

SENATE—Tuesday, December 16, 1969

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

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

Almighty God, who by the prophet promised One whose name would be called "Wonderful, Counselor, the Mighty God, the Everlasting Father, the Prince of Peace," and that the government would be "upon His shoulders," open our hearts anew to receive His grace and our minds to receive the gentle wisdom of His spirit. Guide us by His star to the manger-throne where rejoicing in Thy gift to us we may offer the gift of our love and labor to Him. As wise men of old were star-led to Him, so may we become wise in the elemental and eternal truths He revealed. May His spirit become our spirit, His wisdom our wisdom, His will our will, that Thy kingdom may come on earth as it is in Heaven.

In the name of Him who promised "Peace on earth among men of good will." Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, December 15, 1969, be dispensed with.

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

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 7, 1969, Mr. MAGNUSON, from the Committee on Appropriations, reported favorably, with amendments, on December 16, 1969, the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, and submitted a report (No. 91-610) thereon, which was printed.

Under authority of the order of the Senate of February 7, 1969, Mr. STENNIS, from the Committee on Appropriations, reported favorably, with amendments, on December 16, 1969, the bill (H.R. 14794) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes, and submitted a report (No. 91-611) thereon, which was printed.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Commerce and the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

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

THE C-5A SUPERTRANSPORT PLANE

Mr. GOLDWATER. Mr. President, on Wednesday, December 17, an event will take place which may easily revolutionize the whole present concept of American aviation and transportation of heavy goods and equipment. On that date, Mr. President, the first C-5A supertransport plane will be delivered to the Air Force for operational use in Marietta, Ga. As most of the Members know, this is the world's largest airplane and it already has set a global record for lifting cargo off the ground.

This plane, which has been the subject of a considerable amount of irresponsible and misinformed controversy, may well go down in history as a monument to the initiative, inventiveness, imagination, and efficiency of America's civilian aviation industries.

The C-5A, called the Galaxy, was built for the Air Force by the Lockheed-Georgia Corp. under considerable difficulty.

Appropriately enough, the first delivery for operational use of this amazing aircraft comes on the anniversary of aviation's most important date. It was just 66 years ago Wednesday—at noon on December 17, 1903—that the Wright brothers' first plane took off and flew 120 feet in 12 seconds. It has been noted that that first flight was 1 foot shorter than the cargo compartment of the C-5A.

It taxes the imagination, Mr. President, to realize the enormous capacity of this aircraft and what it could mean to the future of transportation, not only in the United States, but also throughout the world. Not the least of the facets attending this landmark, or perhaps I should say airmark, development is what it could mean to the United States in terms of foreign investment and our balance-of-payments difficulties.

I have flown in this new plane—even took the controls in flight for a few carefully guarded minutes—and I have made it my business to investigate and understand not only the potential and possibilities of this enormous and efficient giant of the skies, but I have also looked carefully into allegations that it had developed structural deficiencies. What I am saying is that I believe I know, perhaps better than any other Member of Congress, what I am talking about when I discuss the C-5A.

Mr. President, I am getting quite tired of irresponsible, headline-designed allegations reflecting on the safety of this plane by officials who have not the slight-

est interest in learning the true nature of the problems which attend the development of every new aircraft designed any place in the world. I was particularly upset to read that only last Thursday a Member of the House of Representatives had come up with a repetition of an old, discredited charge that the C-5A would be "structurally inefficient" and could endanger the lives of aircrews because it might lose its wings in flight.

It taxes the credulity of Members of Congress to first, believe that a company as large and important and responsible as Lockheed would deliberately turn over to the Air Force for operational purposes a plane so faulty that its wings might drop off, and second, that the Air Force would be so stupid that it would accept a plane without thoroughgoing tests of its operational capabilities and a full and complete understanding of any bugs that might still exist in the plane.

The purpose of these charges is simple enough: It is to produce sensation and obscure a truly great accomplishment of the so-called military-industrial complex—a development which could carry far greater benefits for civilians than it does for the military when the long-range effects of C-5A are thoroughly understood. Let me jog your imagination a little bit. Until now most of the measurements designed to show the huge capacity of this plane have been of a military nature. For example, it has been pointed out that the typical cargo load could include things like two M-170 ambulances, two helicopters, two M-37 ¾-ton trucks with trailers, and so forth. But in civilian terms, let me emphasize that the C-5A could easily accommodate 67 Cadillacs, or six Greyhound buses, or 1,000 people, or 88 Volkswagens.

Wednesday will mark the beginning of a new era of moving freight. It will go down as one of the most important dates in aviation's short but glorious life.

Needless to say, Mr. President, both Lockheed and the Air Force have flatly denied the charges aired in Congress. The Lockheed Co. insisted that no C-5A is flying at the risk of the lives of any crewmembers. It pointed out that nine C-5A's have completed approximately 1,700 hours of strenuous flight testing under conditions more rigorous than will be encountered on operational flights.

I noted that the Congressman in question stated that the aircraft would not perform on-the-field landings. I was in the aircraft when it landed and stopped within 1,500 feet, which should put the lie to that.

The congressional statement "that Lockheed is delivering defective C-5's obviously is based upon misinformation or misinterpretation of the facts," Lockheed said in its statement of December 11.

Air Force Secretary Robert Seamans also noted the many hours of structural flight testing and pointed out that one takeoff of the C-5A set an unofficial world weight lift record of 798,200 pounds.

The Secretary acknowledged, what has been publicly known for some time, that in July 1969, during tests conducted on a nonflight static test specimen, a crack occurred in the right wing at 125 percent of design load limit. The Secretary commented:

This is the equivalent of 1.25 times the maximum maneuverable load ever expected in normal operations of the aircraft.

I might add that this is far in excess of the structural requirements of the aircraft that carry passengers in this country.

I continue with Secretary Seamans' statement:

Since that time Lockheed under Air Force surveillance has established a proposed fix which will reinforce the wing at 11 points. Tests completed to date substantiate the integrity of this fix. As they continue, the static test will be run up to 150 percent of design load limit as required by the contract.

In the meantime we have imposed a maximum gross weight restriction of 332 tons at 2.0 G's until the wing fix is incorporated. This will not preclude effective operational use of the aircraft.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the full text of the Lockheed and the Air Force statements regarding the C-5A.

There being no objections, the statements were ordered to be printed in the RECORD, as follows:

LOCKHEED STATEMENT REGARDING C-5A FOLLOWING CONGRESSMAN MOORHEAD'S PRESS CONFERENCE ON DECEMBER 11, 1969

Lockheed denies any C-5A is flying at the risk of the lives of any crew members as it was reported to have been said today by Congressman Moorhead. Nine airplanes have completed approximately 1700 hours of strenuous flight testing under conditions more rigorous than will be encountered in operations. Congressman Moorhead's statement that Lockheed is delivering defective C-5's obviously is based upon misinformation or misinterpretation of facts.

AIR FORCE STATEMENT REGARDING C-5A FOLLOWING CONGRESSMAN MOORHEAD'S PRESS CONFERENCE ON DECEMBER 11, 1969

Secretary Robert C. Seamans said today that based on his monthly reviews on C-5 aircraft performance, schedule and cost he has confidence in the decision to accept the first C-5 aircraft for operational training use next week.

There are nine C-5 aircraft flying. They have accumulated 1650 flight hours in a structural flight test program including one take-off which set an unofficial world weight lift record of 798,200 pounds.

In July 1969 during tests conducted on a non-flight static test specimen a crack occurred in the right wing at 125% of design load limit. This is the equivalent of 1.25 times the maximum maneuverable load ever expected in normal operations of the aircraft.

Since that time Lockheed under Air Force surveillance has established a proposed fix which will reinforce the wing at 11 points. Tests completed to date substantiate the integrity of this fix. As they continue the lead static test article will be retested to 150% of design load limit as required by the contract.

In the meantime we have imposed a maximum gross weight restriction of 332 tons at 2.0 G's until the wing fix is incorporated. This will not preclude effective operational use of the aircraft.

Appropriate Congressional committees

have been kept fully informed of our progress with the C-5. We have every confidence that the C-5 being delivered next week and the ones to follow will add immeasurably to our airlift capability.

AMERICA THE BEAUTIFUL

Mr. HART. Mr. President, last night, at home, I picked up a magazine, entitled "The Quaker Notes." It is the fall issue of 1969. It is published by the Sidwell Friends School here in Washington, D.C.

Leafing through it, I came on a three verse poem written by a seventh grader.

Mr. President, the name of this seventh grader is Caron Cadle. I do not know how many of us can carry a tune in our heads, but all of us know the music of "America the Beautiful." These three verses are written to the theme of "America the Beautiful." Listen to the cry of this seventh grader. I will read just the first stanza:

AMERICA THE BEAUTIFUL

Oh beautiful for voltage dams,
For garbage and debris,
For rainbow-colored oil leaks,
That well pollute the sea!
America, America
We shed our wastes on thee,
And crown this lump,
This Garbage dump
With "progress" verily!

Mr. President, if a seventh grader can see what we are doing to ourselves and express it this vividly, we—all of us—should be able to respond more effectively.

Mr. President, I ask unanimous consent that this young lady's sensitive cry be printed in the RECORD for all to read.

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

AMERICA THE BEAUTIFUL

Oh beautiful for voltage dams,
For garbage and debris,
For rainbow-colored oil leaks,
That well pollute the sea!
America, America
We shed our wastes on thee,
And crown this lump,
This garbage dump
With "progress" verily!

Oh beautiful for smoggy skies
In New York and L.A.
For ghettos, filth and misery
You take the cake today!
America, America,
Equality for all
Just that some peoples'
Portions are
A little bit too small!

Oh beautiful for grey concrete
And creatures killed by cars,
For poor and underprivileged,
As we reach for the stars!
America, America,
Just smell the sewers sweet!
Do not forget that living here
Is really quite a treat!

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER (Mr. EAGLETON in the chair). The clerk will call the roll.

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

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

COUNCIL OF SOCIAL ADVISERS—AMENDMENT

AMENDMENT NO. 428

Mr. JAVITS. Mr. President, I submit for myself and the Senator from Minnesota (Mr. MONDALE) an amendment intended to be proposed by us, jointly, to S. 5, the bill introduced by Senator MONDALE which would create a Council of Social Advisers. The amendment would establish an Office of Goals and Priorities Analysis within the Congress to conduct a continuing nonpartisan analysis of national goals and priorities and to provide the Congress with the information, data, and analysis necessary for enlightened priority decisions.

S. 5, which was introduced by the Senator from Minnesota (Mr. MONDALE) on January 15, 1969, and which I cosponsored, is designed largely to further the study and collection of social information and indicators in this country. A Council of Social Advisers, analogous to the existing Council of Economic Advisers, would publish an annual social report, and a Joint Committee on the Social Report would have functions parallel to those of the Joint Economic Committee. Our hope is that the creation of these mechanisms would stimulate the search for improved social data and indicators, in much the same way that the establishment of the Council of Economic Advisers and a Joint Economic Committee resulted in great advances in the consideration of the economic health of our Nation.

Mr. President, S. 5 is an important piece of legislation. We must know more about the existing social conditions in our country before we can expect to be successful in improving these conditions. Time and again, in preparing and enacting social legislation, it has been necessary to enact programs on the basis of inadequate knowledge and of incomplete understanding of the social problems we are striving to cure.

But social data and research alone are not enough. Even if our statistics and indicators were perfect, they would not be sufficient. We must gather the data and research results, compile the statistics, and evaluate the indicators, and then use all of this information as a basis for formulating goals and priorities. It is not enough to discover that millions of people in the United States are hungry; we must also set a goal and find the means to eliminate hunger. It is not sufficient to conduct studies which demonstrate that the crime rate has been increasing; we must set a goal and find the means to lower the level of crime. And these goals must then be weighed one against the other, since in the face of limited resources it is naive to hope that all of our objectives can be reached at once, and we must arrive at a rational and explicit ordering of priorities.

The amendment I am submitting today is aimed at improving our formulation of goals and our determination of priorities. It would establish within the Congress an Office of Goals and Priorities Analysis, similar in many structural respects to the General Accounting Office, which would assist in establishing a framework of

national goals and priorities and would provide Congress with the detailed data and analysis needed to make informed decisions. The Office would submit to the Congress on the first day of March of each year a national priorities report, which would include, but not be limited to:

First. An analysis, in terms of national priorities, of the annual budget submitted by the President and of the Economic Report of the President.

Second. An examination of resources available to the Nation, the foreseeable costs and expected benefits of existing and proposed Federal programs, and the resource and cost implications of alternative sets of national priorities.

Third. Recommendations concerning spending priorities among Federal programs and courses of action, including the identification of those programs and courses of action which should be given greatest priority and those which could more properly be deferred.

The Office is also directed to make such other studies as it deems necessary to carry out its stated purposes, and to provide upon request to any Member of the Congress further information, data, or analysis relevant to an informed determination of national priorities.

The Joint Economic Committee would hold hearings on the national goals and priorities report and on other reports and studies of the Office. That Office is given powers similar to those held by the GAO; Government agencies are authorized and directed to furnish to the Director upon request such information as he considers necessary to carry out the functions of the Office.

The Office is designed to be directly responsible to the Congress. For this reason, the Director and Assistant Director are appointed jointly by the President pro tempore of the Senate and the Speaker of the House, and may be removed by a resolution of either House. Terms of office are 4 years, timed to coincide with the organization of a new Congress following each presidential election.

There is a great need for the several services which would be provided by the Office of Goals and Priorities Analysis. Since our resources, although vast, are not unlimited, we must make choices. Our goals must be formulated carefully, and our priorities ordered wisely.

There is a need for an overview, for some sort of coordinating mechanism which would consider all of the alternatives and options open to us. At present, each item considered by the Congress is viewed almost in isolation from every other. Although changes made in the poverty program are likely to have profound effects on the welfare program, for example, the two are handled by different committees and may be taken up months apart on the floor. Each appropriations bill is considered by a separate subcommittee, and is enacted on its own merits with little regard to the implications for other appropriations bills.

Every time we enact a program or an appropriation, we are in effect making a priority decision, since we are de-

creasing the resources available for other programs. Yet there are probably few Members of Congress who have available to them a clear and up-to-date picture of what has already been enacted or appropriated during that session of Congress, what remains on the agenda or is likely to come up for enactment or appropriation, or what constitutes the total amount of resources available to the Nation that year. It is my hope that the Office of Goals and Priorities Analysis will assist in making available this kind of information, and in spelling out the interrelationships and future implications of various programs and courses of action.

There is also a need on the part of the Congress for a greater knowledge of the cost-benefit ratio of each of the measures on which it must decide. A law was passed in 1956 which requires that each executive proposal for new legislation include a 5-year cost projection, but this requirement has been honored more in the breach than in the practice. The Office of Goals and Priorities Analysis, by invoking this law, by using the powers assigned to it to request information from Government agencies, and by using its skills in analysis and evaluation, should be able to help the Congress to bring more information and enlightenment to each of its decisions.

Increasing attention has been paid in recent months to the question of goals and priorities. The fulfillment of the goal set in 1961 by President Kennedy of landing a man on the moon by the end of the decade has prompted many people to suggest other goals which they feel ought to be adopted by the Government, in the hope of obtaining similarly spectacular results. The hope that the war in Vietnam may soon be over has stimulated a great debate over the priorities which ought to be followed in spending the expected "peace dividend." The cost of the war itself, and the huge size of the military budget, has caused much questioning of the methods by which our goals and priorities are presently determined, especially with regard to choices between military and domestic spending.

Although there has been a renewed interest in the explicit and rational determination of goals and priorities, the idea is by no means a new one. President Hoover appointed a Committee on Recent Social Trends in 1929, and President Eisenhower established a Commission on National Goals in 1960. The minority members of the Joint Economic Committee have been recommending for years, beginning in 1963, that measures be taken to examine Federal expenditure policy in an objective and nonpartisan manner.

This year the main body of the joint economic report, as well as the section on "minority views," included a recommendation for a comprehensive study of national goals and priorities. Stating that "too often public policy has been formed in an ad hoc fashion because of an absence of clearly stated national objectives and priorities," the report urged that—

The Congress, with guidance from its leadership, and the administration undertake a formal and comprehensive study of national goals and priorities with a view to establishing guidelines for legislation and expenditure policy.

I ask unanimous consent that the relevant portion of the 1969 joint economic report be included at the close of my remarks.

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

(See exhibit 1.)

Mr. JAVITS. Mr. President, on July 13 of this year, President Nixon announced that he was establishing a national goals research staff within the White House. This was certainly a step in the right direction, and hopefully will contribute to President Nixon's stated objective of charting "the future as consciously as we are accustomed to charting the past." However, it was made clear that the staff will not recommend or determine priorities in any sense; its function will be to collect, correlate and process data relating to social needs, and to project social trends. Furthermore, the staff has no statutory authority, and is designed primarily to serve the executive branch. The Office of Goals and Priorities Analysis which I am proposing today would build upon and extend the action taken by the President.

Although the efforts I have cited so far all have been the work of Republicans, the matter of goals and priorities is not and should not be a partisan one. The Senator from Wisconsin (Mr. PROXMIRE) recently suggested that a staff unit be created within the Joint Economic Committee to analyze and evaluate the Federal budget, although he has not yet proposed specific legislation. His Subcommittee of the Joint Economic Committee has been holding hearings dealing with the need for the Congress to gain access to more program evaluation and analysis. On the basis of these hearings, he concluded:

Congress requires an in-house staff capability to assist it in obtaining program analysis studies and translating their results into a form appropriate for Congressional debate.

Senator RIBICOFF's Subcommittee of the Government Operations Committee has been holding hearings with a view to increasing the ability of the GAO to answer Congress' needs for more information and analysis. The Senator from Wisconsin (Mr. NELSON) has introduced legislation which would create a Joint Committee on National Priorities, to review and recommend changes in national priorities and resource allocation.

The Office of Goals and Priorities Analysis would not determine or legislate goals. But it would give the Congress an invaluable tool in an area where executive prerogative has far outstripped congressional responsibility.

Mr. President, I ask unanimous consent that the amendment be printed as a part of my remarks; and also that it be printed under the rule and referred to the Committee on Labor and Public Welfare, where the bill is pending.

The PRESIDING OFFICER. The

amendment will be received, printed, and referred to the Committee on Labor and Public Welfare by unanimous consent; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 428) is as follows:

S. 428

On page 1, line 3, after the word "Opportunity" insert the words "and National Goals and Priorities".

On page 1, between lines 3 and 4, insert the following: "Title I—Full Opportunity".

On page 1, line 5, strike out "2" and insert in lieu thereof "101".

On page 2, line 9, strike out "3" and insert in lieu thereof "102".

On page 2, line 13, strike out "2" and insert in lieu thereof "101".

On page 2, line 20, strike out "2" and insert in lieu thereof "101".

On page 2, line 24, strike out "2" and insert in lieu thereof "101".

On page 3, line 5, strike out "2" and insert in lieu thereof "101".

On page 3, line 9, strike out "5" and insert in lieu thereof "104".

On page 3, line 11, strike out "4" and insert in lieu thereof "103".

On page 3, line 19, strike out "2" and insert in lieu thereof "101".

On page 4, line 22, strike out "2" and insert in lieu thereof "101".

On page 5, line 1, strike out "2" and insert in lieu thereof "101".

On page 5, line 5, strike out "2" and insert in lieu thereof "101".

On page 5, line 11, strike out "2" and insert in lieu thereof "101".

On page 5, line 19, strike out "2" and insert in lieu thereof "101".

On page 6, line 2, strike out "2" and insert in lieu thereof "101".

On page 7, line 6, strike out "4(c)" and insert in lieu thereof "103(c)".

On page 7, line 16, strike out "5" and insert in lieu thereof "104".

On page 9, after line 10, add the following new title:

TITLE II—NATIONAL PRIORITIES
DECLARATION OF PURPOSE

SEC. 201. The Congress finds and declares that there is a need for a more explicit and rational formulation of national goals and priorities, and that the Congress needs more detailed and current budget data and economic analysis in order to make informed priority decisions among alternative programs and courses of action. In order to meet these needs and establish a framework of national goals and priorities within which individual decisions can be made in a consistent and considered manner, and to stimulate an informed awareness and discussion of national goals and priorities, it is hereby declared to be the intent of Congress to establish an office within the Congress which will conduct a continuing nonpartisan analysis of national goals and priorities and will provide the Congress with the information, data, and analysis necessary for enlightened priority decisions.

ESTABLISHMENT

SEC. 202. (a) There is established within the Congress an Office of Goals and Priorities Analysis (hereafter referred to as the "Office").

(b) There shall be in the Office a Director of Goals and Priorities Analysis (hereafter referred to as the "Director") and an Assistant Director of Goals and Priorities Analysis (hereafter referred to as the "Assistant Director"), each of whom shall be appointed jointly by the President pro tempore of the Senate and the Speaker of the House of Representatives and confirmed by a majority vote of each House. The Office shall be under the control and supervision of the Director,

and shall have a seal adopted by him. The Assistant Director shall perform such duties as may be assigned to him by the Director, and, during the absence or incapacity of the Director, or during a vacancy in that office, shall act as the Director. The Director shall designate an employee of the Office to act as Director during the absence or incapacity of the Director and the Assistant Director, or during a vacancy in both of such offices.

(c) The annual compensation of the Director shall be equal to the annual compensation of the Comptroller General of the United States. The annual compensation of the Assistant Director shall be equal to that of the Assistant Comptroller General of the United States.

(d) The terms of office of the Director and the Assistant Director first appointed shall expire on January 31, 1973. The terms of office of Directors and Assistant Directors subsequently appointed shall expire on January 31 every four years thereafter.

(e) The Director or Assistant Director may be removed at any time by a resolution of the Senate or the House of Representatives. A vacancy occurring during the term of the Director or Assistant Director shall be filled by appointment, as provided in this section for the remainder of the unexpired term.

FUNCTIONS

SEC. 203. (a) The Office shall make such studies as it deems necessary to carry out the purposes of section 201. Primary emphasis shall be given to supplying such analysis as will be most useful to the Congress in voting on the measures and appropriations which come before it, and on providing the framework and overview of priority considerations within which a meaningful consideration of individual measures can be undertaken.

(b) The Office shall submit to the Congress on the first day of March of each year a National Goals and Priorities Report. The Report shall include, but not be limited to—

(1) an analysis, in terms of national goals and priorities, of the annual budget submitted by the President and of the Economic Report of the President;

(2) an examination of resources available to the Nation, the foreseeable costs and expected benefits of existing and proposed Federal progress, and the resources and cost implications of alternative sets of national goals and priorities; and

(3) recommendations concerning spending priorities among Federal programs and courses of action, including the identification of these programs and courses of action which should be given greatest priority and those which could more properly be deferred.

(c) In addition to the National Goals and Priorities Report and other reports and studies which the Office submits to the Congress, the Office shall provide upon request to any Member of the Congress further information, data, or analysis relevant to an informed determination of national goals and priorities.

POWERS OF THE OFFICE

SEC. 204. (a) In the performance of its functions under this title, the Office is authorized—

(1) to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of the operations of the Office;

(2) to employ and fix the compensation of such employees, and purchase or otherwise acquire such furniture, office equipment, books, stationery, and other supplies, as may be necessary for the proper performance of the duties of the Office and as may be appropriated for by Congress;

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed \$125 per day; and

(4) to use the United States mails in the

same manner and upon the same conditions as other departments and agencies of the United States.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed, to the extent permitted by law, to furnish to the Office, upon request made by the Director, such information as the Director considers necessary to carry out the functions of the Office.

(c) Section 2107 of title 5, United States Code, is amended by—

(1) striking out the "and" at the end of paragraph (7);

(2) striking the period at the end of paragraph (8) and inserting in lieu thereof a semicolon and the word "and"; and

(3) adding at the end thereof the following new paragraph:

"(9) the Director, Assistant Director, and employees of the Office of Priorities Analysis."

JOINT ECONOMIC COMMITTEE HEARINGS

SEC. 205. The Joint Economic Committee of the Congress shall hold hearings on the National Goals and Priorities Report and on such other reports and studies of the Office as it deems advisable.

AUTHORIZATION OF APPROPRIATIONS

SEC. 206. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

EXHIBIT 1

[From the 1969 Joint Economic Report]

NATIONAL GOALS AND PRIORITIES

The budget of the Federal Government accounts for over 20 percent of the Nation's total output of final goods and services. The allocation of this nearly \$200 billion budget among the multitude of Federal programs has an enormous influence on both the structure of outputs produced by the U.S. economy and the distribution of the Nation's income. Because of this impact of Federal revenues and expenditures on the society, it is essential that allocation decisions be based on a clear statement of national goals and priorities. This necessity is reinforced by the rapid growth in Federal expenditures over the past several years.

Too often public policy has been formed in an *ad hoc* fashion because of an absence of clearly stated national objectives and priorities. Public expenditures have grown with no assurance that the objects of expenditure were those which we would have chosen if we had a clearer set of priorities and better information on the values generated by dollars spent in different areas. Indeed, much public apprehension concerning the efficacy of government is due to the fact that private citizens discern no consistent set of objectives to which they can relate and about which they can debate. Because of the Government's failure to define priorities clearly and to evaluate the social contributions of tax dollars spent in different areas, wastage and inefficiency in public expenditure programs can develop and persist, and vital social needs can remain unmet.

Recently, a number of official and semi-official bodies have studied and spoken out on the question of national goals and priorities. These efforts have been useful. Currently, our society is confronted by serious social problems. Increasing demands for assistance and redress are arising from the poor and minority groups, from small business and labor, from consumers, and from institutions of health and education, to mention only a few. We judge that current circumstances require that Congress and the administration openly and explicitly address the question of national objectives. For the past several years, this committee has

recommended that a comprehensive study of national goals be undertaken and, in the coming year, we hope to provide leadership in initiating this effort.

We urge that the Congress, with guidance from its leadership, and the administration undertake a formal and comprehensive study of national goals and priorities with a view to establishing guidelines for legislation and expenditure policy.

We recognize the serious difficulties which plague efforts to seek general agreement on these basic questions of national direction. Indeed, the vitality of this Nation's political system stems from the diversity of opinions and values held by the populace. We have, however, recently witnessed a period of intense study of a large number of issues which pertain to national goals. While many of these issues were related, the task forces which were responsible for the analysis and recommendations properly viewed their mandate as being limited in scope. It is now time to seek a broader perspective: an overview in which the urgency of the individual demands generated by these reports can be subjected to a comprehensive appraisal. We believe that the following considerations are basic to any serious discussion of national priorities.

1. The study of goals and priorities should determine the dollar costs required to attain each of the substantial number of objectives which are often cited as being primary social goals. It is important that public decision-makers have before them an estimate of the costs of each item in the array of social objectives, all of which would be chosen if they could be afforded. This information, by demonstrating that the devotion of resources to one objective implies a foregone opportunity to support another, leads to improved public decisions by clarifying the real costs associated with any decision.

2. The study of goals and priorities should evaluate the output and financial resources which the economy and the Federal Government can call upon in attaining social objectives. It is now possible to project with some accuracy the future output of the economy and, given the existing tax structure, the budgetary resources which will become available to the Federal Government. Moreover, it is possible to estimate confidently the future expenditures in a substantial number of Federal governmental programs which, for all intents and purposes, are beyond the annual control of the appropriations process. By ascertaining the difference between these two flows—projected revenue increases and increases in unavoidable Federal outlays—we obtain what is sometimes called the fiscal dividend. This figure provides both the Congress and the executive branch with meaningful information on the future availability of resources which can be allocated among the various social objectives. Such estimates should be developed for a range of plausible assumptions and should be updated and published on an ongoing basis. This information, it should be noted, is the complement of the data on the total costs required for attainment of each of the objectives.

3. The study of goals and priorities should focus on the allocation of Federal revenues between the military and civilian budgets. Because the defense budget is substantially less visible than budgets for civilian programs and because of our past experience with national security costs which have substantially exceeded initial estimates, this allocation question should not be neglected in an analysis of national priorities. Information concerning the budgetary implications of a number of possible national security postures is essential to meaningful public policy decisions and a rational allocation of the Federal budget among its competing claims.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE SO-CALLED TAX REFORM BILL

Mr. HOLLAND. Mr. President, on December 11, I voted against the so-called tax reform bill. My reasons for voting against it were stated in full in the RECORD at that time.

In voting against that bill, I was following a course which I have followed heretofore. I wish to state the latest example prior to that date when I voted against a tax bill with the hope that it would be improved in conference and was then able to vote later for the conference report. In 1967 I voted against an overloaded social security bill, H.R. 12080, exactly as I voted against the so-called tax reform bill on December 11, a few days ago. The vote appears in the CONGRESSIONAL RECORD, volume 113, part 25, page 33637. My statement as to why I voted against the bill appears on page 33647.

When that particular bill came back from conference, I was glad to vote for it, as shown in the CONGRESSIONAL RECORD, volume 113, part 27, page 36924. My statement explaining the great improvement of the conference bill and why I was glad to vote for it appears on pages 36925 and 36926.

I hope we shall have the same experience this year on the so-called tax reform bill, and that I shall be able to vote for it. However, I am glad to note that several of the thoughtful editorialists of my State have pointed out that the tax bill which we passed the other day was anything but an appropriate tax reform bill.

I ask first that an editorial from the Tampa Tribune entitled "Senate Santa Is Overloaded" be placed in the RECORD at this time as a part of my remarks.

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

[From the Tampa (Fla.) Tribune, Dec. 10, 1969]

SENATE SANTA IS OVERLOADED

Yes, said President Nixon, he would shoot Santa Claus.

The President was replying to a question at his Monday night press conference whether he would sign the pending tax reform bill if, after final adoption, it contained the \$800 individual income tax exemption and 15 per cent-plus Social Security increase added by the Senate.

Mr. Nixon had an unequivocal answer: "No."

It was not an answer calculated to please millions of Social Security pensioners and middle income taxpayers. But it was the only answer a President concerned with fiscal soundness could give.

The Senate has loaded so many goodies onto the tax reform bill which came from the House that Senator John J. Williams of Delaware called it "the \$10 billion Christmas tree."

If all were enacted into law, the Federal Government would run a multi-billion-dollar deficit at a time when the Nixon Administration is struggling to contain inflation. One result would be more inflation and a rapid erosion of the benefits granted taxpayers and pensioners.

There is not much doubt that a substantial Social Security increase will be enacted, as it should be to make up for the dollar shrinkage of the last two years, but it should be handled separately from the tax bill. And there is question whether the Social Security tax program can stand the entire \$6.5 billion increase proposed by the Senate, including a \$45-a-month boost in minimum payments as well as a general 15 per cent raise.

Certainly a good case can be made for increasing the present \$600 personal income tax exemption, originally regarded as a cost-of-living allowance. But the Senate proposal to raise it to \$700 next year and \$800 in 1971 would cost the Treasury \$2 to \$3 billion a year.

Similarly, every parent with a child in college knows there is justification for a tax credit for education costs. But the Senate plan for \$325 per year per student would cut Federal revenues an estimated \$2.4 billion.

The Senate Christmas tree holds presents for business, too. Special exceptions to the House-approved repeal of the 7 per cent investment tax credit would amount to a billion dollars in giveaways.

As passed by the House, the tax reform bill would increase taxes on the wealthy and on business, mainly by reducing or removing present exemptions, and thus would raise an additional \$6 to \$7 billion revenue. It would, at the same time, give about \$9 billion in relief to lower and middle income taxpayers. The Nixon Administration hoped to be able to offset the net loss in revenue by reducing expenses, particularly defense. But it cannot absorb the additional \$5 to \$6 billion loss contained in the Senate bill.

All families are confronted, at this season, with the problem of balancing Christmas gift lists against present savings and future income. Excessive generosity now means financial anguish later.

The problem is the same in Washington. It's easy for Senators to play Santa Claus—they don't have to try to balance the Federal books next year. When Majority Leader Mike Mansfield was asked yesterday by a reporter if he would sign the Senate tax bill, if he were President, he gave an evasive but revealing answer: "I'm not President."

Richard Nixon is President and he has to worry about paying the bills. His plain promise to shoot the Senate Santa Claus should help persuade the House-Senate conference committee to reduce this gift pack to a more sensible size.

Mr. HOLLAND. Mr. President, I ask next that an editorial from the Miami Herald of December 13, 1969, entitled "Senate Makes a Hash of Tax Reform Bill," be placed in the RECORD at this point as a part of my remarks.

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

SENATE MAKES A HASH OF TAX REFORM BILL

In a rush to adjourn before Christmas, the Senate has made an inedible hash of the so-called tax reform bill. Actually, there was no need for haste. Effective dates of most sections of the bill do not depend on when it passes.

Inflation is the principal condiment of this unhappy Christmas dish. Its traces are found conspicuously in the Social Security amendments. To be sure, that system needs to be brought up to date, but not piecemeal, in a tax bill, as the Senate has done.

Indeed, the proposal to let workers retire at age 60 on two-thirds of their Social Se-

curity benefits would be bad for the country at this time.

The original purpose of Social Security when it began during the depression—remember?—was to encourage workers to retire at age 65, thus making room on payrolls for hordes of jobless. But today unemployment is at a record low for modern times. Employers are scraping the bottom of the manpower barrel. Elderly hands as well as others are needed to get the nation's work done.

More to the point would be wiping out the limit on earnings for persons drawing Social Security, thus encouraging them to stay in the labor force. But this, like the retirement age and other improvements in Social Security, should be handled by Congress in due course, not in the current hurry-hurry atmosphere.

The same must be said of the 15-per cent Social Security hike, approved so hastily that many senators probably have no notion of what it will cost.

Relief is due the elderly struggling to eke out an existence on tiny Social Security checks, but the amount and the timing must be weighed against inflation, which could gobble up an immediate increase.

Inflationary, too, is the Senate's plan to raise the personal exemption from income taxes from \$600 to \$800 a head. Of course the \$600 is wildly unrealistic under present-day costs of living, but taxpayers stand to lose more than they gain if a higher exemption sends prices soaring again.

President Nixon has made clear that he will veto the bill if it comes to his desk with the inflationary Senate amendments. Fortunately, the House must review the changes. Perhaps the worst features will be deleted by a Senate-House conference committee.

Mr. HOLLAND. There are various other similar editorials in the Florida papers, but I shall not encumber the RECORD with them. I am happy to state that the general line of the editorials in newspapers in Florida is to support the position taken by the senior Senator from Florida at the time of the passage of the so-called tax reform bill on December 11.

I note with considerable approval that some newspapers that are rather well known in other parts of the Nation have taken the same position. I shall not attempt to quote many of them, but in the Christian Science Monitor of December 13, 1969, there appeared an editorial entitled "Tax Reform?" I ask that that editorial be placed in the RECORD at this time as a part of my remarks.

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

TAX REFORM?

(By Richard A. Nenneman)

The Senate's quick and irresponsible passage of its version of the tax-reform bill raises the question: can we ever have serious tax reform in this country?

Some of the most glaring faults in the bill will probably be removed when it goes through the Senate-House conference. Yet the prospect exists that President Nixon may be forced, in spite of his present position, to sign into law an extremely bad measure. Why? Because the same bill contains an extension of the income tax surcharge (at 5 percent), the ending of the investment credit for business, and the extension of excise taxes.

Speaking just last week to the annual conference of the Tax Foundation in New York, Sen. Wallace F. Bennett (R) of Utah remarked that good tax law could not be written on the Senate floor, and this was

what we were now seeing. Senator Bennett is the ranking minority member of the Senate Finance Committee.

Reform has become confused with tax relief. Reform, of itself, assumes that a given amount of taxes must be collected. Whether they indeed do need to be collected is quite a different issue; this involves the other side of the coin, government spending.

But reform should properly deal only with the ways in which a given level of taxes is levied. And, if the same amount is still needed, reform means that some will pay less taxes and some will pay more. And herein lies what is politically difficult to do: to selectively raise taxes.

The impetus for the present bill came from the publicity given a few people who don't pay income taxes at all on very large incomes. The press gave little notice to what they were doing with their income that exempted it from taxation and whether these loopholes had any valid social reason behind them (in most cases, almost all of the individual's income was being given to charity).

Be that as it may, most of us feel that everyone ought to pay something toward government costs. And the vast middle class, up in arms over inflation and the surtax, was easily excited to demand some kind of reform—or was it only relief?

Chances for good legislation were made worse by the change in administrations. The Nixon Treasury officials were forced to come up with tax proposals much too quickly for any new administration. And their performance in dealing with key people on the Hill doesn't indicate that they have learned their legwork or footwork from Fred Astaire.

Some of the loopholes are being cut down in size. But there is very little in basic reform emerging, as it now appears. The Gore amendment (raising personal exemptions from \$600 to \$800), which the administration is against because of the large revenue loss it represents, actually has some strong points going for it. The \$600 figure was set over 20 years ago when price levels were far lower than today. If the exemption has any real relationship to actual minimum living costs, it makes sense to raise it as the consumer price index climbs.

The Treasury argument that this costs too much (in lost revenues) should really be beside the point. For, if we are going to have real reform, it ought to start with such fundamentals as this and work on from there to the changes in rates that would be needed to collect the same amount of taxes.

But this is where the political problem arises. The actual rate structure for some might have to go up, and any legislator will avoid this choice if he can.

Perhaps a nonpartisan tax commission, made up of both congressmen and economists, could come up with politically feasible reform. But this is for "next time." It is dubious whether the present bill, if it becomes law, contains enough basic changes to be called a reform.

Whatever its reform features, if it should become law in anywhere near its Senate form, its revenue shortfall would do the nation much more economic harm than could be justified by whatever improvements in equity it contains.

Mr. HOLLAND. Mr. President, to my pleasant surprise I note that the Washington Post stated in its editorial column its strong opposition to the so-called tax reform bill. I ask unanimous consent that an editorial entitled "Tax Spree in the Senate," published in the Washington Post of December 12, be incorporated in my remarks as a part thereof.

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

TAX SPREE IN THE SENATE

The once-promising tax-reform bill came out of the Senate yesterday loaded with goodies in keeping with the Christmas season. Rushing heedlessly to attach more vote-catching baubles to the measure, the Senate almost lost sight of its original goal, which was to eliminate special favors and discrimination from the country's tax structure. In the face of this wallowing in irresponsibility even the strongest defenders of democracy are left with a hopeless feeling.

As a climax to its spree, the Senate even tried to use the bill as a vehicle for a new protectionist policy. Of course there was no time for the Senate itself to formulate and adopt a trade policy that would recognize the national interest in exports as well as imports. So it recklessly voted to let the President curtail the importation of any product which threatens to disrupt the American market if it comes from a country that discriminates against our exports. The proposal has no appropriate safeguards. It is in conflict with existing trade policy and wholly out of place in a tax-reform bill. Yet the Senate chalked up a 65-30 score in regard to it, apparently without a second thought as to what the effect on the national economy would be.

No doubt this brainstorm will be readily discarded by the conference committee, but the most costly of all the Senate amendments is another matter. We refer to the \$6-billion social security bonanza attached to the bill. With the steady rise in living costs, Congress must of course raise social security payments. But the country simply cannot afford a 15 per cent jump at this time plus a boost in the minimum payment from \$55 to \$100 a month for single persons and \$150 for couples. The only reason for attaching these plums to the tax-reform bill was to make it more difficult for the President to reject them. Even if the House insists on separating the social security benefits from the tax bill, the proposed addition to \$6 billion to social security spending will continue to complicate the fiscal picture.

It is the combination of this costly gesture with the revenue-slashing Gore amendment which has put the Senate in the posture of throwing discretion to the winds. One estimate is to the effect that the combination will change the prospect of a \$3-billion surplus in fiscal 1971 under the Finance Committee bill to a \$7.5-billion deficit. In the face of continued inflationary pressures this amounts to an abdication of responsibility.

The Senate is entitled to a good deal of credit for some of its refining amendments. It voted to permit foundations to continue financing voter registration drives under proper restrictions and eliminated the Finance Committee's 40-year limitation on the life of foundations. No doubt some of its other changes in a highly complex bill will be found worth saving, but it has thrown an enormous burden on the conference committee to produce a bill that will be acceptable to the White House and to the country.

The major task of the House-Senate conferees will be to restore the bill to its original objectives of screening out the inequities of the present law. This can be readily accomplished without siphoning off the revenue that is needed for expanded educational, social and environmental programs and without feeding the fires of inflation. The reckless nature of the Senate's spree has thrown an extraordinary burden on the conferees, who must still try to produce a respective tax-reform bill.

Mr. HOLLAND. Mr. President, I note that the Washington Daily News had a similar editorial in its edition of December 12, strongly criticizing the so-called tax reform bill. The title of its editorial

is "Tax Bill or Goody Tree?" I ask unanimous consent that that editorial from the Washington Daily News be incorporated in the RECORD as a part of my remarks.

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

TAX BILL OR GOODY TREE?

When the tax bill just passed by the Senate came from the House of Representatives last summer it was reasonably well qualified for the title it carried, "Tax Reform Bill."

But as it emerged from the Senate, after the spirit of Santa Claus generally had prevailed, it looked more like a Christmas tree than a "tax reform" measure.

The Senate littered the bill with amendments, most of them giving somebody or other a tax break.

The bill now goes to a conference committee which will attempt to compromise the Senate's inflation-spurring, deficit-making version with the House version.

But Sen. Russell B. Long, chairman of the Finance Committee, said it will be "embarrassing" for him to take the bill to the House conferees "and tell them we've loaded \$11 billion on their bill."

Others estimate that the loss of revenue from the Senate version could run as high as \$14 billion.

The Senate raised Social Security benefits 15 per cent, instead of the 10 per cent proposed by President Nixon. It voted to raise the personal exemption of \$600 to \$700 next year and \$800 in 1971. It would reduce the oil and gas depletion allowances from 27½ per cent to 23 per cent, 3 per cent higher than the House proposed. Repeal of the investment credit tax, voted by the House, was watered down in the Senate version to give special tax breaks to some corporations, such as the oil interests operating in Alaska.

The Senate added a \$325 per student tax deduction for taxpayers with youngsters in college, and a host of other provisions for particular interests which only a Philadelphia lawyer can untangle.

The bill, of course, is not entirely without virtue. For instance, both houses agreed that private foundations must be more tightly regulated to deserve tax exemption. And while they differed on methods, both versions of the tax bill require foundations to spend their money and serve the purposes for which they were avowedly set up.

But by and large the Senate made a shambles of the bill passed by the House.

And if this measure should survive the compromise committee in substantially the form adopted by the Senate, President Nixon would have no logical choice except to carry out his threat to veto it. Because the bill, as it now stands, would seriously cripple Mr. Nixon's effort to slow down inflation and positively wreck any hope of getting the government budget in balance.

But meanwhile there is ground for hope that Rep. Wilbur D. Mills, chairman of the House Ways and Means Committee, and his House colleagues will be stout enough and persuasive enough in the compromise committee to strip the bill of much of its costly gingerbread.

The government, and the taxpayers themselves, simply cannot afford the Senate's Christmas tree in the present state of government finances and when inflation is still a long way from being effectively restrained.

Mr. HOLLAND. Mr. President, I wish that we could reach the time, as expressed in these editorials, when the Senate would act responsibly on a tax bill.

Apparently we suffer from a frustration here in the Senate because of the

fact that the Constitution does not permit us to initiate tax measures; and when we do get a tax measure, we show that frustration in rather unlimited degree, as we did in the two instances which I have already cited in my remarks.

Mr. President, my real purpose today is to express the strong hope that the conference committee, representing the senior members of the appropriate committees of the two Houses, will come back with a bill so improved that we can all gladly support it, and call it a tax reform bill without calling it a "so-called" tax reform bill, or a tax reform bill with a question mark after the word "reform."

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE BIPARTISAN AMENDMENT IN SUPPORT OF THE PRESIDENT'S POSITION ON LAOS AND THAILAND

Mr. GRIFFIN. Mr. President, particularly in the wake of Vice President's AGNEW's criticism of some of the news media, there has been considerable discussion of, and focus upon, the objectivity of news reports. It will be recalled that some particular concern was indicated earlier with respect to the New York Times and the Washington Post.

Although I hesitate to single out these particular newspapers again, I wish to indicate my considerable displeasure with the coverage this morning in both the New York Times and the Washington Post of an action that took place yesterday on the floor of the Senate.

A headline in the Washington Post this morning reads, "Senate Acts To Curb Asia Role." The story under that headline refers to the amendment cosponsored yesterday by the Senator from Idaho (Mr. CHURCH) and the Senator from Colorado (Mr. ALLOTT) relating to policy with respect to the introduction of United States combat troops in Thailand and Laos.

The first point I should like to make is that the headline is misleading. The Senate did not take any action to "curb" an Asian role. The intent and the plain meaning of the amendment ultimately adopted by the Senate yesterday was to reaffirm the existing role and existing policies of the United States with respect to Thailand and Laos.

Moreover, I notice in both of the reports two disturbing and rather significant omissions. First, there is no reference whatever to the fact that this particular amendment was a bipartisan amendment. The only sponsor indicated in the two reports is the distinguished Senator from Idaho (Mr. CHURCH)—who deserves and should receive full credit for the leadership role that he played in connection with the presentation and dis-

cussion of the amendment. But equally important, to the American people, is the completely ignored and unreported fact that it was a bipartisan amendment.

Indeed, the amendment was drafted—and I think most of the people on the Senate floor and those who were watching from gallery were aware of the fact that it was drafted right here in the Republican cloakroom. In fact, the principal Senators involved in its drafting, along with the Senator from Idaho (Mr. CHURCH) were the Senator from Colorado (Mr. ALLOTT) and the Senator from New York (Mr. JAVITS); and as soon as the Senator from Idaho obtained the floor and received recognition to offer the amendment, he acknowledged immediately the cosponsorship of those two Republicans.

The second significant and disturbing omission from the reports in both newspapers is the fact that the opening lines of the amendment were these: "In line with the expressed intention of the President of the United States."

The amendment was not long. In fact, it was very short. It seems to me that it could have been reported in full. But omitted were those very significant introductory words, which make it clear that what was intended, was a positive statement on the part of the Senate reaffirming the declared policy of the administration. The omission of these words leaves the reader of these newspapers with the opposite impression—that the Senator was taking a slap at the administration, which certainly was not the case.

