. Delenback, Don Edwards, John Erlenborn, Marvin L. Esch, Paul Findley, Hamilton Fish, Jr., Peter Frelinghuysen, Jr.

James G. Fulton, of Pennsylvania, Richard Fulton, of Tennessee, Seymour Halpern, Richard T. Hanna, Ken Hechler, Margaret M. Heckler, Henry Helstoski, James J. Howard, William L. Hungate, Andrew Jacobs, Jr., Thomas S. Kleppe, Dan Kuykendall, Allard K. Lowenstein, Paul N. McCloskey, Jr., Joseph M. McDade, Jack H. McDonald.

Martin B. McKneally, Clark MacGregor, Ray J. Madden, James R. Mann, Spark M. Matsunaga, Thomas J. Meskill, Robert H. Michel, Abner J. Mikva, Charles A. Mosher, John E. Moss.

William T. Murphy, John T. Myers, Richard L. Ottinger, Thomas M. Pelly, Jerry L. Pettis, Bertram L. Podell, Melvin Price, Albert H. Quie, Tom Railsback, Thomas M. Rees, Donald W. Riegle, Jr.

Peter W. Rodino, William V. Roth, Philip E. Ruppe, Earl B. Ruth, William L. St. Onge, Charles W. Sandman, Jr., James H. Scheuer, Herman T. Schneebeli, Henry P. Smith III, William A. Steiger, of Wisconsin, Louis Stokes, James W. Symington, Robert Taft, Jr., Fletcher Thompson, Robert O. Tiernan, Charles E. Wiggins, Charles H. Wilson, Wendell Wyatt.

Mr. MIKVA. Mr. Speaker, I am delighted to join my colleagues on the Judiciary Committee, Congressman RAILSBACK and Congressman BIESTER, in introducing today a bill to establish an Institute for Continuing Studies of Juvenile Justice.

Despite the abuse to which the issue of "law and order" has sometimes been subject in recent years, one thing which mounting crime rates, especially among young people, has made us do is to re-examine our system of criminal justice. We have had to take a hard look at not only the theory of that system, but at how it is working in practice. What we have found during that hard look is that we have let our criminal justice system—courts, police, correctional institutions, probation, and parole programs—we have let all of these institutions fall critically behind the times. We have starved them for money, for manpower and for other resources. And since we would not spend the money on these institutions, we are now paying the price in higher crime rates, higher recidivism rates, and a population terrified by the specter of crime in the streets.

This bill is one step on the road to a more effective criminal justice system. It is especially important because it deals with the most worrisome group of law-breakers—youths and juvenile offenders. In the 1968 Omnibus Crime Act, Congress established an Institute for Law Enforcement and Criminal Justice. The bill we introduce today would give similar attention to the special field of juvenile justice, an area which has traditionally received far less than its share of attention. In brief, the Institute proposed in this bill would gather, organize, and disseminate the best information

available on how to deal effectively with juvenile crime. It would provide not only information, but training to State and local officials dealing with these problems. It would make widely available the best, most modern, techniques for dealing with problems of youthful offenders.

If our experience with crime has shown us anything, it has shown that we must develop new methods for dealing with the problems of criminal offenders. Larger police forces and harsher sentences just would not do the job. The Institute for Continuing Studies of Juvenile Justice, would, we hope, be a leader in the search for new and enlightened methods of handling the serious problem of juvenile crime. We hope that it would help keep the juvenile delinquent and youthful offender of today from becoming the hardened criminal of tomorrow.

Mr. ROTH. Mr. Speaker, of paramount concern to every citizen is the increasing rate of crime in America. Few problems with which we deal are such a threat to our personal stability and well-being. Juvenile delinquency is a vital part of this problem—its prevention and control will be a major factor in reducing crime and redirecting the energies of the delinquent element of our youth to useful lives with respect for law and the society in which they live.

The problem of delinquency and its relationship to the whole crime picture has been recognized for some time—a multitude of programs have been developed and studies have been made aiming at its prevention and control. But, despite efforts by public agencies at the Federal, State, and local levels and private agencies throughout the country, there has been no reversal of the trend. This year the Federal Bureau of Investigation reported that arrests of juveniles, ages 10 through 17, had risen 78 percent from 1960 while the population for this age group had only risen 25 percent. Furthermore, juveniles have been found to be the age group most likely to repeat crimes. Of those under 20 released from correctional institutions in 1963, 72 percent—nearly three-fourths—were rearrested within 5 years. It is clear that what we have done has not been effective; obviously, additional steps are necessary.

Hence, I am pleased to cosponsor today a bill which establishes an Institute for Continuing Studies of Juvenile Justice to act as both a clearinghouse for information from all sources concerned with juvenile delinquency as well as a short-term training center for those directly involved with delinquents.

The functions of the Institute will provide for the recycling of valuable information gained through experiences with juveniles in the various States to all interested and involved citizens. Not only will it do this through collecting, publishing and disseminating data but also it will conduct seminars and workshops for professionals, offering a firsthand exchange of ideas.

Another important innovation of the Institute is its capacity as a training center. Modeled after the successful FBI Training Academy, the Institute will conduct short-term courses on modern, proven, effective methods of dealing with

delinquent youth. The enrollees, law enforcement officials, welfare workers, judges and judicial personnel, probation and correctional officers and nonprofessionals connected with juvenile work, will return to their States and communities with valuable information that they can mold to their particular local needs and circumstances.

Finally, the Institute will provide technical assistance to the State and local agencies who wish to develop training programs for those working with juveniles.

Overseeing this whole operation will be a director who will be a presidential appointee. An advisory commission assisting him in the supervision of the operations of the Institute will consist of Federal experts most directly involved, such as the Attorney General and the Secretary of Health, Education, and Welfare, the Directors of the U.S. Judicial Center and National Institute of Mental Health, and 14 other persons from the disciplines concerned with juvenile delinquents.

The Institute for Continuing Studies of Juvenile Justice will provide another element necessary to the success and effectiveness of existing programs for the prevention, control, and treatment of juvenile offenders. It is time we wage a concentrated attack on juvenile delinquency—not only to relieve our society from the burden of crime but also to save potential delinquents from a life of misery.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of my special order today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, of the 139,779,540 automobiles in the world, 75,260,847 are in the United States. This represents about 40 percent of the world total. The State of California alone has more cars than any other nation except France and Great Britain.

#### INDUSTRY WORKS ON AIR POLLUTION PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. CLARK) is recognized for 15 minutes.

Mr. CLARK. Mr. Speaker, I have noted with interest the recent agreement by both the Senate and the House to extend for 1 year, under the provisions of the Clean Air Act, a \$45 million authorization for research relating to air pollution caused by fuels and vehicles.

It is my belief that the Congress, industry, and the general public are be-

ginning to realize that the blame for environmental pollution cannot be placed upon any particular group. We are all guilty—the Federal Government, the State governments, the municipalities, business and industry, and even the individual citizen.

However, I am proud to say that two industries located within my district are taking an active interest in trying to solve some aspects of the air pollution problems caused by fuels.

The Babcock & Wilcox Co., with facilities in Beaver Falls, Pa., has for years been a leading research and developer of air pollution control devices. Mr. George G. Zipf, president of the company and Dr. Neil V. Makala, president of Esso Research & Engineering Co. of New Jersey, recently announced that the two firms would develop an advanced air pollution control system for fossil fired electric generating plants.

The financing of this research project is being provided by 16 electric utilities throughout the country, among them the Allegheny power system. The \$7 million program will develop a commercial system to eliminate 99 percent of the solid pollutants and 90 percent of the gaseous, and more difficult to control sulfur oxides from the exhaust of powerplant boilers. Sulfur dioxide, which is considered one of the most objectionable pollutants, will be recovered in the form of marketable sulfuric acid to partially offset the cost of the system.

This is a major start, Mr. Speaker, in trying to solve our air pollution problem; however, we cannot rely on just scattered, individual groups to solve our environmental crisis. A cohesive, national program must be developed in which the full capabilities of Federal, State, and local governing units for directing the program is tied in with the technical knowledge that industries and universities can contribute to the effort.

#### A CALL FOR THE ENVIRONMENTAL DECADE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, it is becoming widely recognized that we have an environmental crisis on our hands in America.

As we stand on the threshold of a new decade, we must make the decision to dedicate substantial portions of our Nation's energies and money to cleaning up our degraded land, air and water and to conserving and preserving our natural resources.

Last Friday, December 5, Mr. DINGELL, Mr. GUDE, Mr. HICKS, Mr. McCLOSKEY, Mr. MOSS, Mr. SAYLOR, Mr. VANDER JAGT and Mr. WRIGHT joined with me in calling for the designation of the 1970's as "The Environmental Decade" and put forward an action program to get the job of protecting our environment well underway in the next 10 years:

We today call for the designation of the decade of the 1970's as the Environmental Decade. Next New Year's Day, January 1, 1970, would be a good time for all Americans to make a New Year's resolution for the decade:

"I pledge that I shall work to identify and overcome all that degrades our earth, our skies, our water, and the living things therein, so that the end of the Environmental Decade of the 1970's may see our environment immeasurably better than at the beginning."

As Members of Congress specially concerned with the conservation of our environment, we make a special pledge to work diligently on a broad series of fronts:

#### 1. WATER

a. All over the country, man is running out of sources of usable water. The decade must see the development of workable desalination and recycling processes, and better methods of preventing waste by evaporation and other causes.

b. Almost every lake and stream in the Nation is becoming more and more polluted. Half-hearted standards for averting water pollution should be raised, so as to require everywhere water good enough for people to enjoy. Our present programs to eliminate pollution from municipal, industrial and agricultural sources are tragically inadequate. At least \$30-\$50 billion needs to be spent in the next five years for new municipal treatment works, separation of combined storm and sanitary sewers, industrial waste treatment facilities and for research and development of new anti-pollution methods. The response to the manifest need has been wholly inadequate. For example, Congress authorized \$1 billion for water pollution treatment this year, but the appropriations request from both the Johnson and the Nixon Administrations has been for a ridiculous \$214 million.

c. It is not enough to clean up our waters after they have been polluted. Effort must be made to find and eliminate sources of pollution before they begin. For example, the Government Operations Subcommittee on Conservation and Natural Resources will hold hearings shortly to determine why the soap and detergent industry continues to use phosphate as a leading ingredient of household detergents, when it is well known that these same phosphates are a leading cause of the eutrofication—death by overfertilization—of so many of our waters.

d. A new and alarming form of water pollution is overheating of water—thermal pollution—caused by fossil-fuel and atomic power-generating plants. Destructive overheating must be stopped.

e. Wetlands and estuaries are where land and water meet. Destroy them, and we destroy the areas where our fish and wildlife breed, and where the air we breathe gets its start. Yet destroy them we do, whether with the help of the Department of Agriculture in draining the prairie potholes or making drainage ditches out of streams, or with the help of the U.S. Army Corps of Engineers in filling countless estuaries and marshes. Filling or draining for unneeded farmland, or for apartments or expressways or airports which could be built elsewhere, goes on apace. The Government Operations Conservation and Natural Resources Subcommittee has recently heard the sad tale of speculators despoiling the estuaries of the Potomac and of San Francisco Bay; these hearings will continue. The looters of our wetlands should be told: stop it.

#### 2. AIR

a. Air pollution brings emphysema, bronchitis, lung cancer and death. It blackens our skies, smarts our eyes, wrecks our food, clothing and shelter. It is getting worse.

The internal combustion engine, with its carbon monoxide and nitrogen oxides, is the worst single polluter. A pollution-free engine must be developed and used in vehicular movement. We must evolve forms of mass transportation which do not pollute our atmosphere.

b. Industrial and power plants, with their sulfur oxides and hydrocarbons and par-

ticulate matter, are the second worst source of pollution. They must be guided quickly into using clean-burning fuels and methods of production which do not ruin our environment.

c. One of the newest forms of air pollution is noise—by jet planes, by motor vehicles on the freeways, by building construction crews. In many cities and suburbs, we have already exceeded the noise levels where mental and physical health is endangered.