This is most unfortunate. Whether or not it was intended by those who wrote the stories, that is the way it appears in print, and in my opinion, some notice of it should be taken. Following a meeting with the President and others at the White House this morning, I can report to my fellow Senators that the President is pleased with the amendment, and he recognizes that it is in accordance with his announced policies.

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

Mr. GRIFFIN. I am happy to yield.

Mr. HOLLAND. The Senator has mentioned very appropriately that the measure adopted yesterday to which he has referred was a bipartisan measure. There is no question about that. But I wish he would also take note of the fact that the measure of which it was simply a clarification was also a bipartisan measure.

Mr. GRIFFIN. That is correct.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the Senator from Michigan may proceed for 5 minutes.

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

Mr. HOLLAND. It was offered by the Senator from Kentucky (Mr. COOPER), who was called away by a serious illness in his family, and by the majority leader, the Senator from Montana (Mr. MANSFIELD).

So the entire approach to this difficult question, both the original approach and the clarifying approach ultimately

adopted, was bipartisan; and I am glad that the Senator has called attention to the fact that the action was completely bipartisan.

Mr. GRIFFIN. The Senator makes an excellent point.

Mr. President, I ask unanimous consent to have printed in the RECORD pertinent portions of the two newspaper articles to which I have referred.

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

[From the Washington Post, Dec. 16, 1969]
HILL ACTS TO CURB ASIA ROLE—SENATE VOTES \$69.3 BILLION IN DEFENSE FUNDS

(By Warren Unna and Richard Homan)

The Senate, after almost three hours of stormy and unusual secret debate, yesterday voted 73 to 17 to bar use of new defense funds "to finance the introduction of American ground combat troops in Laos and Thailand."

The Senate then went on to approve a \$69.3-billion appropriation for military spending during the current fiscal year. This was \$637 million less than an appropriations measure already heavily cut by the House. The House had slashed Pentagon spending requests by \$5.3 billion.

The final Senate vote on the appropriations bill was 85 to 4. It came after the Senate rejected a new effort to kill the Nixon administration's safeguard anti-ballistic missile program.

The restriction voted on U.S. military activities in Laos and Thailand came after Chairman J. W. Fulbright (D-Ark.) of the Senate Foreign Relations Committee insisted that the bill's floor manager give the administration's reasons for wanting to spend \$90 million for U.S. military assistance in neutral Laos. This sum was described as a \$16.7 per cent increase over last year.

The restrictive amendment, introduced by Sen. Frank Church (D-Idaho), modified an earlier motion by Senate Majority Leader Mike Mansfield (D-Mont.) and Sen. John Sherman Cooper (R-Ky.) to prevent U.S. funds from being used to provide anything but supplies and training to "local forces" in Laos and Thailand.

"I voice my apprehension over continuing administration silence over policy in Laos, where our military involvement appears to be growing rather than declining," Fulbright told the Senate in a secret-session statement he later released to reporters.

"As in Vietnam, the Nixon administration inherited a Laotian policy," the senator acknowledged.

Fulbright's charges came in the wake of a secret series of investigations a Senate Foreign Relations subcommittee has been conducting into the extent of U.S. military involvement in Laos. Until now, the administration has insisted on such a sanitized public version of the transcript that Fulbright said his committee decided it would be only "misleading" to publish it.

In his televised press conference last week, President Nixon said there were "no American combat troops in Laos." But the President did acknowledge for the first time that the United States is engaged in interdiction of the Ho Chi Minh Trail from North to South Vietnam—"as it runs through Laos." Previously, the United States had acknowledged "armed reconnaissance" flights over Laos.

Yesterday's Senate action indicated that a vast majority of the senators now believe there is either much more than that involved, or that there is about to be. Once the secret session was over and the doors were open to the public, the senators, by the

tone of their debate, made it plain that they now were aware of U.S. air sorties into Laos.

And Fulbright, in reading them a series of letters he has received from military and AID personnel, as well as from relatives of those killed and missing in Laos, apparently buttressed this Senate awareness.

The \$90 million military-aid figure had been a tightly held secret until Sen. Allen J. Ellender (D-La.), floor-managing the defense appropriation bill for the hospitalized Richard B. Russell (D-Ga.), chairman of the Appropriations Committee, let the cat out of the bag.

The \$90 million was only the Appropriations Committee's recommendation. It was not known how much the Pentagon actually sought. Ellender cryptically referred to it as going "for the purpose of support of the Royal Laotian Army."

It was then that the Senate decided to go into its closed-door executive session after overruling a suggestion from Sen. Barry Goldwater (R-Ariz.) to debate it out in the open.

The \$90 million represents only part of the money that the United States spends in Laos.

Under this year's foreign aid bill, Laos is to get \$36.3 million in military "supporting assistance," as well as \$11.9 million in technical assistance. In addition, there is suspicion of an additional sum included in the secret CIA budget for the support of Laos' "secret army."

From 1955, when the United States took over much of the French role in Laos, until 1961, the U.S. gave \$91 million in military aid and \$263.9 million in economic aid to Laos. In 1962, the Geneva accords were worked out guaranteeing Laos' neutrality and providing for the withdrawal of both North Vietnamese and U.S. troops. Further U.S. military expenditures were marked secret.

The U.S. troops were withdrawn from Laos, as per agreement. But President Nixon emphasized in press conference last week that some 50,000 North Vietnamese troops are believed to still be in Laos.

In Thailand, which also was included in yesterday's Senate restriction against U.S. ground troops, the United States has had a total of 48,000 Air Force and Army personnel. On Sept. 30, the White House announced it would cut this figure back by 6,000 by next July 1—with no appreciable loss in what was termed combat capacity.

[From the New York Times, Dec. 16, 1969]
SENATE OPPOSES A GI ROLE IN LAOS—VOTES TO BAR COMBAT UNITS IN THAILAND TOO, BUT FINAL BILL MAY DROP CURB

(By John W. Finney)

WASHINGTON.—The Senate, after a secret debate on American military involvement in the war in Laos, voted today to prohibit the commitment of American ground combat troops in either Laos or Thailand.

The prohibition, approved by a vote of 78 to 11, was written into a \$69.3-billion defense appropriations bill.

Whether the prohibition would be retained in the compromise appropriations bill that will now be drafted by a Senate-House conference committee appeared doubted. But Senator J. W. Fulbright, Democrat of Arkansas, expressed the view that, at least, he had succeeded in bringing to the attention of the Senate what he described as "our escalating military activities in Laos."

Before approving the Pentagon budget for the current fiscal year, the Senate once again refused—this time by a decisive margin—to delay deployment of the Safeguard antiballistic missile system.

The Senate's first full-scale debate on the Laotian war was provoked by a group of critics of the Vietnam war on the Senate For-

eign Relations Committee, but by Senator Fulbright, the committee chairman, and Senator Mike Mansfield of Montana, the Democratic leader.

Asserting that the United States was escalating its military activities in Laos, the group sought to use the defense appropriations bill to force the Nixon Administration to relax its policy of secrecy on American military activities in Laos as well as to place some Congressional restraints on further military involvement in that Southeast Asian country.

Faced with the continued opposition of the Appropriation and Armed Services committees, the group was not completely successful in its efforts.

RARE SECRET SESSION HELD

It did succeed in forcing the Senate into a rare secret session for a discussion of the largely secret American military role in Laos. During the discussion the Administration for the first time supplied to the Senate as a whole * * * information on American military activities in Laos, including details on how American planes were carrying out bombing strikes in northern Laos in support of the Royal Laotian Government forces.

When it came to legislative restraints, however, the group was forced to beat a series of retreats and the Senate wound up approving a compromise limited to prohibition of ground combat troops in Laos and Thailand.

The compromise, put together by Senator Frank Church, Democrat of Idaho, specified that none of the funds in the defense appropriations bill "shall be used to finance the introduction of American ground combat troops into Laos or Thailand."

The United States has military advisers, including Army Special Forces units, stationed in Laos to assist Laotian Government forces as well as a 36,000-man private army largely supported by the Pentagon and the Central Intelligence Agency. In addition, at the request of the Royal Laotian Government, American planes are flying armed reconnaissance missions in Laos.

TROOPS IN LAOS DENIED

The Administration, however, has repeatedly insisted—as President Nixon did most recently at his news conference last week—that the United States has no combat troops in Laos.

During the course of the Senate debate, however, it was emphasized by Senator Mansfield and Senator Fulbright that United States Air Force planes stationed in Thailand were carrying out bombing missions against the pro-Communist Pathet Lao and North Vietnamese troops in northern Laos in support of Laotian Government forces. At one point in the debate preceding the secret session, Senator Mansfield said the number of sorties by Air Force planes based on Thailand had "increased considerably in recent months."

Much of the debate revolved around the issue of whether the Senate, through amendments in the defense appropriation bills, should attempt to restrict or prevent such air combat missions.

The Church proposal was offered as a substitute for a broader amendment sponsored by Senator John Sherman Cooper, Republican of Kentucky. The Cooper amendment, designed to prevent an American combat involvement in Laos, specified that none of the defense appropriations "shall be used for the support of local forces in Laos or Thailand except to provide supplies, material, equipment and facilities, including maintenance thereof, or to provide training for such local forces."

COOPER'S MOTHER STRICKEN

In the absence of Senator Cooper, whose mother suffered a stroke in Kentucky, the amendment was offered by Senator Mansfield.

During the course of the debate some dif-

ferences of opinion developed over whether the Cooper amendment would prevent continuation of the air combat missions.

Senator Fulbright—as did aides of Senator Cooper—interpreted the amendment as prohibiting such air support. But Senator Mansfield, noting that the Laos war presented a “dangerous and delicate” situation “tied closely to the war in Vietnam,” said it was “a moot question” whether the amendment would prevent bombing missions that ostensibly were being conducted against North Vietnamese troops in Laos.

Mr. McCLELLAN. Mr. Senator, will the Senator yield?

Mr. GRIFFIN. I am happy to yield to the Senator from Arkansas.

Mr. McCLELLAN. I recall, too, that during the course of the discussion of that amendment, the question was asked and the information was given to the Senate that the President had so expressed himself, and that in fact the amendment as finally agreed to was actually in support of what the President had already announced.

Mr. GRIFFIN. That is right.

Mr. McCLELLAN. That certainly had something to do with the vote that I received. I, for instance, have never been one who wanted to pass legislation in this field, or take action, that would be calculated to embarrass the President or hinder or hamper him in trying to find a solution to the Vietnam problem.

Mr. GRIFFIN. I thank the Senator very much. At a time when we desperately need unity, it is unfortunate that in a situation when we have unity, it is sometimes reflected in the press as disunity, or as though there were differences with the President which in reality do not exist.

I wish to mention also, Mr. President, that the distinguished Senator from Tennessee (Mr. BAKER), a Republican, and the distinguished Senator from California (Mr. CRANSTON), a Democrat, who were not mentioned earlier, were also cosponsors of the amendment.

Mr. ALLOTT. Mr. President, I would like to talk very briefly on the remarks of the Senator from Michigan. I think they very adequately describe how gaps can appear in the credibility of all Government officials in the minds of the American public when a matter has been handled as loosely as the matter was handled yesterday by the two newspapers which have been mentioned, the New York Times and Washington Post.

There is no question that, by the result of the carrying of the motion to table the Mansfield-Cooper amendment with the prestigious name of the majority leader on it—and it was not an action against him—that it would have had to have had the effect that the Senate was pretty much of a mind on what it wanted.

Mr. President, reading from page 39168 of the RECORD of yesterday, I read again the amendment;

On page 46, between lines 8 and 9 insert a new section as follows:

In line with the expressed intention of the President of the United States, none of the funds appropriated by this act shall be used to finance the introduction of American ground troops into Laos or Thailand without the prior consent of Congress.

Mr. President, I heard no Senator on the floor—and I was present during the entire debate on the matter yesterday—take any position contrary to that. I think that states the almost unanimous position of the Senate that we do not desire to seek ground combat troops introduced into Laos.

However, it implies that this was a strike against the administration. It is particularly annoying to me. I regard myself as a supporter of the present administration, as I was of the administrations of President Kennedy and President Johnson, in the foreign relations area, particularly.

I think it does an injustice to the President. And I think it does an injustice to the U.S. Senate.

The matter of the cosponsorship is, of course, another matter. It puts a completely different complexion on the action which the Senate took yesterday in which the Senator from Idaho (Mr. CHURCH), the junior Senator from California (Mr. CRANSTON), the senior Senator from New York (Mr. JAVITS), the junior Senator from Tennessee (Mr. BAKER), and the senior Senator from Colorado all joined.

I think it was a very worthy effort and one which contributed and will contribute very greatly to delineating the relationship between the Chief Executive and Congress.

MESSAGE FROM THE HOUSE

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

S. 2734. An act granting the consent of Congress to the Connecticut-New York Railroad Passenger Transportation Compact;

S. 3169. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; and

S.J. Res. 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.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15090) making appropriations for the Department of Defense for the fiscal year ending June 30, 1970, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. SIKES, Mr. WHITTEN, Mr. ANDREWS of Alabama, Mr. FLOOD, Mr. SLACK, Mr. ADDABBO, Mr. LIPSCOMB, Mr. MINSHALL, Mr. RHODES, Mr. DAVIS of Wisconsin, and Mr. Bow were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills in which it requested the concurrence of the Senate:

H.R. 9654. An act to authorize subsistence, without charge, to certain air evacuation patients;

H.R. 10124. An act to amend section 2401

of title 28, United States Code, to extend the time for presenting tort claims accruing to persons under legal disability;

H.R. 13407. An act to consent to the amendment of the Pacific Marine Fisheries Compact;

H.R. 13816. An act to improve and clarify certain laws affecting the Coast Guard;

H.R. 13959. An act to provide for the striking of medals in commemoration of the many contributions to the founding and early development of the State of Texas and the city of San Antonio by Jose Antonio Navarro;

H.R. 14464. An act to amend the Act of August 12, 1968, to insure that certain facilities constructed under authority of Federal law are designed and constructed to be accessible to the physically handicapped;

H.R. 14789. An act to amend title VIII of the Foreign Service Act of 1946, as amended, relating to the Foreign Service Retirement and Disability System, and for other purposes;

H.R. 15095. An act 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; and

H.R. 15166. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes.

The message also announced that the the House had agreed to the concurrent resolution (H. Con. Res. 454) calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the bill (H.R. 11711) to amend section 510 of the International Claims Settlement Act of 1949 to extend the time within which the Foreign Claims Settlement Commission is required to complete its affairs in connection with the settlement of claims against the Government of Cuba, and it was signed by the Vice President.

HOUSE BILLS REFERRED

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

H.R. 9654. An act to authorize subsistence, without charge, to certain air evacuation patients; to the Committee on Armed Services.

H.R. 10124. An act to amend section 2401 of title 28, United States Code, to extend the time for presenting tort claims accruing to persons under legal disability; and

H.R. 13407. An act to consent to the amendment of the Pacific Marine Fisheries Compact; to the Committee on the Judiciary.

H.R. 13816. An act to improve and clarify certain laws affecting the Coast Guard; to the Committee on Commerce.

H.R. 13959. An act to provide for the striking of medals in commemoration of the many contributions to the founding and early development of the State of Texas and the city of San Antonio by Jose Antonio Navarro; to the Committee on Banking and Currency.

H.R. 14464. An act to amend the act of August 12, 1968, to insure that certain facilities constructed under authority of Federal

law are designed and constructed to be accessible to the physically handicapped; and H.R. 15166. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes; to the Committee on Public Works.

H.R. 14789. An act to amend title VIII of the Foreign Service Act of 1946, as amended, relating to the Foreign Service Retirement and Disability System, and for other purposes; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 454) calling for the humane treatment and release of American prisoners of war held by North Vietnam and the National Liberation Front, was referred to the Committee on Foreign Relations.

CHANGE OF REFERENCE OF S. 3244 AND S. 3245

Mr. HARRIS. Mr. President, on yesterday, S. 3244 and S. 3245, bills introduced by me having to do with judgments in favor of the Sac and Fox Tribe of Indians, were referred to the Committee on the Judiciary.

I am informed by the Parliamentarian that the new procedure is that the bills should be referred to the Committee on Interior and Insular Affairs.

I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of these bills and that they be referred to the Committee on Interior and Insular Affairs.

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

WASHINGTON AREA TRANSPORTATION

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that I may be permitted to proceed for 6 minutes.

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

Mr. BYRD of Virginia. Mr. President, I am delighted that this year's appropriations bill for the Department of Transportation makes a start on the rapid transit system for the Washington area.

The Federal contribution provided for the Washington Metropolitan Area Transit Authority is not only welcome but overdue. It permits a start on what I believe to be one of the most important transit systems in the United States.

No one who has occasion to travel in the District of Columbia, northern Virginia, and suburban Maryland can doubt the need for this system. The present congestion is nearly intolerable, and until adequate public transportation is provided, it can only get worse.

Those of us who have urged this transit system for the past several years have high hopes that it will provide at least part of the solution for the tremendous traffic problems facing the National Capital area.

But while we have high hopes, I think we must admit that fulfillment is not going to come quickly. The Transit Authority's own estimates indicate that the

first inner city lines are 3 to 5 years away, and extensions into the suburbs will not come for 7 to 10 years. Experience with construction schedules of major public works suggests that these estimates are optimistic.

The colossal traffic jams caused by the recent bus strike show that the area is alarmingly close to strangling in its own traffic. Even under normal conditions, the congestion on the bridges between northern Virginia and the District of Columbia is fearsome at peak traffic hours.

I believe that right now is the time to explore the possibility of improving the area's public transportation.

If a decade or more passed before any major improvement is made, we may come to the point where there will be a sign on the Virginia side of the Potomac bridges saying, "Washington: You Can Not Get There From Here."

I do not believe that day need come. I think effective action to improve public transportation—specifically, rail transit using existing lines—can be taken almost at once.

I would not for a moment suggest that the Metro system be held up to accomplish short-range improvements. On the contrary, I think every effort should be made to build the new system as rapidly as possible.

At the same time, I believe that short-run action should be taken. This would not lead to curtailment of the subway system; it would not even serve exactly the same areas. And in the long run, it is quite possible that service using existing lines would be needed as a permanent supplement to the Metro Transit system.

A number of studies have been made of ways to exploit existing rail lines to provide commuter service. The problem has been investigated by the Northern Virginia Transportation Commission, the National Capital Transportation Agency, and the Washington Metropolitan Transit Authority itself.

Last year, the Senate Public Works Committee issued a study incorporating many of the previous investigations and making specific recommendations for rail service. I believe the time has come to take action on the committee's report or on some alternate proposal to furnish augmented rail transit over existing lines.

A large-scale, cooperative effort will be required if the Public Works Committee study, or some feasible alternative, is to be implemented.

Leaders of the communities must be involved.

Officials of the railroads and the railroad brotherhoods must be involved.

The Washington Metropolitan Area Transit Authority and transportation agencies in the localities must be involved.

The U.S. Department of Transportation must be involved.

Clearly, this is not a simple undertaking. It is a major effort.

But the penalties of failure to act are severe, and the rewards of success could be enormous. I believe the effort must be made. I offer whatever assistance my own office can reasonably provide.

Working together, we can take the first steps. Let us hope that next year we can begin the actual work and funding that is necessary.

We are already late.

Mr. President, I ask unanimous consent that a brief excerpt from the Senate Public Works Committee report of July 19, 1968—Document No. 117, 90th Congress, second session—together with a commentary, be printed in the RECORD at the conclusion of my remarks.

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

COMMUTER ZONE STEPS FOR ACTION

(1) That a commuter rail service be instituted within 1 year having the following characteristics:

Trains operating on a through-routed basis between Germantown, Md., and Manassas, Va., and between Baltimore, Md., and Quantico, Va.

Trains serving some of the existing on-line stations as well as several new collection stations to be constructed, all stations to be provided with adequate parking and highway facilities.

Trains providing downtown Washington accessibility with stops at Union Station plus one or two new stops that will be constructed along the existing right-of-way between the Bureau of Engraving and South Capitol Street. The new stops are key essentials to successful patronage of the system.

A feeder-bus network utilizing a combination of new, specialized shuttle service and adjusted existing bus routes interfacing at one or more downtown rail station stops to provide distribution and collection of rail passengers throughout downtown Washington.

Capital investment in rolling equipment, station facilities, and track alterations to be held to a reasonable minimum in the face of uncertainty as to the actual size of the ridership market and the possibility that the commuter rail service needs might be minimized upon completion of the Metro Rapid Transit System.

Operating and administrative control to be placed in a new commuter rail division of the Washington Metro Area Transportation Authority.

Financing to be provided through a combination of Federal and local government funds and farebox revenues on the basis of—

(a) Federal moneys provided for all capital investment except station facilities which would be the responsibility of the appropriate local jurisdiction (or jurisdictions) serviced.

(b) The net of operating expenses over passenger revenues to be subsidized in participation shares of one-third from the Federal Government, the balance to be shared by local governments in Maryland and Virginia proportionate to the seat-miles of service provided.

(2) That a resolution of Congress be passed supporting the preservation of the W. & O.D. right-of-way until an in-depth feasibility study determines the usefulness of this right-of-way for possible future commuter and airport connector service, whether solely rail, joint rail-highway, or highway alone.

(3) The preservation from encroachment of the right-of-way of the Washington & Old Dominion Railroad and be insured pending completion of an in-depth feasibility study for determining that line's usefulness as part of a through-routed northern Virginia-Washington, D.C.—northeast Maryland quadrant commuter and airport connector service.

(4) That demonstrations be undertaken of reverse direction rush hour express bus service to the suburbs and of exclusive bus lane operation in the Shirley corridor.

(5) The demonstration of road-rail bus operation on the Bethesda-Chevy Chase branch of the Baltimore & Ohio should not be undertaken because it would not be capable of offering any substantial advantage over existing bus service.

(6) The demonstration of a hydrofoil or ground effect vehicle for commuter transport on the Potomac is not warranted at this time or in the near future since technology has not advanced far enough to solve vehicle limitations of carrying capacity and noise generation.

FEASIBILITY CONCLUSION

(1) The establishment is justified at an early date of a commuter rail service over the railroad lines described. At a minimum, this service would provide during the 7- to 12-year rapid transit construction period—

(a) Interim relief from daily rush hour traffic congestion in the form of a viable mass transit alternative that does not use overcrowded highway facilities.

(b) Service to four of the six suburban corridors thereby reinforcing and promoting the relatively higher density housing and employment location patterns that are consistent with the wedge-corridor regional development goals and that are necessary as a population base to generate adequate ridership for the future rapid transit system.

(c) Strength required to solidify the economic vitality of downtown Washington in its role as the major regional center for employment; government and professional services; retail enterprise; and attractions of a cultural, recreational, tourism nature.

(d) Familiarization and orientation of area residents to rail transit as an alternative transport medium to the private automobile thereby building a patronage base that will be more favorably disposed to using the metropolitan rapid transit when it is opened.

COMMENTARY

Sections (2) and (3) under "Steps for Action" probably are no longer feasible. The chance of capturing the Washington & Old Dominion right of way for transit use, unfortunately, appears to have vanished.

The key recommendations in the excerpt from the Public Works Committee study are those concerning establishment of rail commuter service in the short run.

In Chapter IX of the study, detailed steps are outlined whereby a surface rail passenger service could be put into operation within a 12-month period. Difficulties involved in routing trains through Washington, instead of terminating them in Washington, are carefully set forth, and proposals are made to overcome these difficulties.

The study includes analyses of equipment utilization, estimated ridership and revenues, coach and locomotive requirements, costs of providing service and deficit control. It is an excellent basic document to be used by those who will be involved in the planning process for surface rail passenger service.

MESSAGES FROM THE PRESIDENT

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

REPORT ON TRADE AGREEMENTS PROGRAMS—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

To the Congress of the United States:

With this message I am transmitting the Thirteenth Annual Report on the Trade Agreements Program, as required by the Trade Expansion Act of 1962. The report covers the year 1968.

In 1968, free world trade increased by 11.6 percent; U.S. exports increased by 9.6 percent; and U.S. imports rose by 23.7 percent, largely due to the inflationary forces in our economy which stimulated imports and also hampered the competitiveness of our exports.

The Trade Bill of 1969, which I recently submitted to the Congress, will equip us to build on the past gains of the Trade Agreements Program and to move forward toward a new trade program for the 1970s. It will give us the capability to continue to move toward freer world trade, defend our own trade interests, and provide constructive adjustment to changes in world trade patterns. The Commission on World Trade, which I am appointing, will examine the complex trade issues that will confront us in the 1970s, and will make recommendations for the U.S. policies needed to deal with them.

This Administration is committed to a freer exchange of goods among nations. We must continue to strive for further growth in mutually advantageous world trade and, in part through such trade, for the eventual dismantling of the barriers that have stood in the way of the freer interchange of people and ideas.

RICHARD NIXON.

THE WHITE HOUSE, December 16, 1969.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

PROPOSED CONCESSION CONTRACT, CARLSBAD CAVERNS NATIONAL PARK

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract under which the Cavern Supply Co., Inc., will be authorized to continue to provide food and beverage services, souvenir shops, and related facilities and services for the public within Carlsbad Caverns National Park, N. Mex., for a period of 20 years from January 1, 1970, through December 31, 1989, when executed by the Director of the National Park Service (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Charlottesville, Va., Lodge No. 389, B.P.O. Elks, praying for the preservation of American Liberties; to the Committee on Foreign Relations.

A resolution adopted by the Wardens' Association of America, Cincinnati, Ohio, relating to the problem of crime; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The PRESIDING OFFICER announced that on today, December 16, 1969, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 2864. An act to amend and extend laws relating to housing and urban development, and for other purposes;

H.R. 210. An act to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards, and for other purposes;

H.R. 4244. An act to raise the ceiling on appropriations of the Administrative Conference of the United States; and

H.J. Res. 10. A joint resolution authorizing the President to proclaim the second week of March 1970 as Volunteers of America Week.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MCGEE, from the Committee on appropriations, with amendments:

H.R. 15149. An act making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91-614).

REPORT ENTITLED "THE IMPACT OF CRIME ON SMALL BUSINESS—PARTS I AND II (S. REPT. NO. 91-612)

Mr. BIBLE, from the Select Committee on Small Business, submitted a report entitled "The Impact of Crime on Small Business—Parts I and II, which was ordered to be printed.

REPORT ENTITLED "CONSTITUTIONAL AMENDMENTS"—REPORT OF A COMMITTEE (S. REPT. NO. 91-615)

Mr. BAYH, from the Committee on the Judiciary, pursuant to Senate Resolution 235, 90th Congress, second session, submitted a report entitled "Constitutional Amendments", which was ordered to be printed.

EXECUTIVE REPORTS OF A COMMITTEE

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

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

George H. Barlow, of New Jersey, to be U.S. district judge for the district of New Jersey;

Leonard I. Garth, of New Jersey, to be U.S. district judge for the district of New Jersey; Philip C. Wilkins, of California, to be U.S.

district judge for the eastern district of California;

George A. Locke, of Washington, to be U.S. marshal for the eastern districts of Washington;

Joe McDonald Ingraham, of Texas, to be U.S. circuit judge, fifth circuit;

John L. Briggs, of Florida, to be U.S. attorney for the middle district of Florida;

Eugene E. Siler, Jr., of Kentucky, to be U.S. attorney for the eastern district of Kentucky;

John J. Gibbons, of New Jersey, to be a U.S. circuit judge, third circuit;

Loren Wideman, of Florida, to be U.S. marshal for the southern district of Florida; and

Hosea M. Ray, of Mississippi, to be U.S. attorney for the northern district of Mississippi.

BILLS INTRODUCED

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

By Mr. DODD (for himself and Mr. HRUSKA):

S. 3246. A bill to protect the public health and safety by amending the narcotic, depressant, stimulant, and hallucinogenic drug laws, and for other purposes; to the Committee on the Judiciary.

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

By Mr. INOUE:

S. 3247. A bill for the relief of Maj. Carvel de Bussy; to the Committee on Armed Services.

By Mr. CHURCH (for himself, Mr. JORDAN of Idaho, Mr. INOUE, Mr. MCGEE, Mr. HANSEN, Mr. METCALF, Mr. FANNIN, Mr. DODD, Mr. DOMINICK, Mr. GRAVEL, Mr. MOSS, Mr. MAGNUSON, Mr. BIBLE, Mr. CANNON, Mr. HOLLINGS, Mr. MONDALE, Mr. GOODELL, Mr. BAYH, and Mr. HATFIELD):

S. 3248. A bill to permit suits to be brought against the United States to adjudicate disputed land titles; to the Committee on the Judiciary.

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

By Mr. INOUE:

S. 3249. A bill for the relief of Silvano Scandale; to the Committee on the Judiciary.

S. 3246—INTRODUCTION OF A BILL AND SUBSEQUENT REPORTING OF SAME, ENTITLED "CONTROLLED DANGEROUS SUBSTANCES ACT OF 1969" (S. REPT. NO. 91-613)

Mr. DODD. Mr. President, on behalf of myself and the Senator from Nebraska (Mr. HRUSKA), I am introducing a bill (S. 3246) to protect the public health and safety by amending the narcotic, depressant, stimulant, and hallucinogenic drug laws, and for other purposes.

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

The bill (S. 3246) to protect the public health and safety by amending the narcotic, depressant, stimulant, and hallucinogenic drug laws, and for other purposes, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. DODD subsequently said: Mr. President, from the Committee on the Judiciary, I am reporting favorably,

without amendment, S. 3246, the "Controlled Dangerous Substances Act of 1969"; and I submit a report thereon. I ask unanimous consent that the report be printed, together with the additional views of Senators ERVIN and HART.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from Connecticut.

Mr. DODD. Mr. President, I have just reported S. 3246 a bill to control the traffic and abuse in dangerous drugs.

This is a bill combining the provisions of S. 1895, the Omnibus Narcotic and Dangerous Drug Control and Addict Rehabilitation Act of 1969, and S. 2637, the Controlled Dangerous Substances Act of 1969. These were the two major narcotic and dangerous drug bills referred to the Juvenile Delinquency Subcommittee.

The Delinquency Subcommittee held 3 weeks of hearings on these bills and listened to over 30 witnesses. The bill has been considered and approved by the subcommittee and after lengthy discussion it was ordered reported by the full Judiciary Committee. I feel that at this point we have arrived at a strong and effective piece of legislation.

In its present form the bill generally follows the basic language and structure of both S. 1895 and S. 2637.

Several of the major provisions added in subcommittee were essentially those originally contained in S. 1895.

Thus, the new bill adds several tranquilizers to the list of controlled drugs. These are librium, valium and meprobamate.

We felt that we should include these drugs in the bill because there has been considerable diversion into illegal channels and because of evidence that they have been substantially abused.

The bill also contains the penalty structure concepts of S. 1895.

The main thrust of the new penalty provisions is to eliminate mandatory minimum sentences for all drug offenses, except for a special class of professional criminals.

The new penalties will allow the judge to use his discretion in imposing sentences for drug offenders.

They will allow for more severe punishment in the case of serious violators such as traffickers in heroin and for lesser sentences for offenders involved with the simple possession of marihuana or other drugs.

These provisions will also allow suspended sentences, probation and parole for drug law violators.

One of the original provisions in S. 1895 also called for a committee of experts to study the marihuana problem.

This is another important addition now contained in the new bill.

There were, however, two important provisions in S. 1895 which have not been incorporated in the bill ordered reported by the Judiciary Committee. I want to comment on them very briefly.

One proposed the establishment of a Joint United States-Mexico Commission to help control the border drug traffic.

The other provision was designed to extend the coverage of the Narcotic Addict Rehabilitation Act of 1966.

I chose to withhold my request for the Joint Commission at this time because the administration has, in fact, established negotiations with the Mexican Government to create more effective controls on the illegal drug traffic between the United States and Mexico.

Operation Intercept and later Operation Cooperation is one example of such intensified enforcement and control procedures. I have received assurance that the administration will continue to seek better ways to reduce the amount of drugs coming into this country from Mexico.

I did not ask for revision of the Narcotic Addict Rehabilitation Act in this bill because I plan to deal with this matter in a separate piece of legislation at a later date.

I still maintain the position that we will have to broaden the Addict Rehabilitation Act to remove certain restrictions on eligibility and to provide treatment for a larger number of addicts and for different kinds of addicts.

These are matters that will need more funds, more personnel and an increase in facilities and programs.

I think we will be better able to achieve these objectives in a separate bill dealing entirely with these topics.

In this case, too, I have received a promise of full cooperation from the administration.

Mr. President, I believe the bill I have just reported contains all the necessary provisions to help Federal enforcement agencies control the drug problem. I believe it is a balanced piece of legislation.

It is based on evidence obtained in extensive hearings on the drug problem.

It has substantial bipartisan support.

For these reasons and because time is of the essence in starting to reduce the drug problem, I hope the Senate and the Congress can pass it with all possible speed.

At this time, I want to thank my colleagues on the Juvenile Delinquency Subcommittee and on the Judiciary Committee for their cooperation and effort in moving the bill out of the Judiciary Committee.

I particularly want to thank Senator ROMAN HRUSKA, who has been one of the guiding proponents of this legislation, for his very substantial support and help in moving the bill this far in the legislative process.

Mr. HRUSKA. Mr. President, it is a pleasure to join the distinguished chairman of the Subcommittee to Investigate Juvenile Delinquency in sponsoring this "clean-bill" version of the Controlled Dangerous Substances Act of 1969, as approved by the Committee on the Judiciary.

I take this opportunity to commend the chairman for his very able leadership in bringing the bill before the Senate.

The members of the subcommittee have been deeply concerned about the growing problem of drug abuse for some time. Over the past several years, we have conducted extensive hearings, examining in depth the scope of this problem as well as the effectiveness of the

existing drug laws. We have also carefully explored areas where change and improvement are necessary.

During the course of these hearings, we have received the testimony of law enforcement officials, medical experts, psychiatrists, health officials, drug manufacturers and even drug users and addicts.

Because of my deep interest in this problem, I was pleased to act as a co-sponsor, along with the late Senate minority leader, of the administration's Controlled Dangerous Substances Act, S. 2637.

The able chairman of the subcommittee also sponsored a comprehensive drug bill, S. 1895.

These bills were carefully considered in the light of the testimony of interested persons.

The members of the subcommittee did not approach these hearings as an adversary proceeding, but rather with a sense of cooperation and determination to report a bill which was designed to adequately cope with this controversial and emotion-laden subject. The bill which we are introducing today represents a combination of best provisions of S. 2637 and S. 1895, as well as certain provisions not included in either of these bills.

The bill we report to the Senate is a good one. It is tough, but realistic. I believe it will be an effective tool in the arsenal of those charged with enforcement of the Nation's drug laws.

Mr. President, we ask today for some dramatic changes in the laws which have stood for many years.

A first offense, for example, for simple possession of all controlled dangerous substances has been reduced to a misdemeanor. The decision to make this change was based on the elemental fact that the oppressive penalties presently on the books simply have not worked. They have not deterred drug abuse. In fact, the opposite is true. Drug abuse has increased alarmingly in recent years, notwithstanding these severe penalties.

Under existing law, the sale of all drugs classified as "hard narcotics" is punishable by a mandatory minimum sentence of 5 years and up to 20 years. No distinction is made between those who distribute narcotics—or addictive substances—such as heroin and non-narcotics—or nonaddictive substances—such as marihuana.

Mr. President, there is no comparison between the dangers inherent in the use of heroin and of marihuana, and therefore there is simply no justification for providing identical penalties for the sale of both.

Although this bill provides for many changes in our existing drug laws, one stands out notably. This is the concept which is included in section 509. This section, which pertains to professional criminals, is the most unusual and innovative section of the bill.

Mr. President, crime has many causes; certainly poverty, poor education, lack of housing and lack of opportunity are some of them. There are other direct causes as well, such as organized crime and the professional criminal.

Organized crime is not bred of poverty but rather it is bred of greed and lust for power. It feeds on the poor, the illiterate and the destitute. It, likewise, feeds on the wealthy and the foolish. Everything and everyone it touches, it corrupts and defiles.

When we speak of crime, Mr. President, we often speak in terms of two categories, that is, street crime and organized crime. They are, of course, related. And they are most closely linked in the field of narcotics crimes.

Fed into society by the intricate organizational structure of La Cosa Nostra, hard narcotics, strip morality from human beings and set them preying on innocent victims in the streets and in the shops of our towns and cities.

If we can stamp out organized crime; if we can immobilize the professional criminal, we will take a giant step toward solving the drug abuse problem in this country. At the same time, we will also solve many other of our drug related problems.

Mr. President, this is what section 509 is all about. It is directed at the professional criminal and is designed to put him out of business.

Under the provisions of section 509, when the Attorney General is able to build a drug abuse felony case against a known professional, the court is not limited to the normal penalty provisions of the law.

After the defendant has been convicted of a narcotics felony, a separate presentencing procedure is held. If the court finds by a preponderance of the evidence that the defendant is a professional criminal, as defined, it can, in lieu of the normal penalty provided by law, sentence that defendant to a minimum of 5 years in prison or up to life and a fine of \$50,000 for a first offense. In addition, the defendant will forfeit to the United States all illegal profits no matter how disguised or how invested.

This section is, of course, subject to very precise standards and proceedings under it are subject to review.

Mr. President, I urge all Senators to join the distinguished Senator from Connecticut (Mr. DODD) and the Senator from Nebraska in enacting this very necessary legislation.

Mr. President, let the Senate serve notice on the professional criminal that his profession is no longer acceptable, no longer safe and no longer profitable.

Under the Constitution, we can do no more than we do under the bill, but for the benefit of those who are "hooked" or those who may be, I submit that we can do no less than to enact the bill.

S. 3248—INTRODUCTION OF A BILL QUIET TITLE AGAINST THE FEDERAL GOVERNMENT

Mr. CHURCH. Mr. President, on behalf of myself, my distinguished colleague from Idaho (Mr. JORDAN), the Senator from Hawaii (Mr. INOUE), the Senators from Wyoming (Mr. MCGEE and Mr. HANSEN), the Senator from Montana (Mr. METCALF), the Senator from Arizona (Mr. FANNIN), the Senator from Connecticut (Mr. DODD), the Senator

from Colorado (Mr. DOMINICK), the Senator from Alaska (Mr. GRAVEL), the Senator from Utah (Mr. MOSS), the Senator from Washington (Mr. MAGNUSON), the Senators from Nevada (Mr. BIBLE and Mr. CANNON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. MONDALE), the Senator from New York (Mr. GOODELL), the Senator from Indiana (Mr. BAYH), and the Senator from Oregon (Mr. HATFIELD), I introduce, for appropriate reference, a bill, the purpose of which is to enable a private citizen to have his day in court when involved in a land title dispute with the Federal Government.

My measure would amend title 28 of the United States Code to permit a citizen to bring a quiet title action against the Government in the U.S. District Court in the district in which the land in question is located. The bill also confers jurisdiction on the district courts to hear and decide such suits.

Mr. President, as a result of the common law doctrine of "Sovereign Immunity," the United States cannot now be sued in a land title action without giving its express consent. This doctrine is based on the ancient concept that "The King can do no wrong." Often, grave inequity results to private citizens who are thereby excluded, without benefit of any recourse to the courts, from lands they have reason to believe are rightfully theirs.

The concept of sovereign immunity, or the infallibility of the Crown, so to speak, became imbedded in the Common Law of England and so came into our American law. But this principle is not appropriate as a basic tenet for a democratic government, where the courts are established, not for the convenience of the sovereign, but to serve the people.

It is inconsistent with the philosophic basis of a democratic society for a citizen to be denied access to the courts solely because the question to be decided involves the Government.

Accordingly, we in the United States have been getting away from this outworn doctrine of sovereign immunity. A truly landmark instance was the enactment of the Federal Tort Claims Act in 1946. Prior to this far-reaching legislation, the Federal Government could not be made a defendant in a personal injury suit except by express waiver to sovereign immunity.

In each Congress, scores of private bills were introduced and a considerable amount of very valuable time of Senators and Representatives had to be spent in deciding whether an injured citizen should be permitted his day in court, solely because the Government was involved. Unquestionably there were many instances in which a private citizen did not or could not get a private bill introduced and put through the entire legislative process.

In addition to actions in tort by a Federal employee of officer in the course of his employment, we have waived sovereign immunity in a number of other instances. Examples are claims arising out of noncombat activities of the Armed Forces, certain admiralty claims, actions

arising out of contract, and tax controversies.

In none of these instances has the general waiver of sovereign immunity resulted in the imposition of any excessive or unfair burdens on the Government, either financial, administrative or judicial.

I am convinced that my bill likewise would not subject the Government to burdensome, expensive litigation, or result in unjust loss of Federal property. It is a jurisdictional measure. In no way would it alter the substantive rules of law prevailing in actions against the Government. For example, it would not permit title to Federal real property to be acquired by adverse possession. Nor would it permit a claimant to invoke laches or statutes of limitation against the Government.

Rather, all the bill does is enable a citizen involved in a title dispute with the Government to have his day in court—something he does not now get unless or until the Government elects to initiate suit.

A case illustrative of the situation was recently before the Subcommittee on Public Lands of the Interior Committee, on which I serve as Subcommittee Chairman. The case involved a tract of land within a National Forest in New Mexico. It is a small tract, less than eight acres of not very valuable land.

The claimants to this tract trace their asserted title back to a patent signed by President Taft in 1911. The 1911 patent, in turn, was based on a land grant of some 60,000 acres made in 1742 by the Spanish Governor of New Mexico. State and local taxes were paid on the tract, and it was conveyed several times. Yet in 1963 one of the claimants was advised by the Forest Service that a cabin he had constructed on the tract was on Forest Service land, and that the survey line in the patent was not the proper boundary because a Government surveyor 60 years ago had disregarded instructions as to the location of the line.

The case I have cited is but one example. Rarely is there a session of Congress in which we do not have before us a number of bills involving land title disputes between private citizens and the Federal Government.

Patently, a congressional committee is not the appropriate forum for resolution of a boundary or land title dispute. Even less so is the Senate or the House of Representatives such a tribunal.

The Federal Courts are appropriate places for settling such questions. The determination of land titles is one of the functions of a court, and citizens ought not to be denied access to the courts simply because one of the contending parties may be the Government.

The bill I now send to the desk would right this wrong, and I urge its favorable consideration.

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

The bill (S. 3248) to permit suits to be brought against the United States to adjudicate disputed land titles, introduced by Mr. CHURCH (for himself and

other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 16, 1969, he presented to the President of the United States the enrolled bill (S. 2864) to amend and extend laws relating to housing and urban development, and for other purposes.

COUNCIL OF SOCIAL ADVISERS—AMENDMENT

NO. 428

Mr. JAVITS (for himself and Mr. MONDALE) submitted an amendment intended to be proposed by them jointly to the bill (S. 5) to promote the public welfare, which was referred to the Committee on Labor and Public Welfare, by unanimous consent.

(The remarks of Mr. JAVITS, when he submitted the amendment appear earlier in the RECORD under the appropriate heading.)

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1970—AMENDMENT

AMENDMENT NO. 429

Mr. INOUE submitted an amendment, intended to be proposed by him, to the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to lie on the table and to be printed.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION BILL, 1970—AMENDMENT

AMENDMENT NO. 430

Mr. PROXMIRE (for himself, Mr. BYRD of Virginia, Mr. FULBRIGHT, Mr. GOODELL, Mr. NELSON, and Mr. YOUNG of Ohio) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 14794) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to lie on the table and to be printed.

GOVERNMENT, INDIVIDUAL, AND MASS MEDIA RELATIONSHIPS

Mr. HART. Mr. President, the sensitive relationships between government and the mass media and between the individual have become the subject of intense national concern.

As one who has spoken out on concentration of control of the mass media, who has been active on communications issues and who has chaired lengthy hearings on the newspaper industry, I feel a special obligation to discuss what I be-

lieve to be the proper boundaries for government in its dealings with the press.

There are two areas of concern in communications media problems.

The first and most important is the protection of all communications from government control—afforded by the first amendment. The American Government, in common with other governments, has the absolute power to silence its critics; it does not have the right. Absent the first amendment the power could be exercised by the brute force of the Army and the police. But just as the physical power of the Government is absolute so is the first amendment's protection.

The secondary area of concern is the protection of the individual from the misuse of power by the communications media. Government properly has provided this protection through libel law, antitrust laws, and laws governing radio and television licensing.

If Government inquiry into communications matters is confined to the protection of the individual it is proper. I attempted to confine the Antitrust Subcommittee's hearings to that relationship and I know that the distinguished chairman of the Communications Subcommittee similarly limits his hearings.

But Government is not permitted to use these same laws to protect itself against criticism. And when the Vice President of the United States speaks he cannot be considered just another individual whose rights need protection for he is part of a governmental structure which holds power over the press.

Government activity in communications matters is proper, in my view, when limited to protecting the rights of individuals by providing them with ways of redressing grievances and preventing harmful concentration. Government legal activity which arises because the Government dislikes specific editorial content is unconstitutional.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the New Yorker of December 6, 1969, which explores this problem in some detail.

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

NOTES AND COMMENT

Some events of the last few weeks indicate that the Nixon administration may have come to view the issue of the war in Vietnam as a problem more of ending dissent against the war than of ending the war itself. When, near the end of his November 3rd address to the nation on Vietnam—at the point where Presidents, in their speeches, often make an appeal to all the citizens of the country to support Administration policies—President Nixon said, "So tonight, to you, the great silent majority of my fellow-Americans, I ask for your support," we felt that although the Administration's policy toward the war seemed to be unchanged, a new tone had been set in its policy toward the American people. Never before in our democracy has silence had such a high reputation. This Administration's praise and encouragement of the "silent majority," together with its campaign to silence the "vocal minority," suggest a new vision of America—as the Silent Nation. But we found the Presidential appeal to one segment of the

population disturbing, in part because it seemed to add authority to an idea that had been expressed in much more intemperate and frightening language by the Vice-President shortly before. The Vice-President had referred to protest against the war as "sick and rancid" and to the protesters—millions of American citizens—as "vultures," "ideological eunuchs," and "parasites," and had said that "we can afford to separate them from our society with no more regret than we should feel over discarding rotten apples from a barrel." He had given no explanation of what he meant by "separate them from our society," and, with our imagination left free to wander, we could not help thinking of the prisons and concentration camps employed by other men in our century who have spoken of separating parasites from society. The President has himself remained silent since his Vietnam address, except to give public approval to speeches made by the Vice-President, but a number of Administration officials have made moves and stated opinions that, taken together, constitute a trend that poses the gravest threat in our memory to the rights guaranteed by the Constitution to all citizens.