### 3. LAND

a. The earth and the fullness thereof get less full every year. Agricultural soil erosion by wind and water costs us \$1 billion annually. In the next ten years, if we go on as we have, we shall lose another 15 percent of our agricultural land values to erosion.

b. To farm erosion has now been added the bulldozer of the suburban developer and the highway engineer, silting up our streams and ponds and lakes.

c. Chemical pollution of our soil (as of our air and waters and wildlife) is growing worse. Fertilizers, herbicides, pesticides, chemicals of war threaten not just the good life, but life on this earth altogether. DDT and other persistent pesticides have contaminated meat, fish, milk, vegetables, fruit. They threaten the destruction of whole families of birds. As the Conservation and Natural Resources Subcommittee found, negligence by the U.S. Army in its handling of lethal chemical weapons at Dugway, Utah, caused the death and injury of over 6,000 sheep, and with a shift of wind could have caused the death of even more human beings. Those companies and individuals which profit by chemical pollution do not give up easily. We intend to keep after them.

d. If people are going to find land on which to live and breathe and enjoy life, we must stop the senseless carving up of our landscape by the highway engineers, the suburban developer, the jetport authority. This requires regional and national planning. It requires the building of hundreds of new towns and consideration of the garden city concept with adequate open space adjacent to densely-populated areas.

e. We must expand our programs for setting aside parks, playgrounds, wilderness areas, wild rivers and seashores, and fish and wildlife areas. Yet this year's appropriation for the National Park Service is \$123 million. We must alter our priorities.

f. Our land (as well as our water and air) are about to be engulfed by solid wastes and their by-products—junked automobiles, glass bottles, steel and aluminum cans, used packaging, and other detritus. We must reconsider our tax systems so as to put some of the cost of evolving new methods of solid waste disposal on the manufacturer and user of these wasteful products, so as to encourage the development of disposable and degradable containers and wastes.

g. Litter—trash and garbage and cigarette butts—are contributions to ugliness that almost all of us make almost every day. Here is something on which every individual should be taking the pledge.

4. *Wildlife*. Due to the skill of our game and fish scientists and managers, many of our fish and wildlife populations are in better shape today than they were 30 years ago. The American bison herd, for example, is up from 4,000 to 25,000. But the pollution of our land, our waters, our air, the destruction of wetlands, the increased use of chemicals, and above all, the inexorable grab at wildlife habitat by our increasing population, pose a clear and present danger. Already 89 birds and mammals are on the list of endangered species, and man himself may not be exempt. We must preserve more wildlife habitat, and particularly we must massively assist our marine resources.

5. *Mineral and forest resources* are being rapidly depleted by our industrial technology. We must conserve our non-renewable min-

erals; particularly, we must recycle the wasted iron, aluminum, copper, zinc and other metals with which we now fill our dumps. Our mineral leasing policy for public lands must be updated. Our forests are endangered as we increasingly exceed the allowable cut. It will cost more money to attain better management of our timber resources. We must provide it.

6. *People*. All of these environmental resources must be preserved not only for themselves, but for the life, liberty and happiness of our people. Environment is for people.

a. *Population*—how many people, and where they reside—can affect our environment equally with what we do, or fail to do, with it. Our studies of Florida's Everglades, for example, show that too many people living at the headwaters which moisten the Everglades, could dry up and ruin this priceless national ecological marvel. In our metro-areas, where most of us live, our slums, our traffic jams, our noise, our foul air and water, our sprawling suburbs, point an ominous warning. We urge that the President's new commission on population problems takes into account the effects of population on the environment as well as on other aspects of life.

b. If the environment is for people, it is also people—mostly private citizens, not just the government—who must lead the fight to preserve our environment. Surely, the government must reorder its structure for an all-out fight during the Environmental Decade: the federal executive branch must have a top-level Council on Environmental Quality, and the Committees of Congress with which we are associated must redouble their efforts. Federal, state and local legislatures and courts must erect the framework for the battle. But citizen activity must lead the fight.

c. Among citizens, we turn to youth as the great hope for the Environmental Decade. Young people are understandably outraged by the cynicism and materialism of their older generation. We urge them to substitute constructive impulse for negativism, and to build for future generations an environment worthy of free men and women. We hope they will conduct studies, sponsor educational forums, initiate petitions, support court suits, pressure administrative agencies, draft legislation, and do the many things needed to help protect against environmental destruction.

d. We turn, too, to the people not just of the United States but of the world. Pollution of our environment threatens to engulf not only America, but all the land and seas and air. We welcome the Environmental Conference of the United Nations scheduled for 1972, and urge the United States government to take the lead in making ours a Model Planet.

Let the 1970's, then, be preoccupied with life and the quality of life. Before we starve, or choke on polluted air, or poison ourselves with our ruined waters, let us fight all who get in the way of a decent environment. Let man in the Environmental Decade assume his proper stewardship over pure water, blue skies, and a habitable earth.

### UNITED MINE WORKERS OF AMERICA RESPONSE TO DEPARTMENT OF LABOR CHARGES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. SLACK) is recognized for 15 minutes.

Mr. SLACK. Mr. Speaker, on November 28 the Department of Labor chose to make known to the press a memorandum which contained statements damaging to the present leadership of the United Mine Workers of America. Predictably, those Labor Department statements be-

came a prime source of campaign propaganda for a faction which opposes the present union leadership in an election to be held this week.

The union has now replied to these Labor Department charges—yet unproven—in some detail. Of course the response can never be circularized among the union membership in sufficient time to give them both sides of the picture prior to the voting. But I believe, and I am sure an overwhelming majority of the Congress believes, in a fair and balanced presentation of all pertinent facts bearing on major public controversies. I am, therefore, placing in the RECORD the rebuttal to the Department of Labor's widely publicized but unproven charges, as contained in a letter to Secretary of Labor Shultz from Edward L. Carey, general counsel of the United Mine Workers of America:

UNITED MINE WORKERS OF AMERICA,  
Washington, D.C., December 5, 1969.

HON. GEORGE P. SHULTZ,  
Secretary of Labor,  
U.S. Department of Labor,  
Washington, D.C.

DEAR SIR: On November 28, 1969, the Department of Labor took the unique and unusual action of releasing to the press an *inter-office* memorandum between two officials of the Department. The subject of the memorandum was identified as Summary Report of Financial Investigation of United Mine Workers of America.

This memorandum was an obvious attempt by the Department of Labor to inject itself into the election campaign now being conducted within the United Mine Workers of America. Such political action by officials of the Department of Labor constitutes improper, unwarranted and brazen interference into the internal affairs of the UMWA. It is already too late to take corrective action to avoid influencing the election, but this abuse of governmental power by such officials should not go unpunished by your office.

The memorandum states that increases in employees' salaries were not reported to the UMWA's International Executive Board. This is completely untrue. The UMWA makes six-month audited reports of all its financial activities, including the salaries and expenses of every employee. Your investigators examined these reports and were aware that these six-month reports are furnished to the membership of every Local Union and to every member of the International Executive Board. However, the Department's memorandum states to the contrary.

Furthermore, in addition to the above distribution of six-month reports, the UMWA furnishes a complete report annually to the Department of Labor, and this report is available to the public.

It is startling to note that one of the employees who received a salary increase was Joseph Yablonski, a member of the International Executive Board. Yet, Mr. Yablonski is now using the Department's memorandum as "proof" that such increases in salary were improper, unlawful, unauthorized and constitute evidence of corruption on the part of the President of the Union, W. A. Boyle. This illustrates how the Department's memorandum is being used as an instrument in Joseph Yablonski's lie-and-smear campaign.

The memorandum states that "grants" of money were made to employees without authorization. Actually, no such grants were ever made. No doubt, the memorandum was referring to bonuses given to two lawyers for assuming an exceptionally heavy workload and making personal sacrifices over a prolonged period in defending the Union against lawsuits brought by non-union coal operators who sought to destroy existing wage

standards, the UMWA Welfare Fund and, ultimately, the Union itself.

The memorandum further states that hotel expenses of some officials were paid when they were at their place of residence. However, as your investigation disclosed, the expense vouchers used by the employees do not provide spaces for the listing of all expenses, and the column marked "Hotel" is used for reporting other legitimate expenses. Actually, Union employees are not reimbursed for all of their expenses, and a great amount of such expenses are paid out of their salaries.

It is strange that the memorandum criticizes the Union for not issuing instructions to employees concerning reimbursement for expenses because, first, the law does not require such instructions, and, second, this matter is covered by the UMWA Constitution which was written and ratified by the membership at its conventions.

The memorandum states that the "Agency Fund", which was established to provide pensions for the International Officers, has never been adequately disclosed in the annual financial reports. This is false. All assets of that "Fund" have been included in every report to your Department. In order to comply with regulations of the Internal Revenue Service, these assets had to be placed in an agency account, but they still belong to the Union.

Honest disclosure of the facts by your Department would have reported that this pension fund was approved by the Internal Revenue Service, by the UMWA International Executive Board, of which Joseph Yablonski was a member, and by the entire membership of the Union at its 1960 Convention (Proceedings, pp. 260-62). The Proceedings also show that Joseph Yablonski was Chairman of the Committee which approved this pension fund. Yet, Joseph Yablonski uses your Department's release as "official proof" of his smear charges that the International Officers, including President Boyle, are guilty of corruption in establishing this pension fund. The truth is that President Boyle was not even an officer of the Union at the time this fund was established. Joseph Yablonski was! The only man who has received a pension from this fund was John L. Lewis, and no amount of pension money could have expressed the gratitude of the coal miners for his leadership through the many years of toll and strife.

The memorandum further charges that UMWA financial reports concerning Lewmurken, Inc., filed with the Department of Labor showed "improper reporting." At the time this matter was discussed in the UMWA Secretary-Treasurer's office with the Department's two representatives, I was also present. The difference of opinion at that meeting was merely a disagreement between the certified public accountant of an outstanding firm in this city, employed by the UMWA, and the Department's accountant as to the cost value of certain assets. At no time was a question of "improper reporting" raised.

Finally, at the end of the memorandum, the Department listed salaries and expenses of certain UMWA employees who are related. Assuming these people are qualified by their education and experience to hold these positions—and assuming their salaries are no more than others receive for similar work—then there is absolutely nothing wrong with the UMWA employing them. In fact, their origin from a mining family makes them more knowledgeable about and sympathetic to the needs of miners.

There can be no question that the release of this memorandum at this time was an attempt to influence the outcome of the UMWA's election. The Department's release to the press of such a list of salaries and expenses of related employees would invariably cause readers to assume that the Department was accusing the leadership of fraud. Actually, with two exceptions, all of

those listed were employed long before President Boyle's term in office.

This intent to influence the election is even more obvious in the Department's omission of salaries and expenses of Joseph Yablonski and his family. The amounts received by the Yablonskis in 1967 and 1968 are as follows:

<i>Joseph Yablonski</i>	
1967:	
Salary -----	\$25,000.00
Expenses -----	12,568.00
1968:	
Salary -----	\$25,000.00
Expenses -----	14,807.00
<i>Leon Yablonski</i>	
1967:	
Salary -----	11,000.00
Expenses -----	8,725.60
1968:	
Salary -----	11,000.00
Expenses -----	10,437.35
<i>Kenneth Yablonski</i>	
1968:	
Retainer and Fee -----	7,250.00
Expenses -----	881.80

Their salaries were not meager nor were their expenses light. Why were these figures of the Yablonskis omitted from the memorandum? It would seem that the Yablonski family's salaries and expenses would be equally as relevant as those of other families, if the Department actually intended to present an unbiased report.