One of the most telling signs of this danger was the position that the Justice Department took toward the New Mobilization march in Washington on November 15th. Before the march, Justice Department officials attempted to discourage citizens from attending it by spreading alarms of violence; troops were called into the city on the basis of Justice Department "intelligence reports" stating that the march was organized by Communists. After the march, a number of Administration officials made baseless and inflammatory allegations about the people who had marched. Transportation Secretary John Volpe declared that most of the organizers of the march were "Communist or Communist-inspired," and Postmaster General Winton M. Blount said that dissent in America was "killing American boys." And—most significant of all—Attorney General Mitchell claimed that the march had been characterized by violence and that the Mobilization leaders had wanted violence to occur. Anyone who saw the march or has read reports of it knows that there were only two infinitesimal incidences of violence in a vast peaceful event and that the Attorney General's statements are not just distortions of the truth but are simply false. Nonetheless, Deputy Attorney General Richard G. Kleindienst announced shortly after he made them that the Justice Department had embarked on investigations that could lead to indictments against a number of the Mobilization leaders. If the organizers of this peaceful march, who whatever their political beliefs may be, are nearly all fervent advocates of non-violence, and who attempted, through the deployment of their marshals, to prevent violence wherever it threatened, can be brought to trial on the basis of Mitchell's charges, then the right of free assembly in this country is seriously imperiled. And while the Justice Department was threatening the leaders of the march with indictments, Vice President Agnew gave two speeches, one attacking television and the other attacking the nation's newspapers, which, in combination with several moves made by other Administration officials, posed a parallel threat to the freedom of the press.

Of course, there is no reason a Vice-President, or even a President, should not defend his Administration and his policies against criticism by the press. Government officials are as free as any newspaper or any television commentator to enter into press debates on government policies. It is when the government sets out not only to disagree with the press but to threaten or coerce it that the danger line is crossed. Several officials of the present Administration have crossed that line. Federal Communications

Commission Chairman Dean Burch crossed the line when—in a gesture that, in its timing and in its context, was intimidating—he called up several television stations after Nixon's Vietnam speech and asked for transcripts of their editorial comments on it. The Vice-President crossed the line when he pointedly asserted, in his attack on television news coverage, that commentators enjoy a "monopoly sanctioned and licensed by government." (It is precisely because television stations are federally licensed that officials of the federal government, when they choose to engage in political debate with television commentators, have a special duty to debate the issues, and not to brandish the government's power to revoke licenses.) Communications Director Herbert G. Klein crossed the line in a particularly threatening way when he said, "If you [people in the television industry] look at the problems you have today and you fail to continue to examine them, you do invite the government to come in. I would not like to see that happen." The Vice-President crossed it again when he took it upon himself, in his speech attacking television, to inaugurate a public write-in campaign against the networks. Indeed, the burden of Agnew's two speeches was not the defense of Administration policies against criticism—in fact, he hardly mentioned any questions of Administration policy in either of his speeches about the news media—but the setting in motion of forces that would bring about concrete changes in the news media, in the form of greater support for the President's policies. Although the Vice-President certainly sees himself as a defender of our system of government and no doubt believes that the actions of the Administration he belongs to pose no threat to it, the content of his two speeches—and also his decision, as Vice-President, to give them—rests on several fundamental misunderstandings of democracy and of the Constitution, and these same misunderstandings may underlie the Administration's entire ill-advised campaign.

The Bill of Rights was added to the Constitution in order to protect the people against the government, because of the government's great power. After Thomas Jefferson had seen a draft of the Constitution which did not contain a bill of rights, he wrote in a letter to a friend, "What I disapproved from the first moment also, was the want of a bill of rights, to guard liberty against the legislative as well as the executive branches of the government." In a letter to James Madison, again urging the inclusion of a bill of rights, he wrote, "The tyranny of the legislatures is the most formidable dread at present, and will be for many years," and then he added, "That of the executive will come in its turn; but it will be at a remote period." The freedom of the press was not intended for the benefit of the press. Like the rest of the Bill of Rights, it was intended as a protection for the people against the enormous power of the government. As for protecting the people against the press, we have libel laws to do that. In Vice-President Agnew's speeches, the relationships between the people, the press, and the government are muddled and reversed. He does seem to have had some idea that his thinking represented a departure from the Constitution, for, in one of the more ominous passages in his first speech, he said of the influence exercised by the networks, "We cannot measure this power and influence by the traditional democratic standards." What, then, are the new standards? At several points, he spoke as though the right of free speech had been established to protect the government against censorship by the press or by the people. In his speech attacking the press, he said, "My political and journalistic adversaries seem to be asking . . . that I circum-

scribe my rhetorical freedom while they place no restriction on theirs," and at the beginning of that speech he had referred to his speech attacking the networks as an exercise of "my right to dissent." But his "right to dissent" (if one can even speak of the government as having a "right to dissent," since in our democracy the term "dissent" refers to the citizens' right to criticize their government) is not a right at all but simply a fact, since there is no power great enough to threaten its exercise. In both his speeches, the Vice-President consistently portrayed the press and the government as foes that were equally powerful, except that one of them—the government—had been unfairly shackled until the moment when he decided to speak out. In an article in the *Times* he was quoted as carrying this idea to an absurd extreme by saying, "The Vice President has a right to dissent, too. If anybody is intimidated, it should be me. I don't have the resources the networks have." But, as the framers of the Constitution well knew, the press and the government are not two adversaries with equal powers and equal rights. There is no comparison between the power of the government and the power of the press. Whereas the government has virtually unchallengeable power in the form of, among other things, the Army, the Air Force, the Navy, the Marines, and the various police forces, the press has only its rights and can survive only as long as the government continues to honor them.

The Vice-President's concept of censorship is like his concept of rights. In a democracy, the word "censorship" refers specifically to official government interference with the press. When the Vice-President told us in his speech attacking television that he opposed censorship, he said that he was "not asking for government censorship" but was "asking whether a form of censorship already exists when the news that forty million Americans receive each night is determined by a handful of men responsible only to their corporate employers." But, like his idea of his rights and the Constitution's idea of the people's rights, the two kinds of "censorship" are not comparable; one, by definition, is censorship and the other is not. The presentation of a consistently biased interpretation of the news by the networks, if that were possible, would result in an extremely regrettable state of public misinformation, but government censorship would interfere with the public's right to know and would mean the loss of liberty. Because of the inescapability of federal licensing, what must be devised is a set of guarantees that protects the public against any political misuse of the air and also—what is far more important—protects the stations and networks, and thus, again, the public, against such political intervention as Vice-President Agnew's. The Vice-President's statements seemed to show contempt for any kind of criticism of any government by its citizens. In an article in *Life*, he said, "Consider the idea of protest purely, removing it from any issue. . . . It does not offer constructive alternatives and it is not conducive to creating the thoughtful atmosphere where positive answers may be formulated." In his speech about television, he said that "when Winston Churchill rallied public opinion to stay the course against Hitler's Germany, he didn't have to contend with a gaggle of commentators raising doubts about whether he was reading the public right." This, of course, is not true. Churchill had many vocal opponents, both in the press and among politicians. A more nearly correct statement is that Hitler didn't have to contend with any commentators when he was rallying his people against Churchill's England.

As for the Vice-President's idea of the role of the press in a democracy, it is as strange as his concepts of rights and of censorship. In his speech on newspapers, he said

that "the time for naive belief in their neutrality is gone." But are publications obliged to be neutral? There is nothing in the Constitution that says the press has to be neutral. Nor, for that matter, is there anything that says it has to be objective, or fair, or even accurate or truthful, desirable though these qualities are. For who is to be the judge? The press is simply free, and its freedom, like any other freedom, has to be absolute in order to be freedom. It is free to print any information it wants to print and to write from any point of view whatever. The framers of the Constitution wisely left it up to the individual citizen, not the government, to decide which publications to read and which to believe, and to find his own way, in an atmosphere of freedom, to the truth. In a democracy, the people are free only as long as the press is free, and, in the long run, the majority is only as free as the most unpopular minority. Once this or any other Administration gets the machinery in place that can control the press or deny the rights of a dissenting minority, then the rights of all the people, even of those who support the government, are lost. Although this Administration may have intended only to produce greater support for the President's policies, in the belief that this would help him withdraw in an orderly way from Vietnam, the campaign of intimidation it has launched against the protesters and against the press has set this nation on a dangerous course that will be hard to reverse—a course that could lead us to a day when we put an end not to the war in Vietnam but to democracy in America.

SECRETARY OF THE TREASURY: A PROFILE

Mr. PEARSON. Mr. President, in the course of its first year in office, the administration has initiated comprehensive and far-reaching policies which are designed to resolve the basic economic and social issues confronting this Nation. These policies and programs are, of course, subject to careful and detailed examination and evaluation by all concerned Americans. However, it has always been my feeling that any such evaluation is necessarily incomplete unless it is supplemented by an understanding of those responsible for the program or policy itself.

The administration's inflation control and tax reform programs are vital to both the social and economic health and stability of this country. The man most closely identified with these programs is Secretary of the Treasury David M. Kennedy. For this reason, I believe that the personal profile of Secretary Kennedy which recently appeared in the Washington Daily News is of great interest and importance to all of us. Therefore, I ask unanimous consent that the Washington Daily News article of November 28, 1969, be printed in the RECORD.

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

TREASURY SECRETARY SPEAKS HARD TIMES

(EDITOR'S NOTE.—Since President Nixon took office last January, the 12 members of his official family, the cabinet, have by now had occasion to test their mettle with Congress and in the fires of national debate. This is another in a series of profile-assessments of how each of these men has fared in his job.)

(By Robert Dietsch)

"Telling the truth is oftentimes inappropriate for a man in power."

So read an editorial in a business magazine recently in commenting on the public utterances of David Matthew Kennedy, President Nixon's secretary of the treasury.

In that post Mr. Kennedy, 64, a former Chicago banker, exercises considerable power over the nation's economic, money and budget policies and the nation's financial relationships with other countries.

And while purists would argue that it behooves all men forever to speak the truth, the facts of public life are, as the editorial suggested, that few men in power always feel free to do so.

David Kennedy seems to be an exception. His Mormon faith and morality, pride, stubbornness and (so some associates say) cunning, impel him toward speaking even the hardest of truths. This trait has caused him to be known as the cabinet officer who "puts his foot in his mouth."

He seems unperturbed by the charge.

"If I ever have been an embarrassment to the President," Mr. Kennedy said in an interview, "he has never indicated it to me."

TRUSTED BY NIXON

Men who sit in on cabinet meetings report that Mr. Nixon is likely to end a discussion by asking Mr. Kennedy for his opinion and a summary of views and that, on economic matters, Mr. Kennedy ranks with White House Adviser Arthur F. Burns as the President's most trusted aide.

"If the tax reform bill passes, as I think it will; if we are able to cool inflation, as I think we will; if the dollar stays sound and trusted, as I think it will," Mr. Kennedy said, "then I think I will have done an effective job for the President, for the country."

Mr. Kennedy's statements on all those issues have subjected him to "foot-in-mouth" criticism.

Even before taking office, for example, Mr. Kennedy refused to rule out the possibility that the incoming Administration might increase the price of gold. His remarks shook international financial circles, but Mr. Kennedy stuck to his guns—the theory that no option should be shut in the field of international monetary affairs.

Insiders now say Mr. Kennedy's determination to put on the public record what previous administrations always had said privately was cleared beforehand with Mr. Nixon and, in the long run, made for more frank and fruitful discussions with foreign bankers.

On two occasions, Mr. Kennedy refused to rule out the possible use of "controls" to fight inflation. He insists he never used to phrase "wage and price controls," but his remarks were understandably interpreted as encompassing such controls. The White House denied it had any plans to ask for controls, and Mr. Kennedy himself is known to be totally opposed to any such ideas. Nonetheless, his philosophy of not ruling out any option prevailed—and, of course, if inflation had increased, any Administration would inevitably have considered asking for controls.

Early in October, during congressional testimony Mr. Kennedy ignored a staff memo and said the rise in the nation's unemployment rate to four per cent was "acceptable under present conditions." The idea of a cabinet officer endorsing any rate of unemployment left Washington gasping, and the next day Mr. Kennedy himself issued a special statement making "crystal clear" the Administration's belief that "any unemployment, however small, is an unhappy condition."

The hard fact of this situation is that if inflation is to be cooled, as even the Democrats say it must, then the nation's jobless rate will go up. Again, Mr. Kennedy's honesty, stubbornness, political ineptness, naivete—call it what you will—prevailed.

"Maybe there's an element of stubbornness in me," Mr. Kennedy said during the in-

terview. "I just felt that someone ought to indicate there's pain connected with any fight against inflation." Mr. Kennedy remarked that on this score also "President Nixon has backed me 100 per cent."

Mr. Kennedy also revealed that when he determines to speak with any "excess of candor" he calls Presidential Press Secretary Ronald L. Ziegler ahead of time and warns, "Ron, I'm going to get you in trouble again."

Thus, the White House has advance warning of anything Mr. Kennedy plans to say that might cause more ripples in the capital and around the nation.

MIDDLE ROAD

In economic philosophy, Mr. Kennedy might be called a middle-of-the-roader. He is adamant that inflation must be curbed, that Federal spending must be checked until the economy cools. But like economists of most stripes today, Mr. Kennedy concedes the Federal budget at times must be fashioned to help pep up the economy as well as slow it down, and therefore budget deficits in some years might be in order. But he eschews day-to-day tinkering with Federal policies and prefers a minimum of Federal intervention in corporate affairs.

With Budget Director Robert P. Mayo, who worked with Mr. Kennedy in the Chicago-based Continental Illinois National Bank & Trust Co., Mr. Kennedy is pushing hard for further cuts in defense spending. Mr. Kennedy, a short, white-haired grandfatherly looking man came to Washington after a highly successful career as chairman of Continental ILLINOIS. Previously, he had worked for the Federal Reserve Board, served in the Treasury Department during the Eisenhower Administration and headed a Johnson Administration commission that produced a major change in the way the Federal budget is put together.

Most judgments say Mr. Kennedy, like other successful businessmen-turned-government-officials, has had trouble adjusting to political life.

Mr. Kennedy was taken aback by the rough-and-tumble treatment accorded Administration officials during their testimony before congressional committees. For openers, a host of questions were raised over Mr. Kennedy's financial holdings and the way he put them into trust. Chairman Wright Patman, D-Tex., of the House Banking Committee was particularly rough on Mr. Kennedy and even suggested impeachment.

Rep. Patman's criticism was enough to make even the normally unflappable Mr. Kennedy mad. That anyone would question his integrity was new to Mr. Kennedy, whose Mormon background (he neither smokes nor drinks) has endowed him with a stern sense of duty and a distinct aversion to hurting anyone.

Also, congressional committees expect a cabinet officer to be acquainted with not only broad principles of proposed legislation and policy but also with details. Mr. Kennedy, again in typical businessman fashion, thinks a cabinet officer should be concerned with policy, not detail, and this approach also has raised eyebrows on Capitol Hill.

ENJOYS CONGRESS

But Mr. Kennedy insists: "I enjoy dealing with Congress. Sure, it's frustrating. We go up with a bill and they attach all kinds of riders, amendments to it. I wonder about that. But working on the tax bill and other bills has given me quite a lot of respect for these men on Capitol Hill.

"I've learned they come to the right decisions in the end. Sometimes reluctantly, but they do.

"I'm a better witness today than I was in January. I know more about what Congress wants, I understand a lot more of its problems."

"I've seen more than a 100 leading overseas financial leaders," Mr. Kennedy said, "and I

get along with all of them. More importantly, they believe me when I explain our policies, our determination to lick inflation and to keep the dollar sound."

Chances are that Mr. Kennedy never will become a politically oriented cabinet officer, will remain somewhat aloof and probably will continue to speak his mind. And if his determination to tell hard truths ever should cost him his cabinet job chances are Mr. Kennedy will shrug and move on to something else.

NEW WATER PURIFICATION PROCESS DEVELOPED AT NEW YORK UNIVERSITY

Mr. JAVITS. Mr. President, this session of Congress has produced comprehensive and impressive measures to significantly advance efforts to control the pollution of our resources and environment. With the passage of H.R. 4148—the Water Quality Improvement Act of 1969—the approval of an \$800 million appropriation for construction grants for waste treatment works, and the approval of more than \$86 million for pollution control operations and research, Congress has affirmatively assumed responsibility for progress in pollution control.

The executive branch now will be called upon to maximize the effectiveness of these funds, making every effort to finance only the most modern, efficient equipment.

I invite attention to a new water purification process developed by two New York University civil engineers, Dr. Matthew M. Zuckerman and Dr. Alan H. Moloff. This Zuckerman-Moloff-Z-M process employs a chemical rather than biological approach to the treatment of water, effectively hydrolyzing and removing all waste molecules from water. These researchers have shown that such a process can be significantly less expensive than the ordinary tertiary treatment processes, and the resulting water is as pure as New York City drinking water, if not purer.

An article written by Kristen Anundsen and published in the New York University Alumni News, October 1969, describes this process in some detail. Another article, published in the New York Times of Tuesday, December 9, explains how the process is presently being applied in New Rochelle, N.Y., as a pilot project.

I ask unanimous consent that the articles be printed in the RECORD.

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

[From the New York University Alumni News, October 1969]

ENGINEERS AT UNIVERSITY DEVELOP WEAPON TO "REVOLUTIONIZE" WAR ON WATER POLLUTION (By Kristen Anundsen)

As our affluent society persists in fouling its own nest with pollutants, the double problem of how to obtain clean water and how to dispose of sewage has reached crisis proportions.

Beaches, fishing areas and even drinking water are threatened. Assistant Secretary of the Interior Carl L. Klein recently declared that urban residents are in danger of either choking to death on pollutants or facing a water shortage. He then announced that the

Federal Government is aiming for universal use of tertiary, or three-stage, treatment of waste water for re-use, even though facilities for such treatment would involve a prospective cost of an entire year's national budget, or more.

That statement was made last May. Two months later, two New York University civil engineers announced the development of a totally new water purification process that would not only cost considerably less than the tertiary treatment, but would be more effective as well.

The developers are Dr. Matthew M. Zuckerman, '65E, who earned his Ph.D. on the project (his third NYU engineering degree), and Dr. Alan H. Moloff, associate professor of civil engineering at the School of Engineering and Science. Compared to the Zuckerman-Moloff (Z-M) process, other wastewater treatment methods seem either ineffectual or unwieldy.

Primary sewage treatment consists of sedimentation, or settling-out of the coarser and solid materials, while sometimes disinfecting with chlorine. In the next step, secondary treatment, the waste water is aerated to stimulate the growth of benign microorganisms that break down pollutant materials into innocuous chemical compounds. Secondary treatment produces water that is all right for swimming, fishing and commercial use, but not good enough for drinking. New York City uses a form of secondary treatment, but gets its drinking water from upstate reservoirs.

NOT ADEQUATE

Even for waterways, secondary treatment is less than adequate, because it leaves behind phosphates, which stimulate the growth of algae. Also, it removes only about two-thirds of the soluble organic material from the water; to remove the other third, tertiary treatment is necessary. This process usually consists of filtration and/or the use of activated carbon, which collects the organic molecules in its pores (a process called adsorption).

The Z-M process, which Dr. Moloff describes as "a real breakthrough that could revolutionize water treatment," employs a chemical rather than a biological approach. The key to its efficiency lies in the discovery by Drs. Zuckerman and Moloff that soluble organic materials in waste water fall into two specific classifications by molecular weight. Slightly more than half have a molecular weight of 1200 or above and the remainder a molecular weight of 400 or less.

This fact is of vital significance to the purification of water. Conventional tertiary treatment removes the smaller molecules but leaves most of the larger ones. The Z-M process removes the large ones also. "It simply hydrolyzes, or chemically breaks down, the big molecules into the smaller ones so that all of them can be efficiently removed," Dr. Moloff says.

Removal is accomplished—as it is in tertiary treatment—by means of a column of activated carbon which absorbs the organic molecules. But the entire biological process has been bypassed, which means that the Z-M method takes only two simple steps: hydrolysis, achieved by adding an alkaline such as lime (the addition of the lime also removes the phosphates by precipitation), and adsorption. The resulting water is as pure as, or purer than, New York City drinking water, but the process could be scaled down to produce lower-grade water for recreational or commercial purposes.

Because the Z-M process is simpler and one step shorter than tertiary treatment, it requires smaller areas of land, lower construction costs and lower operating costs. Dr. Moloff estimates that a 10-million-gallon Z-M waste-water treatment plant would cost 40 per cent less to construct and 50 per cent less

to operate than a conventional tertiary treatment plant of the same size. "And the process could probably be made even cheaper if the full potential of industrial technology were applied to it."

Other advantages of the Z-M process are that it is substantially faster than tertiary treatment and that it involves controllable physical and chemical processes, thereby lending itself to automation.

In their laboratory in the Carpenter sanitary engineering building on the Heights campus, Drs. Moloff and Zuckerman repeatedly tested their process and found that it effectively purified raw sewage samples from both New York City and a suburban Connecticut town. Now they have the opportunity to find out how it works under continuous use on a larger scale. The New York State Department of Health has awarded \$69,962 to the newly formed EcoloTech Research, Inc., to design, build and operate a prototype . . . since the process was announced at an American Society of Civil Engineering symposium in July, inquiries have come from as far away as Stockholm. Drs. Zuckerman and Moloff have every confidence that the tests will prove the success of their method.

"This process could change the world," says Dr. Moloff excitedly, envisioning the day when people all over the globe will be swimming in unpolluted lakes, fishing in unpolluted streams, and drinking untainted water, without having to compete with each other for control of pure water supplies. For the Z-M system—which is so simple and inexpensive that widespread adoption is feasible—would enable communities to use their water again and again, getting rid of their sewage at the same time.

[From the New York Times, Dec. 9, 1969]

RECLAIMED WATER UNDERGOES TEST—SEWAGE-TREATMENT PROCESS IS TRIED IN NEW ROCHELLE

A new sewage-treatment process that converts waste to fresh water, in operation on an experimental basis in New Rochelle, is being watched by governmental authorities concerned with the continuing deterioration of the nation's lakes and rivers.

For the last three months, two New York University engineers have been diverting a part of New Rochelle's sewage through a pilot treatment plant. They hope the process will offer a solution to the problem of waste disposal, but there is also some concern about whether the process will work in a full-scale operation.

The engineers are Dr. Alan H. Moloff and Dr. Matthew M. Zuckerman. Dr. Moloff says their Z-M process has purified the sewage to "equivalent or better quality than the average drinking water in most cities."

He says "it can make possible and practical the combined treating of waste water and production of drinking water in a single plant."

Basically, the most efficient sewage-treatment plants now use a system where waste water is held in tanks and bacteria work to break down the organic matter. That process required large, expensive plants, and their output—while less offensive than sewage—is not fit for consumption.

LARGE MOLECULES UNAFFECTED

The N.Y.U. researchers found that sewage was made up of large and small molecules and that the large ones were not affected by the bacteria in biological-treatment plants.

"The bugs don't know how to eat about one-third of the organic material," Dr. Moloff said. "So, in fact, in these treatment plants we get almost one-third of the organic material leaving that came in."

These large molecules also passed through advanced activated carbon filters, much like those now used on cigarettes.

The engineers found, however, that lime, or a similar alkaline material, would break the large molecules into small ones, which would then be trapped by charcoal.

The two steps are the basis of their process, which they say is much cheaper because it avoids the cumbersome biological step.

SAVINGS ARE CITED

On the Federal level, Carl L. Klein, the Assistant Secretary of the Department of the Interior concerned with water pollution problems, noted that the New Rochelle experiment had projected a saving of 40 per cent in capital cost and 50 per cent in operating cost compared with plants using existing technology.

"If we can save funds and do a better job," Mr. Klein said, "it will be a real breakthrough for the American people and for the safety of our water."

New York State has provided \$70,000 to run the pilot plant, which is housed in an 8-by-40-foot trailer next to New Rochelle's regular treatment plant.

The trailer pilot plant can treat 10,000 gallons of sewage a day, only a relative trickle of the 15 million gallons a day that go through the regular New Rochelle plant.

It is an even smaller trickle compared with the 1.3 billion gallons generated daily in New York City. The smallness of the operation had led to some skepticism on the part of those on the municipal level who have to deal directly with the sewage problem.

But for the record, hard-pressed pollution-control officials find it hard to dismiss a new idea completely.

Maurice M. Feldman, Commissioner of New York City's Department of Water Resources, says guardedly: "Yes, it's a new process and we're watching its development very closely."

But Mr. Feldman, who is responsible for the city's current billion-dollar program of building biological sewage treatment plants, says the Z-M process still needs testing on a larger scale.

Meanwhile, he says, the city will continue with its existing plans. "You can't wait forever for new ideas to be developed before you start building your plants," he says. "You have to design on existing technology."

New York State is now seeking Federal funds for a full-scale test of the Z-M process at a 1-7 million-gallon-a-day treatment plant planned for Waterford, N.Y.

GRAZING FEES—PART III

Mr. METCALF. Mr. President, on two recent occasions I have discussed the grazing fees on public lands. My remarks appear at pages 38238-38240 and 38415-38420 of the CONGRESSIONAL RECORD.

On November 26, I asked Secretary of the Interior Hickel for the reports and analyses he had before him when, on November 25, 1969, he decided to publish a notice in the Federal Register seeking public comment on his proposal not to increase these fees.

Twenty days have passed, and I have yet to receive a single piece of the material upon which Secretary Hickel based his decision. I have checked with conservation leaders and they tell me they have yet to receive information from the Secretary.

As I have pointed out previously, the Secretary of the Interior did not immediately publish his notice in the Federal Register. He delayed publication until December 4, 9 days later. He also shortened the period for public comment, originally announced as 45 days, to 30

days. Already 40 percent of the legal time for comment has elapsed, and the public is still without knowledge of the basis for the Secretary's proposal. The Secretary gave the public 30 days in which to comment. Since he cannot even provide the evidence within 20 days, I think the people of America are entitled to an extension of time for public comment on this public business.

In contrast, the Department of Agriculture has released a study it made which clearly supports grazing fee increases.

I would hope that by this time the Secretary of the Interior realizes that he has flouted a resolution adopted unanimously by the Senate Committee on Interior and Insular Affairs on August 7, 1969. I hope he also realizes that he had told all who use the public lands—among them, ranchers, miners, lumbermen, fishermen, hunters, and vacationers—that he does not intend to share with them the facts upon which he bases a decision.

All of us have a right to expect that when a public official asks for comments on a proposal having to do with the public business he means to give consideration to the forthcoming views. All of us have a right to the facts upon which a proposal was based, so our comments may be based upon information.

The public's business ought to be conducted in public. Secretary Hickel is well on the way toward creating a serious lack of confidence in him.

THE CONQUEST OF SPACE

Mr. MATHIAS. Mr. President, the Evening Star of December 12, 1969, reported that the General Services Administration has produced a film from motion picture records in its National Archives tracing the 66 years of effort which took man from the earth to the surface of the moon.

Anatomy of a Triumph focuses on the role played by the U.S. Government in aeronautics and space exploration. I want to compliment General Services Administrator Robert L. Kunzig for producing this informative document on our great space effort.

Using the Nation's historic records from the first airplane flight by the Wright brothers at Kitty Hawk, N.C., to film footage of the first walk on the moon by astronauts Neil Armstrong and Mike Aldrin, the film is an important documentation of the American will to achieve.

Administrator Kunzig has produced a film that will be of lasting value and great interest to every American. It is, moreover, an example of the untapped potential of General Services Administration. Mr. Kunzig obviously does not intend to let his agency act as only an office supply warehouse, but clearly wants to offer to the American people the full availability of the vast stock of national treasures, mementoes, facilities and services now held by him in trust for the Nation.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

AIR, SPACE CONQUEST IS DEPICTED IN EXHIBIT

The National Archives blasted off for the moon last night—all in a documented manner, of course.

The occasion was the black-tie opening of a new exhibit and film tracing the development of U.S. space efforts from Kitty Hawk, N.C., to the Sea of Tranquility, Moon.

The exhibit is built around three historical documents, the National Advisory Committee on Aeronautics Act of 1915, the National Aeronautics and Space Act of 1958 and John Kennedy's "moon" speech of 1961.

The two hundred guests saw, however, that it's not all words. Entry to the show is gained through curved hallways lined with photos of the earth's gradual reduction in size as if seen from a space craft.

The Sputnik model given President Eisenhower by Soviet Premier Khrushchev also is included as is Frank Borman's space suit, borrowed from the Smithsonian.

There were lots of "outer space" music warbling through the hall and a preview of a General Services Administration film, "Anatomy of Triumph," tracing the same period.

The exhibit really begins in the Pennsylvania Avenue side with reproductions of patent drawings of "flying machines."

The caption under a particularly far-fetched design of strapped-on wings flapped by oar handles and guided by lines to the feet contains what might be the governmental understatement of the month:

"Technical skill was sadly lacking and the feasibility of many of the inventions was in doubt."

KNOXVILLE JOURNAL ADVOCATES VOTING AGE OF 18

Mr. BAKER. Mr. President, one of the leading newspapers in Tennessee, the Knoxville Journal, has editorially advocated that the voting age be lowered to 18. The editorial makes several points which I believe are of general interest. I ask unanimous consent that it be printed in the RECORD.

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

LET THEM SHOW FITNESS; LOWER VOTING AGE TO 18

Perhaps the most difficult phase of today's American social scene to analyze and assess fairly is the so-called unrest on the campuses of the nation's colleges and universities. So many factors are involved, including the influences of leftist faculty members on students, that the overall picture is grotesquely confused.

We are told that the militants and nihilists are really but a small minority of students, and this is not hard to believe. We are told also that students in the great majority are resolutely concerned about getting a sound education as the foundation for successful lives. This is not so easy to accept without question in view of the seeming obsession of so many with such antisocial elements as drug use, morbid speakers, amorality and rejection of authority. When thousands flock to vast rock music festivals that verge on depravity, one may wonder where the earnest students are.

There are students and their outside associates who want only to destroy. There are student forces which seek to rule or at least have a strong voice in ruling within the academic walls. Many apparently feel they are as competent as their elders to run things, despite the differences in experience.

Also, regrettably, there are those who vehemently protest the war while clinging to their student status in order to resist military service.

For the older generations to tell young people that the only democratic way to determine political matters is at the ballot box is to offer many of them another frustration, since they are not old enough to vote under present laws in most states.

Young people may qualify to vote in Georgia and Kentucky when they pass 18 years of age. In Alaska the minimum is 19 and in Hawaii it is 20. All the other states require a youth to attain 21 before extending to him the right of franchise.

Young persons of college age today are said to be more mature than were their parents at the same years. No doubt they think this to be the case, and it may be so. We would incline to give them the benefit of the doubt in spite of some ugly behavior.

All things considered—as best they can be considered in viewing academes chaotic milieu—The Knoxville Journal advocates amending the constitutions of Tennessee and other states to afford the right to vote to persons 18 years of age and older. Perhaps some of the vociferous ones would be less vocal if they could express themselves silently at the polling place.

Let our young people have the opportunity to demonstrate their fitness as voting citizens.

PRESIDENT NIXON PROCLAIMS DECEMBER 10-17 HUMAN RIGHTS WEEK

Mr. PROXMIER. Mr. President, President Nixon has called upon the people of the United States to observe December 10-17 as Human Rights Week "to the end that we may rededicate ourselves as a united people to the task of assuring to every person—regardless of his race, sex, creed, color, or place of national origin—the full enjoyment of his basic human rights."

I applaud the President for his stand in this matter. We as a nation should continually rededicate ourselves to the task of assuring human rights for all peoples. Proclaiming one week out of the year Human Rights Week is certainly one means of bringing the importance of this rededication to the attention of the American people.

I ask unanimous consent that the proclamation by the President of the United States declaring December 10-17 to be Human Rights Week be printed in the RECORD.

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

BILL OF RIGHTS DAY—HUMAN RIGHTS DAY
(A proclamation by the President of the United States of America, Dec. 10, 1969)

One hundred seventy-eight years ago, the Bill of Rights was ratified and incorporated as part of the United States Constitution. The founders of our Republic had fought for individual liberty and for representative and responsible government. In the first ten amendments to the Constitution they sought to ensure that the power of the government would not abridge the rights of citizens.

More than twenty years ago, the United Nations General Assembly adopted the Universal Declaration of Human Rights. The founders of the United Nations had endured a world war brought on by those who denied the rights of men to equality and justice and

who abrogated the rights of nations to exist in peace.

The two documents—the Bill of Rights and the Universal Declaration of Human Rights—are close in spirit although widely separated in time. The Bill of Rights is the law of the land. The Universal Declaration is a statement of principles, of common standards of achievement for all peoples and all nations. We in the United States are engaged in unremitting efforts to give real meaning to these standards for every American, to assure to every person the full enjoyment of his basic rights.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby proclaim December 10, 1969, as Human Rights Day and December 15, 1969, as Bill of Rights Day, and call upon the people of the United States of America to observe the week of December 10-17, 1969, as Human Rights Week, to the end that we may rededicate ourselves as a united people to the task of assuring to every person—regardless of his race, sex, creed, color, or place of national origin—the full enjoyment of his basic human rights. Let us act so as to provide an example that will point the way in the struggle to promote respect for human rights throughout the world.

In witness whereof, I have hereunto set my hand this ninth day of December, in the year of our Lord nineteen hundred sixty-nine, and of the Independence of the United States of America the one hundred ninety-fourth.

RICHARD NIXON.

PRESIDENT NIXON'S REPORT OF DECEMBER 15

Mr. DOLE. Mr. President, I have before me the text of the President's report of last night on the status of the war in Vietnam.

I shall ask unanimous consent that the complete text be printed in the RECORD, but before doing so I wish to discuss briefly what the President said, because he continues to be the voice of reason in America.

Mr. President, it is hard to understand how Americans can disagree with the President.

No man has made it plainer that he wants peace.

But no matter how badly a man of honor wants something, he does not seek it at the expense of those he has sworn to help.

And that is true for a nation, too.

That is why no man, no matter how dovish, can expect his President to do that which would dishonor his country.

Certainly President Nixon, has made it clear no dishonor can be expected of him.

Let me repeat his words:

The enemy still insists on a unilateral, precipitate withdrawal of American forces and on a political settlement which would mean the imposition of a Communist government on the people of South Vietnam, against their will, and defeat and humiliation for the United States. This we cannot and will not accept.

The President said:

Anything is negotiable except the right of the people of South Vietnam to determine their own fate.

Surely, no man could be more reasonable.

And yet, despite the President's com-

plete willingness to negotiate, what have been the results?

First of all there has been no progress of any sort on the negotiating front.

Second, the North Vietnamese absolutely refuse to talk about the fate of the American prisoners they hold and refuse even to supply names to ease the anguish and uncertainty of loved ones in the United States.

Third, according to the President, infiltration into the South today is increasing significantly.

Mr. President, while the President announced his decision to bring 50,000 more American troops home, he also wisely and clearly repeated to the North Vietnamese that our troop withdrawals are not a slow surrender.

The North Vietnamese should consider carefully what the President said regarding increased activity on their part:

Hanoi could make no greater mistake than to assume that an increase in violence will be to its advantage. If I conclude that increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation.

Mr. President, the North Vietnamese should have learned by now that most Americans support the President in his search for a just and honorable peace.

That being the case, it should be clear to them that they cannot win this war from within the United States any more than they can win it in Vietnam.

It is indeed time for them to come to the bargaining table with good faith and willingness to reach a solution. I urge now, that the doves in America unite and call on the North Vietnamese to do just that. It is time that the doves, as well as those in this country who see North Vietnam as the innocent victim of American aggression, help bring this war to an end by telling North Vietnam the truth: as long as Richard Nixon is President, they cannot win. They can have honorable peace, but they cannot have conquest.

As long as Richard Nixon is President, South Vietnam will remain free to choose its own government.

Mr. President, I ask unanimous consent that the text of the President's talk be printed in the RECORD.

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

"A . . . PEACE . . . WHICH IS FAIR"

(The prepared text of President Nixon's radio-television address)

I have asked for this television time tonight to give you a progress report on our plan to bring a just peace in Vietnam, which I described in my television address on November 3.

As you will recall, I said then that we were proceeding in our pursuit for peace on two fronts—a peace settlement through negotiation, or if that fails, ending the war through Vietnamization, a plan we have developed with the South Vietnamese for the complete withdrawal first of all U.S. combat ground forces and eventually of other forces and their replacement by South Vietnamese forces on an orderly scheduled timetable.

I report with regret tonight that there

has been no progress whatever on the negotiating front since November 3. The enemy still insists on a unilateral, precipitate withdrawal of American forces and on a political settlement which would mean the imposition of a Communist government on the people of South Vietnam against their will, and defeat and humiliation for the United States.

This we cannot and will not accept.

Typical of their attitude is their absolute refusal to talk about the fate of the American prisoners they hold and their refusal even to supply their names so as to ease the anguish of their loved ones in the United States. This cruel, indefensible action is a shocking demonstration of the inflexible attitude they have taken on all issues at the negotiating table in Paris.

Despite their attitude, however, we shall continue to participate in the Paris talks and to seek a negotiated peace—one which is fair to North Vietnam, fair to the United States and, most important, fair to the people of South Vietnam. I have indicated that anything is negotiable except the right of the people of South Vietnam to determine their own fate.

As you know, Ambassador Lodge has had to leave his assignment in Paris because of personal reasons. I have designated Philip Hahlb, one of our most experienced foreign service officers who has been participating in the negotiations for over 18 months, as the acting head of our delegation with the personal rank of Ambassador. He has been given full authority to discuss any proposal that will contribute to a just peace.

Let me turn now to the progress of our plan for Vietnamization and our troop withdrawal program.

When I announced the troop withdrawal program in June, I said that the rate of withdrawal would depend on three criteria—progress in the Paris negotiations, progress in the training of South Vietnamese forces and the level of enemy activity.

FAVORABLE REPORT

While there has been no progress on the negotiating front I have a much more favorable report to give to you tonight with regard to the training of South Vietnamese forces.

First let me tell you how I reached this conclusion. In making decisions, I believe a President should listen not only to those who tell what he wants to hear but to those who tell him what he ought to hear. It is most important to get independent judgments from individuals who are expert on the factors to be considered but who are not directly involved in the operations themselves. This is particularly essential when the lives of American men are involved.

Several months ago I read a book by Sir Robert Thompson, a British expert who was one of the major architects of the victory over the Communist guerrillas who attempted to take over Malaya in the 1950s. In his book which was published just as this Administration took office he was very pessimistic about the conduct of the war. He particularly noted the failure to prepare the South Vietnamese to take over the responsibilities of their own defense.

On October 17 I met with Mr. Thompson and asked him to go to Vietnam and give me a first-hand, candid and completely independent report on the situation there. After five weeks of intensive investigation he gave his report on December 3.

IMPROVEMENT IMPRESSIVE

His full report, which makes several constructive recommendations, must remain confidential since it bears on the security of our men. But let me read to you from his summary of his findings.

"I was very impressed by the improvement in the military and political situation in Vietnam as compared with all previous visits and especially in the security situation, both in Saigon and the rural areas.

"A winning position in the sense of obtaining a just peace (whether negotiated or not) and of maintaining an independent, non-Communist South Vietnam has been achieved but we are not yet through. We are in a psychological period where the greatest need is confidence, a steady application of the 'do it yourself' concept with continuing U.S. support in the background will increase the confidence already shown by many South Vietnam leaders."

Mr. Thompson's report which I would describe as cautiously optimistic, is in line with my own attitude and the reports I have received from other observers and from our own civilian and military leaders in Vietnam.

There is one disturbing new development, however, with regard to enemy activity. Enemy infiltration has increased substantially. It has not yet reached the point where our military leaders believe the enemy has developed the capability to mount a major offensive but we are watching the situation closely to see whether it could develop to that extent.

ANNOUNCES REDUCTION

Taking all these developments into consideration, I am announcing tonight a reduction in our troop ceiling of 50,000 more U.S. troops by April 15 next year. This means that the ceiling which existed when I took office on January 20 has now been reduced by 115,500 men. This reduction has been made with approval of the government of South Vietnam, and in consultation with other nations which have combat troops in Vietnam.

There are some who believe that to continue our withdrawals at a time when enemy infiltration is increasing is a risk we should not take. However, I have consistently said that we must take risks for peace.

And in that connection, let me remind the leaders in Hanoi that if infiltration and the level of enemy activity increase while we are reducing our forces, they also will be running a risk. I repeat the statement I made in my speech on November 3.

"Hanoi could make no greater mistake than to assume that an increase in violence will be to its advantage. If I conclude that increased enemy action jeopardizes our remaining forces in Vietnam, I shall not hesitate to take strong and effective measures to deal with that situation."

EXPRESSES APPRECIATION

This reduction in our forces is another orderly step in our plan for peace in Vietnam.

It marks further progress toward turning over the defense of South Vietnam to the South Vietnamese.

It is another clear sign of our readiness to bring an end of the war and to achieve a just peace.

Before concluding this report, I wish to express my appreciation to the great number of people from all over the nation who have indicated their support for our program for a just peace since my speech on November 3.

This support was particularly underlined by the action of the Congress in which a majority of both Democrats and Republicans voted overwhelmingly 334 to 55 for a resolution supporting the plan for peace which I announced on November 3.

HANOI'S DREAM

The leaders in Hanoi have declared on a number of occasions that division in the United States would eventually bring them the victory they cannot win over our fighting men in Vietnam. This demonstration of support by the American people for our plan to bring a just peace dashed those hopes completely.

Hanoi should abandon its dream of military victory.

It is time for them to join us in serious negotiations.

There is nothing to be gained by delay.

If Hanoi is willing to talk seriously they will find us flexible and forthcoming.

I am glad that I was able to report tonight some progress in reaching our goal of a just peace in Vietnam. After five years of increasing the number of Americans in Vietnam, we are bringing men home.

SUPPORT ASKED

Our casualties continue to be at the lowest rate in three years.

But I want you to know that despite this progress, I shall not be satisfied until we achieve the goal we all want—an end to the war on a just and lasting basis.

This is the fifth Christmas when Americans will be fighting in a war far away from home.

I know that there is nothing the American people want more and nothing I want more than to see the day come when the Christmas message of "Peace on Earth, Good Will to Men" will be not just an eloquent ideal but a reality for Americans and all others who cherish peace and freedom throughout the world.

Your continued support of our plan for peace will greatly strengthen our hopes that we can achieve that goal.

PRAISE OF THOMAS W. FLETCHER, FORMER DEPUTY MAYOR OF THE DISTRICT OF COLUMBIA

Mr. CRANSTON. Mr. President, Thomas W. Fletcher, who served with great distinction in the highly demanding job of Deputy Mayor of Washington, D.C., is returning to California to become city manager of San Jose.

His more than 2 years of service as chief assistant to Mayor Walter E. Washington enhanced Mr. Fletcher's already solid reputation as one of the Nation's top city administrators.

Mr. Fletcher was appointed the deputy to Mayor Washington shortly before the current, reorganized city government for the Nation's Capital officially took office November 3, 1967. During that time, the new city administration dealt with a series of crises and issues ranging from the disorders in April 1968, to acute fiscal problems, to the recent antiwar demonstrations.

As with other large urban areas throughout the Nation, the District of Columbia is plagued with a broad range of urban ailments.

Under the leadership of this municipal administration, the city is moving forward to cope with these problems—to help make the Capital City a better community for all.

Mr. Fletcher's greatest contribution was, I believe, to help to strengthen and sharpen the administrative machinery of the city government. This is, of course, the keystone for a more effective, responsive and efficient effort by the government to meet the needs of the community.

Tom Fletcher had the chief responsibility for carrying out the policy decisions of the Mayor. The Deputy played a major role in such key areas as fiscal affairs, the development of specific plans for rebuilding the corridors hardest hit by the civil disorders, and in legislative matters.

Mr. Fletcher began his career as assistant to the city manager of San Leandro, Calif. Later, he moved up to city manager of Davis, Calif., and then accepted

the position of assistant to the city manager of San Diego. In October 1961, he became city manager there. It was in that post that he won a wide reputation as a first-class professional in the field of public administration.

Originally, he had come to Washington to become a Deputy Assistant Secretary in the Department of Housing and Urban Development. But 3 months later Tom Fletcher was tapped by President Johnson for the Deputy Mayor's post.

Mr. Fletcher's successor is Graham Watt, city manager of Dayton, Ohio. Mr. Watt also has a splendid record in the field of public administration.

The decision by Tom Fletcher to accept the post of city manager of San Jose is a severe loss to the District of Columbia. He will be missed. But I am delighted that he has chosen to return to his native California. We look forward to benefiting from his services there once again.

RELIEF AND WORK—DAY CARE CENTERS

Mr. JAVITS. Mr. President, according to the latest data available there are more than 17 million children under 18 in this country who have working mothers. About 4.5 million of these children are under 6, and another 6.4 million are 6 to 11 years of age. Welfare mothers alone have approximately 1.6 million children under 6. It is of vital importance to the welfare of these children and to the health of our Nation that these children spend their days in safe, stimulating, and wholesome environments while their mothers are at work.

But at present we are far from providing adequate day care facilities for them. The latest estimate is that there are only 600,000 places in licensed day care facilities in the entire country, as compared with an estimated need of perhaps 3 or 4 million. Federally aided programs provide about 172,000 of the available places. About 8 percent of children under 14 with working mothers must look after themselves. Many others are cared for in "family day care centers" in which the facilities are substandard and unclean, there are no toys or educational equipment, the children are given little guidance or personal attention, and meals are meager or nonexistent.