I suggest that in fairness to the members of this Union, in fairness to its officers and in fairness to the Department of Labor, these salaries and expenses of the Yablonskis should be made available to the members of this Union and to the public with the same official imprimatur that the Department placed on its memorandum released on November 28, 1969.

The Department of Labor has demonstrated its partiality and lack of objectivity on the eve of this election and should disqualify itself from any statutory right to pass upon the validity of the UMWA's election.

Incidentally, our attention has just been directed to the fact that Leonard J. Lurie's sister is employed by the law firm of Rauh & Silard, of which Joseph L. Rauh, Jr., is the senior partner. Mr. Rauh is also the campaign manager and attorney for Joseph Yablonski. Acting Director Leonard J. Lurie of the Department of Labor's Office of Labor-Management and Welfare-Pension Reports, is the one who prepared the memorandum which was later released to the press by your Department. Under these circumstances, it is my opinion that an investigation should be made immediately to determine under what circumstances the report was prepared and what other information may develop as a result of an inquiry under your supervision.

Sincerely yours,

EDWARD L. CAREY.

#### ALLEGED MEDICAID AND MEDICARE ABUSES

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, I have received a number of inquiries in recent months relative to alleged medicare and medicaid abuses in Iowa. The letter I received in this respect from Mr. Clarence J. Math of Davenport, Iowa, is typical of those inquiries. His letter follows:

DAVENPORT, IOWA,  
October 29, 1969.

HON. FRED SCHWENGEL,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN FRED: There has been

a great deal of publicity in the press and on radio and television having to do with what seem to be abuses of Medicaid and Medicare by those providing medical care. No doubt you too have seen and heard these reports and have looked into the effectiveness of these programs here at home. I would appreciate it very much if you could let me know whether you have looked into this and, if so, provide me with some indication of the extent of the problem.

Respectfully,

C. J. MATH.

#### ALLEGED MEDICAID AND MEDICARE ABUSES

In responding to these inquiries, I have relied heavily on information provided to the Iowa Legislature's medicaid study committee. My response to Mr. Math gives a good overview of the results of my study of this problem. Since there have been similar problems on a national basis, I would like to share this correspondence with my colleagues. My response to Mr. Math follows:

DECEMBER 3, 1969.

Mr. CLARENCE J. MATH,  
Davenport, Iowa.

DEAR CLARENCE: I was pleased to receive your recent letter concerning the publicity about reported abuses of Medicaid and Medicare by those that are providing medical care. I already had my interest stimulated as a result of these reports, but I have looked into them further with respect to Iowa and the operation of such programs in Iowa since receiving your letter.

I find that the Iowa Legislature's Medicaid study committee has been following this situation and I would like to quote for you some comments made to this committee by Doctor William Krigsten of Sioux City who serves this year as President of the Iowa Medical Society. I believe it gives a good overall review and puts in focus the problems. Dr. Krigsten said:

"Medicaid is one important aspect of the total health care program in the state. I emphasize that Iowa physicians vigorously support the Medicaid philosophy, namely, that health care should be available to those who need such care but who are unable to afford it. A sound program which embodies this humanity-serving philosophy is essential, in the judgment of the medical profession.

"With you and your fellow members of the General Assembly, Iowa's medical doctors believe the best possible health care should be available to all citizens of the state. Providing these services is a formidable task for which there is no magic formula. We have somewhere in excess of 50,000 persons working as members of Iowa's health care team. This team uses its brainpower, modern medicals and sophisticated equipment to care for approximately 75,000 patients each day. We are talking about a 500 million dollar annual endeavor.

"As you know, the means selected by the Federal government to effect this philosophy have not been fully supported by physicians. With the passage of the Social Security Amendments of 1965, establishing Medicare and Medicaid, the congressional proponents declared that all of the nation's elderly and needy would now come into the mainstream of medicine. Frankly, we felt that Iowa was at the time doing a respectable job of keeping its people in the mainstream of medicine.

"Rather than assume an obstructionist role, however, in the implementation of these programs, the Iowa Medical Society has attempted to provide responsible professional leadership. In so doing, we have obviously come to be influenced and guided by the intent of the Federal congress. This intent is implicit in statements such as the one former HEW Secretary John Gardner made in a 1967 Presidential Report: 'Charity medicine is being abandoned in favor of new public programs which give needy people the resources to purchase medical care from pri-

vate physicians and hospitals on the same basis as more affluent citizens'".

You can realize that there was an administrative problem in getting set up for a program of this size but other testimony which I have read indicates that these problems, such as long delays in the processing of paper work and uncertainties over the eligibility of individuals, have mostly been taken care of with experience in operating this program.

Dr. L. J. O'Brien of Fort Dodge, Iowa, serves as representative of the Iowa Medical Society on the Medicaid Advisory Council and also as Chairman of the Society Committee on Public Assistance. He told the Legislative Committee studying Medicaid:

"One of the most serious and acute problems from our vantage point at this time is public understanding of the program. As you are quite well aware, much recent attention has been given by the press to the matter of releasing the total amount of Medicaid reimbursement made to individual vendors. By inference or innuendo, the publishing of names and amounts places those at the top of the list in the position of being immediately suspect. Only limited effort has been made to explore that much of the listed sums goes to underwrite the substantial expense involved in the operation of a physician's office.

"The Department of Social Services and the vendor groups, including the Iowa Medical Society, share with the press the feeling the listings should be available to the public. At issue is the matter of when and how. The vendor groups have felt time should be allowed before release of the names for the organizations to analyze the payments and provide a report of their findings. As you know, this process has been widely appropriately designated peer review.

"The Iowa Medical Society's expanded peer review mechanisms are now functioning and you may be interested to know that 14 physicians whose 1968 Medicaid payments exceeded \$15,000 are being evaluated by their peers to determine if their mode of practice follows or departs from an acceptable pattern. You may wish to delve more deeply into the peer review process in our discussion.

"The July decision of HEW to freeze Medicaid payments to physicians and dentists was disconcerting to Iowa's medical doctors. You may not know that there can be no increase in physician reimbursement levels under this ruling until July of 1970. This action is difficult to comprehend when only 11 percent of the \$3.5 billion spent for Medicaid in the fiscal year 1968 went to physicians.

"In this respect, and relating back to the matter of public understanding, it seems most important that Iowans come to understand the physician is thoroughly regulated in the fee determination area for both Medicare and Medicaid. A computerized determination of fee levels is made on the basis of a usual, customary and reasonable formula and claims are paid at or below this pre-determined ceiling. The element of reasonableness is very much present and represents a definite cost control mechanism."

As indicated by Doctor O'Brien, the process of peer review by the Iowa Medical Society gives to doctors the responsibility for judging other doctors—not only as to the size of the fee involved—but also to the need for the services rendered to the patient, frequency of examination and treatment, the amount and type of medicine prescribed and other things which doctors are best able to judge. Of course it is fairly easy for a computer to analyze whether fees are reasonable by comparing one doctor's fees to the fees of other doctors in his community performing similar procedures. It is in more sophisticated analysis which I just mentioned where doctors are best able to judge their colleagues.

Indeed Doctor Krigsten in a statement to

the press late this summer pointed out that there is virtually no way under either Medicaid or Medicare in which an excessive fee may be charged for a particular service.

This same statement by Dr. Krigsten comments on the arbitrary singling out of physicians who received a certain amount of money under Medicare or Medicaid programs without adequate explanation or without prior review. I am sure you will agree that this suggests at least by inference the presence of dishonesty, especially when words like cheating and abuse are prominent in the reports.

I would not be so naive as to think that either the computer or individuals who administer this program cannot be fooled by someone who sets out deliberately to do so. However, the review mechanism as set up in Iowa is designed to ferret out any unusual pattern of activity, any excessive fee charges and any other pattern of activity which departs from the normal.

Such activities are then given special attention by the Medical Society peer review program with recommended action being forwarded to the parties involved. If appropriate action cannot be taken at the county level, then the matter can be referred to the state claims review committee which also functions as an appeal mechanism when there is disagreement with findings at a lower level.

I was interested in the comment by Doctor Krigsten in one of the statements he has made on this subject and I believe it will be of interest to you. He said, "I would emphasize that Iowa physicians are vitally interested, as are most citizens of the state, in the wise use of tax dollars and in efficiency and economy in government—particular health services, and in all health services for that matter. The Iowa Medical Society is making available its expertise and its manpower to assist in structuring an Iowa Medicaid program which is fiscally sound and which serves the health care needs of those for whom it is intended. In situations where questions are raised as to the propriety of a physician's charge or his mode of practice, the Society is unequivocally dedicated to clearing and protecting the innocent and to identifying the guilty. We believe the broad application of the professional peer review system will do more than any single thing to assure the success of Medicaid. We are willing to accept the challenge which is present in a program such as this."

Knowing Iowa doctors as I do, I feel certain that they will be more interested than anyone else in identifying any physician who abuses the Medicaid program in taking appropriate action. I am confident after examining the mechanism as outlined in its various details in this letter, that the Medical Society has an adequate mechanism and the appropriate attitude to control not only excessive cost but over utilization.

Sincerely yours,

FRED SCHWENGL,  
Member of Congress.

#### CONGRESS AND THE ADMINISTRATION

(Mr. ALBERT asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. ALBERT. Mr. Speaker, this Congress has been the repeated target of misleading statements by administration spokesmen who have sought to undermine public confidence in Congress and to give the impression that little has happened here this session. I want to make two basic points in this respect:

First, this Congress has performed its duties, in the face of repeated adminis-

tration delays, obfuscation, confusion, and lack of leadership by the administration. We ask not to be judged either by their statements, or ours, but by what has happened—by the record of this Congress.

Second, The effort by the administration to discredit this Congress is a calculated one to cover up for the lack of any comprehensive administration domestic program or policy, and in preparation for the 1970 elections. Anyone familiar with past political tactics can recognize it for what it is—the familiar trick of attacking to discredit rather presenting positive programs.

I would hope that the press would look to the record to inform the public. The glib Madison Avenue tactics that are being used to try to blame the Congress and to distract the people from lack of executive leadership and failure to advance a cohesive program are being foisted on the public by the administration advertising experts. I would hope that the press is not so cowed by administration criticism that it accepts the handouts and the glib rhetoric of the White House admen who appear to be calling the tune of government by press release. The Congress is not cowed by such tactics.

The delays and confusion of the administration has led to its own failure to confront the problems of this Nation. Congress has been tolerant of this new and untried administration. It has accepted the confusion, the delays, the lack of clearly stated goals, the limited leadership as the struggle of an administration seeking its way. It has now become abundantly clear that there is no administration program, and no sound understanding of the problems that confront this country. It has also become clear that press agency has been substituted for action. In the face of this confusion and this cohesion gap, the Congress has quietly gone about its work, and has given the administration every possible chance to outline a program and express it in tangible terms of proposed legislation. However, this administration has emerged as a "say much, do little" administration whose greatest talents appear to lie in the realm of press agency and smooth public relations. It has been a following, not a leading, administration. It has shown a disconcerting lack of understanding of the real domestic problems of this Nation.

I have noted that this administration, while following the leadership of Congress, has sought to claim as its own many of the programs initiated here. We are willing to allow it to extravagantly claim that credit if it will move the administration into a posture of agreeing to act instead of just talking about the needs of this country. And if the administration will just continue to follow the lead of Congress and cease some of its delaying and confused efforts, this Congress will give the Nation a fine record of achievements before it finally adjourns.

I would add a personal word to the President, I would say to him: Mr. President, please advise your spokesmen to speak more coherently, to be more con-

sistent, to lessen the rhetoric and increase the substance, and to let Congress know the administration's position so Congress may more effectively work its will. And, Mr. President, we urge you to join with us, to come along with this responsible Congress, and together put our programs into action for the benefit of all the people of this country.