One of the key features of the President's recently proposed welfare program is the provision of day care facilities to persons receiving welfare assistance who participate in manpower training or employment programs. The proposal would make available an additional 450,000 quality day care places, at a cost of \$386,000,000 to the Federal Government. This provision is a much-needed feature of a long overdue revamping of the welfare program, which for years has acted as a disincentive to work and at the same time has failed to provide benefits which are sufficient to maintain a decent standard of living. If families are to live without accepting welfare, they must work; and if mothers are to work, they must have adequate day care facilities for their children.

I ask unanimous consent to have printed in the RECORD at the close of my

remarks a column written by William Raspberry and published in the Washington Post. The article discusses the necessity for Congress to enact the day care provisions of the proposed Family Assistance Act. Mr. Raspberry points out that as well as benefiting the welfare recipients who will be enabled to go to work, the program provides an excellent opportunity to benefit disadvantaged children. If, through day care, we can provide these children with the cultural and educational advantages which they have traditionally lacked, we may find ourselves a long way down the road to solving other problems in such areas as education, juvenile delinquency, and crime.

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

DAY-CARE KEY IN NIXON PLAN

(By William Raspberry)

What the Congress does about funding the President's Family Assistance Act (hearings on the proposal get under way this morning) will determine whether the program can accomplish anything.

A key feature of the proposal is the family assistance payments (traditional "welfare" grants would go by the board) would be denied to any otherwise eligible person who refused "suitable" employment or job-training opportunities, provided adequate day-care is available for the children.

If Congress is generous, the day-care provision alone could be one of the best things to happen to poor families in a long time. If it decides to save the taxpayers' money (perhaps for another moon shot), the entire program could come a cropper.

And there can be little doubt there will be strong temptation to cut costs. Mr. Nixon is talking about a lot of money—some \$386 million for day-care alone. But it may be among the wisest investments the country could make.

The employment and job-training aspects of the President's proposal may be misleading. The President is talking about reaching some 150,000 pre-school children and twice that many school-age children in the first year of the program. That is encouragingly ambitious.

But there is little reason to suppose that there are worthwhile jobs or realistic training possibilities for the mothers of most of these youngsters. Given the number of welfare mothers who earnestly would prefer to work, I tend to doubt that we can find jobs for them all, even after training.

Indeed, there is the suspicion that the work requirement was nothing more than a sop to make the rest of the proposal palatable to those who think most welfare recipients are lazy freeloaders.

But, day-care is something else again. It is hard to over estimate the amount of good that could result from good, education-oriented day-care programs for hundreds of thousands of financially and culturally impoverished youngsters.

Aside from the health and "socialization" benefits, top-notch day-care could help to give these children their first real chance to succeed in school.

We have grown accustomed to thinking of day-care as little more than a pretty good second choice. The best thing, we tell ourselves would be for the mothers to stay home with their children. But if that is not possible, then high-quality day-care that includes health and educational opportunities is an acceptable second choice.

That presumption may be valid in the case of middle-class mothers who work not to support their families but because they

want some of life's extras, or simply because they're bored at home.

But in the case of the poor, we are most often talking about a mother whose family relies on her income—whether a paycheck or a welfare check—for its very survival.

And we are also talking, in the main, about mothers who can provide few cultural, educational or health advantages for their children even if they are able to stay home with them. Thousands of these youngsters may be a good deal better off in a good day-care facility than they would be at home with Mama.

This is true, however, only if the day-care facilities are good. If a significant amount of the day-care turns out to be mere baby-sitting (one of the alternatives provided in the President's proposal) or if we simply build human storage bins for these children, they may well wind up worse off than they are now.

The success of the program depends on the willingness of Congress to provide the necessary money and proper supervision by local officials.

We can take care of the local end. The rest is up to Congress.

THE NEW CONSERVATION

Mr. NELSON. Mr. President, there is a deepening disenchantment with many of our institutions because they do not adjust to or anticipate social change quickly enough. We seem to dash from one crisis to another, sacrificing, at this frenetic pace, vision and purpose for an approach.

Technology is in the saddle and we are too often blindly following technical change for its own sake. The process is more complicated, and yet, as sophisticated a nation as we are, we frequently decide to do something because we can do it and not because we should.

That is the tyranny of technology and nowhere does it show up more blatantly than in the environmental crisis. Only after decades of wanton destruction of our land are we seeing the social cost we paid for progress. In addition, colleges and universities are discovering that quality of environment and quality of life are two of the most urgent but sadly overlooked areas of academic endeavor.

Mr. John Fisher in his article entitled "Survival U: Prospectus for a Really Relevant University," published in Harper's, outlines a strategy for bringing the bits and pieces of university efforts together under one guiding concept—the idea of survival. For the first time in history the survival of man is no longer assured. The major threats to our planet—wars of mass destruction, pollution, depletion of resources, and overpopulation—are serious challenges to mankind. Therefore, we must seek knowledge and insight from our educational institutions in order to meet these challenges.

Environmental education seems to Fisher to be the keystone to Survival U. and I believe it also leads to the way to the new conservation. It is the area of study that very readily lends itself to the problem-solving approach—so important an approach if students are to relate to their academic work. Quality, not quantity, has the higher priority.

"Survival U," Fisher states:

Will prepare its students to consume less. This does not necessarily mean an immediate

drop in living standards—perhaps only a change in the yardstick by which we measure them.

He continues:

Happy or not, our students had better learn how to live the Simpler Life, because that is what most of them are likely to have before they reach middle age.

Human ecology is one of the youngest disciplines, and probably the most important. It is the study of the relationship between man and his environment, both natural and technological. It teaches us to understand the consequences of our actions.

In other words, ecology may be considered the systems approach with a soul.

Fisher concludes:

A graduate who comprehends ecology will know how to look at what is going on in the world, and he will be equipped to do something about it. Whether he ends up as a city planner, a politician, an enlightened engineer, a teacher, or a reporter, he will have had a relevant education. All of its parts will hang together in a coherent whole.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

[From Harper's, September 1969]

SURVIVAL U: PROSPECTUS FOR A REALLY RELEVANT UNIVERSITY
(By John Fischer)

It gets pretty depressing to watch what is going on in the world and realize that your education is not equipping you to do anything about it.—From a letter by a University of California senior.

She is not a radical, and has never taken part in any demonstration. She will graduate with honors, and profound disillusionment. From listening to her—and a good many like-minded students at California and East Coast campuses—I think I am beginning to understand what they mean when they say that a liberal-arts education isn't relevant.

They mean it is incoherent. It doesn't cohere. It consists of bits and pieces which don't stick together, and have no common purpose. One of our leading Negro educators, Arthur Lewis of Princeton, recently summed it up better than I can. America is the only country, he said, where youngsters are required "to fritter away their precious years in meaningless pererrigation from subject to subject . . . spending twelve weeks getting some tidbits of religion, twelve weeks learning French, twelve weeks seeing whether the history professor is stimulating, twelve weeks seeking entertainment from the economics professor, twelve weeks confirming that one is not going to be able to master calculus."

These fragments are meaningless because they are not organized around any central purpose, or vision of the world. The typical liberal-arts college has no clearly defined goals. It merely offers a smorgasbord of courses, in hopes that if a student nibbles at a few dishes from the humanites table, plus a snack of science, and a garnish of art or anthropology, he may emerge as "a cultivated man"—whatever that means. Except for a few surviving church schools, no university even pretends to have a unifying philosophy. Individual teachers may have personal ideologies—but since they are likely to range, on any given campus, from Marxism to worship of the scientific method to exaltation of the irrational (*à la* Norman O. Brown), they don't cohere either. They often leave a student convinced at the end of four years that any given idea is probably about

as valid as any other—and that none of them has much relationship to the others, or to the decisions he is going to have to make the day after graduation.

Education was not always like that. The earliest European universities had a precise purpose: to train an elite for the service of the Church. Everything they taught was focused to that end. Thomas Aquinas had spelled it all out: what subjects had to be mastered, how each connected with every other, and what meaning they had for man and God.

Later, for a span of several centuries, Oxford and Cambridge had an equally clear function: to train administrators to run an empire. So too did Harvard and Yale at the time they were founded; their job was to produce the clergymen, lawyers, and doctors that a new country needed. In each case, the curriculum was rigidly prescribed. A student learned what he needed, to prepare himself to be a competent priest, district officer, or surgeon. He had no doubts about the relevance of his courses—and no time to fret about expanding his consciousness or currying his sensual awareness.

This is still true of our professional schools. I have yet to hear an engineering or medical student complain that his education is meaningless. Only in the liberal-arts colleges—which boast that "we are not trade schools"—do the youngsters get that feeling that they are drowning in a cloud of feathers.

For a long while some of our less complacent academics have been trying to restore coherence to American education. When Robert Hutchins was at Chicago, he tried to use the Great Books to build a comprehensible framework for the main ideas of civilized man. His experiment is still being carried on, with some modifications, at St. John's—but it has not proved irresistibly contagious. Sure, the thoughts of Plato and Machiavelli are still pertinent, so far as they go—but somehow they don't seem quite enough armor for a world beset with splitting atoms, urban guerrillas, nineteen varieties of psychotherapists, amplified guitars, napalm, computers, astronauts, and an atmosphere polluted simultaneously with auto exhaust and TV commercials.

Another strategy for linking together the bits-and-pieces has been attempted at Harvard and at a number of other universities. They require their students to take at least two years of survey courses, known variously as core studies, general education, or world civilization. These too have been something less than triumphantly successful. Most faculty members don't like to teach them, regarding them as superficial and synthetic. (And right they are, since no survey course that I know of has a strong unifying concept to give it focus.) Moreover, the senior professors shun such courses in favor of their own narrow specialties. Consequently, the core studies which are meant to place all human experience—well, at least the brightest suggests—into One Big Picture usually end up in the perfunctory hands of resentful junior teachers. Naturally the undergraduates don't take them seriously either.

Any successful reform of American education, I am now convinced, will have to be far more revolutionary than anything yet attempted. At a minimum, it should be:

1. Founded on a single guiding concept—an idea capable of knotting together all strands of study, thus giving them both coherence and visible purpose.

2. Capable of equipping young people to do something about "what is going on in the world"—notably the things which bother them most, including war, injustice, racial conflict, and the quality of life.

Maybe it isn't possible. Perhaps knowledge is proliferating so fast, and in so many directions, that it can never again be ordered into a coherent whole, so, that molecular bi-

ology, Robert Lowell's poetry, and highway engineering will seem relevant to each other and to the lives of ordinary people. Quite possibly the knowledge explosion, as Peter F. Drucker has called it, dooms us to scholarship which grows steadily more specialized fragmented, and incomprehensible.

The Soviet experience is hardly encouraging. Russian education is built on what is meant to be a unifying ideology: Marxism-Leninism. In theory, it provides an organizing principle for all scholarly activity—whether history, literature, genetics, or military science. Its purpose is explicit: to train a Communist elite for the greater power and glory of the Soviet state, just as the medieval universities trained a priesthood to serve the Church.

Yet according to all accounts that I have seen, it doesn't work very well. Soviet intellectuals apparently are almost as restless and unhappy as our own. Increasing numbers of them are finding Marxism-Leninism too simplistic, too narrowly doctrinaire, too oppressive; the bravest are risking prison in order to pursue their own heretical visions of reality.

It is conceivable, then, that we might hit upon another idea which could serve as the organizing principle for many fields of scholarly inquiry; which is relevant to the urgent needs of our time; and which would not, on the other hand, impose an ideological strait jacket, as both ecclesiastical and Marxist education attempted to do?

Just possibly it could be done. For the last two or three years I have been probing around among professors, college administrators, and students—and so far I have come up with only one idea which might fit the specifications. It is simply the idea of survival.

For the first time in history, the future of the human race is now in serious question. This fact is hard to believe, or even think about—yet it is the message which a growing number of scientists are trying, almost frantically, to get across to us. Listen, for example, to Professor Richard A. Falk of Princeton and of the Center for Advanced Study in the Behavioral Sciences:

"The planet and mankind are in grave danger of irreversible catastrophe . . . Man may be skeptical about following the flight of the dodo into extinction, but the evidence points increasingly to just such a pursuit. . . . There are four interconnected threats to the planet—wars of mass destruction, overpopulation, pollution, and the depletion of resources. They have a cumulative effect. A problem in one area renders it more difficult to solve the problems in any other area. . . . The basis of all four problems is the inadequacy of the sovereign states to manage the affairs of mankind in the twentieth century."

Similar warnings could be quoted from a long list of other social scientists, biologists, and physicists, among them such distinguished thinkers as Rene Dubos, Buckminster Fuller, Loren Eiseley, George Wald, and Barry Commoner. They are not hopeless. Most of them believe that we still have a chance to bring our weapons, our population growth, and the destruction of our environment under control before it is too late. But the time is short, and so far there is no evidence that enough people are taking them seriously.

That would be the prime aim of the experimental university I'm suggesting here: to look seriously at the interlinking threats to human existence, and to learn what we can do to fight them off.

Let's call it Survival U. It will not be a multiversity, offering courses in every conceivable field. Its motto—emblazoned on a life jacket rampant—will be: "What must we do to be saved?" If a course does not help to answer that question, it will not be taught here. Students interested in musicology, junk

sculpture, the Theater of the Absurd, and the literary *dicta* of Leslie Fiedler can go somewhere else.

Neither will our professors be detached, dispassionate scholars. To get hired, each will have to demonstrate an emotional commitment to our cause. Moreover, he will be expected to be a moralist; for this generation of students, like no other in my lifetime, is hungering and thirsting after righteousness. What it wants is a moral system it can believe in—and that is what our university will try to provide. In every class it will preach the primordial ethic of survival.

The biology department, for example, will point out that it is sinful for anybody to have more than two children. It has long since become glaringly evident that unless the earth's cancerous growth of population can be halted, all other problems—poverty, war, racial strife, uninhabitable cities, and the rest—are beyond solution. So the department naturally will teach all known methods of birth control, and much of its research will be aimed at perfecting cheaper and better ones.

Its second lesson in biological morality will be: "Nobody has a right to poison the environment we live in." This maxim will be illustrated by a list of public enemies. At the top will stand the politicians, scientists, and military men—of whatever country—who make and deploy atomic weapons; for if these are ever used, even in so-called defensive systems like the ABM, the atmosphere will be so contaminated with strontium 90 and other radioactive isotopes that human survival seems most unlikely. Also on the list will be anybody who makes or tests chemical and biological weapons—or who even attempts to get rid of obsolete nerve gas, as our Army recently proposed, by dumping the stuff in the sea.

Only slightly less wicked, our biology profs will indicate, is the farmer who drenches his land with DDT. Such insecticides remain virulent indefinitely, and as they wash into the streams and oceans they poison fish, waterfowl, and eventually the people who eat them. Worse yet—as John Hay noted in his recently published *In Defense of Nature*—"The original small, diluted concentrations of these chemicals tend to build up in a food chain so as to end in a concentration that may be thousands of times as strong." It is rapidly spreading throughout the globe. DDT already has been found in the tissues of Eskimos and of Antarctic penguins, so it seems probable that similar deposits are gradually building up in your body and mine. The minimum fatal dosage is still unknown.

Before he finishes this course, a student may begin to feel twinges of conscience himself. Is his motorcycle exhaust adding carbon monoxide to the smog we breathe? Is his sewage polluting the nearest river? If so, he will be reminded of two proverbs. From Jesus: "Let him who is without sin among you cast the first stone." From Pogo: "We have met the enemy and he is us."

In like fashion, our engineering students will learn not only how to build dams and highways, but where *not* to build them. Unless they understand that it is immoral to flood the Grand Canyon or destroy the Everglades with a jetport, they will never pass the final exam. Indeed, our engineering graduates will be trained to ask a key question about every contract offered them: "What will be its effect on human life?" That obviously will lead to other questions which every engineer ought to comprehend as thoroughly as his slide rule. Is this new highway really necessary? Would it be wiser to use the money for mass transit—or to decongest traffic by building a new city somewhere else? Is an offshore oil well really a good idea, in view of what happened to Santa Barbara?

Our engineering faculty also will specialize in training men for a new growth industry:

garbage disposal. Americans already are spending \$4.5 billion a year to collect and get rid of the garbage which we produce more profusely than any other people (more than five pounds a day for each of us). But unless we are resigned to stifling in our own trash, we are going to have to come up with at least an additional \$835 million a year.¹ Any industry with a growth rate of 18 per cent offers obvious attractions to a bright young man—and if he can figure out a new way to get rid of our offal, his fortune will be unlimited.

Because the old ways no longer work. Every big city in the United States is running out of dumping grounds. Burning won't do either, since the air is dangerously polluted already—and in any case, 75 per cent of the incinerators in use are inadequate. For some 150 years Californians happily piled their garbage into San Francisco Bay, but they can't much longer. Dump-and-fill operations already have reduced it to half its original size, and in a few more decades it would be possible to walk dry-shod from Oakland to the Embarcadero. Consequently San Francisco is now planning to ship garbage 375 miles to the yet-uncluttered deserts of Lassen County by special train—known locally as "The Twentieth Stenchery Limited" and "The Excess Express." The city may actually get away with this scheme, since hardly anybody lives in Lassen County except Indians, and who cares about them? But what is the answer for the metropolis that doesn't have an unspoiled desert handy?

A few ingenious notions are cropping up here and there. The Japanese are experimenting with a machine which compacts garbage, under great heat and pressure into building blocks. A New York businessman is thinking of building a garbage mountain somewhere upstate, and equipping it with ski runs to amortize the cost. An aluminum company plans to collect and reprocess used aluminum cans—which, unlike the old-fashioned tin can, will not rust away. Our engineering department will try to Think Big along these lines. That way lies not only new careers, but salvation.

Survival U's Department of Earth Sciences will be headed—if we are lucky—by Dr. Charles F. Park, Jr., now professor of geology and mineral engineering at Stanford. He knows as well as anybody how fast mankind is using up the world's supply of raw materials. In a paper written for the American Geographical Society he punctured one of America's most engaging (and pernicious) myths: our belief that an ever-expanding economy can keep living standards rising indefinitely.

It won't happen; because, as Dr. Park demonstrates, the tonnage of metal in the earth's crust won't last indefinitely. Already we are running short of silver, mercury, tin, and cobalt—all in growing demand by the high-technology industries. Even the commoner metals may soon be in short supply. The United States alone is consuming one ton of iron and eighteen pounds of copper every year, for each of its inhabitants. Poorer countries, struggling to industrialize, hope to raise their consumption of these two key materials to something like that level. If they should succeed—and if the globe's population doubles in the next forty years, as it will at present growth rates—then the world will have to produce, somehow, *twelve times* as much iron and copper every year as it does now. Dr. Parks sees little hope that such production levels can ever be reached, much less sustained indefinitely. The same thing, of course—doubled in spades—goes for other raw materials;

¹ According to Richard D. Vaughn, chief of the Solid Wastes Program of HEW, in his recent horror story entitled "1968 Survey of Community Solid Waste Practices."

timber, oil natural gas, and water, to note only a few.

Survival U, therefore, will prepare its students to consume less. This does not necessarily mean an immediate drop in living standards—perhaps only a change in the yardstick by which we measure them. Conceivably Americans might be happier with fewer automobiles, neon signs, beer cans, supersonic jets, barbecue grills, and similar metallic fluff. But happy or not, our students had better learn how to live The Simpler Life, because that is what most of them are likely to have before they reach middle age.

To help them understand how very precious resources really are, our mathematics department will teach a new kind of bookkeeping: social accounting. It will train people to analyze budgets—both government and corporate—with an eye not merely to immediate dollar costs, but to the long-range costs to society.

By conventional bookkeeping methods, for example, the coal companies strip-mining away the hillside of Kentucky and West Virginia show a handsome profit. Their ledgers, however, show only a fraction of the true cost of their operations. They take no account of destroyed land which can never bear another crop; of rivers poisoned by mud and seeping acid from the spoil banks; of floods which sweep over farms and towns downstream, because the ravaged slopes can no longer hold the rainfall. Although these costs are not borne by the mining firms, they are nevertheless real. They fall mostly on the taxpayers, who have to pay for disaster relief, flood-control levees, and the resettlement of Appalachian farm families forced off the land. As soon as our students (the taxpayers of tomorrow) learn to read a social balance sheet, they obviously will throw the strip miners into bankruptcy.

Another case study will analyze the proposal of the Inhuman Real Estate Corporation to build a fifty-story skyscraper in the most congested area of midtown Manhattan. If 90 per cent of the office space can be rented at \$12 per square foot, it looks like a sound investment, according to antique accounting methods. To uncover the true facts, however, our students will investigate the cost of moving 12,000 additional workers in and out of midtown during rush hours. The first (and least) item is \$8 million worth of new city buses. When they are crammed into the already clogged avenues, the daily loss of man-hours in traffic jams may run to a couple of million more. The fumes from their diesel engines will cause an estimated 9 per cent increase in New York's incidence of emphysema and lung cancer: this requires the construction of three new hospitals. To supply them, plus the new building, with water—already perilously short in the city—a new reservoir has to be built on the headwaters of the Delaware River, 140 miles away. Some of the dairy farmers pushed out of the drowned valley will move promptly into the Bronx and go on relief. The subtraction of their milk output from the city's supply leads to a price increase of two cents a quart. For a Harlem mother with seven hungry children, that is the last straw. She summons her neighbors to join her in riot, seven blocks go up in flames, and the Mayor demands higher taxes to hire more police. . .

Instead of a sound investment, Inhuman Towers now looks like criminal folly, which would be forbidden by any sensible government. Our students will keep that in mind when they walk across campus to their government class.

Its main goal will be to discover why our institutions have done so badly in their efforts (as Dr. Falk put it) "to manage the affairs of mankind in the twentieth century." This will be a compulsory course for all freshmen, taught by professors who are capa-

ble of looking critically at every political artifact, from the Constitution to the local county council. They will start by pointing out that we are living in a state of near-anarchy, because we have no government capable of dealing effectively with public problems.

Instead we have a hodgepodge of 80,000 local governments—villages, townships, counties, cities, port authorities, sewer districts, and special purpose agencies. Their authority is so limited, and their jurisdictions so confused and overlapping, that most of them are virtually impotent. The states, which in theory could put this mess into some sort of order, usually have shown little interest and less competence. When Washington is called to help out—as it increasingly has been for the last thirty-five years—it often has proved hamhanded and entangled in its own archaic bureaucracy. The end result is that nobody in authority has been able to take care of the country's mounting needs. Our welfare rolls keep growing, our air and water get dirtier, housing gets scarcer, airports jam up, road traffic clogs, railroads fall apart, prices rise, ghettos burn, schools turn out more illiterates every year, and a war nobody wants drags on and on. Small wonder that so many young people are losing confidence in American institutions. In their present state, they don't deserve much confidence.

The advanced students of government at Survival U will try to find out whether these institutions can be renewed and rebuilt. They will take a hard look at the few places—Jacksonville, Minnesota, Nashville, Appalachia—which are creating new forms of government. Will these work any better, and if so, how can they be duplicated elsewhere? Can the states be brought to life, or should we start thinking about an entirely different kind of arrangement? Ten regional prefectures, perhaps, to replace the fifty states? Or should we take seriously Norman Maller's suggestion for a new kind of city-state to govern our great metropolises? (He merely called for New York City to secede from its state; but that isn't radical enough. To be truly governable, the new Republic of New York City ought to include chunks of New Jersey and Connecticut as well.) Alternatively, can we find some way to break up Megalopolis, and spread our population into smaller and more livable communities throughout the continent? Why should we keep 70 per cent of our people crowded into less than 2 per cent of our land area, anyway?

Looking beyond our borders, our students will be encouraged to ask even harder questions. Are nation-states actually feasible, now that they have power to destroy each other in a single afternoon? Can we agree on something else to take their place, before the balance of terror becomes unstable? What price would most people be willing to pay for a more durable kind of human organization—more taxes, giving up national flags, perhaps the sacrifice of some of our hard-won liberties?

All these courses (and everything else taught at Survival U) are really branches of a single science. Human ecology is one of the youngest disciplines, and probably the most important. It is the study of the relationship between man and his environment, both natural and technological. It teaches us to understand the consequences of our actions—how sulfur-laden fuel oil burned in England produces an acid rain that damages the forests of Scandinavia, why a well-meant farm subsidy can force millions of Negro tenants off the land and lead to Watts and Hough. A graduate who comprehends ecology will know how to look at "what is going on in the world," and he will be equipped to do something about it. Whether he ends up as a city planner, a politician, an enlightened engineer, a teacher, or a reporter, he will have

had a relevant education. All of its parts will hang together in a coherent whole.

And if we can get enough such graduates, man and his environment may survive a while longer, against all the odds.

THE NEED TO RESTRUCTURE PRIORITIES

Mr. SAXBE. Mr. President, during the debate on the tax bill I argued once again over the pressing need to restructure our priorities, to focus our resources on the matters that really need attention. If at a time of prosperity and inflation, we cannot pay for our social benefits, when can we? It seems irresponsible to me to borrow money, thereby increasing interest rates and inflation, to pay for things we can and should pay for out of adequate taxes.

I want to shift more of our spending to that which is most important—the cities, ecological advances, more funds to fight crime and the rest. Yet we are virtually raiding our Treasury at a time when we should be doing these things. That was perhaps the primary reason I voted against the tax bill that came out of the Senate last week.

These matters were treated in different ways recently: in a column written by James Reston and published in the New York Times last Sunday; in a speech by John W. Gardner before the National Press Club last week and excerpted in the Washington Post of last Sunday; and finally, in an appearance on the CBS television show, "Face the Nation," also Sunday, by Dr. Milton S. Eisenhower, Chairman of the National Commission on the Causes and Prevention of Violence.

I ask unanimous consent that these three excellent presentations be printed in the RECORD.

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

[From the New York Times, Dec. 14, 1969]

WASHINGTON: THE FORGOTTEN REPUBLICANS (By James Reston)

WASHINGTON, December 13.—In the last few days, two distinguished Republicans have spoken out on the state of the nation. They are Milton Eisenhower, president emeritus of Johns Hopkins University, and John W. Gardner, former Secretary of H.E.W. and now head of the Urban Coalition—and both have said about the same thing.

The major threat to the security of the nation, they insist, is internal and not external; it is the present conflicts within our own society and not the menace of foreign aggression. They agree, too, on the remedy: end the war as soon as possible, and redirect the nation's priorities, finances, energies and leadership to the problems of the homefront.

EISENHOWER'S THEME

In his final report to President Nixon as chairman of the National Commission on the Causes and Prevention of Violence, Mr. Eisenhower said: "While serious external dangers remain, the graver threats today are internal: haphazard urbanization, racial discrimination, disfiguring of the environment, unprecedented interdependence, the dislocation of human identity and motivation created by an affluent society—all resulting in a rising tide of individual and group violence."

"We are anxious but immobile," Mr. Gardner told the members of the Washington

National Press Club. "We know what our problems are, but seem incapable of summing our will and our resources to act. . . . The place to begin is with our national leadership, both in the executive branch and the Congress. With a few notable exceptions there has been a failure of leadership. More than any other factor it is the missing ingredient in our situation today."

The Eisenhower commission does not minimize the problem of reordering priorities. It points directly to "middle-class America, to the 'forgotten American' and his concern over some consequences of racial integration, his rebellion against rising taxes, his distrust of dissent on the campus and protest movements in the capital. How realistic is it, they will ask, to think that the majority of Americans will support a reallocation of our national resources to deal with social problems?"

THE POLITICAL DILEMMA

Of course, this is precisely what is puzzling and dividing the Administration and the opposition in Washington. Everybody sees the problems of the races and the cities but they also see the backlash of the white majority and there is clearly a political dilemma in both parties about whether to deal with the social problems or concentrate on the politics of those problems.

Mr. Eisenhower and his colleagues are conscious of this dilemma. They observe that there are some who predict that majority indifference to injustice will result in "a violent revolution of some kind," and others who actually advocate this course as the only remedy. The Eisenhower commission's conclusion, however, is that "the majority of Americans have always responded constructively to national crises when they have been fully informed and responsibly led."

GARDNER'S COMPLAINT

But are they? Mr. Gardner's complaint is that the people are neither fully informed nor "responsibly led." His press club speech criticizing the President and the Congress was not published textually, so far as one can discover, in a single newspaper in America, and this is interesting.

He is probably the most articulate Republican analyst of our society in America today. He quit the Johnson Cabinet because he didn't believe in Mr. Johnson's priorities, and felt that we could not solve our problems in America by Presidential leadership but had to rely mainly on the natural leaders of all the states and communities of the nation. This is why he took on the chairmanship of the Urban Coalition.

His experience in this job, however, has convinced him that local leadership, without a clear, strong, persistent definition of priorities from the White House, will not work. This is why he overcame his natural tendency to avoid personal criticism, and spoke out publicly against the President and the elderly and dictatorial committee chairmen of the Congress.

The President, he said, "must do more to set a tone of urgency to which we can all respond, and more to exemplify in his own actions a determination to solve our pressing problems. . . . Only the President's clearly expressed concern and clearly stated priorities can mobilize the Federal apparatus, encourage the Congress to shake off its lethargy, and enable leaders in other sectors of American life to move decisively. . . ."

THE BASIC QUESTION

The meaning of the Eisenhower and Gardner reports—which are available at the White House and the Urban Coalition—is fairly clear. The debate about how to defend the nation is not only or even primarily a debate about Vietnam—that is only part of it. It is not primarily a partisan debate

an argument between the Vice President and the press. It is a fundamental and sincere difference of opinion about how best to defend the security of the country—and the testimony of these two distinguished Republicans, while not conclusive, helps bring these central questions of priorities and leadership into focus.

[From the Washington Post, Dec. 14, 1969]
PARALYZED NATION NEEDS A JOLT FROM
LEADERS

(By John W. Gardner, chairman of the Urban Coalition Action Council)

As we enter the 1970s, there are many curious aspects of our situation, but none more strange than our state of mind. We are anxious but immobilized. We know what our problems are, but seem incapable of summoning our will and resources to act.

We see the brooding threat of nuclear warfare. We know our lakes are dying, our rivers growing filthier daily, our atmosphere increasingly polluted.

We are aware of racial tensions that could tear the nation apart. We understand that oppressive poverty in the midst of affluence is intolerable. We see that our cities are sliding toward disaster.

These are not problems that stop at our borders. The problems of nuclear warfare, of population, of the environment are impending planetary disasters. We are in trouble as a species. But we are seized by a kind of paralysis of the will. It is like a waking nightmare.

I propose that as we enter the new decade, we made a heroic effort to alter both our mood and our state of inactivity. Let 1970 be a year of renewal, and during that year let us give our institutions and ourselves a jolting reappraisal and overhaul.

A LEADERSHIP FAILURE

The place to begin is with our national leadership in both the Executive Branch and Congress. With a few notable exceptions, there has been a failure of leadership. More than any other factor, it is the missing ingredient in our situation today.

We have had failures of leadership before, but rarely have we had the widespread distrust of our own institutions that we see today. And that distrust is not limited to radicals. Ask shopkeepers, housewives, young executives or insurance salesmen what concerns them. You will find that there is a deep and pervasive feeling among all segments of the populace that "things aren't working"—and Washington is given a major share of the blame.

When the great majority of Americans share that uneasiness, when a growing number are losing all confidence in our society, when the problems themselves are terrifyingly real, then it is immoral for our national leaders—in Congress and the Executive Branch—to temporize. It is indecent for them to let us imagine that we can solve our problems without money or that we cannot afford to tackle them. It is criminal for either Republicans or Democrats to put politics before the nation's future.

A FIGHTING STANCE

Now let me speak specifically of the President. Any judgment on the President's leadership must take into account that he came into office at a difficult time, must deal with a Congress of the opposing party and finds his options limited by inflation and the war. But given all that, he must do more to set a tone of urgency to which we can all respond, and more to exemplify in his own actions a determination to solve our present problems.

We are not—and should not become—blind followers of the leader. But only the President's clearly expressed concern and clearly stated priorities can mobilize the fed-

eral apparatus, encourage Congress to shake off its lethargy and enable leaders in other sectors of American life to move decisively.

His greatest test is on the international front. His first task—and one cannot exaggerate its urgency—is to end the war. Even more important in the long run will be steps that must be taken to cope with the threat of nuclear warfare. His recent action with respect to biological warfare was encouraging.

On the domestic front, the President must say more explicitly—and with greater urgency—what he conceives to be an appropriate strategy for dealing with the dilemmas of the cities, with equality of opportunity, with the environment and with other problems that are racking the nation. Not only must he propose social programs adequate to our need, but when the legislation goes to Congress, he must fight as hard for it as he fought for the ABM and Judge Haynsworth.

Now let's talk about Congress. This Congress, which has acquired a reputation for lethargy, could dispel that reputation not only by passing needed legislation but by enacting genuinely meaningful congressional reform. Few institutions in our national life are as gravely in need of renewal, and renewal requires, first of all, measures to abolish the seniority system and curb the abuse of power by entrenched committee chairmen.

In 1958, Congress enacted a law requiring the chief judges of federal circuit and district courts to give up their administrative duties at 70. I propose that Congress impose the same rule on its own members. The Speaker of the House is 78. Thirteen Senate and House committee chairmen are over 70, six of them over 75, two over 80. They are full of years and honors. They can serve their country best by stepping aside.

Congress must also put an end to the hypocrisy of tolerating grave conflicts of interest among its own members while attacking the same fault in others. It should pass a conflict of interest law with teeth in it.

And what about industry? I would propose that as we enter the 1970s, industry address itself to three central issues.

First, it should make an unqualified commitment to equality of opportunity for minority groups. Some firms have performed nobly in this respect, but the majority are still dabbling with the problem and many are engaged in outright fakery—giving lip service, preserving a public image and doing as little as possible.

Second, industry should commit itself to end pollution. Again, some farsighted business leaders have already done so, but the record of industry as a whole has been deplorable. It has lied to the public and to itself about the seriousness of the problem. It is not wholly an industrial problem, but industry has a crucial role in it and could contribute enormously to its solution—if only by forswearing its practice of emasculating pollution control legislation as it moves through Congress.

Third, industry should meet the rising tide of consumerism with constructive measures. Leaders in each industry should set standards of regard for the consumer and should be tough in demanding that the rest of their industry follow suit. If they don't, they will be brought under increasingly savage criticism by a bilked and frustrated public.

Labor unions, too, have their tasks to accomplish, and the one that overshadows all others at the moment is to root out racial discrimination, to eliminate restrictive membership practices that deny the opportunity to work or to advance beyond menial work.

For more than 30 years, the unions have benefited enormously from the fact that America's conscience has been basically on their side. In many of the battles that had to

be settled in the public forum, that fact was decisive. Today, that advantage is leaking away very rapidly.

The possibilities of constructive change by the professions are enormous. The health professions must act at once to redesign the system of health services in this country. It is outworn, expensive and outrageously inefficient. If the health professionals don't modernize it, pressures from outside, particularly from governmental initiatives, will increase enormously.

Professionals in education must answer to much the same indictment. They preside all too complacently over a system that isn't working. They could change it, but often—as in the case of health professionals—they are obstacles to change rather than promoters of it. As for the colleges and universities, they have been jolted out of their complacency and are in an excellent position to accomplish the long-delayed overhaul of their institutions.

Let me say a word about private nonprofit activities in general—cultural, civic, social service, religious, scientific and charitable organizations. One of the worst known examples of organizational decay is the sense of moral superiority that afflicts such institutions. Sad to say, people who believe that they are doing a noble thing are rarely good critics of their own efforts.

THE CITIZEN'S JOB

Now let's have a look at the person whom practically no one ever attacks, the person who holds the highest title a free society can award: citizen. What has he done to give one confidence in self-government? Not as much as one would like.

Too many take a free ride as far as any distinctive effort to serve the common good is concerned. Too many are apathetic, self-absorbed and self-serving. In a vital society, the citizen has a role that goes far beyond the ballot box. He must man the party machinery, support social and civic reform, provide adequate funds, criticize, demand, expose corruption and honor leaders who lead.

One thing the citizen can do—must do—is to reject fiercely all politicians who exploit fear and anger and hatred for their own purposes. He cannot rid himself entirely of those emotions, but he can rid himself of politicians who live by manipulating them. Such leaders will not move him toward a better future.

Another thing the citizen can do is to throw the weight of public opinion against those in the private sector who are unwilling to work toward the solution of our common problems. They should find out which major firms in their area are equal opportunity employers. Which firms are shirking on that front? Let those firms know that their failure is recognized. What firms are contributing most to pollution? Let them feel the weight of public disapproval.

Now let me say a word about the nature of the urban crisis. Too many Americans have come to equate the crisis in the cities with racial tensions—and they are tired of the race problem and wish it would go away. It won't go away, but if it did, the urban crisis would remain.

Discrimination, in some measure, touches most urban issues in this country. But such critically important issues as housing, manpower and income for the poor deeply involve white as well as black.

Most of the poor are white. And one cannot blame racial tensions for our monumental traffic jams, for the inexorable advance of air and water pollution, for the breakdown in administration of the courts, for the shocking inefficiency and often corruption of municipal government. It is true that when urban systems malfunction, minorities and the poor are hit first and hardest, but the problem is deeper and broader and ultimately affects us all.

A BRAKE SYSTEM

In closing, let me remind you of an important thing to understand about any institution or social system, whether it is a nation or a city, a corporation or a federal agency: it doesn't move unless you give it a solid push. Not a mild push—a solid jolt. If the push is not administered by vigorous and purposeful leaders, it will be administered eventually by an aroused citizenry or by a crisis.

Systemic inertia is characteristic of every human institution, but overwhelmingly true of this nation as a whole. Our system of checks and balances dilutes the thrust of positive action. The competition of interests inherent in our pluralism acts as a brake on concerted action. The system grinds to a halt between crises.

Madison designed it in such a way that it simply won't move without vigorous leadership. I've often wondered why he didn't say so. Perhaps, having in mind his brilliant contemporaries, it just never occurred to him that the day might come when leadership would be lacking.

[From "Face the Nation" CBS-TV, Dec. 14, 1969]

INTERVIEW WITH DR. MILTON EISENHOWER

Mr. HERMAN. Doctor Eisenhower, for eighteen months your Commission has studied the causes and prevention of violence. As a realistic man with considerable experience in and out of the Government, do you really feel that a major reduction of crime and violence is within our national capability?

Doctor EISENHOWER. I most certainly do. I think we have to make a dual attack. I think we have to improve the whole criminal justice system, but we also have to attack the basic social causes of violent and serious crime in this country. And both of these can be done.

ANNOUNCER. From CBS Washington, in color, Face The Nation, a spontaneous and unrehearsed news interview with Doctor Milton Eisenhower, Chairman of the National Commission on the Causes and Prevention of Violence. The Commission this week issued its final report to the President. Doctor Eisenhower will be questioned by CBS News Correspondent Hal Walker; Richard Strout of the Washington Bureau of the Christian Science Monitor; and CBS News Correspondent George Herman. We shall continue the interview with Doctor Eisenhower in a moment.

Mr. HERMAN. Doctor Eisenhower, realistically, at this time in our nation's history, when we're busy reducing taxes, when we're trying to save money, do you think the United States, the American people, are willing to spend the money that you have suggested in your report here that is required to reduce crime?

Doctor EISENHOWER. I certainly don't think it can be done at once. I realize that the President and our whole national leadership must first of all bring inflation under control, which requires a great deal of discipline, and second, we have to await the end of the Vietnam war. But once these two things are accomplished, I think then that we simply must give new attention and develop new priorities by reducing defense expenditures and by devoting a good share of the increased tax—or increased revenue that comes to the Government through greater GNP. I think that we can easily start out with Twenty Billion Dollars a year devoted to the tackling of those social problems which basically are criminogenic in our society.

Mr. STROUT. Doctor Eisenhower, I am a little disturbed at how different your solutions for crime are from those that Richard Nixon made in the 1968 campaign. You've just mentioned that you must get at basic social causes, and you've cited a cost of Twenty Billion Dollars. I just note some of

the things that Mr. Nixon said: "We cannot explain away crime in this country by charging it off to poverty." He said again, "The role of poverty as a cause of the crime upsurge in America has been grossly exaggerated." Can you reconcile what you're telling us with what Mr. Nixon said a year ago?

Doctor EISENHOWER. Well, I think so. I may say that I had an hour's discussion with him the other day and found that he is gravely concerned about this problem. And I may say that we had no differences in our discussion. Now, I don't think that poverty in itself is a cause of crime. This would be far too simplistic an answer. What is a cause of crime in the total environment in which much of our urban population lives? This is unemployment, low level of education, poverty, fatherless families, mothers working, children raised on the streets, in what we may call a sub-culture of violence. In fact, many of the young people, in order to be accepted by their peer group, have to commit crimes for that acceptance. Now, the highest rate of crime in the United States is on the part of the young males of the fifteen to twenty-four age group, living in the urban slums. And it is no accident that it's in those conditions that the highest level of crime occurs.

Mr. STROUT. I don't find anything in your report about the Supreme Court, for example. I think Mr. Nixon said that it had been soft on crime and the Administration had been soft on crime.

Doctor EISENHOWER. I am not a lawyer, but we had nine lawyers on our Commission, and they gave serious attention to this problem. There is a vast difference of opinion among the lawyers of the country as to whether the scales have been tipped in favor of the criminal and whether new laws or maybe Constitutional amendments are needed. After debating this question very thoroughly, we thought that it was just as well to put the question aside and to concentrate on a better criminal justice system as well as upon attack on the social conditions that cause crime.

Mr. WALKER. Well, Doctor Eisenhower, as you looked into this problem and found the high percentage of crime among fifteen to twenty-four year old ghetto residents, why did you not look more into the question of white collar crime? Aren't these large corporate acts as much violence against society as the pocketbook snatcher?

Doctor EISENHOWER. Well, I think it is fair criticism that we concentrated on the areas of greatest crime. And I have regretted that there are some other things that we should have studied such as why is crime so much greater in our country than in other countries; what about violence as it's handled in the news media; and what about those crimes committed by not only the whites, but by members of very affluent white families. And, while there are indications in the report that deal with this perhaps superficially, because of time limitations we concentrated on the largest problem.

Mr. HERMAN. Why is crime greater in our country than in other countries, some of which have more concentration in the cities than we do?

Doctor EISENHOWER. I think the reasons are manifold. In the first place, we have a greater tradition of crime than any other civilized country. Throughout our history, we've had great periods of serious crime, not only of the personal type but of the group violence. But it is worse today than it has been anytime in this century. Twice it's doubled in the 1960's. Another reason is we have greater cultural diversity. Third, we have more rapid social change. And change itself is a disruptive influence in any society. Further, in the last fifteen years or so, there has been a tide of rising expectations on the part of the minority groups of this country,

and the realization has fallen short of the anticipation. And it's an old sociological law, whenever this occurs, you are going to have violence.

Mr. STROUT. Do you feel there is something violent in the American character itself? I refer to this sickening Mylai alleged atrocity. It's been said that violence in America is just as American as cherry pie. Is there something indigenous to the United States about violence?

Doctor EISENHOWER. I most certainly don't think so. I don't think that any race is more violent than any other race, and I don't think that any human being inherently is any more violent than another human being, and I'm speaking of normal persons. We are all affected by the total environment in which we are raised, and I think that there are conditions in the American society that I just mentioned. You see, look at the facts: We're five times as violent per hundred thousand population as Canada, perhaps twenty times as much as Britain, and this is a basis for real concern.

Mr. WALKER. Could this tradition of violence be partly responsible for what we're hearing about in Vietnam in the Mylai incident? Should it not come as a surprise to Americans that our own men might do the sort of thing that is being reported over there?

Doctor EISENHOWER. Well, first, Mr. Walker, I wouldn't want to make any comment that indicated that I believe that there have been atrocities. I am going to await the evidence on that. But, if we assume that there have been, I would comment that from all I see on television and read in the newspapers about Vietnam, and I've not been there, that there are brutalizing circumstances in this kind of war, and what human beings may do under great tension under those circumstances I wouldn't want to predict.

Mr. HERMAN. Will those brutalizing influences stay in Vietnam or will they be reimported back to the United States to our streets?

Doctor EISENHOWER. I think that would be very speculative and I don't want to speculate, you know.

Mr. HERMAN. Well, in one of your studies, the studies of your Commission, isn't there an indication that periods of violence in the United States coincide roughly with periods of war?

Doctor EISENHOWER. No, no. They coincide with periods of great social upheaval and great social change, but not necessarily with war. As a matter of fact, the rate of violent crime in the United States declined from 1900 right through World War I and through World War II, down to 1960. The great increase of a hundred percent has occurred in the 1960's.

Mr. HERMAN. Was there no little peak or anything after World War I or after World War II when the men came back?

Doctor EISENHOWER. Not of a measurable degree that I recall.

Mr. WALKER. Doctor Eisenhower, with your recommendations and understanding the need to bring inflation under control, the need to stop our expenditures in Vietnam before much can be done, what have you set as a goal, a time table for putting these recommendations into effect and seeing some results?

Doctor EISENHOWER. Well, I suppose I'm optimistic, but I would like to think that all the branches of the Government will soon begin to study our entire report, as well as the Kerner and the Crime Commission reports that preceded it, and develop a well integrated program now, even though it is not possible to implement that program, and to enter into a commitment after studying all the evidence. I would then hope that as soon as the war is over and inflation has been brought under control, that having made the

commitment we will now begin to pass the legislation and do the other things necessary to put the program into motion.

Mr. HERMAN. Does some of this hope stem from your meeting with the President?

Doctor EISENHOWER. I think that would be going too far. What he authorized me to say as a result of our very helpful conversation was that he is gravely concerned about the problem, would not only study our report in great detail, but wanted me to mark some of the portions of the fifteen volumes of backup research material which he plans to read.

Mr. STROUT. Aren't you waiting a long time until the war is over or until inflation is curbed? Isn't this going to be just one more of the blue ribbon groups that have discussed this same subject? I was around, I recall, when the Wickersham Commission brought in its report on crimes. And your report is like the Wickersham Commission in 1930. It seems to me it's just layer after layer of crime reports, put one on top of the other.

Doctor EISENHOWER. Well, Mr. Strout, I realize that this subject has been studied before, and the things that we should have done have not been done. But I have considerable confidence in a few new developments. One, the television and the newspapers and the magazines of this country have carried the evidence that we've developed during the past eighteen months to all of the American people, and I'm very gratified by this. I have great confidence that if the American people really realize how serious this problem is, and they are stirred up, and they notify their Senators and Congressmen how they feel, that out of this welter of this great turmoil of discussion that we will get action.

Mr. STROUT. What happens if we don't get action?

Doctor EISENHOWER. Well, I suppose that some of us can keep on talking and hope that eventually something—one can't guarantee this. I said at our final press conference that if you'll just ask me back in five years, I would like to give you an accounting of what I think has happened in the meantime.

Mr. STROUT. Do you think the threat to the United States is greater from outside or within?

Doctor EISENHOWER. This is difficult to say, but I'll say this: In my judgment the threat to the future of the American society is as great internally as it is from any possible combination of external forces. And may I remind you, I'm sure you know—

Mr. HERMAN. Are you referring to crime when you say the threat, the internal threat?

Doctor EISENHOWER. The internal threat is very serious in my judgment. And you know, Toynebee pointed out that of the twenty-one civilizations that failed, nineteen of them failed because of internal decay, and not due to external forces.

Mr. HERMAN. I interrupted you. I'd like you to pinpoint for us a little bit what you consider to be the nature of the internal threat. Were you referring simply to crime, were you referring to violence, the mass demonstration problem; what is the internal threat that concerns you most?

Doctor EISENHOWER. I am concerned about, for example, the growing intellectual polarization in our society. This is partly due to civil rights, it's partly due to the war in Vietnam. There is a growing and very serious generation gap. I dislike such trite phrases, but perhaps in short order it describes what has happened. This needs to be closed. We have to be concerned about air and water pollution. We most assuredly have to be concerned about air and water pollution. We most assuredly have to be concerned about minority groups in our country not getting true justice in our society. And then here we are the most affluent country in the world, and we haven't yet solved the problems of poverty

and hunger. And this is leading to still deeper intellectual divisions. It's all of these and more that to me indicate a weakening of the whole American internal structure.

Mr. WALKER. In your estimation have the recent remarks of Vice President Agnew widened or narrowed those gaps you talk about?

Doctor EISENHOWER. You mean his discussion about the television and the like?

Mr. WALKER. The war.

Doctor EISENHOWER. Well, you know, this brings up a very interesting thing. As you well know, Mr. Walker, I have never liked to base my comments on what others have said, but try to make my own views known. It is very interesting, you know, the press loves to criticize everybody else, but is awfully tender whenever anyone criticizes it. And this is a very interesting thing, you know, because of all the freedoms guaranteed to us by the Constitution, the only one that the individual can't exercise for himself is the freedom of the press, which is really the freedom to know. And this places a very serious responsibility upon all of the mass media of this country. And I think that the mass media are big enough to stand a little criticism and might even benefit by that.

Mr. STROUT. Doctor Eisenhower, I think the press can stand a lot of criticism, but we have our problems, too. I cite one to you. We had this recent peace moratorium parade in Washington.

Doctor EISENHOWER. Yes.

Mr. STROUT. Attorney General Mitchell said that it was characterized by violence. His wife, Mrs. Mitchell, compared the anti-war demonstration to the Russian Revolution, and said her husband attributed it to liberal communists. Now, your report that just comes out that we in the press are supposed to write and do write, you say that that same moratorium parade, "in the largest single protest demonstration in American history, the overwhelming participants behaved peacefully." Now, which of those versions is correct? Was it the same parade we are talking about?

Doctor EISENHOWER. You know, so much depends on where you were and what perspective you had when you saw it. There were two hundred and fifty thousand to three hundred thousand in this moratorium parade, and the best evidence we have is that between one and two hundred participated in two incidents of violence, one at the Department of Justice and one near the South Vietnamese embassy. Now, had I been an official of the Justice Department and had been sitting up there and had witnessed some windows broken and stones being thrown, I think maybe the next morning I would have said that this was a violent incident. But, if one just stands off from Baltimore as I did and looked at the whole thing, I absolutely marveled that you could bring so many hundreds of thousands of young people into a means of communication to the American people and to the Government, and have so little difficulty.

Mr. HERMAN. How about the impact of television films of things of this sort? This has been part of the field of study of your Commission, the impact of television news of violent demonstrations and how it should be handled.

Doctor EISENHOWER. Yes. Unfortunately, one of the three things that I hoped very much to complete we didn't complete, and this was a study of the effect of violence in the news media on the actual business of violence. We did complete the study in the entertainment media, and this showed in 1967 and 1968 a very serious picture. And I can't tell you how happy I am that the new program year in the entertainment aspects of television has greatly reduced the incidence of violence.

Mr. HERMAN. But on television news, you

say you didn't complete the study. Can you share some of your thoughts with us on this serious problem of how television should bring into the living room a scene of violence in the streets, or should not?

Doctor EISENHOWER. Well, this would be purely personal, of course, because I can't speak—I realize that it's very difficult in a medium which is using both words and pictures to give a—quickly, a balanced picture. And there must be a temptation in using this medium to picture that which is most dramatic, and this therefore, if one has such as in the march we were discussing, I doubt that you would find it terribly attractive just to show two hundred and fifty thousand people peacefully marching down the street. But if you saw them throwing stones at the Justice Department, I think the cameras would be there.

Mr. HERMAN. Have you any personal deductions about the impact, the influence on violence generally in the country?

Doctor EISENHOWER. I cannot draw a conclusion. When we undertook our work, Mr. Herman, I made up my mind and all the Commissioners did, that we weren't going to give expression to our preconceptions. And so we hired two hundred of the finest criminologists and psychiatrists and sociologists and historians in this country, and we are willing and I am willing to speak up on those things where I think that all the evidence gives me a right to have a judgment, but I don't want to give expression just to an off-hand opinion.

Mr. WALKER. Doctor Eisenhower, one of the things you did come up with was a recommendation that we listen to the voices of youth. Yet when nearly a quarter of a million people came to Washington last month in the mobilization effort, President Nixon said that he watched a football game. Now, do you consider this the kind of response that you are looking for in your recommendations?

Doctor EISENHOWER. I think that these statements can sometimes be misconstrued. I've heard criticism of the President's statement. I think what he probably was saying is, we have at the White House, evidence on how the American people feel about the war in Vietnam. Everybody knows that—from the Gallup poll and everything else that about fifty percent of the people wish the war would come quickly to a conclusion, and that of the young people of the country, about eighty-five percent are opposed to it. And therefore, an additional march would not present additional evidence on the question, and I doubt that the statement meant anything more than that.

Mr. STROUT. Mr. Mitchell has sent up an omnibus anti-crime budget to Congress. He has appeared several times in favor of preventive detention, which means that you put the suspect in jail and keep him there before his trial. Did your Commission take a stand on that?

Doctor EISENHOWER. This was considered at great length, and as I have told you, we had nine lawyers and very eminent lawyers on the Commission, including two judges. And after the most serious consideration there is a brief statement in the report which upholds the position taken by the American Bar Association, namely, that pre-trial detention is, in effect, essentially determining the answer before the trial is held, and therefore we did not find it possible to favor the idea of detention.

Mr. STROUT. Putting that in positive terms, then, you're against it?

Doctor EISENHOWER. Yes, the report is.

Mr. HERMAN. Doctor Eisenhower, I would guess that in the next week or two we are likely to read more and more about a certain question of police violence. The police violence issue was dealt with in the Walker report and has been brought up from time to time, has kind of passed out of the news. Now the Black Panther problem has brought it

back into the news. Does the question of police violence, in your view and that of the Commission play a major role in things of this sort?

DOCTOR EISENHOWER. I don't want to accept the word major. Let me first say that most of the police of the United States are doing a good job, and they have one of the toughest jobs in America. They are not only out there enforcing the law, but in a way they are the only representative of all Government that the average citizen ever sees. He is the Government to them. Now, occasionally there is misbehavior or over-reaction by the police, and this leads to an exacerbation of the difficulty that's under way, and leads to widespread criticism. But we should not magnify this beyond what it actually is. It is very unhappy when it occurs. Further, you know, the nihilists and the anarchists in our society are deliberately trying always to entice or to lure police into overreaction as a means of solidifying larger support back of what they are trying to do. So, to try to put it into perspective it is very unhappy whenever there is misbehavior by the police, but most of the police in this country are doing a great job for all of us.

MR. STROUT. Doctor Eisenhower, I was very much impressed by one statistic in your report, and that is that ninety million firearms are available to the civilian public in this country. I think the United States, am I not correct, that it is the only industrial, the only large nation where you can buy a revolver at the hardware store?

DOCTOR EISENHOWER. I am so glad you asked the question, because sometime back when I was detailing the reasons what is different in this country, I should have mentioned that we are the only advanced country in the world with ninety million fire arms, nearly twenty-five million of which are the real offenders, the concealable handguns. These are not sporting weapons; their only purpose is to kill. Unfortunately, too many American families think that they possess them in their homes for self protection. But the number of incidents where a householder used that gun for self protection is very small, but they are the very guns that are used in murders. And as you know, I'm sure, fifty percent of all the murders occur within the family, and eighty percent among the family and acquaintances. So, we have strongly recommended the system of restrictive licensing on handguns as a means of rendering serious crime in this country.

MR. WALKER. On another subject, Doctor Eisenhower, your report calls for the extension and vigorous enforcement of the 1965 voting rights act. Now, the House recently amended that act, and some say that they watered it down. Is this what you had in mind, or have you already seen one of your Commission's recommendations ignored by the Administration?

DOCTOR EISENHOWER. The real specialist on our Commission on this regard was Congressman McCulloch, and I noticed when the House passed the new bill, he expressed regret that there was not simply an extension of the 1965 act which he feels is more attuned to the need of this period. Now, it may be that in some time in the future, we need to think in terms of expanding that act to apply to all of the United States, but I take Congressman McCulloch's word for this. I think he knows what he is talking about.

MR. HERMAN. Doctor Eisenhower, we don't have much time left, perhaps thirty seconds. Let me ask you this: A great deal of what you have advocated, both in your reports and here this afternoon, sounds a great deal like former Attorney General Ramsey Clark. Now, he was one of the political villains in the last election. A great deal of capital was made by the Republicans in attacking him. Do you think, as a political reality, that your program can be accepted by the American people in their current mood?

DOCTOR EISENHOWER. Oh, I would certainly hope so. I feel no greater affinity for Ramsey Clark, whom I know very well, than I do for the present Attorney General, and certainly I have great confidence in our present President, and it was the last President who brought us in. I think this whole thing is above partisan politics.

MR. HERMAN. Thank you very much for being here today on Face the Nation. We'll have a word about next week's guest in a moment.

ANNOUNCER. Today, on Face the Nation, Doctor Milton Eisenhower, Chairman of the National Commission on the Causes and Prevention of Violence, was interviewed by CBS News Correspondent Hal Walker; Richard Strout of the Washington Bureau of Christian Science Monitor; and CBS News Correspondent George Herman.

OUR WORLD—FIT FOR LIFE?

MR. MONDALE. Mr. President, the subject of the environment is upon us as the most crucial domestic issue of the 1970's. We recently read that our college and other school-age youth are likely to make this subject a larger issue than Vietnam—because they feel more able to make meaningful accomplishments in the area. In my office the environment is at the forefront with the mails daily continuing pleas for a wide range of action to protect our greatest natural heritage.

A recent Minnesota poll, which I shall place in the RECORD, indicates that 82 percent of Minnesotans interviewed are interested in conservation.

I personally am most concerned with the entire range of issues on how to improve and enhance the quality of our environment and was quite honored to be named chairman of a new task force on this issue by the Democratic National Committee.

MR. PRESIDENT, one of the most candid, thorough, remarkably concise, and well-written series of articles to come to my attention on the environment has recently been published in the Minneapolis Tribune. Written by Richard P. Kleeman of the Tribune's Washington Bureau, it deserves wide readership by those across the Nation who are concerned about our future world and whether it will be fit to live in.

I ask unanimous consent that the article be printed in the RECORD.

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

EIGHTY-TWO PERCENT INTERESTED IN CONSERVATION

Interest in conservation runs high for many Minnesotans, a recent survey by The Minneapolis Tribune's Minnesota Poll indicates. And most of the people in the survey have concrete ideas on what they can do to protect natural resources.

The 592 adults, representing a balanced cross-section of the state's population, were asked:

"Conservation refers to conserving our natural resources. How much interest do you have in conservation—a great deal, some interest, very little, or none?"

Almost half (48 percent) described their interest in conserving natural resources as great and another 34 percent said they have some interest in the problem. Thirteen percent said they have very little interest and the remaining 5 percent reported having none at all.

The more education the person being interviewed had, the more likely he was to be greatly concerned about conservation: 64 percent of college-educated people in the survey said they had a great deal of interest in the subject. People in their 30's showed a high interest more often than other age groups (58 percent), but a majority of all adults except those 60 and over said their interest in conservation was a strong one.

What can the individual do to conserve the environment? Minnesota Poll field reporters asked this question:

"What do you think you, yourself, could do at this time to conserve our natural resources?"

About one in three (36 percent) of the respondents was at a loss to know what he personally could do, but the remaining 64 percent cited specific ways they could contribute to conservation. The more interest the person had in conserving natural resources, the more inclined he was to know what he could do about it.

Thirty percent of the people said they could do their part by personally practicing conservation—by taking care not to litter, pollute or otherwise damage the land, forests or water they used. "We can keep the lakes clean by not dumping in them and by using biodegradable products in the home," suggested a 59-year-old Minneapolis housewife.

A 42-year-old Wilkin County farmer said, "How I handle the land to prevent erosion can help."

Supporting anti-pollution groups or speaking out to educate others about conservation was mentioned by another 19 percent. "I talk vehemently about it every chance I get," said a 48-year-old Edina man. "I deplore draining the marshlands, and I don't like snowmobiles in remote areas and careless campers who leave the area in an unnatural state."

A St. Paul chemist felt his training could be useful: "Professionally, I could become involved in control of industrial pollution. Politically, I could support groups such as MECCA."

Twelve percent recommended working through the political system. "I could encourage my senator or congressman to promote conservation," said a 42-year-old St. Paul man.

Finally, 8 percent said their chief concern was the preservation of fish and wildlife. A 32-year-old Ottertail County farmer favored "stopping all hunting for five years or Minnesota will be a barren state as far as game goes."

Other specific Minnesota conservation projects mentioned by the respondents included stopping the pollution of Lake Superior and Lake Minnetonka and establishing Voyageurs National Park.

"How much interest do you have in conservation?"

[In percent]

	Great deal	Some	Very little	None
All respondents.....	48	34	13	5
Southern Minnesota.....	43	39	13	5
Twin Cities area.....	51	33	11	5
Northern Minnesota.....	47	33	15	5
Grade school education...	29	37	23	11
High school.....	46	36	13	5
College.....	64	29	6	1

OUR WORLD FIT FOR LIFE? POLLUTION THREATENS MAN'S SURVIVAL

(EDITOR'S NOTE.—What men do to their world affects everyone in it—farmer or city-dweller, ardent conservationist or casual consumer. Everyone has to breathe the air, drink the water, eat the food, throw away his trash and share his living room with his neighbors.

(All this, and more, makes up the environment we live in.

(Now, after two centuries of apathy and ex-

plottation, Americans are beginning to worry about what is being done to that environment by a society that is increasingly rich but too often heedless.

(The problems, and the things we are doing—or not doing—about them, will be described in this series of articles by a member of the Tribune's Washington Bureau.)

(By Richard P. Kleeman)

WASHINGTON, D.C.

"DEAR MR. PRESIDENT: My wife and I would like to bring a child into this world. But first we think perhaps something should be done—and quickly about its physical environment."

This letter is one of dozens on the subject that come to the White House each week as evidence of mounting public concern—and impatience—over what man is doing to the only world he's got.

A California mother writes: "Can it really be true that man has less than a half-century left on this earth? When I watch my two young sons sleep at night, the fear of this for them is strong inside me."

And a Maryland sixth grader speaks for his class: "We are very concerned about environmental problems. . . . Let the world be beautiful like it was at first."

A young man in Illinois summed up the mood: "Stop air pollution. Stop noise pollution. Stop water pollution now now now now now (repeated 60 times)."

It is almost impossible to pick up a magazine, read a newspaper or look at television without finding new accounts of actual or threatened danger to our surroundings. Congress and the state legislatures are flooded with proposals for cleansing our water, purifying the air, controlling pesticides and cutting the level of noise, radiation, erosion and other unwanted assaults upon our living space.

So great is the clamor that one water pollution expert's first reaction to a reporter's question is a protest: "You're not going to write another 'ain't-it-awful' story! At least try to say something positive."

There has been plenty of "ain't-it-awful" writing—though there are positive things to be said.

TRUTH IS WORRISOME

But certainly the facts are frightening. Listen to Charles C. Johnson Jr., head of environmental health services for the Department of Health, Education, and Welfare (HEW):

"Toxic matter is being released into the air over the U.S. at a rate of more than 142 million tons a year, or three-quarters of a ton for every American. . . .

"Not counting industrial and agricultural wastes, we discard more than 165 million tons of solid wastes every year. . . .

"Much of the drinking water available in our nation's communities is of unknown quality. . . .

"Radiation as an environmental hazard is a growing threat to ours and future generations which we have barely begun to understand. Radiation sources are now to be found throughout the environment. . . .

These facts—and more, from pesticide traces already found in many foods to the threat of sonic booms from supersonic planes yet to be built—have for the first time shoved the problems of environmental pollution onto the front burner of the political stove.

Now concern for the environment has become "good politics" on a national level. "It's about the only subject I speak on across the country, and I never find anyone who isn't interested," says Sen. Gaylord Nelson, the Wisconsin Democrat who has been campaigning on conservation issues since he first ran for his state's legislature in 1948.

Twenty years later, Nelson finds it hard to be optimistic but he sees the issue growing:

"This will be the biggest issue of the seventies—more important by far than Vietnam or hunger or equal opportunity, because those issues will be irrelevant unless we solve our environmental problems."

"CAN'T CONTINUE AS WE ARE"

Minnesota's Sen. Walter F. Mondale—just named chairman of a Democratic National Committee task force on the environment—agrees:

"We can't continue as we are. With our pollution of air and water, the use of the ocean as a garbage can, the destruction of remote areas of natural beauty and our tipping of the critical balances of nature, we are raising doubts as to man's very survivability."

In the past, presidential campaigns have been almost devoid of environmental discussion, except for a few brief ritual gestures, and the last campaign was no exception. "We should never again have such an election campaign," says conservationist David Brower—and Nelson and Mondale predict that we won't.

"I wouldn't be surprised to see a president elected on this issue," Mondale says. "But it's going to turn into a great national debate that won't be easily won; there are enormous commercial and industrial and military issues involved."

The issue; indeed, goes beyond our borders. Rep. Albert Quie of Minnesota found European lawmakers at a recent NATO parliamentary meeting in Belgium "tremendously interested" in problems like London smog (which floats across the North Sea to Norway) and U.S. pollution (which floats all the way across the Atlantic in air and water currents). Since Quie's return, NATO, at President Nixon's suggestion, has set up a committee on preserving the environment.

And the Duke of Edinburgh, when he wasn't telling how broke the British royal family is, predicted during his recent American tour that "hideous problems" of pollution, if unsolved, could mean "the world is heading for wreck."

INCIPIENT DISASTER?

A U.N. conference on human environment will be held in 1972.

Does all this mean the moment of environmental crisis is here?

"It's approaching the disaster stage," Nelson argues. "Our resources are actually quite limited and our air and water especially are being rapidly degraded."

"Knowledgeable scientists agree with Paul Ehrlich when he says the oceans will be sterile in 10 years—with man dying out soon afterward—because pollution and pesticides are destroying their productivity."

President Nixon's science adviser, on the other hand, won't go that far.

"There is a serious situation that needs very prompt attention," says Dr. Lee Dubridge. "But 'crisis' implies that unless something is done tomorrow, the world blows up—and these are long-term problems."

Dubridge concedes that there are "individual crisis areas" where present trends must be reversed quickly. Among these he lists the contamination—what some call the "death"—of Lake Erie and the fouling of the air over the nation's big cities by automobile engine exhaust.

But Dubridge notes that, even if we could pass laws forbidding air and water pollution, it wouldn't work: "Our whole economy would be brought to a halt."

There, in fact, is the problem at its simplest: The end result of an ever-growing society of ever-increasing wealth producing ever more goods and services with too little regard for preserving the world and its atmosphere.

Now, however, there seems to be a growing conviction that something's got to give. As one expert said to a congressional conference

on the environment last month: "We can't afford the luxury of assuming that the extinction of man will not happen—and in our children's generation, it likely will happen. We may be the last people on earth who can alter this process."

OUR WORLD FIT FOR LIFE?: POPULATION OUTSTRIPS PLANNING—GROWTH ENDANGERS ENVIRONMENT

(By Richard P. Kleeman)

WASHINGTON, D.C.—Were you one of the many who drove into a national park campground last summer—and found the "full" sign already posted?

Have you tried to get a dial tone from a New York City pay telephone?

Were you in one of the tourist autos tied up for nearly two hours on Washington's Constitution Av. last July—by a minor rush-hour fender-bender collision?

Perhaps you flew to New York, Chicago or Washington on a tight schedule—only to find yourself circling for an hour or more waiting for landing clearance at these "saturated" airports.

Or maybe your errand was something as simple as picking up a quart of milk at the corner grocery some Sunday evening—and you had to wait in a checkout line behind 25 other improvidents.

If these situations sound painfully familiar you may find more truth than humor in those bumper stickers that proclaim: "Trouble parking? Support planned parenthood."

The fact is that the onrushing growth of population, and its unplanned distribution, are creating tremendous environmental problems—both here and around the world.

If present growth rates continue, the United States will have 300 million inhabitants by the end of the century. It took the nation 300 years to grow our first hundred million people, 50 years to produce the next hundred million—but the third will arrive in just 30 more years.

It's the same the world over. By the year 2000, there will be nearly seven billion human beings—twice today's total—and from then on, we'll add another billion every five years, at present rates.

Such population growth puts heavy strains on supplies of pure air and water, recreation space, mineral resources, and food stocks.

"A growing population will increase the demand for such resources," President Nixon said last summer, "but in many cases, their supply will not be increased and may even be endangered."

A biologist told a recent national conference on conservation and voluntary sterilization: "Competent scientists believe the world cannot indefinitely support the 3.5 billion people we have on earth today—let alone the horrendous numbers anticipated in the relatively near future."

Former Secretary of the Interior Stewart L. Udall is even more blunt: "If we're really going to double our population, our environmental problems become insoluble."

Most population studies focus on the specter of hunger and world poverty. But for the United States, most of the problems—like those listed at the start of this article—are not those of poor and underdeveloped people and nations, but of the affluent society.

The United States has 6 percent of the world's population—but it consumes 60 or 70 percent of its resources.

"Rich people occupy more space, consume more of each natural resource, disturb the ecology more—and create more land, air, water, chemical, thermal and radioactive pollution than poor people," says Dr. Jean Mayer, the Harvard nutritionist who is managing this week's White House conference on hunger.

"So it can be argued that, from many viewpoints, it is even more urgent to control the numbers of the rich than it is to control the numbers of the poor."

The same theme—tying living standards to population growth—was struck by a citizens advisory committee on environmental quality. Reporting to Mr. Nixon, the committee—headed by a very rich man, Laurance S. Rockefeller—declared:

"We believe there should be a national goal of at least reducing the increase of our population growth, and, upon further study, perhaps seeking to stabilize it as a key factor in restoring and maintaining environmental quality."

BIRTH CONTROL NOT SIMPLE SOLUTION

Although this philosophy would seem to unite two sizeable constituencies—conservationists and birth controllers—it's not that easy. And although President Nixon has called for expansion of federal birth control services, action has been hesitant.

The Office of Economic Opportunity, one of the federal agencies involved, is seeking congressional approval to spend \$22 million this year to offer birth control services to 700,000 needy women. But although this would double the number of women reached, even the expanded program would fall short of serving the more than 5 million women who want and would qualify for subsidized birth control services—and who now bear an estimated 450,000 unwanted children every year, according to a federally sponsored survey.

Government birth control programs are not only small and strictly voluntary, they are also highly controversial. Typical of the source and tone of the opposition is the position of Cardinal Patrick O'Boyle, Roman Catholic Archbishop of Washington, D.C., who condemns expanding government birth control efforts as "anti-life" and based on "a false sense of values, which compares the cost of preventing people with the cost of serving them."

If the Roman Catholic hierarchy finds voluntary programs distasteful, it would probably react even more strongly to some of the more drastic proposals being aired for slowing U.S. and world population growth.

SOME CALL FOR STRICTER MARRIAGE LAWS

Some propose asking American parents to adopt the principle of the two-child family as "a social and family ideal."

Others would go much further. Kingsley Davis, a University of California population expert, suggests such steps as state laws raising the minimum age for marriage or federal laws ending income tax breaks for married couples and tax exemptions for children.

"This country would be better off with half the population," Davis argues. "With our present technology and the population of the 1930s, the country would be a paradise. As it is, it's getting to be like hell."

More practical, but no less an advocate of population "recession," is Udall. "The most hopeful thing in this area are our kids," he says.

"Our national policy has been growth and more growth . . . but our youth, with their new life style, seem to be adopting a new national policy—marrying later, having fewer children and having them later in life."

This trend has led to a nine-year drop in the birth rate which Udall believes may point to a leveling off of the nation's population in a decade or so at 230 to 240 million people.

Even if there should be a slowdown in growth, there will be a population problem as long as 70 percent of the nation's people are jammed into less than two percent of its land—the cities and suburbs.

FARM ECONOMY SHOULD BE STIMULATED

"A national population policy," says conservationist Raymond Dasmann, "should

seek to encourage people to live in areas within which environmental problems could be minimized—to discourage both unhealthy and unwieldy concentrations of people at one extreme and uniform land-destroying dispersal of people at the other."

Two men with Minnesota roots but of opposing politics—Republican Rep. Odin Langen and DFL former Agriculture Secretary Orville Freeman—have long argued for slowing down farm-to-city migration by new efforts to stimulate the economy of the countryside.

President Nixon appeared to be heeding such advice when, last month, he established a cabinet-level Rural Affairs Council as a counterpart to his Council on Urban Affairs.

A national commission on urban growth recently proposed creating 100 new cities of 100,000 people each, plus ten of at least 1 million each. But even this proposal, as Mr. Nixon pointed out, would house only one out of five of the people expected to join the U.S. population in the next 30 years.

OUR WORLD FIT FOR LIFE?: MUST DOUBLE SUPPLY OF ELECTRICITY IN 10 YEARS—POWER NEEDS AFFECT ENVIRONMENT

(By Richard P. Kleeman)

WASHINGTON, D.C.—One suburban Minneapolis man found out how much electric power means to modern life on a bleak October morning this year when a freak snowstorm knocked out the current in his home.

He didn't mind being without lights. He wasn't disturbed when he found he couldn't shave.

He didn't even get upset when he realized he couldn't brew either regular or instant coffee because both his coffemaker and his stove were dead.

But it was just too much when, after resigning himself to shaving and breakfasting downtown, he couldn't even leave home—because the electrically operated garage door wouldn't open and he didn't know how to disconnect it.

Such momentary inconvenience for one suburbanite translates into a major long-term problem for the nation. Four years and 37 major power failures after the great northeast blackout of 1965 experts say we must in the next 10 years double the output of a power industry which already has an \$80-billion plant investment.

And in 30 years, if present forecasts of a U.S. population of 300 million come true, we'll need almost five times our current 325-million kilowatt power capacity.

Adding that much generating capacity could have a heavy impact on the environment.

And how that much power is to be produced—whether by more coal-, oil- or gas-fired plants or through a vast expansion of nuclear-powered generators—is producing intense, sometimes angry, debate.

Those who favor nuclear power lean heavily on environmental as well as economic arguments.

"Anyone who has ever visited a nuclear power station is bound to be impressed with its quiet and clean operation," says Glenn Seaborg, chairman of the U.S. Atomic Energy Commission (AEC). "The growth of nuclear power will help abate air pollution, help reduce traffic and noise in the area surrounding the power plant and generally should make that area a much more attractive and healthier place to be."

Seaborg goes on to contrast this picture with the situation if we try to meet end-of-century power needs with coal, saying we would need to burn 10 million tons of coal per day, moved by some 100,000 railroad cars, producing "a disastrous environmental hazard" in the form of air pollution.

The AEC, playing its controversial dual role as both promoter and regulator of nuclear energy, predicts that half of U.S. power

needs will be filled by nuclear-generated power within 30 years, although today only about 1 percent is thus produced.

But there are many who disagree with Seaborg's cheerful view of the environmental benefits of nuclear power stations, and the smooth road to vastly increased nuclear generating capacity is filling up with chockholes—as Minnesotans well know from the current controversy over Northern States Power Company's (NSP) plans to operate nuclear plants at Monticello and Prairie Island.

In rising numbers, scientists, politicians and plain citizens have become concerned—sometimes alarmed—over possible effects of radioactive or heated wastes from the "nukes."

CHANCE OF ACCIDENT CAUSES WORRY

They worry not only about known effects of pollution discharged into the air and water by normal operation (and the AEC stresses the outstanding safety record of existing nuclear plants). They worry also about unknown, long-term dangers of genetic harm—and about the chance, however slim, of a radiological accident that could release even small amounts of radioactive waste to the environment.

To Sen. Gaylord Nelson of Wisconsin, who wants a careful restudy of the seven nuclear power stations being built or planned around Lake Michigan, "It's the same old story in our dealings with the environment." He explains:

"Most of what we know about nuclear plant pollution is what we don't know . . . we put technology to work the minute it comes off the production line, without waiting to learn whether it can improve quality as well as quantity in American life.

"Then, when it brings environmental disaster a few years later, it's too late to do anything."

AEC claims radioactive discharge from nuclear plant is minimal. AEC member James T. Ramey contended that Minnesota was "making a mountain out of a molehill" when it insisted that NSP's Monticello plant have radioactive discharge limits 50 times lower than AEC and international standards.

As for thermal (heat) pollution, about the only agreement currently is that it needs more study—and that raising the temperature of river and lake water can have both good and bad effects on different forms of aquatic life. The AEC has given its blessing to pending legislation that would let states regulate heat pollution under a federal licensing system: The Interior Department, bidding for jurisdiction in the field, so far has taken a tough, protect-our-waters stance.

The dispute is getting rough. Recently, an electrical industry publication took a two-page newspaper advertisement to claim that "a handful of people are pulling the plug on America."

MINNESOTA CASE TO PROVIDE TEST

The AEC's Seaborg doesn't go that far. But he calls for "less hysteria, less searching for scapegoats, less polarizing of conservationists and technologists." What is needed instead, he says, is "adjustment and compromise . . . and a better working relationship between reasonable and rational environmentalists and technologists who will see they are not as far apart as they believe."

In a conciliatory move, AEC broke precedent recently and agreed to have its top officials appear at several open conferences on nuclear power—the first of them held in Vermont and Minnesota.

But others are less placatory. NSP is suing the state of Minnesota over the Monticello plant permit in both state and federal courts; a half-dozen other states and several federal agencies are watching, with most quietly rooting for Minnesota's tougher-than-AEC position.

Some congressional boosters of nuclear

power plants have charged the coal industry with trying to block atomic power. Others, like Chairman Chet Holifield, D-Calif., of the Joint Congressional Atomic Energy Committee, argue that opponents are courting disaster.

"Unless the demands for clean water and air are kept in perspective," a Holifield committee report said this year, "the anti-technologists and single-minded environmentalists may find themselves conducting their work by the light of a flickering candle."

Seaborg warns that future power shortages could mean blackouts of days instead of minutes or hours:

"The environment of a city whose life's energy has been cut—whose transportation and communications are dead, in which medical and police help cannot be had, and where food spoils and people stifle or shiver while imprisoned in stalled subways or darkened skyscrapers—all this also represents a dangerous environment that we must anticipate and work to avoid."

SEES NEW ROLE FOR STATES

Which way to turn, then, in this bitter controversy?

One man who should have a balanced view is Dr. Joseph Lieberman—an AEC veteran who helped run its nuclear reactor safety program, then moved over to help run the environmental health service in the Department of Health, Education and Welfare.

"In general," he said in an interview, "with the kind of care AEC requires to go into the location, design and operation of nuclear plants, and the regulation and compliance control exercised, I think they're safe."

"But, having said that, it does not mean you build a plant and go away and forget it: Here is an area where states can play a role of surveillance and monitoring, because states have a responsibility to their citizens to check the utility out, and to keep track of what is happening to these plants . . ."

Lieberman's agency and AEC are currently discussing a possible program of nuclear plant surveillance, and AEC has offered Minnesota a watchdog, monitoring role as a possible compromise of the current controversy.

[From the Minneapolis Tribune, Dec. 3, 1969]

OUR WORLD—FIT FOR LIFE?: VIEWS ON CONTROL OF POLLUTION VARY

(By Richard P. Kleeman)

WASHINGTON, D.C.—If the federal government's water pollution control chief ever needs a reminder of how tough his job is, all he has to do is look out the window of his spacious, 11th-floor office.

Below him the Potomac River, brown and sluggish; carries its load of pollution slowly toward the sea—evidence of the failure of past clean-up efforts and warning of disappointments that still seem likely in the future.

Every expert agrees that cleaning up the nation's rivers and lakes is essential to meet growing demands of a growing population that finds a growing number of ways to use water. By the year 2000, the only way to meet those demands will be to reuse our water—not two or three times, but many times over. And to be reusable for most purposes water must be decontaminated.

David D. Dominick, the 32-year-old former U.S. Marine officer who is commissioner of the Federal Water Pollution Control Administration is an optimist, despite the view from his office:

"I think we're going to see significant improvement in the quality of our waters in the next three to five years," he said.

But the man who used to sit in Dominick's chair looks ahead and sees disappointment, while the government's chief auditor looks back and concludes that \$5.4 billion in public and private outlays over the past dozen years have produced little or no progress in cleaning up the nation's waters.

The complexity of the problem is reflected in the differing prescriptions of these men for curing it.

EXPERTS DIFFER ON TIME REQUIRED

Dominick bases his optimism on the fact that "we have time schedules for both industries and municipalities, many of which call for completing waste treatment works by 1972. Our real mission is to see that those schedules are met—if we can get everybody to come in with treatment facilities, we'll have clean water."

But James Quigley, one of Dominick's predecessors, foresees a longer wait for the kind of results Dominick predicts—and says the treatment works won't do it all anyway.

"In 10 or 15 years, I think we'll see a generally good job of 'point-source' pollution control," Quigley said. "But when that happens—and billions of dollars will have been spent to do it—the public may look at our waters and say, 'But they're still dirty.'"

By that Quigley said he means waters "will still be muddy and brown and contain pesticides and herbicides and bird and animal wastes. We'll still have a lot of 'non-point' pollution—runoff from farms, streets, parking lots, building projects—and I don't think anybody knows or even gives enough thought to how to control that."

Elmer Staats, comptroller general of the United States and Congress' chief auditor, reported recently that little progress has been made despite a 12-year effort by federal, state and local governments and private industry.

He blamed a "shotgun approach" that has allowed federal grants for sewage treatment plants to be made to lower-echelon governments on a first-come, first-served basis.

Staats recommended spending vastly more than the federal government's \$1.2-billion share of the 12-year program, but under a new system that would give priority to grants for local treatment plants where they are most needed.

There's a congressional drive on—with Minnesota's Rep. John Blatnik among its leaders—to provide more federal money for such projects, but like other domestic programs in a war-weighted budget, it's an uphill fight.

\$800 MILLION APPROVED FOR GRANTS

Despite prior congressional authorization of \$1 billion for sewage plant construction grants this year, both the old and new administrations asked for only \$214 million. Late yesterday a Senate-House conference committee agreed to provide \$800 million, a compromise between the \$1 billion favored by the Senate and the House-approved appropriation of \$600 million—which is all the administration says it could use in the next 18 months.

Both houses now are likely to approve the \$800-million spending level, and a bipartisan congressional group will call on the President to urge him to spend that much.

In addition to the spending hold-down, local officials also were worried about a proposal which the Nixon administration seemed ready to adopt from its predecessors: To replace direct federal cash grants with "payer-later" pledges to help finance sewage treatment works.

This would force local governments to fund construction initially—and entirely—by local bond issues in an increasingly tight market for local bonds, while federal reimbursement would be spread over a 30-year period. The Interior Department is reported reconsidering this scheme.

Who is responsible for today's widespread water pollution? Spokesmen for industry made clear—at a recent conference where Interior Secretary Walter Hickel proclaimed a "war against polluters"—that they are tired of being branded the nation's worst polluters.

They much prefer the approach of Hickel's

assistant secretary for water quality, Carl Klein, who rates municipalities, agriculture and industry—in that order—as the leading offenders.

Klein, however, quickly adds that because smaller industries add heavily to municipal wastes, industry is responsible for two-thirds of the combined non-farm pollution.

Agriculture's role as a water polluter was acknowledged by former Agriculture Secretary Orville Freeman, who said in his final report that "sediments from eroding land are the main burden of pollutants in surface water"—contributing 700 times as much contamination as sewage discharge.

Freeman also has pointed up a startling statistic: The fact that a large feedlot housing 10,000 cattle "has about the same sewage disposal problem as a city of 164,000 people." And this, experts agree, is a part of the water-pollution problem that has yet to be tackled.

TOUGHER LEGISLATION SOUGHT

Despite present and prospective problems, Dominick believes "the political climate currently is such that we can get tougher legislation."

Hickel and Dominick have said they plan to ask Congress for beefed-up authority to move rapidly against polluters. Generally, present water-pollution statutes emphasize state and local enforcement roles.

Even as it is now, the federal government has shown it can get tough: It threatened to sue the city of Toledo, Ohio, and four industries for not moving fast enough to end their pollution of Lake Erie, and it acted to force the state of Iowa to set higher water quality standards for the Mississippi and Missouri Rivers and lesser streams than the state was willing to impose.

Iowa's expected challenge to that federal order may create a state's-rights controversy as significant as Minnesota's assertion of its right to set stricter-than-federal standards for radioactive waste from nuclear power plants.

Dominick and Quigley deny that political pressure has been brought to bear on them to back down from strong water-cleanup stands.

But Quigley believes such pressures are probably concentrated at the state level, where most of the pollution control responsibility rests.

"The big polluter in any state," he said, "is also likely to be the big industry, the big taxpayer—and the big political supporter."

[From the Minneapolis Tribune, Dec. 4, 1969]

OUR WORLD—FIT FOR LIFE?: DDT: DILEMMA FOR PRESENT, FUTURE

(By Richard P. Kleeman)

WASHINGTON, D.C.—"We're very much concerned about the environmental effects," the secretary of Health, Education, and Welfare said, "but at the same time we have to feed a nation."

Thus, as he announced first steps toward a near-ban on the use of DDT, Secretary Robert Finch spotlighted an agonizing dilemma: How to balance enormous past benefits of pesticides against their harmful effects—some proven, some potential—on man and his surroundings?

A Department of Health, Education and Welfare (HEW) commission of distinguished experts cited "abundant evidence" of widespread DDT residues "in man, birds, fish and other aquatic organisms, wildlife, soil, water, sewage, rivers, lakes, oceans and air."

Aware that massive doses of DDT had caused cancer in laboratory mice, the commission, reporting to Finch, also pointed to evidence that the pesticide is "highly injurious" not only to its insect-targets but to many other forms of life.

In recommending the virtual ban on DDT within two years, the commission said: "Our

nation cannot afford to wait until the last piece of evidence has been submitted on the many issues related to pesticide usage. We must consider our present course in terms of future generations of Americans and the environment that they will live in."

And yet to condemn any food containing DDT—to act, for example, as he did against cyclamate sweeteners—could be disastrous, Finch said.

Strictly enforcing against DDT the law used to ban cyclamates "would convert us to a nation of vegetarians," he observed, because small traces of pesticides are found in "much of our red meat, many dairy products, some eggs, fowl and fish—all parts of basic food groups deemed necessary to a balanced diet." And such foods have been found safe, despite those pesticide traces, the commission reported.

RACHEL CARSON'S WARNING RECALLED

Agreement to work toward a DDT ban was reached by Finch and the secretaries of agriculture and interior seven full years after this warning by the late Rachel Carson in her controversial—but finally vindicated—book, "Silent Spring":

"Can anyone believe it is possible to lay down such a barrage of poisons on the surface of the earth without making it unfit for all life?"

Sen. Gaylord Nelson, the Wisconsin Democrat whose bill to ban interstate commerce in DDT has been pigeon-holed by three congresses, also deplores using some 800 million pounds of pesticides on U.S. crops every year with incomplete knowledge of their effects:

"The Great Lakes coho salmon are loaded with DDT, and it seems to affect their nervous and reproductive systems . . . the bald eagle is dying out because hens can't produce sufficient calcium to form hard eggshells . . . persistent chemicals evaporate and become airborne—so DDT drops on Sweden, where it's banned . . ."

Nelson couples his dismal indictment with charges that agricultural and chemical interests have heedlessly promoted use of pesticides, while federal agencies—notably the Agriculture Department—and congressional committees have dodged the problem.

Nelson and 30 cosponsors earlier this year won Senate approval of a far-reaching proposal to require the Department of the Interior to include pesticides among pollutants when states set their water quality standards.

There are those, however, who counsel caution, perhaps because of DDT's incalculable World War II contribution in curbing malaria and other insect-borne diseases, and its 25-year record of protecting food crops.

"It's true that, improperly used, pesticides contaminate rivers and lakes and the life in them," Dr. Lee DuBridge, President Nixon's science adviser, said in a recent interview.

"But if we suddenly did away with them, there would be huge crop losses and possibly a huge incursion of disease-carrying insects that might cause losses greater than the loss of fish.

"That doesn't mean we do nothing. But we must use insecticides under controlled conditions and choose them for their qualities and the needed degree of persistency."

Pesticide played a part—albeit still a small one—in a federal health official's recent warning that "we can no longer afford to take the purity and safety of public drinking water supplies for granted."

Charles C. Johnson Jr., administrator of the government's environmental health service, made the statement in reporting early results of a survey of community water supply systems serving some 20 million residents in nine areas across the nation.

Preliminary results indicate that one water system in 11 contains some contamination

and about 6 percent of the people served get drinking water that falls short of Public Health Service standards. Projected nationally, Johnson said, this would indicate that perhaps 8 million of the 150 million Americans served by community distribution systems may be drinking water of potentially unsafe bacterial content.

"While none of the samples exceeded recommended permissible limits," he said, "the high frequency of occurrence and our lack of knowledge of the long-term effects of this class of compounds dictate the need for increased surveillance and research, as well as for increased recognition of the potential of this problem by state and local health departments."

TENDENCY TO RELAX GETS BLAME

Individual wells and cisterns—from which some 50 million Americans get their water—also showed the presence of pesticides. This, Johnson said, "verified what many have long suspected: That pesticides are finding their way into ground water."

James McDermott, director of the federal bureau of water hygiene, speculates that communities have allowed their drinking water supplies to backslide.

And he says it's a drift that cannot long continue:

"Chances for accidental spills into water supplies have increased, towns are growing much closer together—so one man's intake is getting closer to the other's discharge.

"Within 50 years water is going to be so scarce in some sections of the country, and the cost of treating it will have risen so high, that direct reuse of water will make sense."

By then, McDermott suggests, technology, operation and surveillance of community water systems must be vastly improved: "If we're not able to maintain forward motion in these areas," he warned, "we shall not be able to maintain this affluent society—where people take water for granted."

[From the Minneapolis Tribune, Dec. 5, 1969]
OUR WORLD—FIT FOR LIFE?: ATTACK ON CROWDED, NOISY, POLLUTED U.S. AIR IS SLOW

(By Richard Kleeman)

WASHINGTON, D.C.—The businessmen had come to talk about pollution, but the secretary of the Interior jolted them into thinking about the air as well.

"How many of you know that the jets that flew you here dump 35 tons of solid wastes in just one day as they land and take off at Washington airports?" Walter Hickel asked.

Had he chosen to add more insult to airborne injury, Hickel could also have reminded the industrial leaders that:

The airport where most of them landed, Washington National, is one of five in the nation already operating at "saturation."

Airplane noise in the Washington area is so bad that, especially on summer evenings, plays and concerts must pause or be drowned out and living-room conversation in a sizable segment of the metropolitan area is periodically obliterated by jet arrivals and departures.

What is true in the capital is true across the nation: our air is getting dirtier, noisier and more crowded every day. But this triple problem is also under continuing—though slow-moving—attack.

Every year more than 142 million tons of pollutants are released into the air over the United States. That's three-quarters of a ton for every man, woman and child. It adds up to more than the nation's total annual production of raw steel.

And, despite clean-air laws that date back to 1955, experts say the air-cleaning problem remains far more complex than depollution of water—because water can more easily be contained, traced and tested.

NEW YORK'S AIR IS DIRTIEST IN UNITED STATES

A 1967 study by the Department of Health, Education and Welfare (HEW) found that New York, N.Y., had the dirtiest air of 65 major metropolitan areas. The Twin Cities ranked 32nd, or just about halfway down the list.

"It doesn't look like you've got much of a problem at all," a spokesman for the government's National Air Pollution Control Administration said recently after checking a report on Minneapolis-St. Paul area air quality.

The five most common pollutants are: carbon monoxide, which comes primarily from automobile exhaust and accounts for more than half the nation's air contamination; sulfur oxides, largely from industrial and power plants, which together account for nearly one-third of the total pollution; hydrocarbons and nitrogen oxide, which combine under strong sunlight to cause "smog"; and particles—liquid or solid—of various kinds and sizes.

Almost all air pollution results from some kind of combustion, or burning—gasoline in auto engines; coal, oil or other fuels in industrial plants, generators and heating plants; or incineration of garbage and other refuse.

Auto exhaust was an early, but elusive, target. After preliminary efforts by a few states to set their own exhaust-control standards—which raised the specter of cars having to be built to meet different regulations in every state—Congress in 1965 gave the Department of Health, Education and Welfare control over exhaust emissions from all new cars.