#### THE 1970'S—A CRITICAL ERA IN NUCLEAR POWER

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, on December 3, 1969, Congressman CHET HOLIFIELD, chairman of the Joint Committee on Atomic Energy, addressed the Atomic Industrial Forum Annual Conference in San Francisco.

His remarks on "The 1970's—A Critical Era in Nuclear Power" set out a lucid exposition of the problems and progress inherent in the development of this new energy source that promises so much for the future.

Congressman HOLIFIELD stressed to atomic industry leaders that the most important challenge in the field of the peaceful uses of atomic energy is the development of a breeder reactor. He said that this reactor will provide an almost unlimited supply of electrical energy so vitally needed to support our growing economy and burgeoning population.

He also expressed concern in regard to the administration's proposal to sell the three Government-owned gaseous diffusion plants to private industry in the near future.

Recalling the bitter days of the Dixon-Yates proposal under the Eisenhower administration, he said such a sale is premature and would create another similar bitter division.

Congressman HOLIFIELD, a charter member of the Joint Committee has broad knowledge in the atomic energy field based on his more than two decades of service on the Joint Committee. I urge each Member to read his speech to get an insight into the scope and magnitude of developments and challenges in the field of atomic energy.

I include Congressman HOLIFIELD's remarks "The 1970's—A Critical Era in Nuclear Power" in the RECORD at this point.

#### THE 1970'S—A CRITICAL ERA IN NUCLEAR POWER

The Joint Committee on Atomic Energy is in its 23rd year of carrying out its legislative and oversight review responsibilities of the atomic energy program. We have completed a quarter of a century of atomic development.

From 1946 to 1954 the Committee concentrated on the improvement of weapon design and the accumulation of an adequate inventory of weapons. We also initiated and funded the first four nuclear propulsion reactors for our nuclear submarines.

Under the leadership of Senator Hickenlooper and Congressman Sterling Cole the omnibus revision of the original McMahon bill was completed. While maintaining a vigorous weapon development program, we directed that a strong second program of peacetime application of the atom be developed.

During the past fifteen years we can say with pride that we have been successful be-

yond most predictions in both the weapon program and the atoms-for-peace program.

The existence of your great Association and the strong attendance at this convention is evidence of the interest of a wide sector of United States industry and finance.

The private capital investment in mines, mills, reactor building facilities, research and development laboratories, and related atomic industries represents many billions of dollars. In addition the Federal government has invested billions of dollars for research and development, and for necessary construction of facilities for military and peaceful applications of nuclear energy.

It has taken more than billions of dollars, however. It has required the dedication and service of thousands of scientists, engineers, technicians, and business leaders.

In the last analysis our success in this great program could not have been made without cooperative efforts on the part of the Joint Committee on Atomic Energy, the Atomic Energy Commission and United States industry.

There is credit enough to share for the success of the atomic programs.

There is blame enough to share for our failures.

It is not my intention today to try to divide the credits or the blame between the Committee, the Commission, and industry.

I do want to stress once again that, *in the main*, our success has been made possible because of the cooperation between the three aforementioned entities. I qualified that statement by saying "in the main" because there was one time period when bitter division developed between the members of the Committee, and between the Commission and the Committee. More about that later.

Your organization, in my opinion, can render a great service in the decade that lies ahead. A sound foundation has been laid, and if cooperation continues we can bring to fruition the dream of abundant, indeed almost unlimited energy.

As I see it there are two equally important challenges:

1. developing a technically successful and economic breeder reactor.

2. solving the problem of siting of nuclear and conventional type electric generating plants, including reconciling the need for power and the goal shared by us all of protecting or enhancing the quality of our environment.

The short range challenge has taken the form of a wave of opposition to siting of all kinds of electric generating plants, whether nuclear or fossil fueled.

This opposition stems from a growing awareness of environmental pollution. The danger however is that much of this opposition is based on emotionalism without basic factual information of the relative environmental impact of conventional fossil fueled plants and nuclear fueled generating plants. Also lacking is widespread awareness of the economic cost to our society of inadequate supplies of electrical energy and the adverse impact of a power deficiency on the health and standard of living of our people. The present reaction to and arguments against the siting of electric generating plants is akin to an argument to eliminate the automobile because of automobile accidents or because automobile engines emit noxious contaminants.

Your organization is representative of almost every phase of the nuclear industry. It is your duty to defend that industry by making the facts available to the public.

#### ENVIRONMENT

I have been heartened by your response to the growing resistance from environmental extremists. This is an important challenge to future utilization of nuclear reactors. Here again we need the close cooperation of industry, the Commission, and the Committee. The Committee is determined to do its

part. We have concluded Phase I of our environmental hearings in which we have established basic data on the overall impact on the environment from all types of electrical generating plants. Shortly after the first of the year, we will open Phase II of the hearings. These hearings will be open to the atomic industry people and to representative critics of the industry. It is my intention to separate sensationalism based on emotion and theoretical conjecture, from facts and objective analysis.

The Atomic Energy Commission has been responding—and must consider as part of its duty a continued response—to the public clamor against reactor siting and reactor utilization.

Working together we can allay the fears of the public and demonstrate the true value of this great technical achievement by showing the comparative impact of the effects of conventional and nuclear plants on the environment. At the same time we, of course, will support sound and non-discriminatory adjustments to protect a viable environment.

#### POWERPLANT SITING

The utilities have not accepted as yet, the facts of life.

The environmental shadow on the wall is no larger than a man's hand. It can grow to catastrophic size.

The Atomic Industrial Forum might well consider the advisability of advocating state legislation setting up State Siting Authorities for all types of generating plants. Such Authorities would represent all sectors of their respective citizenry—public users of electricity, public and private investor-owned generating facilities, as well as environmentalists. The Authority should be authorized to hold hearings and use the power of eminent domain to acquire appropriate sites deemed to be necessary for the welfare of the State's population.

Appropriate tax laws may well be in order. New York has already moved in this direction.

I understand Vermont has taken first legal steps in this direction.

Congressman Hosmer and I have recommended to Governor Reagan and a California Assembly Committee on Space and Atomic Energy that similar action be taken in California.

#### FAST BREEDER PROGRAM

The second objective is a long range objective, but it requires a coordinated effort if it is to be achieved.

The most important challenge which faces us at this time is to develop a breeder reactor. It is of prime importance to the industry and to the future development of our nation.

It is important also to the burgeoning population of the world.

In my opinion, it is a far greater technological challenge than was the development of our present water reactors.

It will take more dollars. Industry cannot carry this massive research and development load alone.

We will be forced to rely on Federal financing for a major part of the needed dollars. Unless we have a united front of cooperative Committee, Commission and private industry support for the breeder program, we will not succeed.

This then is the great challenge. This is the game.

Unless we keep our eye on the ball and maintain our drive toward the goal, we will lose the game.

We cannot afford to block the quarterback. We cannot confuse the signals. We cannot fumble the ball.

Now gentleman, it is my intention to engage in some plain talk. I do so not in a spirit of antagonism, but in a spirit of deep conviction, based on twenty-three years of service on the Joint Committee and twenty-seven years in Congress pursuing legislative goals.

## DIFFUSION PLANTS

You may recall that earlier in my statement—I said that there was “a time period when bitter division developed between members of the Joint Committee and between the Atomic Energy Commission and the Joint Committee.”

That period was in 1954.

The issue was the Dixon-Yates proposal of the Eisenhower-Nixon Administration. It was presented to our Committee by the Chairman of the Atomic Energy Commission, Admiral Strauss, and his general manager. It had the backing of a substantial part of industry and the financial community.

Boiled down to its essentials the Dixon-Yates proposal would have used a national security formula, which allowed long term Federally guaranteed 25 year bonds backed by a Federal contract, to finance the Dixon-Yates private investor owned electrical generating plant costing 107 million dollars. It would have used the Federally owned T.V.A. system to transmit the power several hundred miles to Dixon-Yates customers in the city of Memphis, Tennessee.

The Dixon-Yates proposal collapsed under the pitiless glare of public exposure. But before it died, it split the Joint Committee and the Atomic Energy Commission on a partisan basis. It took a long time for the Committee to overcome the bitterness and division that proposal generated. It eventually led to the defeat of a Presidential nominee for a Cabinet position.

I foresaw the danger and warned the Republican Chairman of the Committee and the Commission against the Dixon-Yates proposal. My warning went unheeded. We all remember the result.

I believe I can see history trying to repeat itself. Another dangerous proposal is in the incubator, the sale of the three diffusion plants.

The Atomic Industrial Forum has been in the forefront in the development of plans for the disposition of the plants. I do not question their right of advocacy. I am sure they will not question my right to disagree. But, I can see another bitter division developing in the proposal to sell the gaseous diffusion plants. The resulting controversy will obstruct and delay the progress of atomic technology. Our energies will be diverted from our priority goal of developing the breeder reactor. We will be diverted by the controversy. We may fumble the ball. We may even lose the ballgame.

Why is this occurring? Why are we endangering the cooperation between the Committee, the Commission and industry?

Suddenly, we are told that it is urgent that these diffusion plants be placed in the private sector without delay. But I ask you, has this great new atomic industry been developed by free enterprise dollars? *Of course not.* Free enterprise has had its important part in nuclear development, but Federal tax dollars paid free enterprise contractors for their services. It has been a cooperative effort between the Federal Government and industry in all phases of the work—in research, development, construction and operation. These plants, represent an enormous taxpayer investment and every witness, without exception, acknowledged, in testimony before the Joint Committee, that these plants are among the most efficiently operated facilities in the world.

The Joint Committee is composed of men who believe in the free enterprise system as a goal. We have moved steadily toward that goal. We have gauged each move in relation to the status of this developing industry. We have worked toward a private mining and milling industry. We have moved toward the private ownership of enriched uranium as soon as circumstances permitted. We have encouraged and supported private research and development efforts in addition to the basic goal of building a private

manufacturing and supply industry in the basic tradition of the free enterprise system.

I have talked to many people about the sale of the diffusion plants in the near future. Many have doubts, mostly on timing. Some have made their decisions on the basis of traditional belief in the theory of free enterprise—without, in my opinion, full knowledge and appreciation of remaining problems. I rather suspect some few may have reached their conclusions on the basis of what they stand to gain if they are lucky enough to participate with a select few in the windfall acquisition and monopolistic control of the jugular vein of the atomic industry.

In my opinion these few will have to wait.

Governmental actions take place today in a gold fish bowl. Every action faces critical challenge. Any action which even appears to conflict with the public interest will be criticized and if it does conflict with the broad public interest it will poison all who touch it.

The fuel material from these diffusion plants will be used in the main by investor-owned utilities. These utilities are governmentally supervised because they operate in a zone of monopoly franchise and in a zone of guaranteed, although limited, profits. They are not typical free enterprise operations, as we all know. They must justify their capital expenditures and their operational expenses, item by item to State or Federal Regulatory bodies. In my opinion most of these utilities have acted responsibly in recent decades. They have usually kept their rates at reasonable levels. Because their fuel costs are reflected in the price of every kilowatt, special consideration must be given to the price of nuclear fuel produced in Federally owned facilities.

These great diffusion plants cost a lot of money—taxpayers' money. They are the most modern separation plants in the world.

They are worth more than book value to the electrical rate payers of our country.

At the present time they are operating at only about 40 percent capacity but our best estimate is that they will be operating at 100 percent of their capacity in the latter half of the 70's.

Additional plant capacity will be needed thereafter. To have it available when needed we must start improvement and expansion of the present plants in the upcoming fiscal year. 130 million dollars should be included in the 1970-71 budget to start cascade improvement. Similar annual amounts or even more will be needed from 1971 to 1980. Such an investment cannot be justified on a short range basis by a private enterprise. It can be justified on a ten or twelve year operating period providing it is financed on a Federal cost of money basis. The product must be priced on a level which will defray costs of production and eventually capital retirement.