But even though 1970-model cars must carry effective antipollution devices, the problem remains—because of the 100 million older cars remaining in use and because most states don't require annual inspections to make sure the devices keep working.

WANTED: SUBSTITUTE AUTO ENGINE

Many experts, indeed, believe the only answer is elimination of the internal-combustion engine. And the Nixon administration recently announced plans to spur research on low-pollution steam and electric engines as possible substitutes—although recent reports question the practicality of steam for automotive power.

Dr. Lee DuBridge, Mr. Nixon's science adviser and a man who both lived in and analyzed Los Angeles, Calif., smog for 22 years, told The Minneapolis Tribune that the government "will find ways of greatly increasing its research funds in this area."

Although most federal research spending is being cut, this effort "is going to take priority," DuBridge said, with a boost from \$2 billion to \$10 or \$15 million per year planned to fund "very significant and promising projects."

Rep. Joseph Karth, D-Minn., has urged the government to use its leverage in another way—by buying low-emission vehicles for federal agencies. The government's purchasing agency, the General Services Administration, has plans to test a mechanism that would allow an auto to switch at will from gasoline to compressed natural gas as fuel.

The auto industry's record is mixed. The federal government brought—and later dropped—a conspiracy suit in California against automakers who allegedly withheld emission-control devices. Now New York has started a similar suit.

On the other hand, General Motors last May exhibited 26 experimental vehicles that either had new pollution-control systems or were powered by turbine, steam, electric or other power systems.

If progress in dealing with auto exhaust has been slow, the effort to choke off other forms of air pollution has sometimes seemed completely stalled. President Lyndon B. Johnson asked Congress to give the federal

government full control of such polluters as industrial and power plants—but was turned down.

COMBINED APPROACH TO REGIONAL PROBLEM

Instead, Congress adopted a scheme devised by Sen. Edmund Muskie, D-Maine, for a combined federal-state-local approach to what is recognized as a regional problem not neatly confined by political boundaries.

This plan—slow-working and thus more to industry's liking—has resulted in designation of 57 "air quality control regions," including one for Minneapolis-St. Paul and others for Fargo, N.D.-Moorhead, Minn., and Sioux Falls, S.D.

The regions were set up so as to involve all the states; for each region, states will propose five-year air-quality improvement plans—subject to federal approval and consistent with federally-set guidelines.

Even this more gradual approach has met resistance: the American Mining Congress, for example, has demanded withdrawal of the federal guidelines, arguing that they interfere with states' rights and tend toward imposing a national air-quality standard.

The job ahead is a big one. Robert Finch, secretary of Health, Education, and Welfare, says combined federal-state-local government spending for cleaning the air should reach \$454 million annually within five years—nearly four times the present level—and he says that industry should by then be chipping in some \$750 to \$950 million.

Noise is a relatively recent addition to the recognized list of air pollutants. The first federal control law was passed in 1968; it was not until last month that the government, acting under that law, issued its first regulations to limit the amount of noise new commercial jet airliners can make. And noise regulation applying to existing jets and those in the development pipeline won't be along until later.

Airplanes aren't the only noise problem. Former Interior Secretary Stewart Udall combines the expert's view with that of the ordinary citizen when he says that "the noise level in this country has been doubling every 10 years," then adds: "New York just drives me crazy."

BUSES, SIRENS, HORNS AND JACKHAMMERS

And while considerable work is being done to cut jet noise and study the threat of sonic-boom damage, little has been done to silence the buses, sirens, auto horns, jackhammers and other noisemakers on earth.

A citizens advisory committee on environmental quality reported recently to President Nixon that "all these and scores of other noise sources can be silenced with present technology—what we do not have is a means of enforcing them."

The problem of pollution by crowding—air traffic congestion—is being attacked on several fronts. New air traffic control regulations have been proposed for major airports by the Federal Aviation Administration; Mr. Nixon has asked funds for 4,400 more air traffic controllers, and a 10-year, multibillion-dollar airport development program—which the administration wants financed by higher taxes on air passengers and freight—is before Congress.

For some conservationists, however, all this is offset by the prospect of the SST—the 300-passenger, 1,800-miles-per-hour supersonic transport jetliner for which Mr. Nixon recently requested a federal financing go-ahead. The SST, according to some critics, poses a sort of triple-threat to the air around us.

A presidential study committee warned—before Mr. Nixon approved the SST—that the aircraft's sonic booms could cause "significant further deterioration in the environment for people on the ground."

Earlier, an official of the Conservation Foundation here spelled out some of the

reasons why many people worry about the SST:

"Few of us resent the time actually spent in the air on the present modern jets.

"All of us resent the delays and confusion involved in our inefficient airports and in travel to and from airports.

"All of us resent the crowding and discomfort we experience in airplanes that carry too many passengers in too small a space.

"But, rather than spend money to solve these very real problems, we spend it to develop an unneeded, environmental harmful, airborne monstrosity . . . It seems to be a question of putting technology first and forcing people to fit into it, rather than using technology to benefit people."

[From the Minneapolis Tribune, Dec. 8, 1969]

OUR WORLD—FIT FOR LIFE?: "SOLID WASTE" ON MOON REFLECTS EARTHLY PROBLEM

(By Richard P. Kleeman)

WASHINGTON, D.C.—When his 1957 car gave out not long ago, Richard Vaughan found it neither cheap nor easy to give it a decent burial.

A shredding plant finally agreed to pay him \$10 for the old clunker—but the neighborhood filling-station operator wanted \$20 to tow it there.

Most of us might have taken the \$10 beating and just grumbled, but Vaughan started thinking: Why not issue a certificate with every new car that would remain with the vehicle and entitle its final owner to recover \$10 or \$20 from a scrap dealer? The dealer in turn would be reimbursed by the auto maker—who thus would bear some of the cost of the waste pollution his product created.

Vaughan, it should be noted, is director of the Bureau of Solid Waste Management in the Department of Health, Education and Welfare. Thus his personal dilemma also was his professional concern.

But the incident illustrates a pollution problem that threatens literally to engulf the nation unless we handle it better—and soon.

The problem of "solid waste"—which is what the experts call anything that isn't air or water pollution—took on cosmic dimensions when the Apollo 11 and 12 astronauts left costly debris on the moon. But it has been an earthly problem of mounting proportions for a long time, as ever-present as the discarded can-opener rings that seem to have become America's new national symbol.

Every day, U.S. municipal and private collection services pick up the equivalent of more than five pounds of trash and garbage for each American.

And because we are using more no-return bottles, more cans and more plastic containers every year, our individual waste output has been going up by more than 4 percent each year. This means that by 1980, the collectors will have to pick up eight pounds of discard per person every day.

SOLID WASTES MUST BE MOVED

Even that is just what's actually collected. The experts figure that now another 10 pounds per person is jettisoned daily outside of collection channels by homes and businesses. And even these figures don't include the billions of tons of farming and mining wastes that pile up every year.

Solid waste differs from air and water pollution, which move on their own, often across political boundaries. Unless solid waste is picked up and carried away, it just piles up where it was dumped, creating ugliness, pollution and injury.

For the most part, even if we do pick it up, what we do with it isn't very different from what we did half a century ago: Though a number of major cities are experimenting with hauling garbage to remote dumping grounds by train, for example, that "merely

substitutes an engine for the mule that used to haul the trash wagon," as one New York City sanitation official puts it.

Though the smoky, smelly open city dump has long been recognized as both an eyesore and a health hazard, more than 90 percent of this nation's solid wastes are disposed of on land. A recent survey of 6,000 such sites found that only one in 16 qualified as a sanitary landfill—a scientifically run area where refuse is spread, compacted and covered daily with earth, without burning or otherwise polluting air or water.

SOME LANDFILLS PUT TO GOOD USE

Space for such sanitary landfills is limited, but where they have been used, as in Los Angeles, Calif., for instance, they have been turned into community assets—parks, botanical gardens, even golf courses—when filled and covered over.

And for refuse that must be burned, there are now high-pressure, cleaner-burning incinerators—even one experimental model that would produce usable heat and power as byproducts. But the same survey found three-fourths of the nation's public and private incinerators lacking adequate air pollution control devices.

Past history of our concern for the solid waste problem is summed up by a recent National Academy of Engineering report with these words: "Minimum attention, minimum funding and minimum application of technology."

In 1965, after long disregarding the problem, Congress passed a law to provide \$92.5 million over four years, to pay for research on new ideas in solid waste management, with payments to state and local agencies that tested them. With this encouragement, the number of state solid-waste agencies has risen from a handful to 42.

This year a bipartisan group of senators, led by Edmund Muskie of Maine, introduced a broader bill to provide \$733 million in the next five years, mostly for grants to help build regional or local disposal plants. This "Resource Recovery Act of 1969" also would set up a national materials policy commission to develop better methods of solid waste planning and handling.

The picture is not all bleak. The National Academy of Engineering report found that sufficient technological know-how exists to permit progress toward solving "many" current waste problems—not through any single, dramatic breakthrough but on a step-by-step basis that would deal with one problem at a time.

And Vaughan's agency figures that increasing present total annual spending of \$4.5 billion a year by less than \$1 billion could raise the nation's solid waste collection and disposal services to satisfactory levels.

NEW APPROACHES TO BIG PROBLEM

Those figures assume that we would do things about as they're being done now—but engineers, scientists and politicians are beginning also to look at new approaches to the problem. Among them:

Improved equipment: An "ideal incinerator" is being developed under a federal research contract in California, while safer, quieter and cleaner garbage-collection trucks are being produced for what is not only an unpleasant job but one of the nation's most dangerous occupations.

Improved disposal: Besides experiments with garbage—hauling trains, cities are using or considering use of remote, unwanted areas for dumping—deserts, abandoned coal mines and land in need of reclamation. One device being tested would suck garbage from cities to disposal sites through underground pneumatic tubes.

Reuse: The recent Interior Department announcement that government scientists have extracted a barrel of crude oil from a ton of pressurized garbage is the latest of

many attempts to reclaim and reuse what normally is discarded as waste. The idea of reusing scrap materials, familiar to anyone who saved paper or tinfoil or cans during the shortages of World War II, is being revived.

A can manufacturer has declared a bounty of a half-cent apiece for aluminum cans in certain areas of the country, and distributing 35,000 magnets to Boys Scout troops to help them identify nonmagnetic aluminum.

"We've got lots of thing around here made with garbage," says Vaughan. On his desk are several glass vials—one with a ground-garbage compound that can be used to purify water, another with a mixture usable in road building and a third containing a slow-release fertilizer—expensive but effective.

JUNK METALS, PAPER PROVE VALUABLE

"Reclaiming materials from solid wastes is still a financially marginal operation," the Citizens Advisory Committee on Environmental Quality reported to the President recently, "but there is considerable value in the reclaimed residue of our junk.

"The U.S. Bureau of Mines estimates that if all solid waste were properly incinerated, it would yield salvageable metals worth more than \$1 billion each year. A ton of recycled waste paper can provide an amount of wood pulp equivalent to 17 pulped trees."

There is talk—and research—about "self-destructible" containers that dissolve or disintegrate after use, but so far few have been marketed.

Secretary Robert Finch of the Department of Health, Education and Welfare, recently proposed making manufacturers whose products constitute potential waste share in the cost of disposing of them.

This has set off talk of a "pollution tax" which the federal government might impose on manufacturers, with revenues to be shared with states and cities that confront actual disposal problems.

In two sections of Boston, Mass., the Ford Foundation is financing experiments that combine new technical disposal and collection devices with advice on how to use them from social scientists, design experts and black community leaders.

"We want to find out what lies at the heart of the problem," a project spokesman said. "Is it people or technology, or both? The only way we can find out is to get the technology there and then get the people directly involved in it."

[From the Minneapolis Tribune, Dec. 9, 1969]

OUR WORLD—FIT FOR LIFE? POLLUTION: WORRY, BUT LITTLE FUNDS

(By Richard P. Kleeman)

WASHINGTON, D.C.—How much do we care about halting pollution and cleaning up the world we live in? Answer: Quite a bit.

How much are we willing to pay for it? Answer: Not much.

These contradictory conclusions can be drawn from two recent public-opinion surveys—one national, the other taken in Minnesota.

The contradiction points up a little-discussed but critical part of the struggle to preserve our environment—the fact that it's going to cost money, and most people would like to have someone else pay for it.

In the long run, of course, the cost inevitably will be borne by individual citizens—whether the money is spent by governments, which will get it back in tax collections or fees, or by industry, which will seek reimbursement by passing the cost along to its customers.

A nationwide survey taken by a major polling firm for the National Wildlife Federation found that almost all of the nearly 1,500 persons questioned were willing to have the federal government spend more on natural resource preservation than it does now—but only if the money is raised by cutting other

outlays, not by increasing taxes or costs to consumers.

More than half of those questioned favored diverting some federal spending from national defense, and nearly half would also spend less on space and such international programs as foreign aid.

FEW WILLING TO PAY

But when it came to specifics, two-thirds of those interviewed said they would not be willing to have their family expenses boosted by \$200 a year—in taxes and higher product prices—to reduce pollution. Even an annual expense rise of \$20 a year won approval of only 55 percent.

Another question asked. How much would you be willing to have added to your electric bill to help the power company eliminate air and water pollution from its plants? Only one out of five was willing to pay an extra \$2 a month; only two out of five would pay an extra \$1 and only three out of five would be willing to pay as little as \$25 cents a month.

(One intriguing sidelight of the poll was the fact that residents of the Midwest seemed more willing than those who lived elsewhere to pay for antipollution efforts. Where only 55 percent of the national sample, for example, was willing to pay \$20 a year more for clean-up programs, the figure was 65 percent for Midwesterners.)

The Minnesota survey—conducted by a professional polling firm for one of the state's politicians—asked a cross-section of voters to identify the state's major problems.

Statewide, and in every region of Minnesota, high taxes were rated the No. 1 problem, being cited by 31 per cent of those questioned. But in most areas, the problems of pollution and conservation ranked second—though generally well behind taxes.

There was special evidence of environmental concern in Hennepin County suburban communities and in St. Paul, with 30 percent and 24 percent, respectively, of respondents in those areas ranking conservation issues second.

In Minneapolis, 17 percent ranked environmental problems in third place, well behind welfare and social problems and, of course, high taxes.

INDUSTRY EXPECTS TO BE REPAID

The public reluctance to dig into the pocketbook suggested by the Wildlife Federation's national survey found an industry echo during a recent water pollution conference here.

Several industrial leaders at the meeting made clear that not only is industry unhappy with its "polluter" image, but it also expects to be repaid for cleaning up the pollution it does cause.

"Only a profitable enterprise can afford the cost of what must be done," Brooks McCormick, president of International Harvester Co., told the conference. He added:

"Bankrupt businesses don't pollute streams. But they don't meet payrolls either."

The president of the U.S. Steel Corp., Edgar B. Speer, said his company opposes "water treatment for treatment's sake." He explained:

"Unless some user receives value as the result of the treatment given the waste, the money spent for pollution control is removed forever from productive use."

Speer made clear that he does not expect industry to absorb antipollution costs, either. "It should be realized," he said, "that the individual citizen, in the final analysis, foots all of the treatment bills—either in taxes or in the price of goods and services."

Another industry complaint has to do with federal tax policies. A spokesman for the paper industry—acknowledged to be a major source of pollution—professes "deep concern" over moves to repeal the 7-percent credit for business investments. Both the tax reform bill passed by the House and the measure pending in the Senate would do this.

SOME PROGRESS IS NOTED

"Our industry has been counting on that credit to ease the financial burden of acquiring antipollution facilities," said Edwin A. Locke Jr., president of the American Paper Institute.

"If the credit is now removed, it will be much harder to make the huge outlays required."

Despite all these indications of citizen and industry reluctance to cough up money for a pollution clean-up, there was evidence to the contrary in some of last month's elections.

Maine voters approved a \$50-million bond issue for sewage treatment plants—though they turned down less than half as much for roadbuilding.

In New Jersey, a \$271-million bond issue to fight water pollution passed easily. New York voters approved a sweeping amendment, called a "conservation bill of rights," calling on the state Legislature to give more attention to environmental protection.

At the local level, several mayoral elections apparently were influenced by pollution issues. A California district turned down a coal-burning power plant—despite its tax-paying potential—because it threatened to dirty the air, and citizens of a Seattle, Wash., suburb voted to preserve a park rather than bulldoze it into a golf course.

[From the Minneapolis Tribune, Dec. 10, 1969]

OUR WORLD—FIT FOR LIFE?: POLLUTION FIGHT NEEDS MONEY, LEADERS, EDUCATION AND IDEAS

(By Richard P. Kleeman)

WASHINGTON, D.C.—Garbage trucks clatter as they haul our refuse to smoky, smelly dumps.

Noisy factories pollute both air and water. Huge jets whine overhead, spewing smoke into the air as they fly in and out of overcrowded airports whose inadequate access roads are clogged with traffic.

The automobile fouls the atmosphere in its lifetime, demands land-gobbling highways and ends up in an ugly junkheap.

These problems of environment, all different, all complex, all add up to one big mess. As one industrialist told a water-pollution meeting here: "Pollution is indivisible, and it should be attacked as one big problem."

But can this work? Other experts warn against trying to do too much on an over-all basis. As a recent study by the American Chemical Society said, "It is vital to recognize that the environmental system is made up of a bewildering number of sub-systems that often are only distantly interdependent. Environmental problems are rarely amenable to sweeping solutions."

What, then, of the future? Many are quick to forecast impending disaster for a human race overwhelmed by its own technology—but that view is not unanimous.

"We have to start by recognizing that by the nature of civilization and of people, we can't avoid some impingement on the environment," says Dr. Lee DuBridge, President Nixon's science adviser. "A perfect environment can only be obtained at infinite cost—such as everybody dying."

A former Minnesota conservation official who now helps run the Federal Environmental Health Agency is not willing to give up hope.

SEES HOPE IN MAN'S ADAPTABILITY

"I'm not either with the gloom-and-doom people who say we've had it, or with those who say we've never had it so good," says Dr. James Lee. "Man has been able to adapt to past environmental and biological insults, and he gives every indication of being able to continue this adaptability."

"So, while I don't hold with the idea that man is going to succumb to the inroads on

his environment in the near future, I also don't minimize the fact that, left uncontrolled, many of these environmental insults some day may result in his termination.

"We'll just have to await the verdict of time."

It is, of course, not just a matter of waiting. There are signs that we recognize the "insults" and are doing something about them—with air and water pollution control programs; the forthcoming near-ban on DDT; new government steps to prevent future oil spills, jet aircraft noise, and auto exhaust fumes; and the slow spread both here and abroad of birth control programs.

What more is needed? In addition to the already-impressive evidence of public concern—a necessity by everyone's assessment—it seems to boil down to four main ingredients: more money, education, stronger leadership and new ways of thinking about the problems.

Sen. Gaylord Nelson of Wisconsin told a recent congressional conference on environment that it will take up to \$150 billion in spending by all levels of government, plus another \$150 billion from private industry, to clean up pollution in the next 15 to 20 years.

GAINS FROM EXPENDITURES SUGGESTED

By contrast, the same conference was told that current federal spending on all "natural resource" programs amounts to only \$3.7 billion, or 1.8 percent of this year's federal budget—the lowest percentage in a decade of steady decline.

What can we gain by spending more money on the environment?

The chemical society report begins by answering "better health," then adds: "Money spent to manage the environment buys cleaner laundry in the back yard, longer life for the paint on houses, less corrosion and breakdown of electrical and other equipment.

"It buys cleaner lakes and rivers for recreation. It buys relief from annoyance: a speck of ash in one's eye, unpleasant odors, yellowed foliage in the springtime.

"It buys nature as it ought to be, although it must be recognized that a modern, industrial society and a pristine environment cannot coexist."

"Nothing less than a revolution in our educational system is required," said Russell Train, president of the Conservation Foundation, before he became undersecretary of the interior in the Nixon administration.

The student must learn to see himself, Train said, as "part of an interdependent, inter-relating world—not simply as its manipulator."

Echoing this recently, a presidential advisory committee on environmental quality said, "Our formal education system has done little to produce an informed citizenry, sensitive to environmental problems and prepared and motivated to work toward their solution."

And a White House staff report urged \$20 million in federal spending to support formation of schools of human environment at U.S. universities.

Already convinced that college-age young people consider the environment as "relevant" an issue as Vietnam or race relations, Sen. Nelson has been organizing a nationwide "teach-in" on the subject.

As planned by a mushrooming organization led by Nelson and Rep. Paul N. McCloskey Jr., a California Republican, the teach-in calls for setting aside one day—next April 22—on campuses across the nation to hear speakers, hold discussions and stage rallies on environmental problems of particular local concern.

LEADERSHIP BY PRESIDENT NEEDED

If national policies on the environment are to be strengthened and continuously monitored, presidential leadership will be needed.

Last spring, President Nixon set up an eight-member, cabinet-level "Environmental Quality Council," with DuBridge as its executive secretary.

But to some critics, the cabinet group—which has met just three times since it was formed—is not enough. Nelson calls it "a poor second cousin" because Cabinet members' prime interests lie elsewhere. Rep. Joseph Karth of Minnesota says the council "has a built-in conflict of interest."

Though DuBridge disagrees, congressional critics want a presidential board of environmental advisers, assisted by an independent office of environmental quality. After a lot of pulling and hauling, Congress seems about to approve such an arrangement.

Many see a need—beyond these other steps—for a basic change in national philosophy.

"What needs to be developed at the earliest opportunity is a habit of thinking ecologically—of being thoroughly familiar with the balance of nature," says Adm. Hyman Rickover, the iconoclastic Navy expert on nuclear propulsion.

"It troubles me," he adds, "that we have always acted as if technology were an irrepressible force of nature to which we must meekly submit: if we reflected, we might discover that not everything hailed as progress contributes to happiness, that the new is not always better, nor the old always outdated."

Stewart Udall, for eight years secretary of the interior, sees a need to harness technology. In a recent interview, he noted that conservationists have always been "at war with technology," and called for a change:

"The question we now need to ask is whether we can make technology solve problems—and use it creatively, so that major public proposals, instead of diminishing the environment, will enhance it.

"Industry must solve environmental problems instead of doing things the cheapest way—because we have the capacity to do anything we want to do."

To one expert addressing the congressional conference on environment, engineer-conservationist Aaron Teller, the key lies in "looping the system"—learning to reuse scarce resources. "This must be legally imposed by a new value system," he said.

For example, he suggests that an auto—which wastes over 300 gallons of gasoline over its lifetime—be taxed for this when first sold. Teller predicts this would lead automakers to develop more efficient engines—which could eventually save the nation nine billion gallons of gasoline now wasted each year.

Nelson offers an even more drastic problem: "If we had any sense, we'd establish a national land use policy—and tell people what they could do with their land."

Some proposals would go even beyond this—such as that of the California researcher that all technological research and innovation—except that aimed directly at reducing present dangers to the general welfare—be halted for two years so man could "perfect" existing technology before pursuing more.

Adm. Rickover, reviewing more than a century of science-based technological development, asks gloomily:

"What use have we made of it? We have multiplied inordinately, wasted irreplaceable fuels and minerals and perpetrated incalculable and irreversible ecological harm.

"I have thought much about this," the outspoken Navy officer adds, "and I can find no evidence that man contributes anything to the balance of nature—anything at all."

A final, simple—yet perhaps futile—warning comes from conservationist Raymond Dasmann: "There is one basic rule we cannot really afford to ignore:

"Do not destroy what you cannot recreate."

THE RISK OF RECESSION

Mr. HARRIS. Mr. President, the cover article of Time magazine this week is entitled "The Rising Risk of Recession." Featured on the cover and in the story in the business section is Milton Friedman, economics professor at the University of Chicago. The article points out that even Professor Friedman, who it is said, "believes in a monetarist view of economics" and feels the chief instrument in controlling movement of the economy is the seven-man Federal Reserve Board," thinks that the present tight money policy of this administration and the Federal Reserve Board must be loosened.

The article also states that two members of the Federal Reserve Board, Sherman Maisel, and George W. Mitchell, both economists agree.

Mr. President, the policies of this administration have not done the job of restoring health to this economy, and as the Time article points out:

The American people are angered and frustrated by inflation and the polls show that an overwhelming majority criticize Nixon's handling of the persistent problem.

In a special box on page 69 of the same December 19, 1969, issue of Time is a dramatic set of illustrations of what rising inflation has done to the average American during this administration.

Pointing out that inflation is no laughing matter, this box begins in a whimsical way by saying that some old phrases have to be up-dated now, such as "two birds in the hand are worth three in the bush."

I ask unanimous consent that the article, entitled "The Consumer: Behind the Nine Ball," be printed in the RECORD.

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

THE CONSUMER: BEHIND THE NINE BALL

Inflation is no laughing matter, but the prices of so many products have risen in 1969 that some Pittsburgh newspapermen have concocted a new game based on inflationary psychology. According to them, it now takes three to tango, four's a crowd, and that favorite song of a few years back has become *Four Coins in a Fountain*. Similarly, the number 14 is bad luck, and so is four on a match. A stitch in time saves ten, cats have ten lives, two birds in the hand are worth three in the bush, a bluffer is a fiveflusher, and that soft drink should really be called Eight-Up. Life, these days, begins at 41, girls are Sweet 17 and never been kissed, and inescapably, the American consumer is behind the nine ball.

The pastime is a wry reaction to a far more serious numbers game. As fast as incomes rose, the price of necessities seemed to rise even more steeply in 1969, and few wage-earners felt that they were better off than when the year began. An inflation sampler:

Food. The Department of Labor food-price index jumped 5% from January to October. In Pittsburgh, the price of eggs almost doubled overnight from 43¢ to 83¢ per dozen. The price of pork chops in Boston increased from 99¢ to \$1.39. One shopper in Cuyahoga Falls, Ohio, Mrs. Richard Davis, protested: "This can of soup had four prices on it when I bought it." The final price was 11¢ more than the first. The nickel Hershey bar vanished, and practically nobody could find a 10¢ cup of coffee.

Housing: The average cost of a home

reached \$25,900 compared with \$24,200 a year ago. In San Francisco, for example, the price of a home climbed 12% in twelve months. One survey of the Bay area disclosed that there was enough low-cost housing to provide shelter for all the area's poor—but the comparatively well-off occupants refused to move out. Taxes took an ever deeper bite. In San Francisco, for example, property taxes jumped from \$102.30 per \$1,000 valuation to \$122.90.

Manufactured goods: Appliances cost more across the U.S. The price of a new car rose by an average \$107. Clothes were more expensive almost everywhere, and rose an average 10% in Boston. Men's neckties commonly went up by 50¢ or \$1—or more.

Medical care and pharmaceuticals: In the year's first ten months, the price of medical care—doctor's bills, hospital services and drugs—rose by 5%. In Boston, a hospital bed could cost \$85 a day, \$10 more than last year, and the price of dental care advanced from \$6 or \$7 per filling a year ago to \$9 to \$10 today. Even aspirins were up, from 89¢ to 98¢ per 100 tablets. A mouthwash named Binaca cost 29¢ when it was introduced by a Swiss company five years ago; it has since been taken over by a U.S. firm—and now sells for 79¢ in some places.

Entertainment: Movies were more expensive, up 25¢ per ticket in Manhattan's Radio City Music Hall. The cost of watching a Pittsburgh Steelers home game rose from \$6 to \$7—plus a 15¢ surcharge to help pay for building a new stadium, whose estimated price increased from \$32 million last spring to \$35 million at present. In the taverns of the steel city, the 15¢ beer could be found no more; it now costs 20¢.

THE EMERGENCY DETENTION PROVISIONS

Mr. INOUE. Mr. President, I am most pleased that the Committee on the Judiciary has ordered favorably reported S. 1872, a bill I introduced with 25 other Senators to repeal the emergency detention provision of the Internal Security Act of 1950. I am hopeful that floor consideration on this measure will take place in the near future.

I invite attention to an excellent letter I received from the American Civil Liberties Union in support of my fight to repeal the emergency detention provision. Their letter, I believe, clearly and concisely sets forth the need for the repeal of this law and I welcome their support. I ask unanimous consent that the full text of this letter appear in the RECORD following my remarks.

As I have stated before, I believe that it is the responsibility of Congress to repeal this statute, and I believe that we should do so immediately. The repeal of the emergency detention provision will remove this threat to our liberty and freedoms.

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

AMERICAN CIVIL LIBERTIES UNION,
Washington, D.C.

HON. DANIEL INOUE,
U.S. Senate, Old Senate Office Building,
Washington, D.C.

DEAR SENATOR INOUE: The American Civil Liberties Union applauds your effort in leading the fight to repeal the Emergency Detention Act—Title II of the Internal Security Act of 1950. We thoroughly support you in this worthwhile effort and request that this organization be listed along with the many others in backing the various bills which have

been introduced by you and many other Senators and Congressmen which would repeal this clearly unconstitutional and thoroughly abhorrent measure. Indeed, the opposition of the American Civil Liberties Union to the Internal Security Act and the Emergency Detention Act is an old one. We vigorously fought against their enactment in 1950, and have participated in challenges to the constitutionality of various parts of the Internal Security Act ever since. Our policy guide sets forth our position on the Emergency Detention Act as follows:

"The ACLU opposes, on basic civil liberties grounds of equality, free speech and association, and due process of law, the emergency detention provisions of the Subversive Activities Control Act of 1950. This law allows detention, during times of invasion or insurrection, of aliens whom the government feels to be politically 'suspect.'"

If there is any way in which we can be of help in your valiant efforts towards eliminating the Emergency Detention Act from the statute books, please let me know.

Sincerely yours,

LAWRENCE SPEISER,
Director, Washington Office.

THE INTER-AMERICAN DEVELOPMENT BANK

Mr. CHURCH. Mr. President, the Washington Post of Sunday, December 14, contains an article by A. D. Horne on the Inter-American Development Bank. Mr. Horne has done a thorough job of highlighting the major problems which face the bank, including internal administrative troubles, the potential dangers in the U.S. veto power over bank loans, and the complexities of utilizing bank resources throughout the hemisphere in a balanced program of loan aid.

As long-time advocate of channeling our foreign aid through multilateral agencies such as the Inter-American Bank, I think Al Horne has done a singular job of showing us both the advantages and the potential problems we face as we move—as I think we must—toward greater utilization of such agencies.

I ask unanimous consent that Mr. Horne's article be printed in the RECORD.

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

THE INTER-AMERICAN BANK: A CONTROVERSIAL SUCCESS

"The Inter-American Development Bank stands as an outstanding example of multilateral financial cooperation among the nations of the Americas." (President Nixon, message to bank's 1969 annual meeting.)

"The Inter-American Development Bank has made a major contribution, but technical rather than political consideration should be stressed in future loans." (The Rockefeller Report.)

"It's the peculiar nature of the animal: we provide the money and they control the bank." Sen. Frank Church (D-Idaho), interview.)

(By A. D. Horne)

Even the initials are different: IDB in English; BID (for Banco Interamericano de Desarrollo) in Spanish.

The original impulse came from Latin Americans, in the early 1950s, and the Eisenhower administration resisted it until 1958, when Vice President Nixon returned from his fourth crisis in Lima and Caracas and told the President that something had to be done to mend U.S. relations with Latin America. One of the results was the Inter-American Development Bank.

Now, a decade and more than \$3 billion of loans later, it has outgrown its plush headquarters on 17th Street, a success in many ways, a focus of controversy in others. It has pioneered in funding types of projects the older World Bank thought too risky, but its loan procedures have been criticized as slipshod even by an independent consultant it hired. It has balanced carefully the needs of its small and large members, but it has been accused of both discrimination and logrolling.

It has provided the United States with a channel for development aid insulated at least in theory from direct political pressures, but Washington's role as chief stockholder and potential vetoer of low-interest loans has led to constant backstage maneuvering and occasional open confrontations with Latin members.

There are 22 members. Although the United States based on its subscription to the bank's ordinary capital, is allotted 42.25 per cent of the votes on the board of directors, a recent bank document put the actual U.S. contributions to all its resources at almost \$2.2 billion out of \$2.8 billion, or 76.9 per cent.

A YOUNG PRESIDENT

The bank has had just one president: Felipe Herrera, who helped promote the idea as a Chilean delegate to the 1954 Inter-American Economic Conference in Rio de Janeiro and served on the Chilean delegation to the bank's charter-writing conference in Washington in 1959. He had been Chile's finance minister at 31 and was only 37 when he took office in 1960.

The roster of that charter conference is studded with names of future officials of the bank. The head of the U.S. delegation, for example, was Assistant Treasury Secretary T. Graydon Upton, who since 1961 has been executive vice president, Mario O. Mendivil, the Argentine delegate, is its representative to the Latin American Free Trade Association (LAFTA) in Montevideo, Jorge Hazera of the Costa Rican delegation heads the bank's secretariat.

The bank's employees—about 830 here and 155 in the field—were drawn from all the member countries plus Cuba, which signed the charter before the Batista government fell but never ratified it. Roughly 80 per cent of the personnel is Latin and there is a constant exchange between the bank and the loan-seeking countries.

Employees go home to become planning officials and finance ministers, return to represent groups of countries as executive directors voting on loans and may stay on here in well-paid executive jobs when their terms on the board end.

Over this multinational society, Herrera presides from an impressively vast 11th-floor office decorated with hemisphere art and maps showing the 550 loans made by the bank.

"It's a one-man show," says one U.S. official. "Felipe is king. Nothing moves without his blessing."

"You've got to give him credit," says another. "He took this thing and made it fly. But 10 years is a long time; the barnacles are starting to grow."

A THIRD TERM

Herrera, still only 47 and a vigorous advocate of Latin American integration in his frequent speaking tours, obviously does not agree. Last year, although mentioned briefly as a possible compromise choice for secretary general of the Organization of American States and later, also briefly, as a possible candidate for the presidency of Chile in the 1970 elections, Herrera took the unusual step of winning his third five-year term as bank president more than a year before his second term was up.

Relations between Washington and the Latins were strained at the time because of

a prolonged wrangle over the OAS job, for which the United States was promoting Galo Plaza of Ecuador—with eventual success. Assured that Herrera had support from all the Latin nations to keep the IDB post, and unprepared to offer an alternative candidate, the United States went along. "It was a real coup," says one official.

Now U.S. officials privately express concern that Herrera, backed by the growing Latin unity exemplified in last spring's 21-nation "Consensus of Vina del Mar," may be preparing to test the limits of American permissiveness implicit in President Nixon's low-profile Latin policy speech of Oct. 31.

If there is a showdown, it will take place in the back rooms of the bank, not in public. In theory, the bank's directors—one appointed by the United States and six elected for three-year terms by six groups of the 21 other members—must vote approval of all loans. Also in theory, the U.S. voting power of 42.25 per cent is not enough to block conventional-interest loans from ordinary capital, but even a U.S. abstention can veto a "soft" loan from the bank's Fund for Special Operations, which require two-thirds approval.

In practice, however, Herrera's policy is not to submit a loan proposed to the directors for a formal vote until, as Upton put it in a recent paper, "each of the board members, Latin American and U.S., is satisfied with the loan." In effect, then, any nation is able to delay approval of any loan.

CAUGHT IN A COUP

One such case, which came to light last spring, involved a soft loan of \$12.6 million for a housing project in Peru. The board had approved the loan in April, 1968, but Peru's civilian government had neglected to complete the signing before it was overthrown in October.

The new military government then tried to activate the loan but was told that the bank's rules required the board's approval for anything beyond a doubling of the original three-month time limit for completion of loan papers. And the United States, then confronting the new Peruvian regime over its seizure of the American-owned International Petroleum Co., told the bank it could not vote to extend the time.

So the loan remained in limbo until April 14, a week after the Nixon administration backed off and announced that it would defer indefinitely applying the aid-cutting Hickenlooper Amendment against Peru. Washington's stall was based on a broad interpretation of an amendment to the U.S. Inter-American Development Bank Act that parallels the Hickenlooper; still, the U.S. action, carrying a bilateral grudge into a multilateral arena, aroused Latin resentment.

The Peruvian housing case was on many minds at the end of April when the finance minister of the member nations gathered in Guatemala for the tenth annual meeting of the bank's board of governors. Among the resolutions passed was one calling for a study of the bank's structure in terms of the OAS charter—a veiled way of seeking an end to the U.S. veto power.

Actually, because of Herrera's policy of seeking prior consensus, the veto has never been used and the Latin directors have had the same potential power to block a loan as the U.S. director. But because the Latin directors represent countries that also seek loans and could face retaliation if they blocked another country's, it is the U.S. director who repeatedly raises questions—sometimes at the request of a Latin director—during the board's informal discussions of loan proposals. The resulting heat has been fierce at times, with U.S. ambassadors called in for a personal persuasion by a minister or president of the country whose loan has been questioned.

The U.S. also has forced some changes in

the internal workings of the bank, most notably in limiting to two a week the number of loan proposals the directors may consider. Although the bank makes only about 60 loans a year, until 1968 there was an annual rush of approvals in the fourth quarter. (The same problem exists at the Agency for International Development and is becoming more acute at the World Bank.)

INSISTED ON AUDIT

The limits of U.S. intervention in the bank's activities were most clearly tested in 1967 when the House twice approved a floor amendment by Rep. Armistead Selden (D-Ala.) to demand an independent performance audit of the bank's loans. Selden's move was seen by bank officials as a threat to its international status and the House conferees were persuaded to drop the audit requirement in conference with the Senate.

But Selden, who as chairman of the House Foreign Affairs Inter-American Subcommittee had toured projects funded by the bank and had filed a critical report, persisted and the amendment was passed. The bank's response was a compromise which averted a major confrontation: it set up a "Review and Evaluation Group" with an American chairman and one representative each for the large nations and the small.

Apart from crises such as the Selden amendment, U.S. influence on the bank is exercised chiefly through the American executive director and his alternate. They get their instructions from the Treasury but also maintain contact with the combined State Department-AID Inter-American bureau.

President Johnson's last nominee as executive director, Texas lawyer Edward Clark, was a part-timer who drew no salary and concentrated on personal contact with congressmen and bank officials while leaving daily details to his alternate, Reuben Sternfeld. To replace Clark, the Nixon administration considered former Sen. Thomas H. Kuchel (R-Calif.), now a Los Angeles-Washington lawyer reportedly thinking of running for the Senate as a Democrat. Instead, it chose a highly skilled technician with none of Clark's or Kuchel's political clout: Henry J. Costanzo, who headed the Treasury's liaison with the bank for six years before becoming AID director in South Korea.

American officials say that the choice of Costanzo indicates the administration's intent to tighten U.S. supervision of the bank's activities. They insist that this supervision is directed more to helping the bank use its resources efficiently and avoid loan defaults or scandals than to protecting U.S. political interests.

"For years," says one U.S. official, "we've held our nose and looked the other way and waited for it to improve. And," he adds, "it has."

A JOLTING REPORT

The most fully documented analysis of what has ailed the bank in its lending procedures was made by John P. Powelson, professor of economics at the University of Colorado, under a contract as a bank consultant. Powelson's highly critical three-volume report, based on a year's study of 20 loans, rocked the bank when he presented it in 1968.

Today, bank officials take the position that the report was, in Upton's words, "very constructive," and that some of its criticisms have been met. A sanitized version circulated within the bank deletes specifics identifying the 20 case studies as well as a section of anonymous quotes from 175 staff interviews, such as these:

"Everything is paralyzed here; weeks are spent making picayune changes in language . . . there is never clear guidance. All communication (with persons above the immediate superior) is by memo; it would take three or five days of insistence to get a personal appointment. . ."

"Behind-the-scenes struggles between technicians and loan officers are frequent. . . Whether the technician makes his point or not often depends on how well he can fight, not on how good the point is."

"There are times when I have absolutely nothing to do, and other times I cannot give adequate attention to the several loans I am processing. I feel this especially in the end-of-the-year rush to get loans approved."

Powelson's analysis shows a curious fact, however. Loans made in the fourth-quarter rush seem to turn out no worse than loans made under less pressure the rest of the year.

Some of Powelson's criticisms: ". . . the bank staff does not study borrowers' administrative capacities more than superficially, and it is customary in loan documents to make unsubstantiated laudatory statements about borrower management."

"In at least one case, the borrower's market study was accepted unquestioningly . . . it may well have been in the interest of the borrower to exaggerate the potential market in order to persuade the bank to make the loan."

"The current practice of overemphasizing good points to the neglect of the bad not only disturbs the morale of technicians, who complain that the Loan Division 'dresses up' their analyses, but also makes loan administration difficult, since potential problems are concealed."

"In short, the bank's procedures are biased toward favorable consideration of any application from the time a project committee is appointed and the number of problem loans the bank now faces is doubtless due in no small part to this fact."

CULTURAL CONFLICT

Upton, the bank official who gave Powelson his assignment, spoke philosophically of the problems of a multinational institution in a recent interview.

"When two cultures meet, some bitterness is inevitable," he said. The bank is a "very complex organization," and one can't expect the same standards as in commercial banking, where all personnel represent a single viewpoint.

Since Powelson's report, he continued, the bank has formed an administrative unit, brought in marketing experts and added an extra set of loan documents, for internal use only, which shows the criticisms made in technical studies.

He acknowledged a key point of Powelson's: "Once a project committee is formed, there's probably going to be a loan." But he stressed that formation of such a committee is a decision made by the bank's top management after periodic sectoral and country strategy reviews.

The bank has often been criticized for balancing off loans among its member countries. Upton and Assistant General Counsel Arnold H. Weiss acknowledge and defend the practice. "If you didn't do this," said Weiss, "you'd find all your loans going to the most developed countries because they're most able to bring in projects."

Despite this spread-the-wealth effort, the bank has not based its loans on any mechanical country or per capita formula. As of Sept. 30, Brazil, largest in size and population, had drawn \$653.7 million, \$210 million more than runner-up Argentina. On a per capita basis, however, Chile's figure of \$29.98 is one-third higher than any other major nation's.

"Chile," says one official who will not allow his name to be used, "has done very well under Herrera."

FRICTION OVER EXPORTS

The bank's president acknowledged in a recent interview that he spent much time reconciling "conflicting national interests," especially between the larger and smaller Latin nations. One area of such disagree-

ment, he said, is in attitudes toward his long-time goal of regional integration.

"The smaller countries are more integration-minded," Herrera said, while the larger countries are the strongest supporters of the bank's export financing program, which helps them sell capital equipment to their smaller neighbors. "They have tried to broaden it to include home appliances and consumer products."

The bank considers export financing, into which it has put nearly \$36 million, part of its integration effort. But the major integration spending, some \$259 million, has gone into funding of multinational institutions, mostly transportation, power and communications systems.

A major effort has been development of the five-nation River Plate basin extending from Montevideo and Buenos Aires to headwaters in Brazil and Bolivia. Bank loans totaling \$116 million have gone into the region.

The United States has supported Herrera's emphasis on integration, but President Nixon's Oct. 31 speech, reflecting the movement's current uncertainties, said it was up to the Latins to decide "how far and how fast this process of integration goes." Venezuela's failure last May to join the Andean Common Market it had helped bring into being deprived that group of its wealthiest member, and the Salvador-Honduras war in July nearly shattered the promising Central American Common Market.

But Herrera remains hopeful, both for increased economic cooperation and for a later stage of political unity. "This may be a dream," he said, "but I am convinced that the solution for Latin America could be a type of political confederation of the states. Whatever I can do I will do to work for this, but I think the moment is not right."

"SOFT LOAN" COMPLAINTS

Herrera also spoke of disagreements among the member countries over the terms on which they receive loans. The bank's policy is to give preferential treatment to the less developed members. At the Guatemala governors' meeting, Herrera said that these poorer countries had received 85 per cent of their bank credits on "soft" terms compared to 55 per cent soft loans for the richer countries.

While all the countries are eligible for the soft loans, which now run at 3 and 4 per cent interest, 19 of the 21 are allowed to repay the Fund for Special Operations in their own currency. Mexico and Venezuela, however, must repay dollar loans in dollars—"a treatment that is not only discriminatory but unjust and unfounded as well," Mexican Finance Minister Antonio Ortiz Mena declared at the Guatemala meeting.

Roughly a third of the bank's lending is on conventional terms, and these also have been under fire. Conventional rates are fixed at 1¼ per cent above the cost of new borrowing, and they have risen to about 8¼ per cent. This compares to 7 per cent for conventional loans made by the World Bank, which also gives soft loans from its International Development Association at only a 0.75 per cent service charge (but requires repayment in hard currency).

Herrera's reply to criticism of the bank's rates is that its loans in the first eight months of this year were at an average of 4.53 per cent, 0.1 per cent below its nine-year average. This was done by increasing the mix of soft loans to hard and in some cases by giving a combination of soft and hard loans to the same project. The World Bank's Latin American loans in the past fiscal year have carried average interest of 6.26 per cent.

This is because the World Bank group considers Latin America a relatively developed area and channels most IDA credits to Asia and Africa. In the last fiscal year, for in-

stance, \$457.7 million of the \$472.3 million committed to the Western Hemisphere by the World Bank group was on hard terms.

One other difference between World Bank and IDB development aid is in the size of individual loans. The World Bank's average loan is nearly \$20 million while the average IDB loan is about \$6 million.

PURPOSE IS DETERMINANT

The bank's criteria for using its soft or hard loan window are very flexible, allowing much room for negotiation. Hard loans are out in Bolivia and Haiti; otherwise, the criteria are based on the purpose of the loan, not on the country.

All loans for housing and education are soft, as are most agriculture loans, especially for land reform projects. Water loans are generally mixed. Most industrial loans, and all export financing loans, are made conventionally.

In 1961-65, the bank made nearly \$500 million in loans from the Social Progress Trust Fund, which it administered for the United States. With this fund now committed, Herrera is prospecting in Europe for new outside resources.

The bank already has administered \$45 million in Canadian funds, \$7 million in British money and \$5 million in Swedish funds. But Herrera's hope is to establish a trust fund contributed by the European Common Market as a way to "diversify our pipelines"—and perhaps give the bank an alternative the next time the U.S. veto is threatened on a politically sensitive loan.

To Sen. Frank Church (D-Idaho), chairman of the Senate Foreign Relations Inter-American Subcommittee and advocate of channeling all U.S. economic aid through multilateral agencies such as the Inter-American Development Bank, the U.S. veto power is a serious concern. His hope, the Senator said in an interview, is that the veto eventually will disappear through increased Latin funding of the bank.