The stated intention of the Administration to sell the three diffusion plants in the near future is based on the ideological premise of turning over to private enterprise the one remaining link in the nuclear fuel cycle not in private hands. In my opinion it is premature to do so. It causes concern in the nuclear market place on the part of potential buyers of nuclear plants and manufacturers of nuclear reactors. It can interfere with a growing international market for U.S. reactor hardware.

We had better stop, look and listen before we are carried away with slogans or acquisitive greed.

We need some hard answers to some hard questions.

1. Is private industry really ready
  - a. to pay a fair market value for this total government plant and its back-up inventory of yellow cake and enriched uranium;
  - b. to start in 1970 a six or seven hundred million dollar cascade improvement program for the three plants over and above acquisition costs for the plants?

2. Can a private corporation assume the present international commitments for long-range fuel supply and make additional commitments under our “atoms-for-peace” program?

3. Will foreign customers have the confidence in business-to-business promises without the present Government-to-Government agreements?

4. Can free private enterprise honestly assure the Congress that competition will occur if

- a. one owner purchases the three plants
- b. three separate owners purchase the three plants?

These are only a few of the questions the proponents of sale will be required to face.

Under the present arrangement the industry is prospering.

Nuclear power plants are being purchased from the manufacturers. A wave of new orders are in sight.

The price of fuel is reasonable, and there is no question of fair distribution at non-discriminatory prices.

There has been no supportable claim that the plants are inefficient. They are being operated by top-flight private industrial companies.

The taxpaying, rate paying customers are receiving widespread benefits from their investment of public monies.

On the other hand a minimum distribution of benefits to the taxpayers would occur if a few corporate entities were allowed to establish a middleman's toll gate position between production of nuclear fuels and the ultimate buyers of electricity.

## PROBLEMS IN FAST BREEDER REACTOR PROGRAM

As a member of the Joint Committee who has given dedicated service to the development of the uses of the peace time atom, I make this appeal to you today.

Keep your eye on the ball. Development of the fast breeder is of vital importance—

To industry,

To having an almost unlimited supply of electrical energy,

To meet the needs of an exploding population.

We can develop the fast breeder, only on the basis of heavy Government support—we will move forward on the basis of cooperation between the AEC, the Joint Committee and the private sector of industry and finance.

We are at a critical point at this time. Research and development funds are being cut across the board by the Administration. I do not have time to examine the ideological and economic justification for such cuts. I point at this time to the results in the breeder program. The Administration has been whittling away the fiscal year 1970 budget for the Liquid Metal Fast Breeder Reactor program from the \$99 million originally requested by those responsible for the program to less than \$85 million. And yet we are told that this program is the highest priority effort in our civilian power program.

Presidential Candidate Richard Nixon on October 5, 1968, in New York, in a speech entitled: “Research Gap Crisis in American Technology” opened up his comments by saying that energy was a prime requirement in our society. Then he said:

“With the goal of fulfilling that requirement, I believe we should step up the Atomic Energy Commission's breeder reactor project which could provide virtually inexhaustible energy at extremely low cost. At present this project is going forward very slowly although its promise for mankind is as great as any other likely development.”

If this philosophy of cutting research and development for fiscal reasons, is duplicated in subsequent years, the fast breeder with its great promise, will not be successfully developed.

At this critical point we must make every

available research and development dollar count. For two reasons:

1. To obtain at present the maximum result from each available dollar.

2. To achieve steady constructive progress in order to justify increased Federal and industrial support in follow-on fiscal years.

How are we to maximize the results from each available dollar?

I am not satisfied with our progress in the fast breeder program.

My colleagues on the Committee are not satisfied.

Representatives of industry have told me that they are not satisfied.

Shortly after the first of the year, I intend to propose the establishment of a blue ribbon ad hoc Committee to analyze this current problem.

While I have no final announcement to make at this time, I can assure you that my proposal will receive serious study and I believe it will be approved by my colleagues on the Committee.

The Ad Hoc Committee should be small. It should be composed of not less than three nor more than five members. Each member must be of top capability and experience in fields directly related to analysis of methods to solve advanced scientific problems. The Committee must have amongst its members strong engineering capability for bringing theoretical concepts into reality. It must have amongst its members a capability to specify top quality industrial standards to make fast breeder hardware.

We must use our great national laboratories in our priority programs but the national laboratories must affirm a new sense of mission and an intensity of dedication to the primary purpose for which the laboratories exist.

Unless we can attack the problems of the fast breeder with a concentration of interest—

We will be forced to conclude that the financial commitment must be channeled to more efficient activities.

I am hopeful that such a study by such a Committee will clarify the present cloudy situation.

I am hopeful that a clear set of recommendations can be given to our Committee—recommendations which will help us to make every appropriated dollar count, which will justify our Committee in requesting adequate dollars in future fiscal years.

In conclusion gentlemen,

I do not wish to belabor the points I have made.

I will reemphasize that we face a critical era in the 1970's.

We can stand still with the water reactor technology and fail to achieve the full potential of our nuclear fuel resources.

We can be diverted and divided from constructive cooperation. We can, if we choose, tilt our lances at windmills with the same ineffective results which Don Quijote had, or

We can unite in our efforts to achieve the breeder reactor and extract the maximum amount of energy from our nuclear fuels, thereby bequeathing to our progeny an almost unlimited supply of electrical energy.

#### PINKVILLE—A PINK PROMOTION

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, with passage of time the alleged "Mylai massacre" is being brought into proper perspective and examined more closely. The people are questioning why a single incident of violence occurring during wartime in enemy territory has been so overwhelmingly blown out of proportion, and a manufactured significance for it

impressed so insistently upon an unsuspecting American people.

The stories—the rumors, half-truths, innuendoes, hearsay and all—have been multiplied, expanded, embroidered, and manipulated in the lowest style of yellow journalism. Purported witnesses have been paid for their stories; yet any mention of bought witnesses is missing from the repeated reports. Nor is "Pinkville"—Mylai—described as a Communist guerrilla village known essentially as an enemy stronghold. Pinkville was a battle-ready enemy encampment, populated with crime-hardened and fanatical terrorists of all ages and sexes, and not an innocent farming village occupied by peasants peacefully engaged in tilling the soil.

The news media has made no effort to explain to those who have not experienced combat that the accepted conventional standards of behavior in the continental United States in peacetime cannot be compared to those in a country in the throes of a war—where even the simplest everyday activity may mean sudden death. Nor has the prolific media given any effort to explain to their readers and viewers the variance in the value of life to the Communists as compared with that found in our country. No one has informed our American housewives—who would probably faint at the sight of their teenager brandishing a gun—that the Communist guerrilla would unblinkingly boobytrap their own baby or arm a 5-year-old with a grenade and tell him to walk into American troops.

Now we learn that one Telford Taylor, promoted as an expert prosecutor because he worked at the Nuremberg war crimes trials, apparently has now turned expert on atrocities. The wire service, in discussing his background and qualifications conveniently omits any reference to his long history of involvement with communism and specific Communists in this country. He came to Washington in the early thirties and enjoyed the phenomenal success of becoming a senior attorney with the Agricultural Adjustment Administration just 2 years after his graduation from law school—even more remarkable considering this occurred in the middle of the depression. As an AAA attorney he enjoyed a close working relationship with such other Department of Agriculture employees as Alger Hiss and Lee Pressman—luminaries of the Ware cell engaged in Soviet espionage in the Department of Agriculture.

To supply the "in depth" coverage which the news media seems to have missed, I include news clippings and a biographical sketch on Mr. Taylor which follow as part of my remarks:

[From the Manchester Union-Leader, Dec. 4, 1969]

#### MASSACRE STORY RUBBISH: AUSSIE

SONG MY, VIETNAM.—An Australian officer said yesterday the women of My Lai hamlet "knew how to cut throats and the children could strip down a weapon like professionals."

Capt. John Nelson, 26, a Special Forces adviser to South Vietnamese troops, said he thought reports of an American massacre against the civilians of My Lai were "rubbish."

I don't believe a massacre ever happened," Nelson told a newsman. "I've been in the

field around here for four months, and this is the first I've heard of any massacre.

"The charges are rubbish. That place was in enemy territory. The women moved around at night and they knew how to cut throats and the children could strip down a weapon like professionals."

In Da Nang, Sen. Tran Van Don said his investigation was unable to come up with a conclusion that U.S. troops slaughtered civilians in May Lai in 1968. One difficulty in weighing evidence was the strong Viet Cong influence there, he added.

On the strength of what he had learned, Don said, he had formed no opinion on whether a massacre occurred or the extent of the killing if there was one.

[From the Christian Science Monitor, Dec. 1, 1969]

#### NÜRNBERG LESSON SEEN IN VIETNAM

NEW YORK.—An American prosecutor at the Nürnberg war crimes trials, asked to comment on the alleged massacre at My Lai, South Vietnam, says the lesson of Nürnberg is "really coming home to roost."

Attorney Telford Taylor said the Nürnberg trials of Nazis after World War II showed that atrocities were not committed by "individual monsters" but by "very, very ordinary people. And the terrible thing about it was that it showed ordinary people can get into circumstances where they behave in this fashion," he said.

"I'm afraid we're beginning to find the lesson driven home in a very direct way."

The Army has charged Lt. William Calley with the murder of 109 civilians "without justification or excuse" in an American sweep through My Lai March 16, 1968.

Mr. Taylor said the plea of being under orders was not recognized as a viable defense under American, British, or German military law. But, he said, "there are many circumstances where the soldier simply cannot be expected to know what the ins and outs and rights and wrongs of the thing are."

[From Human Events, Dec. 6, 1969]

#### THE "PINKVILLE MASSACRE"

The Red appeasement faction in this country is using the alleged "Pinkville massacre"—where American soldiers are said to have executed up to 500 innocent Viet Nam civilians in a Viet Cong stronghold—as a pretext to blacken the reputation of the United States and pressure the U.S. into hastening its troop withdrawals from South Viet Nam.

The liberal news media, including the New York Times, the New York Post, etc., are now suggesting or proclaiming there is no difference between the U.S. and the Viet Cong and are even likening America to Nazi Germany. Pete Hamill of the Post wrote that the government should sentence not only the handful of men responsible for Pinkville but "Lyndon Johnson, Hubert Humphrey, Walt Rostow, the Bundys and all the rest." The trial, he said, should be held in "a town called Nuremberg."

Yet experts on the subject of communism in the Nation's Capital classify these hysterical verbal outpourings by the liberals as so much self-serving hogwash. For one thing, it is pointed out, the U.S., unlike the Communists, has not made it a policy to murder innocent civilians. Quite the contrary.

Each American soldier in Viet Nam, in fact, is handed, upon arrival, special rules which are read to him twice a year and specifically oppose harsh treatment for civilians. One provision reads: "All practicable means will be employed to limit the risk to the lives and property of friendly forces and civilians; and to avoid the violation of operational and national boundaries. This directive will not be modified by subordinate commanders, nor will directives modifying or interpreting substantive rules in the directive be published by subordinate commands."

Another provision reads: "Mistreatment of

any captive is a criminal offense. Every soldier is personally responsible for the enemy in his hands. It is both dishonorable and foolish to mistreat a captive. It is also a punishable offense. . . . Fair treatment of captives encourages the enemy to surrender." These rules were in effect long before the alleged massacre.

Equally important, the U.S. Army—as far back as March—began vigorously investigating the incident, even to the point of sending investigators to Pinkville and preventing the discharge of Lt. William L. Calley, now charged with murdering 109 Viet Nam civilians. These actions were taken long before the press in recent weeks began to blow up the incident into a sort of American Buchenwald.