Church also expressed concern about recurrent reports of the bank's administrative shortcomings.

"I've wanted to give the bank the benefit of the doubt," he said. "I've urged the Secretary of the Treasury to take the matter more seriously, to put on the board a man who will recognize the importance of his role. A lot rides on it. If they fail, the whole movement toward multilateral aid will be endangered."

PUBLIC AFFAIRS ACTIVITIES OF THE DEPARTMENT OF DEFENSE

Mr. FULBRIGHT. Mr. President, recently, I made a series of four speeches in the Senate concerning the public relations activities of the military services and the Department of Defense. I made a study of these activities because of my concern over the vast apparatus that has quietly grown up in the Pentagon over the years to shape public opinion about military programs and policies.

From 1952 to 1959, when budgeting categories were revised, Congress, by law, limited the amounts that could be spent within the Department of Defense on public information and public relations. In fiscal year 1959, the last year a congressional limitation was imposed, the allowance was \$2,755,000. According to data supplied to me by the Department of Defense, the three military services and the Department spent 10 times that amount for this purpose in the 1969 fiscal year—\$27,953,000.

The material I presented to the Senate and the Appropriations Committee

clearly proves that the Defense Department's efforts to mold public opinion have gotten out of control since the legislative limitation was removed. I suggested to the Appropriations Committee that the limitation be reinstated, and that a ceiling of \$10 million be imposed for public affairs spending in fiscal 1970. This cutback would still allow a funding level 370 percent above the amount Congress allowed in 1959. Unfortunately, the timing of my suggestions to the committee was such that it would have been difficult for the committee to have gone into this subject in the detail it deserved before it marked up the bill. Although the committee did not adopt my suggestion for a ceiling, or those dealing with other aspects of the problem, I was pleased to note that it concurred in House cutbacks of \$5 million in military public affairs programs. This is a step in the right direction but much more needs to be done to bring these activities under effective congressional control.

The budget for fiscal 1971 is now being formulated within the executive branch. I hope that the Secretary of Defense and the Director of the Bureau of the Budget will take a hard look at this program with a view to trimming the military public affairs program back drastically. I, for one, expect to study very carefully the budget submitted to Congress next year, and I hope that both the House and Senate Appropriations Committee will take a special interest in this matter.

I had planned to ask the manager of the Defense appropriations bill several questions about the funds allowed for public affairs purposes but it was not possible to do so. However, I ask unanimous consent to have these questions printed in the RECORD for the information of Senators, especially the members of the Appropriations Committee. I hope that it will be possible to have a colloquy with the manager of the bill about the subject when the conference report is presented to the Senate.

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

QUESTIONS

1. The Senate Committee concurred in the House cut of \$5 million in the budget request for military public affairs programs. Does the Committee have an estimate of the total budget request for this program, including personnel and other costs?

2. According to information given to me by the Department of Defense, some 2,300 people were working full time in public affairs programs in fiscal 1969. Does the Senator know how many people would be involved in these programs under the budget request?

3. Does the budget estimate include the cost of transportation furnished by the military services for public affairs purposes? Does the Senator believe these costs should be included?

4. The Department of Defense maintains five television camera crews in Vietnam to provide newsfilm for the TV networks. Does the Senator think that the Defense Department has a responsibility to provide newsfilm to the TV networks, when each have many reporters and cameramen of their own in Vietnam?

5. Does the Senator believe that it is proper for any government agency to engage in lobbying the public to build up support for its programs? Does the Senator think the public should have full information about the nature and extent of government public relations programs?

6. Does the Senator agree that some type of Congressional spending limit on military public affairs activities may be desirable in order to bring the program under more effective Congressional control?

7. Does the Senator think that his Committee may give some detailed study to this problem in connection with its consideration of the budget request for FY 1971?

TROOP WITHDRAWAL IN VIETNAM

Mr. MCGEE. Mr. President, in the aftermath of President Nixon's announcement last night that he is continuing his policy of phased withdrawal of U.S. combat forces in Vietnam, it is well that he ask the very question the President proposed: Is this not taking a risk? Reporter Don Oberdorfer, writing in the Washington Post of Sunday, December 14, assessed this very question and concluded that the chances of the policy now being pursued working were reasonably good—by that, he meant better than 50-50. I ask unanimous consent that the article be printed in the RECORD.

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

U.S. PULLOUT MAY NOT MEAN LOSING WAR

(By Don Oberdorfer)

SAIGON.—One of the wisest and most discerning of Vietnam's intellectuals is preparing to write a history of his generation, which was brought up under the mandarins and has known the French, the Japanese, the Americans, the Vietnamese Communists and 25 years of war and turbulence with only a few interludes of national peace.

The title of his work will either be "Vietnam Between Despair and Hope" or "Vietnam Between Hope and Despair." He still hasn't decided which.

The uncertainty is understandable and widely shared. In four years of periodic visits to this country, I have encountered only a handful of men, mostly Americans, who were certain they had a clear vision of the future. The majority of these men are long departed, and few of them left with either their visions or their careers intact.

Surely there is no other place on earth where what seems impossible today so often takes place tomorrow and where the foreseeable future for natives and foreigners alike usually runs to about noon on the following day. "The problem of projection here is the if factor," one of the most experienced U.S. officials observed wryly the other day. "You can formulate a handy-sounding program for the future, but there are always three if's in every sentence."

AN EDUCATED HUNCH

Nonetheless, projection is now more pressing and perhaps more feasible for Americans and Vietnamese than it has been in many months. The U.S. government has taken a clear new direction—the gradual withdrawal of U.S. ground combat troops in the next year or two—and the insistent question is whether this can be accomplished without losing the war.

Can the United States withdraw 300,000 or so men on such a schedule without drastic military reverses or a political collapse in South Vietnam? Can the South Vietnamese government hold its own in the short run—say the next three or four years—with sub-

stantial U.S. economic help plus American artillery, air and logistical support? In short, can the Nixon policy work?

After a return visit of four weeks and with some trepidation, my guess is that as of today the chances are reasonably good, by which I mean something better than 50-50. The chances for South Vietnam's survival in something like the present form in the long run appear to be considerably lower, but that is another story.

Anyone who ever spent much time here can cite a dozen reasons for a hundred supposed facts to support or refute almost any side of any question. In this country, it is usually the estimate that comes first and the reasons later, which is another way of saying that people are forced to rely in the end on educated hunches. Here are some of the factors behind my hunch of the moment:

First, there is the sheer inertia force of regimes and events, which counts for much in this part of the world. Nobody expected Ngo Dinh Diem to last a year or Nguyen Cao Ky to last a month, but both lasted for as long as the military were behind them. At present, Nguyen Van Thieu appears to be unchallenged from within the army, which amounts to nearly one million full-time soldiers under arms and is likely to be raised soon by another 100,000 or so. Roughly one in every nine South Vietnamese is in the government's armed forces.

The United States has now supplied the South Vietnamese with 70,000 M-16 rifles, 1,200 tanks and armored vehicles, 30,000 machine guns, 4,000 mortars and nearly 25,000 jeeps and trucks. The enemy force of Vietcong and North Vietnamese troops has also been supplied with modern weapons by their allies, Russia and China.

But the human arsenal of South Vietnam is no pushover so long as its soldiers fight. There is every sign that they will do so, particularly when self-preservation is involved.

Second, South Vietnamese leaders and officials are finally beginning to act as if this is their country and they have a real stake in the war. This is less true of the general populace, who have less room to maneuver and less at stake. It may be significant, though, that the children in Hue are playing childhood games of how to defend the city against the nasty Vietcong.

Third, the Vietnamese government, from necessity if not conviction, has begun to accord a greater measure of military and political power to the villages and hamlets in the countryside. Two of the most important changes since my last visit were the decision in the summer of 1968 to distribute weapons to a people's self-defense force of local volunteers, and the decision that fall to put local village chiefs in control of the paid Popular Force soldiers in their areas.

As of today, military conditions are better in most places than they have been for several years. According to the hamlet evaluators and the computers, 92 per cent of the people are under government control at midday. An American general says that "Saigon is safer than Washington, D.C."

Favorable as present conditions may be, they could change rapidly with changing military pressures. This has happened before. Since much of the progress is reversible, the great question is not so much the pattern of today or even of the next several months—when some sort of Communist offensive is expected—but the pattern of a year from now or two years from now, as American forces are gradually withdrawn.

One of those who has been living with the problem for the longest time is Gen. Cao Van Vien, who turned 48 years old this week and by popular repute is the only top Vietnamese general who was ever wounded in action. For more than four years, Vien has been chief of the joint general staff of the Vietnamese armed forces.

His spacious office, where the top political and military leaders gathered in refuge the first morning of the 1968 Tet offensive, is on the second floor of a former French headquarters building in a heavily guarded compound near the Saigon airport.

Vien is a handsome man who speaks good English, and he had prepared written answers to some questions submitted in advance. One of them said that he realizes "the U.S. commitment is bound to diminish." He estimated that "if nothing out of the ordinary should come about—such as a dramatic increase in the rate of North Vietnamese infiltration—I do not foresee any serious military reverses for the South Vietnamese army." The clause about infiltration was underlined.

Throughout his written and oral remarks in an interview lasting an hour, there was an underlying note of concern about a possible Communist military buildup during the period of American military withdrawal. Vien said that on the average, 12,000 soldiers monthly have been coming from North Vietnam into the South this year, plus 3,000 tons of supplies monthly through the mountains and another 600 tons through the Cambodian port of Sihanoukville. The infiltration has stepped up in recent weeks.

"We may have to come up with something absolutely novel to sever the North Vietnamese infiltration flow, the single most important factor contributing to the enemy's capability to prosecute this war," the general says. This novel method must cut the flow "effectively and entirely." Otherwise, South Vietnam will continue to be threatened for 10 or even 25 years more.

BAFFLED MARINES

By Vien's reckoning, it would take a minimum of three divisions to interdict the Ho Chi Minh Trail in Laos with a ground invasion (informed Americans estimate the required force at five divisions) and that kind of strength is simply not in sight. At the moment, South Vietnam lacks sufficient force even to stop the flow of men across the demilitarized one—just as the U.S. Marines who formerly manned this area could not stop it.

Unless the infiltration is stopped, the general said, "the Vietnam war may still produce results that, for us Vietnamese, are to be expected, but for outside observers may prove the ill-foundedness of the present strategic approach." He is anxious to be able to turn to American air and artillery troops for support in such a case. He wouldn't say how many such troops would be needed, but he reported hearing that the United States plans to leave 250,000 troops in enclaves at least for several years.

An American general with as many stars as Cao Van Vien was asked if there is any realistic prospect of cutting off the infiltration into South Vietnam. The answer was no.

Vien describes the problem of infiltration as "the single dark spot in an otherwise rosy picture," and no doubt it is a fundamental problem. Nonetheless, it is possible to spot many other serious problems that, together with continued Communist pressure, could someday wreck the whole effort.

South Vietnam is basically rich in natural resources—rice, timber, fish and rubber—but as presently constituted, it is not a viable nation in the absence of massive American aid. North Vietnam, with its Communist regime and greater history of hardship and privation, has greater self-sufficiency.

South Vietnam cannot support a million men under arms or anything like it with the resources it is itself willing or able to muster. More than a million people have been driven from their homes and farms by the war, and the country cannot support them either.

President Thieu recently informed his people that the country spends \$600 million annually to import various types of goods, but sells only \$20 million in exports to pay for them. A nation cannot spend 30 times its

dollar earnings without large and continuing subsidies.

The hope and expectation of American embassy officials is that U.S. economic aid will increase as the number of American servicemen in the country declines. Failure to foot the bill for these subsidies, whether from refusal by Congress or any other cause, would bring a severe crisis.

Finally, there is the still unsolved political problem, which may well become acute as the country faces the constitutionally prescribed presidential elections of September, 1971.

Many Vietnamese who accept the Thieu regime as a necessity today are dead set against its continuance for four years after 1971. But it seems improbable that Thieu will step aside.

If the constitution is followed and the elections honestly held, Thieu may have a most difficult time winning over any strong or united opposition. If the opposition is throttled or the election rigged, there could be trouble of a different sort. Meanwhile, North Vietnam is believed to be absorbed in its own political power struggle, which is another factor of first importance.

A SYMBOLIC SOUVENIR

Pondering the past and future of this tragically divided nation, one turns in the end to the blood that has flowed because of ideology, historical accident, geography and conflicts rooted far beyond the borders of Vietnam.

Since my first trip here in April, 1966, in what seemed then to be the last reel of a double-feature war, some 36,000 Americans, 69,000 South Vietnamese soldiers and 446,000 Vietcong and North Vietnamese soldiers have been killed, according to official report. Unaccounted thousands of civilians in both North and South Vietnam have also been victims.

South Vietnam has filled one national cemetery in this period, and is 3,000 graves into a new one. Despite all this, the U.S. military estimates that 230,000 Vietcong and North Vietnamese troops are fighting in the South, which is virtually the same number as were carried on the official order of battle four years ago.

Late one afternoon, in search of a change of view, I went to the An Quang Pagoda to see Thich Tri Quang, the sometimes militant and sometimes enigmatic monk who is among the few truly charismatic Vietnamese. He and his Buddhist followers were the surprise catalytic agents who stirred the 1963 revolt against Diem and who almost split the country in a battle for political change in 1966.

The living embodiment of the unexpected and the unpredictable was alone in his cloister inscribing classical Chinese characters on rough paper with a thin brush and a bottle of ink. The temple bells were tolling and the young novices were padding about. The monk spoke of history and philosophy, but would say nothing about the present or the future.

Before saying farewell, Tri Quang agreed to draw an appropriate Chinese character to be carried back to the United States as a souvenir of the visit. First he drew the character *Hoa*, an angular, graceful series of strokes meaning a harmonious mixture, like the mixture of pigment and water in his bottle of ink. Then he drew *Binh*, which means serenity and calm.

Together they spell *Hoa Binh*, which means peace. Surely there is nothing the Vietnamese on both sides need more desperately, or seem less likely to achieve in the years just ahead.

INSURANCE FOR HIGH QUALITY MEDICAL CARE

Mr. YARBOROUGH. Mr. President, in a very timely address at the Lowell Lecture Series in Boston, the Senator from

Massachusetts (Mr. KENNEDY) has today proposed that Congress begin work to bring high quality medical care to all the American people through a national system of insurance. In his speech, he outlines a timetable that would put such a program in operation by 1975.

Reaching this goal, of course, will require much more than a method of payment. It will require a great expansion in medical manpower and in the education of men and women in the health professions. It will require an expansion of facilities, particularly diagnostic clinics where large numbers of people can have their medical problems investigated and prescribed for. All these facets of health need are outlined here, as well.

I hope that all Senators and others who are interested in the health needs of the American people, will read and examine this speech by Senator KENNEDY. I invite attention to the mention which he makes of the conversations I have had with him about this program. It is my hope and expectation that the Subcommittee on Health, of which I am chairman, will go into the subject of health insurance next year.

As chairman of the Health Subcommittee of the Senate, I have advocated health care for the American people, and am one of a committee of 100 supporting health care for all of the American people.

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

ADDRESS BY SENATOR EDWARD M. KENNEDY, LOWELL LECTURE SERIES, BOSTON UNIVERSITY MEDICAL CENTER—LOWELL INSTITUTE, DECEMBER 16, 1969

I am delighted to be in Boston today under the auspices of the Boston University Medical Center and the Lowell Institute to address this distinguished audience of medical educators, private physicians, and lay men concerned with the quality of health care in America.

I am particularly pleased to be here because it gives me the opportunity to commend the many worthy accomplishments of the Boston University Medical Center and its School of Medicine. You have succeeded in breaking down walls that for decades have turned medicine inward toward the age-old trinity of patient care, research and teaching. You have expanded your horizon to embrace the equally important area beyond your walls—the community in which we live.

For more than 90 years, your Home Medical Service has taken students into the community and provided model health care and innovative medical services in the home. Your expanding programs of new hospital affiliation have brought modern urban medicine to outlying communities. You have helped to lead the way in efforts throughout the world to unify cancer care with cancer research, so that today's advances in the laboratory become tomorrow's accepted treatment. Your School of Graduate Dentistry, dedicated in September, will provide high quality dental care as part of the Medical Center's total health program for the community.

In the course of the past decade, your pioneering program in community psychiatry and mental health in the South End and Roxbury—launched long before the Great Society and the Office of Economic Opportunity came into being and made such programs fashionable—have become a model for the nation. You helped develop what is now the rallying cry for health planning in America—that new health programs must be

designed with the people and by the people, not just for the people. As Dr. Bandler has so eloquently stated, your far-reaching role in community involvement is like a man standing by a river watching people drown:

"Medicine traditionally wades in," he said, "and tries to save them one at a time. After doing this repeatedly, you can't help but ask what is happening upstream. It seemed sensible to go back and find out why all the people were falling in, and try to do something about it."

I commend you for your leadership in looking upstream, and for the remarkable efforts you are making in preventive community medicine and all the other major areas of this great center's activity.

Six weeks ago in Springfield, I had the occasion to discuss what I regard as the single overriding economic issue of the day—the war against inflation. As I have frequently stated, the war against inflation is a war that can and must be won without the cost of heavy unemployment. It is a war that can and must be won without cutting back on our important domestic priorities.

Nowhere is the impact of inflation more obvious than in the rising cost of medical care. Never has the gift of good health been more precious:

In the last three years, the cost of health has risen by 22 per cent, or nearly double the rise in general consumer prices.

Hospital daily service charges have soared by the astronomical rate of 55 per cent, or nearly five times the rise in consumer prices. The average cost of a hospital day is now \$68. It will rise to \$74 next year, and to \$98 by 1973.

Physicians' fees have risen by 21 per cent. Doctors line up at lawyers' offices to form corporations and raid the Federal Treasury for hundreds of thousands of dollars a year in deferred taxes.

All of this inflation has occurred during the early years of Medicare and the troubled Medicaid program. The most rewarding experience of Medicare has been its success in solving the serious problem of health costs for our poor and our aged citizens. In spite of inflation, Medicare has been immensely popular. It is liked and accepted by the people.

The most painful experience of Medicare and Medicaid has been their unfulfilled promise. We sought to spread the benefits of medical science and technology to millions of Americans, without considering the anachronistic and obsolete structure of the system by which the health services would be delivered. Unwisely, as many experts have recognized, we assumed that all that stood between our poor and aged citizens and high quality medical care was a money ticket into the mainstream of modern American medicine.

We know now that we were wrong. The money ticket was important, but it was not enough to solve the problem. In the years since Medicare and Medicaid were enacted, we have learned that medical insurance and payment programs could not be translated instantaneously into more doctors, more nurses, more health facilities, or better organization of the delivery system.

In wedding new purchasing power to the already existing demand for health services, we did nothing to solve an already intolerable situation. The cost of health care began to soar. In some cases, the quality of care declined, and an enormous strain was placed on the capacity of our existing health services and facilities. When an already overworked physician goes from seeing one hundred patients a day to seeing two hundred patients a day, the quality of his care is inevitably affected. His only escape is to consign more of his patients to hospital treatment, thereby increasing the strain on hospital facilities and hospital costs.

Today in the United States, health care is big business. Indeed, it is the fastest

growing falling business in the nation—a \$60 billion industry that fails to meet the urgent demands of our people. Today, more than ever before, we are spending more on health care and enjoying it less. By 1975, we may be spending \$100 billion a year on health and be worse off than we are now in terms of the quality and responsiveness of our health care system.

Perhaps the most serious fault in the present situation is the failure of the Federal Government to play a greater role in improving the quality of the nation's health care. Health is big business in America, and the Federal Government has become a major partner in this business. The total outlays for medical and health-related activities in the Federal budget estimated for 1970 are \$18 billion, or nearly one-third of the total health expenditures in the nation. The outlays for 1970 are divided among 14 principal departments and agencies. By far the largest amount—\$13 billion—is expended by the Department of Health, Education and Welfare, but significant amounts are also expended by the Department of Defense—\$2 billion—and the Veterans Administration—\$1.7 billion.

In 1960, the total outlays for health in the Federal budget were only \$3 billion. Thus, in the decade of the Sixties alone, we have had a six-fold increase in total Federal outlays for health. Indeed, almost 10 per cent of the total Federal budget now goes for health. The major share of the rise in recent years has been for Medicare and Medicaid. Yet, in spite of the dramatic increases in the health budget and the large amounts we are now spending, there is almost no one who believes that either the Federal Government or the private citizen is getting full value for his health dollar.

Of course, a significant proportion of the increase in health expenditures is being consumed by rising costs and our growing population. Between 1950 and 1969, personal health care expenditures increased by \$42 billion. Of this increase, 50 per cent was attributable to rising costs, and another 19 per cent was attributable to population growth, so that only 31 per cent of the increase represents real growth in health supplies and services over the past two decades.

Although the conventional wisdom is content to blame our current medical inflation on Medicare and Medicaid and the excess demand created by these programs for health care, there is another, more controversial aspect to the rising prices. As Professor Rashi Fein and other experts in the field of the economics of medicine have made clear, the basic models used by economists are not appropriate when applied to health. The medical market is characterized by the absence of competition, diverse products, and consumer ignorance. Comparisons of quality and performance are extremely difficult, if not impossible.

In other words, the medical marketplace is an area where the laws of supply and demand do not operate cleanly, and where physicians have a relatively large amount of discretion in setting their fees. Thus, at the time Medicaid and Medicare were instituted, fees rose for a variety of reasons, many of which were unrelated to the creation of excess demand:

Some physicians raised their fees in anticipation of a Federal fee freeze.

Some raised their fees in the face of rising hospital costs, in order simply to preserve their slice of the growing health pie.

Some raised their fees simply because they had the discretion to do so, and decided to take advantage of the instability and price consciousness generated by the new Federal programs.

As in the case of physicians' fees, the economic model of supply and demand does not tell the whole story of rising hospital costs. In part, hospitals took the opportunity to provide substantial—and wholly justified—

wage and salary increases to their notoriously underpaid employees. In part, costs rose because the new Federal financing methods contained few incentives for improving efficiency, but simply encouraged hospitals to pass the higher costs on to Washington.

The high cost of medical care is but one aspect of the overall health crisis. In America today, it is clear that we are facing a critical shortage of health manpower. Indeed, at bottom, our crisis in medicine is essentially a crisis in manpower. The need is urgent for more physicians, more dentists, more nurses, and more allied health professional and technical workers. We must develop new types of health professionals and para-professionals. We must make far more efficient utilization of our existing health manpower. Only if we succeed in these efforts will we be able to free our physicians and highly trained medical experts to perform the sort of intricate operations and sensitive counselling discussed by Dean Redlich in the inaugural lecture in this series.

The need is especially clear in the case of the shortage of doctors. Our low physician-population ratio means that unsatisfactory medical care is a way of life for large numbers of our people in many parts of our nation. In 1967, in the United States as a whole, there were 260,000 private physicians providing patient care for our 200 million people. This is a ratio of 130 physicians for every 100,000 citizens, or one doctor for every 700 people.

At first glance, the ratio appears to be fairly close to the satisfactory ratio generally recommended by many health experts, but the figures are misleading. The family doctor—the general practitioner—is fast disappearing, and is on the verge of becoming an extinct species. At the present time only one out of four of the nation's physicians is engaged in the general practice of medicine. Three out of four are specialists, most of whom accept patients only on a referral basis. The true doctor-population ratio, therefore, is more like one general practitioner per three thousand population, a ratio that is clearly unacceptable for adequate health care for our people. For far too many of our citizens, the only "doctor" they know is the cold and impersonal emergency ward of the municipal hospital.

To make matters worse, the geographic distribution of our doctors is highly uneven. Two-thirds of our physicians serve the more affluent half of our population. In some states, of course, the physician-population ratio is higher than the national average of 130 doctors per 100,000 population. In Washington, D.C., the ratio is 318; in New York it is 199; in Massachusetts, 181.

In sixteen states, however, the physician-population ratio is far below the national average. In Alaska and Mississippi, the ratio is an abysmal 69, or about one-half the national average. In Alabama, it is 75. Even in Texas, it is only 106. Clearly, therefore, extremely large groups of our population are receiving seriously inadequate medical care because of the shortage of physicians.

One of our most urgent needs to meet this crisis is a stronger Federal program to expand existing medical schools and establish new schools. We must substantially increase the output of doctors from our medical schools. At the present time, about 8,000 students are graduated from our medical schools each year. The Association of American Medical Colleges estimates that the number of students entering medical schools will increase by 25 per cent to 50 per cent by 1975, as a result of the construction of new medical schools already begun, and the expansion of existing schools already planned. Yet, if the physician-patient ratio is to be improved substantially, our goal should be to admit double the number of current students by

1975, with special emphasis on medical schools in regions where the physicians-population ratio is too low.

There is another reason why we must increase the enrollment in our medical schools, aside from the need to provide better health care for our people. Today in America, the medical profession is that one profession that flies in the face of the American credo that every man shall have the opportunity to join the profession of his choice. Today in America, if a poor black or white young American aspires to be a lawyer, he will have the opportunity to enroll in a law school somewhere in the nation that will give him the chance to fulfill his dream. It is the shame of American medicine that no such opportunity exists for the youngster who aspires to enter what is perhaps the most exalted and selfless of all our professions, the healing arts.

Ironically, at the very time we are denying this opportunity to our own citizens, we are importing thousands of foreign-trained doctors each year to meet our manpower crisis. Twenty per cent of the newly licensed physicians each year in the United States are foreign-trained. Forty thousand foreign medical graduates are now practicing medicine in the United States, or about 15 per cent of the total number of doctors providing patient care. Thirty per cent of all our interns and residents are foreign-trained.

These figures are appalling. I believe that at this crucial period in world history, it is deeply immoral for us to be luring physicians from the rest of the world to meet our own doctor shortage, when their services are even more critically needed in their own lands.

The landscape we see is bleak, but it is not without hope. If we are to be equal to the challenge, however, we must be prepared to take major new steps. As Hippocrates himself put it two thousand years ago, where the illness is extreme, extreme treatments may be necessary. I would like, therefore, to share with you my views as to the directions we should begin to take now, if we are to meet the challenge.

First, and perhaps most important, we need a new approach to the politics of health. Our single greatest deficiency in the area of health is our failure to develop a national constituency, committed to a progressive and enlightened health policy. As a prestigious Committee of the National Academy of Sciences has recently and eloquently stated with respect to the problem of the confrontation between technology and society, the issue is far more serious than the simple question of braking the momentum of the status quo. Today, all too often, whether the area be that of medicine, or education, or pollution, the vested interests are strongly ranged against innovation, and there is no champion capable of marshaling the diffuse advocates for progress and reform. When a better teaching organization threatens the bureaucratic status quo in education, we know there will be organized opposition from school officials, but there is seldom organized advocacy by parents and children. When a new and more efficient development is offered that threatens the status quo in health—whether in the organization, financing, or delivery of health care—we know there will be opposition from organized medicine, but there is seldom organized advocacy by health consumers.

In these situations, a thorough consideration of the relative merits of alternative proposals is rendered difficult, if not impossible, by the presence of powerful spokesmen for the old, and the absence of effective spokesmen for the new. If we are to succeed in making basic changes in our health care system, we can do so only by creating the sort of progressive national health constituency that can make itself heard in the halls of Congress and the councils of organized medicine.

To be sure, there is cause for hope. The present generation of medical students is

outstanding. They are already beginning to develop the commitments to public causes, the enlightenment and social conscience so desperately needed in the health profession. And, in spite of the heavy responsibility that organized medicine must bear for the inadequacy of our health manpower and other resources, a few leaders have recently made progressive statements suggesting a new recognition and awareness of the problem.

Second, the Federal Government must play a far more active and coherent role in the formulation and implementation of health policy. We must develop a comprehensive and carefully coordinated national health policy, with an administrative structure capable of setting health goals and priorities for the nation. In the spring of 1968, I introduced legislation urging the creation of a National Health Council to be established in the Executive Office of the President with responsibility for setting health policies and making recommendations for the attainment of health goals, including the evaluation, coordination, and consolidation of all Federal health programs and activities. The National Health Council would be modeled along the lines of the Council of Economic Advisors, which has consistently played a superlative role in planning and coordinating the nation's economic policy.

Third, we must move away from our excessive emphasis on high-cost acute-care hospital facilities. We must make more imaginative use of innovative types of low-cost facilities, such as neighborhood health centers and other out-patient facilities, storefront clinics, and group health facilities. In spite of the active opposition of a substantial segment of the medical profession, group practice and hospital-based practice are probably the most efficient and economical means of delivering health care today. In many areas, the ideal arrangement consists of a teaching hospital in a medical center, with affiliations to community hospitals in the surrounding area. In turn, each of the community hospitals serves as the center of a series of satellite group practice clinics that can reach out directly into the entire community.

Fourth, while we are building the nation's overall health policy, we must give special attention to the health of our urban and rural poor. For too many of the poor, the family physician has disappeared, to be replaced by the endless lines and impersonal waiting rooms of huge municipal and county hospitals. Yet, there are few physicians today who were not trained on the wards and charity patients in our teaching hospitals. Too often, as Professor Alonzo Yerby has eloquently stated, our poor have had to barter their bodies and their dignity in return for medical treatment.

In America today, millions of our citizens are sick, and they are sick only because they are poor. We know that illness is twice as frequent among the poor. We know that the poor suffer three times as much heart disease, seven times as many eye defects, five times as much mental retardation and nervous disorders. Although our goal must be one health care system open to all our citizens, we have an obligation now to increase the range and efficiency of the health services and facilities available to the poor, with special emphasis on breaking down the barriers that have for so long divided our society into a two-class system of care—one for the rich and one for the poor, separate and unequal.

Specifically, I urge the Administration to create a National Health Corps, as an alternative to the draft for doctors, and stronger than the "Project U.S.A." program recently recommended by the AMA. Today, doctors are exempt from the draft if they serve two years in the National Institutes of Health or other branches of the Public Health Service. The same exemption should exist for doctors

volunteering for medical service in urban or rural poverty areas. Only in this way will we be able to meet the critical need for health manpower in depressed areas. And, once young physicians are exposed to the problems of health care for the poor, a significant proportion of them will be encouraged to remain and dedicate their careers to this service.

In addition, we should make a substantial new effort to expand the neighborhood health center program. At the present time, less than a dozen medical societies in the nation have become actively involved in neighborhood health centers. Yet, in recent weeks, prominent leaders of the AMA itself have called for a greater role for neighborhood health centers as a means of extending health care to the poor. A few imaginative pilot projects reaching in this direction have recently been funded by the Office of Economic Opportunity, including a program to reorganize the out-patient department at Boston City Hospital as a nucleus for community health care, but our overall effort has been inadequate. Tragically, at a time when even organized medicine is moving forward, we have been unwilling to allocate the resources so urgently needed for this program.

Fifth, within the critical area of health manpower, we must give special attention to training new types of health professionals. In far too many cases, highly trained physicians spend the overwhelming majority of their working day in tasks that do not require their specialized medical skills. One of the most promising methods of easing the shortage of doctors is to train new types of health workers to perform these non-specialized tasks, thereby freeing our physicians for other, more urgent needs. We must develop a broad new range of allied health professionals, such as paramedical aides, pediatric assistants, community service health officers, and family health workers.

At a number of our universities, imaginative new programs are under way to train medical corpsmen from Vietnam as physicians' assistants. In the State of Washington, hospital corpsmen are trained for three months in the medical school, and then sent into the field for nine months' further training in the offices of private physicians. A similar program now exists at Duke University. These programs are unique in their emphasis on combined training in the classroom and in the field. They are programs that must be greatly expanded if we are to meet the urgent demand for more and better trained health manpower.

Sixth, we must restore the severe budget cuts that have been proposed in Federal health programs by the present Administration. Later this week, the full Senate will vote on Federal health appropriations for the current fiscal year, 1970. None of us in Congress can be proud that almost half way through the present fiscal year, we are only now about to vote the funds that may be used. Our error is compounded by the knowledge that at this time of medical crisis, Federal assistance to health programs may be drastically curtailed, especially in the areas of research and manpower training.

Today, when every medical school and every other health school is being urged to expand its manpower programs, the Administration is requesting far less funds than Congress authorized as recently as 1968 for these vital programs.

The impact of the proposed cuts will be felt in medical schools, hospitals, research centers, and communities throughout the nation. It will be measured in terms of cancer research cut short, lives lost because coronary care units are un-funded, special hardship for the poor, and the loss of dedicated young students from careers in medicine and medical research.

Seventh, I come to what I believe is the most significant health principle that we as

a nation must pursue in the decade of the Seventies. We must begin to move now to establish a comprehensive national health insurance program, capable of bringing the same amount and high quality of health care to every man, woman, and child in the United States.

National health insurance is an idea whose time has been long in coming. More than a millennium ago, Aristotle defined the importance of health in a democratic society, when he said:

"If we believe that men have any personal rights at all as human beings, then they have an absolute moral right to such a measure of good health as society and society alone is able to give them."

Today, the United States is the only major industrial nation in the world that does not have a national health service or a program of national health insurance. The first comprehensive compulsory national health insurance was enacted in Prussia in 1854. Throughout the Twentieth century, proposals have been periodically raised for an American program, but never, until recently, with great chance of success.

National health insurance was a major proposal of Theodore Roosevelt during his campaign for the Presidency in 1912. Shortly before the First World War, a similar proposal managed to gain the support of the American Medical Association, whose orientation then was far different than it is today. During the debate on social security in the Thirties, the issue was again raised, but without success.

Today, the prospect is better. In large part it is better because of the popularity of Medicare and the fact that many other great national health programs have been successfully launched. The need for national health insurance has become more compelling, and its absence is more conspicuous. In part, the prospect is good because the popular demand for change in our existing health system is consolidating urgent and widespread new support for a national health insurance program as a way out of the present crisis.

For more than a year, I have been privileged to serve as a member of the Committee for National Health Insurance, founded by Walter Reuther, whose goal has been to mobilize broad public support for a national health insurance program in the United States. Two months ago in New York City, the Reuther Committee sponsored a major conference, attended by officers and representatives of more than 65 national organizations, to consider a tentative blueprint for a national health insurance program. At the time of the conference, I commended Mr. Reuther for the extraordinary progress his Committee has made. I look forward to the future development of the program. Already, it offers one of the most attractive legislative proposals that is likely to be presented for our consideration next year in Congress.

We must recognize, therefore, that a great deal of solid groundwork has already been laid toward establishing a national health insurance program. It is for this reason that I believe it is time to transfer the debate from the halls of the universities and the offices of professors to the public arena—to the hearing rooms of Congress and to the offices of your elected representatives.

Early next year, at the beginning of the second session of the 91st Congress, I intend to introduce legislation proposing the sort of comprehensive national health insurance legislation that I believe is most appropriate at the current stage of our thinking. The mandate of the Medicaid Task Force in the Department of Health, Education and Welfare has been expanded to investigate this area, and I urge the Administration to prepare and submit its own proposals.

Senator Ralph Yarborough of Texas has told me that, as Chairman of the Senate Subcommittee on Health, he will schedule comprehensive hearings next year on na-

tional health insurance. Our immediate goal should be the enactment of legislation laying the cornerstone for a comprehensive health insurance program before the adjournment of the 91st Congress. This is an issue we can and must take to the people. We can achieve our goal only through the mobilization of millions of decent Americans, concerned with the high cost and inadequate organization and delivery of health care in the nation.

Last week on the floor of the Senate, we witnessed the culmination of what has been one of the most powerful nationwide legislative reform movements since I joined the Senate—the taxpayers' revolution. It now appears likely that by the end of this month, there will be laid on the President's desk the best and most comprehensive tax reform bill in the history of the Federal income tax, a bill that goes far toward producing a more equitable tax system.

We need the same sort of national effort for health—we need a national health revolution, a revolution by the consumers of health care that will stimulate action by Congress and produce a more equitable health system.

Because of the substantial groundwork already laid, I believe that we can agree on three principles we should pursue in preparing an effective program for national health insurance:

First, and most important, our guiding principle should be that the amount and quality of medical care an individual receives is not a function of his income. There should be no difference between health care for the suburbs and health care for the ghetto, between health care for the rich and health care for the poor.

Second, the program should be as broad and as comprehensive as possible, with the maximum free choice available to each health consumer in selecting the care he receives.

Third, the costs of the program should be borne on a progressive basis related to the income level of those who participate in the program.

I believe there is no need now to lock ourselves into a specific method of financing the insurance program. There are distinct advantages and disadvantages to each of the obvious alternative financing methods that have been proposed—financing out of general revenues of the Treasury, out of tax credits, out of the Social Security Trust Fund, or out of another independent trust fund that could be created specifically for the purpose.

At the present time, I lean toward a method of financing that would be based on general Treasury revenues, with sufficient guarantees to avoid the vagaries of the appropriations process that have plagued the Congress so much in recent years.

I recognize the obvious merit of the tax credit and social security approaches. In particular, Social Security financing offers the important advantage that it is a mechanism that Americans know and trust. In the thirty-five years of its existence, Social Security has grown into a program that has the abiding respect and affection of hundreds of millions of Americans. In 1966, it demonstrated its capacity to broaden its horizon by its successful implementation of the Medicare program. To many, therefore, Social Security is the obvious vehicle to embrace a program for national health insurance, and soothe the doubts and suspicions that will inevitably beset the program when it is launched.

At the same time, however, we must recognize the obvious disadvantages of Social Security financing. Under the Social Security system, the payroll tax is heavily regressive. The poor pay far too high a proportion of their income to Social Security than our middle or upper income citizens. Today, at a

time when Congress is about to grant major new tax relief to all income groups, I believe it would be especially inappropriate to finance a national health insurance program through the conventional but regressive procedures of Social Security, rather than through the progressive procedures of the Federal income tax laws.

I wish to make clear, however, that I am not now rejecting an approach that would finance national health insurance by a modified approach through the Social Security System. By the use of payroll tax exemptions and appropriate contributions from the Federal Government, it may be possible to construct a program that will build in the sort of progression that all Americans can accept. The important point here is that we must discuss these possibilities in a national forum, and weigh the alternatives in the critical light of open hearings and national debate.

We must be candid about the costs of national health insurance. In light of our present budgetary restrictions, the price tags applied to the various health insurance programs are too high. They range from about \$10 billion for "Medicredit," the AMA proposal, to about \$40 billion for the Reuther proposal. It is therefore unrealistic to suppose that a total comprehensive program can be implemented all at once.

We can all agree, however, that it is time to begin. In light of the fiscal reality, the most satisfactory approach is to set a goal for full implementation of the program at the earliest opportunity. I believe that the goal should be 1975. The legislation we enact should reflect our firm commitment to this target date. Halfway through the decade of the Seventies, we should have a comprehensive national health insurance program in full operation for all Americans.

I have already stated my view that legislation establishing the program should be enacted next year. In January, 1971, we should begin to phase-in a program that will reach out to all Americans by the end of 1975. To meet that timetable, we should establish coverage in the first year—1971—for all infants, pre-school children, and adolescents in elementary and secondary schools. In each of the following four years, we should expand the coverage by approximately ten-year age groups, so that by the end of 1975, all persons up to age 65 will be covered by the program, and the existing Medicare program can be phased in completely with the new comprehensive insurance.

The idea of phasing in children first should receive wide support, both from the population as a whole and from the medical profession as well. As a nation today, the United States is the wealthiest and most highly developed medical society in the world, but we rank 14th among the major industrial nations in the rate of infant mortality, and 12th in the percentage of mothers who die in childbirth. In spite of our wealth and technology, we have tolerated disease and ill-health in generations of our children. We have failed to eliminate the excessive toll of their sickness, retardation, disability and death.

Equally important, we are already close to the level of manpower needed to implement a national health insurance program for our youth. American medicine is equal to the challenge. We have a solid tradition of excellence in pediatric training, with a strong and growing supply of experienced pediatricians, pediatric nurses, and allied manpower.

Moreover, by beginning our new program with youth and child care, it will be easier for the medical profession to implement the changes in the delivery system that must accompany any effective national health insurance program. And, the changes that we make in the delivery system for pediatric care will give us valuable experience and insights into the comparable but far more difficult changes that will be necessary in the

delivery of care to adults as the insurance program is phased in over subsequent years.

Finally, by phasing in the insurance program over a period of years, I believe we can avoid a serious objection that will otherwise be raised—that national health insurance will simply exacerbate our current inflation in medical costs by producing even greater demand for medical care without providing essential changes in the organization and delivery system.

We know from recent experience that changes in the organization and delivery of health care in the United States will come only by an excruciating national effort. Throughout our society today, there is perhaps no institution more resistant to change than the organized medical profession. Indeed, because the crisis is so serious in the organization and delivery of health care, there are many who argue that we must make improvements here first, before we can safely embark on national health insurance.

I believe the opposite is true. The fact that the time has come for national health insurance makes it all the more urgent to pour new resources into remaking our present system. The organization and delivery of health care is so obviously inadequate to meet our current health crisis that only the catalyst of national health insurance will be able to produce the sort of basic revolution that is needed if we are to escape the twin evils of a national health disaster or the Federalization of health care in the Seventies. To those who say that national health insurance won't work unless we first have an enormous increase in health manpower and health facilities and a revolution in the delivery of health care, I reply that *until* we begin moving toward national health insurance, neither Congress nor the medical profession will ever take the basic steps that are essential to reorganize the system. Without national health insurance to galvanize us into action, I fear that we will simply continue to patch the present system beyond any reasonable hope of survival.

The need for comprehensive national health insurance and concomitant changes in the organization and delivery of health care in the United States is the single most important issue of health policy today. If we are to reach our goal of bringing adequate health care to all our citizens, we must have full and generous cooperation between Congress, the Administration, and the health profession. We already possess the knowledge and the technology to achieve our goal. All we need is the will. The challenge is enormous, but I am confident that we are equal to the task.

SECRECY ABOUT ACTIVITIES IN LAOS

Mr. FULBRIGHT. Mr. President, the Senate debate yesterday, both during the open and the closed sessions, took us a little closer to the goal of removing the official secrecy in which our activities in Laos have been cloaked since the Kennedy administration.

The awkward and fragile nature of that secrecy becomes more apparent as pieces of our activity in Laos gradually emerge for public view. The President himself last week added to the public's knowledge with the statement that, in his words, "we are also interdicting the Ho Chi Minh Trail as it runs through Laos." I do not believe that an American official prior to that time had publicly acknowledged that activity.

Yesterday, the Senator from Louisiana (Mr. ELLENDER), as acting floor manager of the Defense Appropriations Act, stated that that measure includes "approx-

mately \$90 million for the support of the Royal Laotian Army." That represented, I believe, the first time a figure had been publicly disclosed.

My point today is that these are facts the American public deserves to have before it just as the Senate deserved to have the full details of our operations in and over Laos yesterday in order to deal responsibly with the proposed legislation before it.

The President's statement about interdiction and Senator ELLENDER's military assistance figure were both incomplete. Therefore, both statements were unfortunately misleading if used to imply a total description of what we are doing in Laos or the cost to the American people of our activities there.

I would hope that the administration will seriously study yesterday's Senate debate and reconsiders its position on continuing the secrecy of our Laos involvement. As the Senator from Arizona (Mr. GOLDWATER) put it yesterday during the open session:

I was in Thailand two days ago and there are no major secrets there as to what we are doing.

Mr. President, unlike Senator GOLDWATER, the people of the United States cannot go to Thailand to get the facts on what we are doing there and in Laos. The time has come for their Government to tell them—directly and with the detail that permits them to understand that policy which clearly involves both war and peace and the spending of American lives and dollars.

PAUL PETZOLDT, MOUNTAIN MAN

Mr. McGEE. Mr. President, in an age of increasing creature comforts and the luxuries of civilization, there remains a need for the true men of the outdoors—for those who will use the challenges of nature to temper the new generation. Such a man lives in Lander, Wyo. His name is Paul Petzoldt. He runs the National Outdoor Leadership School, whose campus is the Wind River Mountains of Wyoming. He teaches outdoor life, conservation, and survival as perhaps no one else can or does. But more, what he teaches is confidence—a badly needed commodity always. Life magazine, in its current issue, profiles Paul Petzoldt and his school, and writer Jane Howard, in that article, sums up his message to his students when she writes:

Petzoldt keeps saying he is no missionary, but somehow he transmits an evangelistic message: you are more and better and stronger than you ever thought you could be.

Mr. President, I ask unanimous consent that Jane Howard's article entitled "Last Mountain Man? Not If He Can Help It," published in *Life*, be printed in the RECORD.

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

LAST MOUNTAIN MAN?—NOT IF HE CAN HELP IT

(By Jane Howard)

If I could choose somebody to be stranded with on a desert island, or to get me out of any dilemma from a flat tire to the charge of an enraged bull moose during a lightning

storm, I would instantly and confidently ask for Paul Petzoldt.

I'd have good reason. For one thing, Petzoldt is reassuring just to look at, reminding one as he does of Santa Claus, Falstaff and Hercules. He is six feet one inch tall, weighs 240 pounds and has gigantic circumflex brows over slightly slanted blue eyes. He is also transfixing to listen to, using words like *alpenglow*, *timberline* and *scarify* to tell of nearly 62 years of adventure—set not only in Wyoming, where he lives, but the Himalayas, the Alps and even flatlands and offices.

More to the point, Petzoldt would get us both out of there, wherever "there" might be, with more finesse than anyone I know of. We'd end up safe, warm, and a little sorry it all was over, because adventure is to Petzoldt what hymns are to a choirmaster. It has been not only his livelihood but his delight ever since 1924, when the first pair of dudes hired him to guide them up the Teton mountains. "I guess I've never been afraid to try anything," he says, and I guess he's probably right.

But he is not merely intrepid. Besides his gusto for skirmishes with the elements, he has a militant reverence for the natural world, as those whom he ushers into the wilderness soon learn. Once he made two boys walk back 12 miles to pick up a couple of pieces of tinfoil.

Petzoldt legends abound. He holds the world record for spending the longest continuous time at an altitude of more than 20,000 feet without artificial oxygen. He has invented a widely used system of signals for rope climbers, started the first mountaineering guide service in the United States, and probably made more first ascents of mountains than anyone in this country.