Assuming even all the charges against Lt. William Calley are true—and his side has yet to be heard from on the matter—the hard fact remains that such incidents are clearly isolated phenomena.

The Communists in Viet Nam, on the other hand, have not only engaged in isolated atrocities, but have made it official policy—as Communists have the world over—to engage in the murdering of hundreds of thousands of innocent men, women and children.

While the news media was playing up the Pinkville incident, a former North Vietnamese Army officer, Lt. Col. Le Xuyen Chuyen, who defected to the south after 21 years of Communist party leadership, revealed to a Scripps-Howard reporter in Saigon last week that the Communists had at least five million—*five million*—on what he called the Communists' "blood debt" lists.

Col. Chuyen declared that for every 100 on the lists 10 to 15 would pay with their lives, another 40 would be imprisoned and the rest would undergo "thought reform." Included on the lists are a million Catholic refugees who fled North Viet Nam, some two million South Vietnamese troops, government officials down to the hamlet level and paramilitary groups, more than 100,000 North Vietnamese and Viet Cong defectors, some 100,000 South Vietnamese working for the Americans and numerous elements of the "bourgeois" class.

Captured enemy documents substantiate the claim. "Even after the Fatherland is completely liberated the fight will continue, fierce and complicated," reads one such document. It continues: "Then the real tasks of eliminating reactionaries, informants, American henchmen, religionists, etc., will begin."

That massacres and atrocities have become official policy of the Communists in North Viet Nam has long been known. Ho Chi Minh systematically slaughtered an estimated half-million peasants during his land reform program in the '50s, while some 20,000 civilians, including village chieftains, priests, government officials, hospital workers, etc., have been murdered by the Reds since the Viet Cong unleashed their terror campaign in the south.

In relation to the Hue massacre, the Communists have boasted about their "execution squads" having systematically murdered some 3,000 civilians—men, women and children. A Red document called the Hue massacre a complete success, stating: "Hue was the place where reactionary spirit had existed for over 10 years. However, it only took us a short time to drain it to its roots." On April 27, 1969, a Hanoi radio broadcast boasted that the bodies then being discovered in the Hue area were "hooligan lackeys who had owed blood debts. . . ."

As one observer summed up the situation last week: "Only a liberal would fail to distinguish between what happened at Pinkville and the calculated atrocity policy of the Communists."

The newly formed Dispatch News Service, which generated such wide publicity for the "Pinkville massacre," is a propaganda medium for the New Left and its allies. Seymour Hersh, who helped set up the service, located

in the National Press Building in Washington, has been the recipient of a \$1,000 grant from the Phillip M. Stern Foundation, a chief contributor to leftist causes. The "service" is also prepared to employ the writings of Prof. Seymour Melman, a unilateral disarmament advocate. It has also distributed to various newspapers a series on the Viet war by author Richard Barnett, co-director of the tax-exempt Institute for Policy Studies, a radical think-tank in Washington. (For more on IPS, see *Human Events*, October 25, page 8). Barnett, while visiting North Vietnam recently, was quoted by Hanoi radio on November 13 as welcoming a Communist victory in South Viet Nam. Hanoi radio quoted Barnett as saying to the North Vietnamese:

"In the few days that we've been in Hanoi and in the provinces, we have good reason not to despair and the message that we would bring back with us is the message that the Vietnamese will continue to fight against the aggressors, the same aggressors that we will continue to fight in our own country. . . ."

[From American Opinion]

BIOGRAPHICAL DICTIONARY OF THE LEFT—  
VOLUME II

(By Francis X. Gannon)

Telford Taylor was born on February 24, 1908 in Schenectady, New York, son of Marcia Jones and John Taylor. He married Mary Walker. He is an alumnus of Williams College (A.B., 1928; A.M., 1932) and Harvard University (LL.B., 1932).

In 1928 and 1929, Taylor was an instructor in history and political science at Williams College. In 1932 and 1933, he was a law clerk to the U.S. circuit judge in New York.

In 1933, Taylor began a career in government service which lasted until 1952. He was an assistant solicitor in the U.S. Department of the Interior (1933-1934); a senior attorney with the Agricultural Adjustment Administration (1934-1935); an associate counsel to the U.S. Senate Committee on Interstate Commerce (1935-1939); a special assistant to Attorney General of the United States (1939-1940); and, general counsel to the Federal Communications Commission (1940-1942).

Taylor became a military intelligence officer in 1942. From 1945 until 1949, he worked at the "war crimes" trials as a staff member for the chief of counsel and as United States chief of counsel. In 1951 and 1952, he was the administrator of the Small Defense Plants Administration. Taylor was a visiting lecturer at Yale Law School and Columbia Law School; then, in 1963, he became a professor of law at Columbia. He is the author of *Sword and Swastika*, *Grand Inquest*, *The March of Conquest*, and *The Breaking Wave*. He has also practiced law.

Taylor has been a national board member of Americans for Democratic Action, the center of the radical left in American politics. He has been chairman of the National Committee for an Effective Congress, a group which, since 1952, has campaigned for and financed ultra-leftist candidates for the House and Senate. His activities in NCEC brought about this comment in "On the Left" (*National Review*, February 1, 1956): "This paper has been honored by the so-called National Committee for an Effective Congress. An appeal for funds, signed by Telford Taylor, asks for financial aid to combat the nefarious designs of 'the new, well-heeled publication, *National Review*.' When he was chief prosecutor at Nuremberg, Taylor was charged publicly by [U.S.] Senator [William] Langer [R.-N.D.] with maintaining a staff 'composed of leftists and men who have since been exposed as Communists and members of Communist front organizations.' At the same time [U.S.] Representative George Dondero [R.-Mich.] charged that Taylor's staff was 'loaded with Communists and fellow travellers.' Justice Curtis

Shake of the Indiana Supreme Court accused Taylor and his staff of hasty and ill-conceived action in threatening witnesses and engaging in unauthorized searches. Dr. Theophil Wurm, German Protestant Bishop, stated that Taylor's prosecuting staff employed 'criminal methods and abominable tortures to obtain testimony and confessions.' The same charge was repeated by Judge E. Van Roden of Pennsylvania. The *Daily Worker* of May 11, 1947, insisted that Taylor was an 'honest prosecutor.'

Taylor's continuing activities with the National Committee for an Effective Congress caused Donald J. Lambro to write in *Human Events* (July 1, 1967): "Telford Taylor . . . was associated with the defense of left-wing union leader Harry Bridges in 1953 and authored the book, *Grand Inquest*, an attack on congressional investigations of communism which was favorably reviewed in the *Daily Worker*. Taylor, in addition to defending Bridges, defended Junius Scales, North Carolina Communist Party chairman in 1956, on his appeal to the U.S. Supreme Court after conviction under the Smith Act. [Taylor's] defense of other leftist clients, including the Communist-controlled International Union of Mine, Mill and Smelter Workers in 1957, has won the applause of the *Daily People's World* and the *Daily Worker*."

"Taylor is known as '... a perennial champion of leftists, whose professional talents have aided such individuals as Harry Bridges, various Smith Act defendants and union moguls with asserted Communist leanings,' according to Edward J. Mowery of the *Newark* (N.J.) *Star Ledger*."

Mr. Mowery's comments came at a time when Taylor was being seriously mentioned as a possible head of the Central Intelligence Agency, sponsored by Walt Rostow who was then a special assistant for national security affairs to President Kennedy.

DR. SPOCK ADDRESSES COMMUNISTS—CALLS HIMSELF BENE-DICT ARNOLD

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the Constitution of the United States defines treason in reasonably plain terms for those who choose to read it.

Treason against the United States shall consist . . . in adhering to their enemies, giving them aid and comfort.

I assume that the soldiers of North Vietnam, who are busily engaged in killing Americans, are enemies of these United States.

I assume that an American citizen who takes it upon himself to journey to a foreign land, and there to address a cheering audience described as largely made up of Communists, for the purpose of raising funds to furnish medical aid to the enemy and encouraging hostile demonstrations on our border, is giving that enemy aid and comfort.

I assume that when this same American is quoted to the effect that "his main job" is to speak in the United States, that a prime concern of his is to raise money for the defense of draft dodgers, and that "we must end this war and we must end it in the United States" he is both adhering to the enemy and giving aid and comfort to him.

Dr. Benjamin Spock will again be in the news.

Mr. Speaker, at the end of this week the American people will again be ex-

posed to the sorry spectacle of the hardcore Communists leading innocent and brainwashed dupes by the hundreds in demonstrations favoring the enemy in Vietnam. While the easily led mobs demonstrate, get high on pot and break laws, commandments, and bank windows, worthwhile Americans are in combat.

So that our colleagues will not be misled by any of Dr. Spock's lofty pronouncements this weekend, I include in my remarks the perceptive reporting of his visit to Canada by two writers for the Vancouver, British Columbia, Province:

[From the Vancouver, (British Columbia, Canada) Province, Nov. 6, 1969]

WAR PROTEST MOVES URGED  
(By Fred Curtin)

Dr. Benjamin Spock spelled out a four-point program Wednesday night for Canadians who want to take up the fight against the war in Vietnam.

Speaking to a capacity audience at Queen Elizabeth Theatre—that gave him four standing ovations, Spock said it is most important Canadians continue sending medical supplies to North Vietnam.

"This is something that we in the U.S. cannot do and these supplies are dearly needed."

He urged students to hold more border demonstrations such as the one last month to protest the nuclear test in the Aleutian Islands.

"Demonstrations like this get into our magazines and it is good for the Americans to read how our policy is despised in other countries."

He asked Canadians to write to U.S. newspapers stating their position on the war in Vietnam.

"You can either criticize us delicately or really spew it out. Most Americans don't realize we are doing anything wrong."

But, most important of all, he urged Canadians to "keep pressure on your government to dissociate itself from U.S. policy."

"Canada has a better record for this than either New Zealand, Australia or even Great Britain."

"I know pressure has been put on your government, and I am sure Lyndon Johnson expressed it in a most thuggish manner."

Spock, who obviously is not used to speaking to audiences largely made up of Communists, made one glaring faux pas in his talk.

He told how Nixon was an active witch-hunter in his early political career. He then referred to some of Nixon's victims and said: "They are no more Communist than you or me."

AUDIENCE COOL

The response from the otherwise enthusiastic audience was decidedly cool.

Spock told how he campaigned for Johnson in the 1964 election because he was the obvious peace candidate.

"Johnson phoned me the morning after he was elected and said he hoped he would be worthy of my trust. Three months later he had made a monkey of all of us."

Spock said that although some polls show that 55 per cent of the Americans are against the war it is only because it has not been successful or has gone on too long.

"They don't see it as something immoral and illegal."

"As children believe in their parents, people believe in their leaders."

END IN THE UNITED STATES

"But we must end this war and we must end it in the U.S."

Then, Spock said, there must be some system to end all wars.

"I think that it is in strengthening the UN."

"But for now, we still have a long, hard row to hoe, especially with Nixon's new policy

of Vietnamizing the war.

"This is what Kennedy proposed and Johnson tried to do. The only trouble is the war won't Vietnamize. All the good Vietnamese are on the other side."

[From the Province, Vancouver, British Columbia, Canada, Nov. 6, 1969]

SPOCK SAYS NIXON CUT HIS OWN THROAT  
(By Tony Eberts)

President Nixon's latest Vietnam policy speech has killed his chances of re-election, or even being a U.S. presidential candidate again, says famed baby doctor Benjamin Spock.

At a Vancouver International Airport interview Wednesday, Dr. Spock said he didn't know what group he was supposed to be speaking in support of here—"but I'm glad of any platform, and the truth is the truth whenever it's said."

He just shrugged his shoulders when told his sponsor for the Wednesday night meeting was the Committee for Vietnamese Tour and that he was sharing the platform with two Viet Cong "provisional government" officials.

"It looks to me as if the Vietnam war is going to go on for one or two more years," he told reporters, "until Nixon realizes, after his support drops to 20 per cent or so, that he has made a mistake."

"Any time the president says to the people 'we don't want to lose the war, do we?' a large number of people will go along for a while."

"But inevitably it will fall again, and this time the support is going to fall so low that Nixon will be unable to run again in the 1972 U.S. elections."

Then the tall, craggy baby doctor lashed out at American "police state laws" in dealing with Negroes and his own 1968 trial, when he was convicted of conspiring to counsel young men to avoid the draft. (An appeal court quashed the conviction this summer.)

"I think that militant black people know there is a police state for them," Dr. Spock said. "Local police, aided by FBI, lay false charges and enforce unfair laws . . . yet even the president's own committee on crime said the Chicago riot last was the fault of police."

He thanked former president Lyndon Johnson, however, "for convicting and jailing me and giving me a much stronger platform to speak from."

He said Nixon's program of gradual withdrawal of troops from Vietnam is just an effort to pull the wool over the eyes of young Americans, and the president's talk of support from a silent majority is "another self-delusion of his."

Asked about charges that he is acting like a traitor by fighting against the draft, condemning U.S. policy and appearing on platforms with North Vietnam-backed officials, Dr. Spock said:

"I'm a Benedict Arnold only if you assume that the war is to the benefit of the U.S. I think it is disastrous to the U.S. I am trying every means I can to stop the war because I'm a patriotic American."

He said he doesn't favor violence in his anti-Vietnam war programs, but he came out swinging against what he called "the namby-pamby doves who are afraid of getting their skirts soiled."

By this, he explained, he meant those who say they oppose the war, yet who won't risk their reputations or status in their opposition.

If he were president, Dr. Spock said, he would pull all U.S. troops out of Vietnam within a week.

"I don't think anything that could happen after we pull out could exceed the butchery going on in Vietnam with the U.S. in there," he said.

He said he has given up all hope of the Democratic party becoming liberal enough, or sufficiently divorced from big business, to carry out the sort of policies he and his supporters view as necessary.

"What the U.S. needs is some kind of anti-imperialist party," he said, "but frankly I don't see the slightest sign of it being formed."

Why come up to Canada to criticize U.S. policy?

"My main job is to speak in the U.S.," he said, "but support in opposition to the war from Canada is also valuable . . . I'm also trying to raise money for Vietnamese children."

In the U.S., he added, a prime concern of his is raising money to help young men, who refuse military service to fight their legal battles.

Many thousands of Americans have refused induction, he said, "but only a minority are prosecuted for there aren't facilities to prosecute them all."

[From the Washington Post, Dec. 7, 1969]

PROTESTS PLANNED IN 40 CITIES

A coalition of 29 private groups announced plans yesterday for 40 town meetings here and throughout the nation this month and next to discuss the conflict between domestic needs and military spending.

The meetings, sponsored by the Coalition on National Priorities and Military Spending, were endorsed by Sam Brown, a leader of the Vietnam Moratorium Committee. Brown called on moratorium backers to participate.

The coalition, whose chairman is former Sen. Joseph S. Clark (D-Pa.), said its first town meeting will be held in Chicago today. A series of meetings is planned for the Washington area Dec. 12-19.

Clark said the aim is to allow each community to find out for itself how much of its federal tax money goes for military spending and "how much comes back for desperately needed programs."

Another objective is to assess unsatisfied needs in housing, health, transportation, pollution, sanitation, welfare, and other areas, and to determine the cost of meeting such needs.

Clark said he hoped testimony taken at the meetings could be sent to the President and Congress "to indicate that the silent majority wants the war ended and the military budget cut."

Most of the meetings here are scheduled during the Dec. 12-14 weekend. Moratorium activities have already been scheduled for Dec. 12 and 13, as well as Dec. 24.

The 29 peace, religious, labor and social action groups listed as affiliates of the coalition include Americans for Democratic Action, American Friends Service Committee, the Southern Christian Leadership Conference and the United Auto Workers.

Describing the coalition as including some "establishment types," Clark said, "We feel a bridge has now been made with youth by having the leadership of the moratorium" join in sponsoring the meetings.

A "town meeting" in Room 2175 of the Rayburn Building Friday is to serve as kickoff for several meetings throughout the Washington area, said Frederick T. Merrill Jr., coordinator of the D.C. Coalition.

Merrill said community leaders and representatives will testify on the city's needs at the 10 a.m. meeting.

Several members of the House District Committee have been invited to hear the testimony, he said.

Brown, co-chairman of the Moratorium, said that in some cities the meetings will serve as the only moratorium-related activity this month.

[From the Washington Star, Dec. 7, 1969]

ANTI-WAR GROUPS BRIDGE GAP

(By David Braaten)

The generation gap was bridged for some peace groups at a joint press conference yesterday of the Vietnam Moratorium Commit-

tee and the Coalition on National Priorities and Military Policy.

The bridging was announced by former Sen. Joseph S. Clark of Pennsylvania, chairman of the Coalition. He said "Establishment types" in such organizations as the one he heads (United World Federalists) had established the bridgehead to what he called "intelligent, meaningful youth."

The latter was represented by Sam Brown of the Moratorium, who, while not exactly seconding Clark's statement, at least acknowledged that the Moratorium was going to cooperate with the Coalition's 29 organizations in the "town meetings" planned for next Saturday and Sunday.

#### GOTTLIEB IN BETWEEN

Somewhere in between was Sanford Gottlieb, executive director of the Society for a Sane Nuclear Policy. Younger than Clark, older than Brown, Gottlieb explained that the purpose of the town meetings scheduled throughout the country next week is to unite "at a grass roots level" all organizations with a common interest in reversing the trend of military spending and putting resources where they think they can do more good.

Brown pledged Moratorium support for the town meetings, and said that no peace demonstration was planned for Washington, certainly not on the scale of last month's march.

Brown announced another press conference for next Tuesday, at a time and place to be announced. When a reporter asked about the possibility of the Coalition or the Moratorium or both forming a third national party, Brown said enigmatically: "I will deal with that at the Tuesday press conference."

For his part, Clark said he was certain the Coalition wasn't going to support a third party. The Coalition is strictly bipartisan, he said. In fact, he added, the United World Federalists are "loaded with Republicans; we need them, we want to keep them, they're very useful to us."

Asked about the alleged massacre of Vietnam civilians in My Lai, the three leaders gave slightly different responses. Brown said it was a national tragedy which should not be exploited politically. Clark said it was "one more ball of lead" around the Army's neck, helping to prove the Army's "incompetence." Gottlieb said the massacre put not only the Army on trial, but also the civilians who sent the troops to Vietnam—"Johnson, McNamara, Rostow, Bundy." The people at the top should not escape scrutiny, he said.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. EILBERG (at the request of Mr. ALBERT), for today, on account of official business.

Mr. MOSS, for the period from 4 p.m., December 17 through January 2, 1970, on account of official business.

Mr. BLACKBURN (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. RIEGLE (at the request of Mr. GERALD R. FORD), for the week of December 8, on account of illness.

Mr. WYDLER (at the request of Mr. GERALD R. FORD), for December 8 and 9 on account of illness in family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PUCINSKI, for 30 minutes, today.

(The following Members (at the request of Mr. HASTINGS); to revise and ex-

tend their remarks and include extraneous material:)

Mr. RAILSBACK, for 30 minutes, today.

Mr. SCHWENGEL, for 15 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. STOKES); to revise and extend their remarks and include extraneous material:)

Mr. CLARK, for 15 minutes, today.

Mr. REUSS, for 20 minutes, today.

Mr. SLACK, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. KOCH, for 60 minutes, December 10.

Mr. PODELL, for 60 minutes, December 11.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PHILBIN in five instances and to include extraneous matter.

(The following Members (at the request of Mr. HASTINGS) and to include extraneous material:)

Mr. McDONALD of Michigan.

Mr. VANDER JAGT.

Mr. HALL.

Mr. PELLY in two instances.

Mr. ROUDEBUSH in four instances.

Mr. DUNCAN in two instances.

Mr. WHITEHURST.

Mr. WYMAN in two instances.

Mr. FOREMAN in two instances.

Mr. MIZELL in two instances.

Mr. DELLENBACK.

Mr. DERWINSKI in four instances.

Mr. AYRES.

Mr. FREY.

Mr. SCHERLE.

Mr. ZWACH.

Mr. LIPSCOMB.

Mr. ASHBROOK.

Mr. ARENDS.

Mr. BURTON of Utah.

Mr. HALPERN in two instances.

Mr. MCKNEALLY.

Mr. COLLINS in two instances.

Mr. LANDGREBE.

Mr. THOMPSON of Georgia.

Mr. BUTTON.

Mr. BURKE of Florida.

Mr. WIDNALL.

Mr. BRAY in two instances.

Mr. BOB WILSON.

(The following Members (at the request of Mr. STOKES) and to include extraneous material:)

Mr. BOLLING in three instances.

Mr. McFALL in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. FASCELL in two instances.

Mr. EVINS of Tennessee in three instances.

Mr. DINGELL in two instances.

Mr. BLATNIK.

Mr. FRASER in three instances.

Mr. ALBERT in two instances.

Mr. CHARLES H. WILSON.

Mr. RODINO in two instances.

Mrs. MINK.

Mr. STOKES in two instances.

Mr. OTTINGER.

Mr. WOLFF in five instances.

Mr. MOSS in three instances.

Mr. MONAGAN in two instances.

Mr. PICKLE in two instances.

Mr. RARICK in four instances.

Mr. SLACK.

Mr. HUNGATE in two instances.

Mr. DULSKI in three instances.

Mr. MOORHEAD in four instances.

Mr. PUCINSKI in 10 instances.

Mr. BURTON of California.

Mr. GONZALEZ in two instances.

Mr. BINGHAM in two instances.

Mr. HOLIFIELD.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2325. An act to amend title 5, United States Code, to provide for additional positions in grades GS-16, GS-17, and GS-18; to the Committee on Post Office and Civil Service.

S. 2869. An act to revise the criminal law and procedure of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 118. An act to grant the consent of the Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes.

#### ENROLLED JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 1017. Joint resolution making further continuing appropriations for the fiscal year 1970, and for other purposes.

#### BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on December 4, 1969 present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 14159. An act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers-Civil, the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes; and

H.J. Res. 1017. Joint resolution making further continuing appropriations for the fiscal year 1970, and for other purposes.

#### ADJOURNMENT

Mr. STOKES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Tuesday, December 9, 1969 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS  
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1390. A letter from the National Adjutant, Disabled American Veterans, transmitting the annual report of proceedings and the audit of the Disabled American Veterans for the year ended June 30, 1969, pursuant to the provisions of Public Law 249, 77th Congress (H. Doc. No. 91-201); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

1391. A letter from the Comptroller General of the United States, transmitting a report of observations on the Agency for International Development's administration of the excess property program in Kenya and Pakistan Department of State; to the Committee on Government Operations.

1392. A letter from the Comptroller General of the United States, transmitting a report on the need to improve project transition management by the Department of Defense; to the Committee on Government Operations.

1393. A letter from the Comptroller General of the United States, transmitting a report on management of the Project One Hundred Thousand program of the Department of the Army; to the Committee on Government Operations.

1394. A letter from the Comptroller General of the United States, transmitting a report on opportunities to improve management of primate research centers supported by the National Institutes of Health, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1395. A letter from the Archivist of the United States, transmitting a report of records proposed for disposal under the law; to the Committee on House Administration.

1396. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to provide for special project grants for the provision of family planning services and related research, training, and technical assistance; to the Committee on Interstate and Foreign Commerce.

1397. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Mental Retardation Facilities Construction Act to extend and improve the provisions thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1398. A letter from the Special Assistant to the President for Consumer Affairs, transmitting a draft of proposed legislation to assist consumers in evaluating products by promoting development of adequate and reliable methods for testing characteristics of consumer products; to the Committee on Interstate and Foreign Commerce.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(Pursuant to the order of the House on December 4, 1969, the following report was filed on Dec. 5, 1969.)

Mr. MILLS: Committee on Ways and Means. H.R. 15095. A bill to amend the Social Security Act to provide a 15-percent across-the-board increase in benefits under the old-age, survivors, and disability insurance program; without amendment (Rept.

No. 91-700). Referred to the Committee of the Whole House on the State of the Union.

[Submitted December 8, 1969]

Mr. DAWSON: Committee on Government Operations. Debt collection operations of the Department of Justice (Rept. 91-701). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on Foreign Affairs. Senate Joint Resolution 90. Joint resolution to enable the United States to organize and hold a diplomatic conference in the United States in fiscal year 1970 to negotiate a Patent Cooperation Treaty and authorize an appropriation therefor; without amendment (Rept. No. 91-702). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H.R. 14944. A bill to authorize an adequate force for the protection of the Executive Mansion and foreign embassies, and for other purposes; with amendments (Rept. No. 91-703). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 14956. A bill to amend the Tariff Act of 1930—to extend the duty free treatment of certain dyes; with amendments (Rept. No. 91-704). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 15071. A bill to continue for 2 additional years the duty-free status of certain gifts by members of the Armed Forces serving in combat zones; without amendment (Rept. No. 91-705). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 740. Resolution for consideration of H.R. 15095. A bill to amend the Social Security Act to provide a 15-percent across-the-board increase in benefits under the old-age, survivors, and disability insurance program (Rept. No. 91-706). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 741. Resolution for consideration of S. 740, an act to establish the Cabinet Committee on Opportunities for Spanish-Speaking People, and for other purposes (Rept. No. 91-707). Referred to the House Calendar.

Mr. PASSMAN: Committee on Appropriations. H.R. 15149. A bill making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-708). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROONEY of New York: Committee of Conference. Conference report on H.R. 12964 (Rept. No. 91-709). Ordered to be printed.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 742. Resolution for consideration of H.R. 15149. A bill making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-710). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DANIEL of Virginia:

H.R. 15112. A bill to repeal several obsolete sections of title 10, United States Code, and section 208 of title 37, United States Code; to the Committee on Armed Services.

H.R. 15113. A bill to prohibit the use of the name of any of certain deceased servicemen unless consent to so use the name is

given by the next-of-kin of the serviceman; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 15114. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

H.R. 15115. A bill to amend the Social Security Act to provide a 15-percent across-the-board increase in benefits under the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 15116. A bill to amend the Food Stamp Act of 1964; to the Committee on Agriculture.

By Mr. KING:

H.R. 15117. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

By Mr. McCULLOCH:

H.R. 15118. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of Ohio Northern University; to the Committee on Banking and Currency.

By Mr. MATSUNAGA:

H.R. 15119. A bill to amend section 8340 of title 5, United States Code, to provide a 5-percent increase in certain annuities; to the Committee on Post Office and Civil Service.

By Mr. MATSUNAGA (for himself, Mr. CONYERS, Mr. KOCH, and Mr. REES):

H.R. 15120. A bill to repeal the law prohibiting abortions in the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'KONSKI:

H.R. 15121. A bill to prohibit the use of the name of any of certain deceased servicemen unless consent to so use the name is given by the next-of-kin of the serviceman; to the Committee on the Judiciary.

H.R. 15122. A bill to amend title II of the Social Security Act to permit the computation of benefits thereunder on the basis of the worker's 3 years of highest earnings; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 15123. A bill to impose an additional excise tax on cigarettes, with the proceeds being used for cancer research programs through a newly established Cancer Research Fund; to the Committee on Ways and Means.

By Mr. RAILSBACK (for himself, Mr. ADDABBO, Mr. ANDERSON of Illinois,

Mr. ANDREWS of North Dakota, Mr. ANNUNZIO, Mr. AYRES, Mr. BIAGGI, Mr. BINGHAM, Mr. BOLAND, Mr. BROCK, Mr. BUCHANAN, Mr. BURKE of Florida, Mr. BURTON of California, Mr. BUSH, Mr. BUTTON, Mr. BYRNES of Wisconsin, Mr. CAHILL, Mr. CEDERBERG, Mr. CLAY, Mr. COLLINS, Mr. CONTE, Mr. CONYERS, Mr. CORBETT, Mr. CORMAN, and Mr. COWGER):

H.R. 15124. A bill to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice; to the Committee on the Judiciary.

By Mr. MIKVA (for himself, Mr. CUNNINGHAM, Mr. DADDARIO, Mr. DELENBACK, Mr. EDWARDS of California, Mr. ERLBORN, Mr. ESCH, Mr. FINDLEY, Mr. FISH, Mr. FRELINGHUYSEN, Mr. FULTON of Pennsylvania, Mr. FULTON of Tennessee, Mr. HALPERN, Mr. HANNA, Mr. HECHLER of West Virginia, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. HOWARD, Mr. HUNGATE, Mr. JACOBS, Mr. KLEPPE, Mr. KUTKENDALL, Mr. LOWENSTEIN, Mr. McCLOSKEY, and Mr. MCDADE):

H.R. 15125. A bill to amend title 18 of the

United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice; to the Committee on the Judiciary.

By Mr. BIESTER (for himself, Mr. McDONALD of Michigan, Mr. McKNEALLY, Mr. MACGREGOR, Mr. MADDEN, Mr. MANN, Mr. MATSUNAGA, Mr. MESKILL, Mr. MICHEL, Mr. MOSHER, Mr. MOSS, Mr. MYERS, Mr. OTTINGER, Mr. PELLY, Mr. PETTIS, Mr. PODELL, Mr. PRICE of Illinois, Mr. QUIE, Mr. REES, Mr. RIEGLE, Mr. RODINO, Mr. ROTH, Mr. RUPPE, Mr. RUTH, and Mr. ST. ONGE):

H.R. 15126. A bill to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice; to the Committee on the Judiciary.

By Mr. SANDMAN (for himself, Mr. SCHEUER, Mr. SCHNEEBELI, Mr. SMITH, of New York, Mr. STEIGER of Wisconsin, Mr. STOKES, Mr. SYMINGTON, Mr. TAFT, Mr. THOMPSON of Georgia, Mr. TIERNAN, Mr. WIGGINS, Mr. CHARLES H. WILSON, Mr. WYATT, and Mr. MURPHY of Illinois):

H.R. 15127. A bill to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice; to the Committee on the Judiciary.

By Mr. RIVERS:

H.R. 15128. A bill to provide that the anti-trust law exemption for agreements by professional sports leagues relating to telecasting of sports contests involving their members will not apply to an agreement which prohibits the telecasting in the home territory of a league member of a sports contest involving such member which has been sold out more than 3 days before the day on which it is to be played; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 15129. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 15130. A bill to amend title 10 of the United States Code to provide that members of the Army who have been wounded a certain number of times in Vietnam may not be involuntarily reassigned to combat in Vietnam for a certain period; to the Committee on Armed Services.

By Mr. BARING:

H.R. 15131. A bill to declare that certain federally owned lands in the State of Nevada are held by the United States in trust for Reno-Sparks Indian Colony, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 15132. A bill to implement the Convention on the Recognition and Enforcement of Foreign Arbitral Awards; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 15133. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 15134. A bill to amend the River and Harbor Act of 1960 and the Act of August 13, 1946, to increase certain authorizations with respect to small projects; to the Committee on Public Works.

H.R. 15135. A bill to amend the Public Health Service Act to extend for 3 years the program relating to heart diseases, cancer,

stroke, and related diseases; to authorize training and clinical demonstration programs for related chronic diseases; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania:

H.R. 15136. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 15137. A bill to amend the Clean Air Act to authorize appropriations to carry out such act through fiscal year 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGEN:

H.R. 15138. A bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance program, provide for automatic benefit increases thereafter in the event of future increases in the cost of living, provide for future automatic increases in the earnings and contribution base, and for other purposes; to the Committee on Ways and Means.

By Mr. McCLOSKEY:

H.R. 15139. A bill to create marine sanctuaries from leasing pursuant to the Outer Continental Shelf Lands Act in areas off the coast of California adjacent to State-owned submerged lands when such State suspends leasing of such submerged lands for mineral purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 15140. A bill to provide for a coordinated national boating safety program; to the Committee on Merchant Marine and Fisheries.

By Mr. RANDALL:

H.R. 15141. A bill to amend title II of the Social Security Act to increase, in the case of individuals having 40 or more quarters of coverage, the number of years which may be disregarded in computing such individual's average monthly wage, and to provide that, for benefit computation purposes, a man's insured status and average monthly wage will be figured on the basis of an age-62 cutoff (the same as presently provided in the case of women); to the Committee on Ways and Means.

By Mr. RIVERS:

H.R. 15142. A bill to authorize any former Chairman of the Joint Chiefs of Staff to recompute his military retired pay under certain circumstances; to the Committee on Armed Services.

H.R. 15143. A bill to amend title 10, United States Code, to provide the grade of lieutenant general for an officer serving as the chief of the National Guard Bureau, and for other purposes; to the Committee on Armed Services.

By Mr. ROUDEBUSH:

H.R. 15144. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 15145. A bill to amend the Social Security Act to provide a 15-percent across-the-board increase in benefits under the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. DIGGS, Mr. EDWARDS of California, Mr. KASTENMEIER, Mr. MIKVA, and Mr. RYAN):

H.R. 15146. A bill to prohibit certain prerequisites to the right to vote in Federal, State, and local elections; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 15147. A bill to amend the Marine Resources and Engineering Development Act

of 1966 to establish, within the Department of the Interior, a comprehensive and long-range national program of research, development, technical services, exploration, and utilization with respect to our marine and atmospheric environment; to the Committee on Merchant Marine and Fisheries.

H.R. 15148. A bill to amend the Marine Resources and Engineering Development Act of 1966 to establish within the Department of the Interior a comprehensive program with respect to oceanographic and atmospheric research, development, and exploration; to the Committee on Merchant Marine and Fisheries.

By Mr. PASSMAN:

H.R. 15149. A bill making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes.

By Mr. CORMAN:

H.J. Res. 1021. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MOSS:

H.J. Res. 1022. Joint resolution authorizing the President to proclaim the period February 8 through February 14, 1970, as "Active 20-30 Week"; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.J. Res. 1023. Joint resolution proposing an amendment to the Constitution of the United States relative to equal right for men and women; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.J. Res. 1024. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FOREMAN:

H. Con. Res. 464. Concurrent resolution providing for congressional recognition of the Goddard Rocket and Space Museum; to the Committee on Science and Astronautics.

By Mr. DELLENBACK:

H. Res. 743. Resolution establishing a Select Committee on Congressional Mailing Standards; to the Committee on Rules.

By Mr. DENT:

H. Res. 744. Resolution providing for the printing of the proceedings in the Committee on House Administration incident to the presentation of a portrait of the Honorable Samuel N. Friedel; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,  
Mr. FREY introduced a bill (H.R. 15150) for the relief of Godfrey Stewart Gray, which was referred to the Committee on the Judiciary.

## PETITIONS, ETC.

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

349. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to congressional representation for the District of Columbia; to the Committee on the District of Columbia.

350. Also, petition of Allan Feinblum, New York, N.Y., relative to Vietnam; to the Committee on Foreign Affairs.

351. Also, petition of Mrs. Geraldine M. Williams, et al., Lynden, Wash., relative to appointments to the U.S. Supreme Court; to the Committee on the Judiciary.