He knows the Tetons and the Wind River Mountain Range the way a good cabbie knows The Bronx. Once, when nobody else dared climb to the top of the Tetons to investigate a plane crash, he and a ranger made a three-day ascent in a whiteout blizzard, to discover 23 corpses. Another time, when a hapless parachutist had been trapped for a week atop a 5,117-foot volcano plug, Petzoldt led the rescue.

Once he skied seven days in howling winds and -30° weather, to dig through 10 feet of snow in search of uranium, only to find himself the victim of a hoax: the rock sample that had sent him off turned out to be from the Belgian Congo. Once he stayed in an Arizona canal all day to avoid walking barefoot on the sizzling rocks. He has also been known to kill an elk with a pocket-knife, walk a tightrope, and disguise himself as a Sikh potentate during an anti-Western street riot in Calcutta. He has played water polo and football, raised alfalfa, hopped freights, and been a chef, a fur trapper, a downhill and slalom ski champion, a traveling lecturer, a golfer, a used car salesman and a dude rancher.

"Once," says an old friend, "Paul and Gene Tunney nearly came to blows in my living room in an argument over Chinese politics. I had to strain to keep them apart, because I wasn't at all sure Gene would win." Once Petzoldt bicycled all the 400 miles from Basle to Antwerp without a centime in his pocket. Once he gave some thought to running for Congress. Earlier he yearned to be a rodeo rider, "but a horse named Appendicitis changed my mind about that." Never mind. If someone told me Petzoldt had a blue ox named Babe or could literally leap tall buildings with a single bound, I wouldn't be too surprised.

Now, at a point in life when most men face retirement, Petzoldt is plunged into an involving new venture. His National Outdoor Leadership School, founded in 1965 and affiliated with the University of Wyoming and Kansas State Teachers College is growing so fast it keeps him in the mountains all but four or five nights every summer and absorbs his year-round attention. The NOLS

campus, in Wyoming, is the rugged Wind River Mountain Range, some of which has never been accurately mapped.

NOLS students, mostly in their teens and twenties, flock by the hundreds from all over the country and the world for five-week courses. Divided into patrols of 12, they carry everything they will need in backpacks that can weigh more than 40 pounds. There is no weaving of lanyards, no compulsory singing of jolly songs around campfires. The students eat what they carry and find and catch, sleep in tents, and read topographical maps so they can plot their own 100-mile itineraries up and down through arctic and tundra zones, learning as they travel to recognize mushrooms, wildflowers and trees. They never even see the rear end of a jeep, much less a newspaper or a franchised root beer stand.

A handful of them, each summer, turn out to be "lookers and readers instead of doers." Two or three usually drop out, "because they suddenly decide their mothers need them at home"—a neat trick when they have no communication whatever with the world. The majority, however, find astonishing reserves of strength. Petzoldt keeps saying he is no missionary, but somehow he transmits an evangelistic message: you are more and better and stronger than you ever thought you could be. You didn't think you could rappel your way down that cliff, or sleep comfortably outside in a blizzard, or swing by a rope across a furious river, but guess what: you can. The students emerge with a self-reliance useful even back in the overcivilized world where problems are murky and abstract and solutions more so.

To get a glimpse of what he is about, I spent a few days with Petzoldt. We flew over the Wind Rivers, which for all their majesty looked about as habitable as a bank of clouds, as if they'd just been sprinkled with some giant Claes Oldenburg shaker of powdered sugar. Then we went camping in the Tetons, which in profile resemble the growth graph of some highly erratic corporation. We heard, once in a while, what must be the most primeval noise in the world: the bugling of male elks, in many-syllabled cries ranging over an octave. They sounded a little like inept Boy Scouts trying to play taps and a little like rusty door hinges, but not really much like either.

This gentle trip was no flirtation with peril. Even when frost covered our tents at night we were plenty warm with two sleeping bags apiece. My only trouble was trudging a steep quarter-mile uphill through tangled knots of sagebrush, but I did what Petzoldt advised and took a breath with each step to save wind. We made coffee from Jenny Lake water, cooked potato pancakes, used sage leaves as napkins and wished trout weren't out of season. When the time came to reload our packs I felt sad to go back down. Even Wyoming, one of the few states to have lost population in late years, seemed too crowded.

Brief as it was, this excursion showed me how Petzoldt is to outdoorsmen what Heloise is to housewives: an endless and bountiful source of useful tips and hints. My notebook was a jumble of miscellaneous outdoor lore. Fir needles are flat, spruce needles are square. Bottles and cans don't belong in the mountains at all. There are at least 13 ways of cooking trout. Salt is much more essential in cold weather than people realize. The quietest place in the world is a snow cave (a handy thing to know how to dig now that winter camping is getting to be as promisingly as popular as skiing was 30 years ago). Fiber-glass saddles are better than leather ones, but horses mar the wilderness even more than jeeps do, pawing at roots of trees, tearing up flower beds, and giving trail dust a lingering manure smell.

Dacron is better than down for sleeping bags and jackets; down is too warm if you wear it uphill and takes far too long to dry.

A foam-rubber product called Insulite is much better than an air mattress to put under a sleeping bag. Most books on survival are phony and impractical because they teach you to whittle wooden spoons instead of what you really need to know, like reading maps and dressing right.

Europeans and cowboys dress worse than anybody. "We almost consider it sinful," Petzoldt said, "to take young people into the hills shivering in Levis, letting their feet get bloody with blisters and sleeping cold all night." Proper dress means four layers of wool, to be added or removed as the sun and body heat change. Thermal socks aren't good, "because they're made principally of nylon and cotton, not wool. Electric socks? They're warm, sure, but who wants to carry batteries around?"

Good outdoorsmen travel light, Bad ones "accumulate so much arctic and Himalayan stuff they practically need a moving van to carry it around. All you really need to do, to be practical and warm, is scrounge around your own basement or attic. Before you leave you should make two piles; things you'll absolutely *have* to have and things you think you might need, and throw all the 'might needs' away." Good outdoorsmen needn't spend much money on food, either. "Even at today's prices you can eat well—two pounds and 3,500 to 4,000 calories—on \$1.25 a day, if you buy stuff like Bisquick, dried soups, cereals and dried milk cheap at supermarkets.

"Some of the great mountaineers don't know how to camp or fish or swim or even start a fire," Petzoldt said. "A big percentage of people who go into the wilderness—even those who think of themselves as great conservationists—ruin what they came to enjoy. We do less damage taking 100 people into the wilderness for 35 days than some parties of four camping out for two nights. It doesn't follow that if you've climbed K-2 or Everest you're a good outdoorsman."

Petzoldt's school is not for sybarites. Even in July the weather can be far from clement, with snows, lightning and rainstorms that can last a week. "And at the beginning of the course we generally kill a couple of cows—shoot them, cut their throats, de-gut them and have the girls butcher them. It's a good way to learn how to dress game. Inevitably someone faints and accuses us of cruelty, but we say, 'Where do you think your steaks come from? They aren't manufactured at the supermarket, you know.'"

His students, Petzoldt thinks, hunger for reality. "Much of what they see around them," he says, "is phony. All through society they find people who talk one thing and do another. If they have a brain in their heads they can see that something is radically wrong." So, at NOLS, raw honesty is encouraged. "If somebody makes you mad in the mountains (where you have to pay, sometimes immediately, for every rationalization and mistake) you don't beat around the bush. You tell him about it."

But back in civilization, where half-truths are sometimes a necessity, such candor can lead to trouble. "When I tell my friends at Rotary or the Elks Club what I honestly think of youth and long hair and a few other things, they make me feel like a goddam effete intellectual. Out here there's an open season on Democrats." Even Petzoldt's wife Dottie is an ardent Republican, and an indoorswoman at that. She would rather work at the CBS radio station in Lander, of which she is co-owner, than rappel down a mountain. "But she has terrific humor," says her husband, "and we get along fine."

He is nobody's father but a vociferous champion of young people, "maybe because I was a protesting kid myself in the Depression. The world is changing so fast the old mores don't have a chance. Most judgments against kids are wrong. Suddenly they've

become the type of Christians we were always told to be—their brothers' keepers. My generation says you're just supposed to talk about such things. I've always distinguished between Christianity and churchianity, which hides a lot of hypocrisy and evil."

Petzoldt was born in Iowa, the last of nine children, and raised on a farm in southern Idaho. When he was 14 his widowed mother returned to the Midwest, and he decided he'd rather set forth on his own than live with her or his married older siblings (one of whom became a champion jockey). "I wasn't running away from anything, but *toward* something," he says—the something of course being adventure. By thumb, rail and whatever means he could devise, he made his way all around the country, busing dishes, waiting tables, guiding dudes and playing poker. "I'm a good card player," he admits. "No, that's wrong. I'm a *very* good card player."

Horatio Alger could have written a book about Petzoldt's early years. Once, after he guided the dean of the chapel at Windsor Castle through the Tetons, the good dean bade him spend a year in England as his guest, studying and traveling. Petzoldt went, and stayed on to investigate most of Europe, including of course the Alps, where he didn't like the way guides were treated. "I never allowed myself or my guides to be treated like Swiss guides," he says. "We'd treat our people as *our* equals, even if we didn't think they were, and expected the same of them." Nor did he much like traditional explanations of why men climb. "I never could see the sense of going to the top of the goddam mountain just because it was there," he says. "If that's all, you might as well stay at the bottom in a bar."

The freighter that brought him back from Europe docked in New Orleans, and Petzoldt enrolled for a year at Louisiana State University. Later he studied at the universities of Idaho, Utah and Wyoming. He never did get a degree, which oversight bothered him only in establishing NOLS. "Then I finally realized that if you don't have a degree you're like a car going around without a tall-light. If you *do* have one you have to prove you're stupid, and if you don't you have to prove you're smart."

Nobody questioned his brains during World War II, when he managed lend-lease programs for food shipped to Russia, devised medical evacuation methods for the Army's 10th Mountain Division and was later assigned to the Control Council in Berlin. Then he worked with the Chinese Nationalist Relief Administration in Shanghai and made his second excursion in the Himalayas, after which, for a time, he helped run a cold cream factory in India.

There he came to wonder about a practice nowadays known as transcendental meditations. "First I was convinced they were all a bunch of cultists lying to each other," he says, "but after practicing what they called 'concentration' for two months, eight or 10 hours a day, I got the idea. It was a beautiful sort of trance. I don't think any opium eater ever had it any better. It was so pleasant, physically as well as mentally, that I quit, because I was afraid I might get hooked and withdraw from the world."

Instead he went back to Wyoming to raise certified alfalfa seed. But the elevator in which he deposited his crops took bankruptcy, and he ended up broke. He struggled to recoup his losses until 1963, when he was asked to teach at the Colorado branch of an international program to accustom young people to outdoor adversity, called Outward Bound. Later he became chief instructor.

"I owe a great debt to Outward Bound," he says. "I disagree with their emphasis on toughness for its own sake, because I think toughness should only come through doing things that are fun. But I think Outward

Bound is great, and it convinced me of the importance of something further—something I'd had in the back of my mind all along: giving people proper technical training to take kids outdoors (which is plenty tough, all right, but plenty of fun, too). All the organizations that tried to do this—the YMCA, the Scouts, the church groups—meant well, but they were stymied because they just didn't have the know-how. Not that you aren't doing a city kid a great favor if you take him to the country and say, 'Look, this is a tree, this is a flower, this is a rabbit.' But I saw a need for something more—something that might require more stamina and energy than Outward Bound, and yet be more fun."

Hence NOLS. "We started the school from scratch without one penny of financing," Petzoldt says. "Maybe it's a good thing the school doesn't have any angels: it makes us operate more efficiently. I wish we could give more scholarships, so more poor kids and black kids could come, but to *beg* them to come and be our token Negroes would be patronizing and insulting. We do give a few scholarships—some to kids who are getting out of penal institutions. The school is a great transition place for the return of criminals to society—for them just as for kids from rich prep schools in New England, all that counts is what you *do*, not what you were."

Those who get scholarships are expected eventually to pay the school back the \$400 each course costs, and so far most have. Petzoldt doesn't regret his financial status. "Once I could have bought a cheap option on the Jackson Hole ski resort," he says, "but that I didn't is probably the most fortunate thing of my life. If I had a lot of money I'd get into all kinds of trouble. I'd probably weigh 300 pounds or be an alcoholic, or both."

Instead he has taken arms against the desecration of the wilderness, even as he leads more people into it. Critics find this paradoxical and say that even the best-taught, best-intentioned of visitors can only help sully such relatively untouched places as the Wind River Mountains. They foresee a glum day when public comfort stations and hot dog stands will mar places where, so far at least, few men have ever set foot. As somebody said in Jackson Hole, "It's a matter of numbers. As the population keeps exploding everybody professes to hope that the hordes of kids now growing up will dig the outdoors and the mountains, sure, but not *my* mountain—try that one over there." Some long for the old pre-Petzoldt days when cowboys, squinting at the awesome peaks and doubtless speaking for most other people, would say, "I ain't lost nothin' up there; why should I want to go up?"

But now that masses of people do want to go up, Petzoldt figures it's all to the good if they go up prepared. He thinks, in fact, that nobody should be allowed into the wilderness who hasn't demonstrated—perhaps to the satisfaction of some governmental agency—that he can read maps, has proper equipment, and knows what he's doing. The last thing he wants to do is keep people from savoring the outdoors, the best arena he knows of to slake thirst for adventure—"maybe even better," he suggests, "then marijuana or LSD." Aware of the Peter Principle dangers of his school's getting too big for its own good, he nevertheless contemplates establishing a branch in the East, and welcomes all imitators.

Home in Lander after a summer outdoors with his school, Petzoldt relishes hot baths and clean clothes, reads, listens to music, and takes Dottie out for a six-course *haute cuisine* dinner. "I have no desire to wear a hair shirt," he says. "I like comforts and civilization as much as anybody." But it's never very long before he has vanished again, for a while anyway, up into the mountains.

**DEATH OF HON. FELIX HEBERT,
FORMER SENATOR FROM THE
STATE OF RHODE ISLAND**

Mr. PASTORE. Mr. President, I rise to record the passing—on December 14, 1969—of a former U.S. Senator from my State of Rhode Island, the Honorable Felix Hebert.

Former Senator Hebert was notable for many reasons—among them his wealth of years. He had just celebrated his 95th birthday on December 11. He was the first man of French-Canadian ancestry to serve in this Senate. In my own State of Rhode Island men and women of French-Canadian ancestry form a very valuable part of the community and they have filled the highest offices in the power of our citizenry to bestow.

Felix Hebert was a direct descendant of the group of 50 from Old France who 327 years ago founded the city of Montreal.

He served here in a period of national change and challenge—from March 4, 1929 to January 3, 1935—and he was privileged to share this Senate with names that ring down the corridors of time—and I mention just a few from the 71st Congress—Hayden, Black, Ashurst, Caraway, George, Borah, Capper, Barkley, the elder Tydings, Gillett, Walsh, Vandenberg, Wheeler, Norris, Moses, Wagner, McNary, Metcalf, Smoot, Carter Glass, and LaFollette. The membership of the 72d and 73d Congresses were also his colleagues.

Distinguished as an attorney and international authority on insurance law, devoted to music, literature and civic affairs, Felix Hebert—to use his own phrase—was never more than “semi-retired” even in the final decade of his busy life.

To his surviving son and daughters the respectful sympathy of this Senate joins the appreciative condolences of the community to which Felix Hebert was devoted.

Mr. PELL. Mr. President, I was saddened to learn of the death of a former member of this body from Rhode Island, the Honorable Felix Hebert.

Senator Hebert represented the people of my State here in the Senate during the very difficult years from 1929 to 1935 when this country was struggling to recover from economic collapse.

Born in the Province of Quebec, he was the first man of French-Canadian ancestry to serve in the Senate. His Republican colleagues here in the Senate recognized his energy and leadership by electing him to serve as the Republican Whip during the 73d Congress. In that capacity he was a forceful spokesman for his party's views on the great issue of that era—the formulation of policy to restore the Nation's economic health.

After his loss in the 1934 elections, Senator Hebert returned to Rhode Island and remained active in party and civic affairs, serving as Republican National Committeeman from the State from 1944 until 1952.

I did not know Senator Hebert, but I recently had the pleasure of having his grandson, Adrien W. Hebert, Jr., serve in my office as an intern.

At his death on Sunday at the age of 95, Senator Hebert was the oldest living former Member of the Senate.

I extend to his family and friends my sympathy at their loss.

Mr. President, I ask unanimous consent that an article from the Providence Journal of Monday, December 15, on Senator Hebert's career be printed at this point in the RECORD.

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

FORMER U.S. SENATOR FELIX HEBERT, 95, DIES

Felix Hebert, a former United States senator from Rhode Island, an international authority on insurance law and a one-time power in the state's Republican Party, died last night at Kent County Hospital. He was 95.

Mr. Hebert, born in the Province of Quebec, was the first man of French-Canadian ancestry to sit in the U.S. Senate. He served from 1928 to 1934.

He was a former deputy insurance commissioner of Rhode Island and was judge of the Fourth District Court in Kent County from 1919 to 1928.

Although his formal education ended after his graduation from La Salle Academy in Providence, he studied law and was admitted to the Rhode Island bar in 1907. A protege of powerful political figures of that day, he rose rapidly to a position of prominence.

Indirectly, it was his love for music that landed him in politics. Self-taught in music as he was in the law, he became a proficient violinist and cellist, married a musician and saw all his children develop musical talent.

As a young man, he came under the wing of the late Gen. Charles R. Brayton, the “blind boss” who ruled the Rhode Island GOP with an iron fist at the turn of the century.

Later, he was associated with the Peck-Pelkey wing of the party which gave him the Senate nomination. His term in the Senate was his first and only elective office.

A direct descendant of Leger Hebert, who, with Sieur de Maisonneuve and 50 others from Paris, founded Montreal in 1642, Mr. Hebert's father settled in Quidnick, a village in Coventry, in 1860.

His father, Edouard, a bootmaker, and his mother, Catherine, were married in Rock Chapel in the village of Phenix in 1865. They had 13 children, of whom Mr. Hebert was the last survivor.

Edouard and Catherine went to St. Guillaume, Quebec, in 1874 because of Edouard's ill health and it was there, on Dec. 11, that Felix Hebert was born. When he was five, his father having regained his health, the family returned to Rhode Island.

Mr. Hebert received his early education in the public schools of Coventry, then attended the parish school of St. Jean Baptiste Church in West Warwick. He was graduated from La Salle Academy in 1893 and was, until the time of his death, its oldest alumnus.

In 1961, the academy's Alumni Association named him as one of the first three in its new Hall of Fame. The others were the Most Rev. Russell J. McVinney, D.D., Bishop of Providence, '16, and the late U.S. Rep. John E. Fogarty, '30.

After his graduation, Mr. Hebert got a job as a stenographer in the freight department of the old New York & New England Railroad Co. In two years he rose to chief of the billing department. For a brief time, he also was secretary to John Howard Appleton, a professor of chemistry at Brown University.

His “break” in politics then came about. A few years earlier, Mr. Hebert had made the acquaintance of Alexis Boucher, known as “the best fiddler in the Pawtuxet Valley.” Mr. Boucher gave young Felix a violin on condition that he learn to play it. He did.

While he was working for the railroad, Judge Eugene F. Warner of the Fourth District Court was combing the area for talent for a local orchestra. Mr. Hebert accepted the judge's invitation to play the viola.

When he found his long hours of employment conflicting with his time for music, he ventured to suggest he would have to give up his position with the orchestra. Judge Warner would not hear of it.

The judge, who was secretary-treasurer of the Republican State Central Committee and clerk of the state Senate, prevailed upon “Boss” Brayton to hire Mr. Hebert as his secretary and pay him as much as he earned on the railroad, \$18 a week plus a \$3 transportation allowance.

Mr. Hebert recalled that Brayton balked at the amount but was finally convinced when Mr. Hebert explained that he needed the money to contribute to his large family.

In 1896, Mr. Hebert was chosen as clerk of the GOP State Central Committee and assistant to Judge Warner, while still working for the general.

Two years later, Mr. Hebert was selected to reorganize the accounting in the office of the state general treasurer and the same year was appointed a deputy insurance commissioner, a post he held until 1917.

As a representative of the office, he visited the headquarters of almost every insurance company doing business in Rhode Island to inspect their books and report on their financial responsibility. He became expert in insurance accounting and procedures.

During his early years in state employment, he began reading law in the office of Judge Warner in the village of Anthony and in the office of Walter B. Vincent, a retired Supreme Court justice.

He was admitted to the bar in November 1907.

Mr. Hebert's main law offices were in the Turks Head Building where he specialized in the practice of insurance law. He appeared before Congress, the legislatures of a great many states and in a British court as an expert on insurance problems. In 1948 he was a registered lobbyist in Washington for the Associated Factory Mutual Fire Insurance Companies for which he was also chief counsel.

In 1923, William C. Pelkey, Republican state chairman, named Mr. Hebert to the party's legislative committee. Mr. Pelkey and Frederick S. Peck, then GOP national committeeman, chose him in 1928 as the man who could beat Peter G. Gerry for the U.S. Senate.

While Gov. Alfred E. Smith, the Democratic candidate for President, carried Rhode Island, Mr. Hebert defeated Mr. Gerry by 2,994 votes.

His election to the Senate resulted from an agreement Mr. Pelkey made with the approval of Herbert Hoover, the Republican presidential candidate. Mr. Hoover did not need Rhode Island's electoral votes but he did need another GOP senator. So the arrangement was made for a bloc of Democratic votes to go to Mr. Hebert in return for some GOP votes for Smith.

Mr. Hebert became a confidant of President Hoover and often visited him at the White House or at the President's Rapidan camp.

One of Mr. Hebert's appointments was to a special Senate committee to study the problem of unemployment insurance, a vital issue in the early years of the great depression. His election as chairman of the committee over the head of Democratic Sen. Robert F. Wagner of New York touched off a controversy in which Sen. Alben W. Barkley of Kentucky, later to become Democrat majority leader, accused Mr. Hebert of having lobbied for seven or eight years in behalf of insurance companies. Mr. Hebert denied the charges.

In the summer of 1931, Mr. Hebert went to Europe to survey unemployment com-

pensation systems there. On his return, he conferred with the President and then gave as his view that a federal unemployment compensation system would be the first step toward a dole. The next year, his committee recommended that state laws be enacted compelling industry to set up reserves against unemployment.

Throughout his Senate term, and afterward, he continued his opposition to federal unemployment compensation and old age pensions. He said they were a state, not a federal problem.

When the 1932 election neared, Mr. Hebert was named director of the GOP campaign in the East. After the Democratic sweep of that year, he was elected Republican whip and vigorously opposed New Deal measures. He reportedly favored a purge of Republicans who had bolted to Franklin D. Roosevelt in the campaign.

He fought repeal of the gold clause and when the country went off the gold standard in 1933 he accused the administration of having "dishonored" the nation.

He tore into the Agricultural Adjustment Act, later voided by the U.S. Supreme Court; assailed Henry A. Wallace, Secretary of Agriculture, for killing pigs and plowing under cotton; called the Bankhead cotton bill a step toward "complete regimentation"; attacked the reciprocal tariff bill, and voted against immediate payment of the \$2.4-billion soldiers' bonus.

ATTACKED NEW DEAL

Both in Washington and Rhode Island, Mr. Hebert hammered away at the New Deal. He scoffed at the theory that taxes should "soak the rich," warned against "rash legislation," appealed to the government to leave industry alone because its domination was impeding recovery, told audiences that the New Deal was legislating the Constitution to death, and bitterly assailed the "intellectuals" in Washington.

Mr. Hebert ran for reelection in 1934. Mr. Gerry, again his opponent, charged that Mr. Hebert and President Hoover were "examples of a reactionary era." Mr. Gerry was elected with a 35,130-vote plurality. In January, 1935, Mr. Hebert returned to the private practice of law in Providence.

Before the election, however, he had shown his continued strength in GOP circles by helping to unseat Ernest L. Sprague as state chairman. Mr. Herbert, a member of the State Central Committee from 1914 to 1946, has asked Mr. Sprague to resign and run for secretary of state. Although he said he had no intention of resigning, Mr. Sprague was out within a month, replaced by George R. Lawton, a former Brayton adviser.

Mr. Hebert remained active in GOP affairs. In 1944, he was elected Republican nation committeeman from Rhode Island and, in the same year, was mentioned as a possible gubernatorial candidate. He let it be known he was not to be considered for any spot on the state ticket.

In 1948, Mr. Hebert lost the endorsement of the State Central Committee for reelection to the GOP National Committee to Thomas J. Paolino, then North Providence town chairman, by a 47-to-35 vote. The committee battle was marked by charges of bias against Italo-Americans. However, the state convention of the party reelected Mr. Hebert.

Insiders said that Mr. Hebert would have quit quietly if he had been asked to but resented efforts to push him out. Although he spoke, in an interview that same year, of the need for older men to step out of the national committee and make room for younger, more liberal elements, it was not until 1952 that Mr. Hebert was succeeded as a committeeman by Mr. Paolino.

His thinking on that subject was summed up when he said, "A man at 70 can be young and one at 50 can be old."

A self-described conservative in his political philosophy, Mr. Hebert created a stir in 1950 when he and Mrs. Marion Yatsman, then the state's National Committee woman, suggested in a letter to the committee that the GOP adopt a national strategy of coalition with Southern conservatives.

Mrs. Yatsman subsequently repudiated parts of the letter that she held to be pro-isolationist and anti-civil liberties. She said she had signed it without sufficiently careful consideration of those points.

DEFENDS LETTER

Mr. Hebert said, in defense of the letter, that its position against antilynching, anti-poll tax and fair employment practices legislation was not based on the intrinsic merits of those issues but on his conviction that they were unconstitutional.

A supporter of the late Sen. Robert E. Taft for the GOP presidential nomination in 1952, Mr. Hebert again aroused the ire of some circles in the party, particularly the pro-Eisenhower faction, when he gave his national convention proxy to Steven B. Wilson of Barrington, a Taft man. Both Mr. Wilson and Robert B. Dresser, another Taft supporter, had been defeated in bids for delegate posts.

Although he reduced his activities—or as he put it, "tapered off"—in 1954, Mr. Hebert continued to serve as an advisory counsel to the Associated Factory Mutual Fire Insurance Companies, for whom he had been general counsel for 30 years.

He continued to visit his Providence office in the Turks Head Building three times a week as late as 1961, when he was 87 and described himself as semi-retired.

Mr. Hebert gave up the family residence at 18 Payan St., West Warwick, in 1956 and moved to his 400-acre estate, The Evergreens, on the Flat River, Coventry. The estate, formerly a fishing camp, had been cleared by him and his sons and turned into a handsome landscape of lawns, shrubbery and ornamental trees.

In 1957, he sold the last three acres of his West Warwick estate to the town for a playground. For many years, he had raised high-bred poultry as a hobby.

His intense interest in books—in his later years, he spent five hours a day reading—was evidenced in his leadership of a \$25,000 fund-raising campaign in 1959 for the Anthony Lyceum Library Association, of which he was a board member and of which his early mentor, Judge Warner, was the first secretary. As a boy in Anthony, he had used the library. His grandchildren followed his foot-steps there. His personal library was extensive.

As music started Mr. Herbert off in politics, so did it lead to his courtship of Miss Virginie (Deslauriers) Provost of Ware, Mass. She was the organist of St. John's Church, Arctic, when they met. He was in the choir. They were married Sept. 18, 1900. Mrs. Hebert died on July 14, 1958.

PLAYED AT WHITE HOUSE

All four of their children became accomplished musicians who, during their father's term in the Senate, played often at the White House. They played as a quartet at the marriage of Henry H. Woodring, then assistant secretary of war, to Miss Helen Coolidge, daughter of Sen. Marcus A. Coolidge of Massachusetts in 1933.

For years, Mr. Hebert—still called "the senator" by many Pawtuxet Valley residents—was an active leader of civic affairs. He headed the Pawtuxet Valley Red Cross and Franco-American charitable organizations.

He was a member of the Catholic Club, the Turks Head Club, the Flat River Club, the Pomham Club, the Franco-American Foresters, Unien St. Jean Baptiste of Woonsocket, Societe St. Jean Baptiste of Centreville and the University Clubs of Boston and Provi-

dence. He was the oldest living resident of Coventry.

He is survived by two daughters, Mrs. W. Bruce Loomis and Mrs. Howard C. Sanford, both of Coventry; a son, Edouard F. Hebert of Coventry; six grandchildren and two great grandchildren.

Funeral arrangements are incomplete.

IN SUPPORT OF STRENGTHENING PRESIDENT NIXON'S BAN ON BIOLOGICAL WEAPONS—BW

Mr. GOODELL. Mr. President, yesterday I drew the attention of the Senate to the Pentagon's attempt to exclude biological toxins, including "botulin," from President Nixon's orders to the Defense Department "to make recommendations as to the disposal of existing stocks of bacteriological weapons."

Today, it has been reported that Dr. Henry Kissinger, the President's adviser on national security, has called a halt to the Pentagon's intention to proceed with toxin germ warfare and production of weapons such as "botulism bullets."

I welcome this immediate halt to evasion of a total ban on all germ weapons.

Mr. President, let us recall that on August 11, the Senate passed an omnibus antichemical and biological warfare amendment by a vote of 91 to 0.

In this amendment, when referring to biological weapons, we used the words: "any disease-producing biological micro-organism or biological toxin." We put restrictions on both biological agents and toxins in germ weapons use.

In view of President Nixon's directive to ban germ weapons and to begin dismantling, are we now to settle for distinctions between weapons made of germ agents as contrasted to germ toxins? I would hope not.

I urge a total ban on all germ weapons.

I hope that all Members of the Senate will join in support of strengthening President Nixon's ban on biological weapons—BW.

I ask unanimous consent that the article "Two Agencies Clash Over War Toxins" by Robert M. Smith which appeared in this morning's New York Times be printed in the RECORD for additional background information on this important matter.

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

TWO AGENCIES CLASH OVER WAR TOXINS—
STATE DEPARTMENT OPPOSES PRODUCTION BY
ARMY AS NEGATING NIXON RULING

(By Robert M. Smith)

WASHINGTON, December 15.—The Pentagon and the State Department are at loggerheads over whether President Nixon's decision last month on chemical-biological warfare included some of the most potent and practical elements in this area of America's arsenal—disease-producing toxins.

The quarrel has reached the point, according to informed sources, where Dr. Henry A. Kissinger, the President's adviser on national security affairs, has instructed the Army to stop producing toxins until the National Security Council can clarify the President's decision.

In the meantime, however, State Department officials have made it clear in private conversations that if the Army is allowed to continue producing toxins, they feel the United States will lose both the practical and

propaganda advantages it has reaped in the wake of the President's announcement.

On Nov. 25, Mr. Nixon renounced the first use by this country of chemicals and the use of all biological agents.

He also ordered the destruction of existing stocks of germ weapons and the limitation of biological research to defensive measures.

A few experts in the chemical-biological area regard the Army's insistence on keeping its stockpile of toxins and on producing more as an "end run" to defeat the limitation on chemical-biological facilities and stocks ordered by the President.

The more widely accepted interpretation, however, seems to be that Mr. Nixon's speech left the question of toxins up in the air and that the Army began to produce toxins again because it regarded them as chemicals. The President's decision did not restrict the production of chemical agents.

Toxins are the dead but poisonous by-products or end products of bacteria. Since they are not living, the Army—and many experts—do not consider them agents of biological warfare. On the other hand, the toxins of possible military value cannot be produced without producing bacteria.

What this means, the experts point out, is that the Army's biological production facility at Pine Bluff Arsenal in Arkansas would have to be maintained to produce the germs that generate toxins.

"The assembly line [at Pine Bluff] would just keep going," said one official who had predicted after the President's speech that the arsenal would be dismantled.

Some of those familiar with chemical-biological warfare, see the continued operation of the Pine Bluff facility as a threat to any effect the President's action in November may have had in dampening international interest in chemical-biological weapons.

"We try to match any weapons we know other countries have, and sometimes we try to match weapons we suspect they have," one expert commented. "Now turn that around. Here we are still operating a biological facility at Pine Bluff."

"We say we would be producing biological agents at Pine Bluff only to get toxins," one official said. "But a biological is a biological—how would Russia know we aren't producing germs there to use as weapons?"

The official also expressed concern that the international goodwill generated by the President's decision "would go down the drain." "Other countries are likely to think the whole thing was meaningless and a hoax," he said, if the United States keeps on producing toxins.

A Pentagon spokesman confirmed at a press briefing last Friday that the Defense Department regarded toxins as chemical, not biological, agents.

An Army technical manual, "Military Biology and Biological Agents" lists some of the diseases that can be induced by toxins as botulism, diphtheria, gas gangrene, staphylococcus, food poisoning, tetanus, plague, cholera and typhoid.

One important difference between a germ and a toxin is that the toxin does not multiply in the human body and it is not contagious—it cannot be transmitted from one person to another.

This means that toxins must be dispersed like chemical agents, so that they reach each person they are to infect. It also makes them more practical weapons than germs; there is no danger that they will spread through contagion into neutral or friendly areas.

On the other hand, a prominent authority on chemical-biological warfare said that toxins were not as reliable weapons as chemical agents like nerve gas.

"The clear intent of the President's decision is undermined," he said, "to no military advantage."

The precise toxins that the Army is producing and stockpiling is secret. However,

the technical manual singles out for separate treatment the botulinum toxin and the staphylococcus toxin.

The botulinum toxin produces botulism—an acute, usually fatal disease. The staphylococcus toxin produces a food poisoning usually characterized, according to the manual, by "severe nausea, vomiting, stomach cramps, severe diarrhea and prostration."

It is known that the Army has manufactured and stored at Pine Bluff more than 20,000 bullets containing botulinum toxin.

In his announcement last month, the President also said the United States would support a British draft treaty submitted to the Geneva disarmament conference. The treaty prohibits the production, stockpiling and use of biological agents.

A spokesman for the British Embassy here said that his Government was not interpreting the treaty ban to include toxins, although it would have no objection to their being included.

One usually reliable source reported, however, that British officials were reconsidering the issue of whether the draft treaty should include toxins.

ARCHDUKE ROBERT VON HABS- BURG'S ADDRESS AT CONFER- ENCE ON THE CONCEPT OF ATLANTIC PARTNERSHIP

Mr. PELL, Mr. President, Archduke Robert von Habsburg delivered a particularly thoughtful, well-balanced, and wide-ranging speech at the conference on the Concept of Atlantic Partnership, sponsored by the American Institute on Problems of European Unity, this past October 17.

Archduke Robert, whose family continues to give ideas and leadership in Europe, is to be congratulated on this speech. It made a fitting keynote and added greatly to the proceedings of the Conference.

I believe my colleagues would be interested in reading this excellent speech and for this reason ask unanimous consent that Archduke Robert's speech be inserted in the RECORD following my remarks.

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

KEYNOTE ADDRESS BY ARCHDUKE ROBERT VON HABSBURG

It has been my habit for several years, after many months of hard work and a hectic life, to take my holidays in the southernmost part of Italy, in Calabria. It is a wonderful country, far away from what one calls civilization. There is neither telephone nor telex. The next post office is ten miles away. There are no traffic problems or noise on the dirt roads. The weather is always fine, although not too hot, contrary to what one might think. An ideal place to rest and think.

Again this year in July I was there. It was, as usual, a lovely evening, and the television screen offered us an uninterrupted twenty-four-hour space program, including the landing on the moon. We decided to install the television set on the terrace. About midnight, local time, on this famous night of the 20th and 21st of July, the village shepherd arrived and asked whether he could watch with us. This man looks after about 100 sheep which belong to various people in the village. He takes them grazing on the mountains during the day and guards them in a corral at night. He can neither read nor write, although he is capable of signing official papers, instead of making the traditional cross. At 4:00 A.M., just as the first light of

the new day appeared on the horizon, we saw on the television screen Commander Neil Anderson and Colonel Aldrin descend from the LEM to the moon's surface. The first man had landed safely on our satellite.

My shepherd friend shouted with joy, "L'abbiamo fatto!" (We made it!). I could not resist correcting him by saying, "Yes, the Americans made it." He lifted his hand in a gesture of indifference. What are the Americans in their vast majority but descendants of people who lived in Ireland, Great Britain, Scandinavia, Germany, Poland, Italy, etc.? They are indeed our brothers, our cousins living across the sea.

There you have the feeling of the ordinary man in Europe. Not only has he the idea of Europe as a single entity in his mind, but he is already considering that Europe and America are one body, one soul and one united force for the progress of humanity.

You can imagine that such a straightforward and realistic answer from a very simple man incited me to prod a little deeper into his philosophy of life.

I, therefore, asked him what he thought of our present time. And here, too, I had an answer worth recording: "My grandfather and my father who, like me, were shepherds, lived a quiet life, not much changed in their time compared with their ancestors'. But with me things have changed deeply; everything happens quicker; everybody knows something about everything," and he reached in his pocket and took out a transistor radio, tapping it as if it were proof of his saying. "I am too old, alas, to see the results, but my son will. He will no longer be a shepherd. He has learned to read and write. He is now in a technical school for electricity, and he helps to make these inventions, to create a totally different world. Good luck to these youngsters, and may God help them."

Yes, the new era has begun and has been highlighted by the conquering of outer space, the landing on the moon. We witness today a second great industrial revolution with many new inventions in the traditional fields of industry and the opening of completely new fields, like space and oceanic research. The mechanization, the tremendous speed of calculation through computers and the consequent acceleration of production have obviously changed and adapted all ideas, all concepts, all methods. The idea that teamwork will promote efficiency and produce profit is flourishing everywhere. Values have totally changed. While before, certain raw materials made the wealth of a country, today the most expensive commodity is men—technical men, commercial men, research men, administrative men.

The old law of the war, "vener victis," is a good example. The victor tries always to appropriate the most valuable properties of the vanquished. After World War I, the Allies seized the Ruhr to find the coal and iron they needed badly and which, at that time, were Germany's greatest wealth. After World War II, one even thought in terms of coal and iron, but the race was on for Penemunde and such places where the great brains, the great researchers, the technical teams of Germany were located. The great wealth of Germany was no longer material; it was the men, the brains, the technical knowhow which everyone sought.

When General de Gaulle decided upon and implemented his decolonization policy, one of his great achievements, it cannot be denied that an economic factor, apart from the political and human aspects of his plan, influenced his decision heavily. The benefit France could reap from the material richness of its colonies could not be compared, by any stretch of the imagination, to the cost of financing them and the loss of manpower to the homeland. The so-called "pieds noirs," that is, the Europeans in North Africa who came back to France after the war have proved to be a real shot in the arm of the French economy.

When Holland lost her fabulously rich colony of Indonesia, thousands and thousands of Dutchmen were repatriated, leaving all their belongings in Indonesia. Holland, contrary to all prophecies, has never been so rich and so prosperous as now.

Finally, take the famous "German economic miracle" of which so much has been said. It could never have been realized, had it not been for the influx of East Germans, Sudeten Germans and others who, ousted by the communists from their country, arrived with only their intelligence, their technical capacity in many fields and their uncrushable will to create a new and better existence for themselves.

This change in values has been made possible by the extraordinary inventions of our time. Among the most important, let us mention the new power supply, the invention of computers, and lately the beginning of the conquering of space. Industry will no longer depend only on natural resources, coal and water, and therefore, to the places where these commodities can be found. Atomic power can be produced anywhere, a fact which will force the transport industry to reconsider its policies and organization. Better location of industry will lessen transport cost, influencing total cost and, therefore, prices. You have seen in your own country that there has been a migration of industry to the south which enjoys better climatic conditions, allowing reduction of overall charges. It obviously creates certain social questions which, in many countries, arouse uneasiness, doubts, fears and unhappiness among employees and workers, and will have to be solved here.

The computer world, one too complex for many, of whom I must humbly admit I am one, to understand, renders untold services. Here you can amass information which a human memory could never retain. You can exchange information gathered from all the corners of the world. Further, the computers are now the essential instrument for all research. What used to take many mathematicians many weeks, nay months, to achieve, the computer does in a few seconds, delivering men from tedious work and reducing the risk of errors due to human fatigue or distraction. Without the computers men could never have conquered the moon. The computer, too, owing to its rapidity and exactitude, is now, and here I speak from personal knowledge, the indispensable instrument for modern management. Each day you can see how your business develops, how much stock you have, in which way best to organize your deliveries, where there are delays or faults, and much more essential information. Thus, fully aware, you work with realities, and your decisions can, therefore, be rapid and efficient. In this it is true that European management was significantly behind that in the U.S.A. We have had and always will have capable men. Let me just mention people like Abs in Germany, Weinstock in the United Kingdom, Angell and Pesenti in Italy, Martin, Rivoud and Ricard in France, and the list is not exhaustive. But we came to computerizing management later than you did. It is indeed not fate that IBM developed first in the U.S.A.

The acceleration in production, information and travel is sometimes terrifying. Just imagine that between the invention of the telephone (1820) and its industrial production (1876), fifty-six years elapsed, while between the time the revolutionary idea of the transistor was conceived (1948) and it first appeared on the market (1953), only five years went by. When today, in the era of the supersonic airliner, Concorde, it takes 28 minutes to cross all of France (calculated according to the longest possible route), 18 minutes to cross Germany and 3 minutes 15 seconds to cross Austria, all limits, all frontiers just fade away.

Then there are the mass information methods, like television, which not only fly across frontiers like Concorde, but come to you as you sit quietly in your easy chair and watch and hear Commander Anderson and Colonel Aldrin some 300,000 miles away walking and talking happily on the moon's surface. There, too, technical progress has been phenomenal.

The tourist industry, unknown to ordinary people a few years ago, is now a multi-billion dollar industry stretching around the world. People learn to know each other whether they live in the East, South, North or West of our earth. The barriers of distance, language and, let us admit it, mistrust are breaking down also.

All this is, nevertheless, just a beginning, and one can visualize wider horizons. A great problem for us was, and still is, the question of water. Consumption rises enormously, and some people have thought rightly that a real danger exists that, in the not-too-distant future, there will be a shortage of this essential commodity. Human intelligence has already been applied to the solution of this problem, and research has advanced so far that in years to come, one can expect that we shall be able to desalt sea water at moderate cost. The same applies to air and water pollution, a major health hazard which is now being scientifically tackled and will certainly be mastered. In the field of food, it is quite certain that we have not even begun to exploit the possibilities of ocean products or synthetic foods.

This second industrial revolution has already deeply affected not only the mentality of people but also their employment. These changes will have to be accelerated if we want to keep developing.

In France at the end of World War I, 40 percent of the active population earned their living from agriculture. By 1954, this percentage had dropped to 27 percent and the latest statistics (1967) show that only 17 percent of the active population was still working in agriculture. These changes can be compared with the U.S.A., where in 1954 11 percent of the active population could be found working in agriculture; this percentage had dropped to 5.5 percent by 1967.

On the other hand, it is also interesting to compare the active population in the other sectors: in French industry in 1954: 35 percent and in 1967: 40 percent; in the U.S.A. in 1954: 35 percent and in 1967: 34 percent.

The most startling comparison is, nevertheless, in the creative and service sectors, those which we in France call *terciere*: in France in 1954: 38 percent of the active population and in 1967: 41 percent, while in the U.S.A. in 1954: 54 percent and in 1967: 60.5 percent.

All these statistics show not only the great shift in employment realized in the last few years, but for Europe its backwardness as compared to the U.S.A. Here lies the real technical gap in all its horror.

In the service sector, 41 percent as against 60 percent shows we have not yet developed our research and administrative and commercial activities sufficiently, and again in the industrial sector, 40 percent as against 34 percent in the U.S.A. shows that we have not utilized automation enough and that we use too many people who now could be replaced by machines.

Farsighted Europeans think of the French Minister, Robert Schuman, known as the father of the Common Market. He realized that this tremendous technical development, this industrial explosion, outdated the old concept of a Europe divided into small national units and was definitely harmful to the smooth, coordinated development of that Continent. Robert Schuman saw the necessity for one large market of at least 200 million inhabitants. Capital, manpower, technical knowhow and goods could be moved freely, according to economic laws

only. Alas, this great man, this courageous pioneer of a new and exalted idea of progress, had to fight against ignorance, vested interests, laziness, nay, even the lack of courage to face the facts hidden under the false name of traditionalism in economy and politics. Nearly every European country has a system of law and taxation, a currency, a political structure, habits of living and a language different from all the others.

These terrible barriers must be overcome if Europe is to survive as an industrial power. First, a small group of dedicated persons got to work to spread the idea, to convince their fellow countrymen of the absolute necessity for changes. It led, as you know, first to the European Coal and Steel Company (E.C.S.C.) which came into being on August 10, 1952 in Luxembourg. A few years later, on the 26th of March in 1957, a handful of courageous political men signed the Treaty of Rome and the Common Market was born. A cold wind blew across the ranks of industry. Finished were the good old protective days with their customs barriers. When faced with the possibility of terrible losses or outright ruin, it is marvelous how fertile the human brain can become and what energy and courage can be deployed to adapt to the new situation. During these years, with their backs to the wall, industrial leaders initiated enormous changes in concepts and methods of industry and commerce. Modernization, profits and new products were the leitmotiv. This new spirit had to be applied in two directions—order in one's house and collaboration with other groups, national and foreign, so as to be competitive in all of the old markets now in the process of becoming one unique general market.

Looking back over the past ten years, one must admit enormous progress, far out-reaching the narrow limits of the Common Market, in the public sector. Take the transport section where, under the dynamic and far sighted leadership of Louis Armand, now a Member of the French Academy, a perfect integration of all Western European nations has been realized without any publicity. This progress has not been only a matter of time tables; in the technical field also European standardization was introduced. The same can be said of the various airlines whose collaboration is very close and friendly, while leaving a spirit of competition so necessary to progress and so advantageous to the consumer.

Two other facts should be mentioned here which will show the progress of European integration. Sweden has changed its motor car driving system to righthand driving, as is the habit in all of the other continental European countries. And finally, even the United Kingdom, always slow to change its traditional way of life, has decided to introduce the decimal system current in all other industrial countries. But this is only a beginning! Very much remains to be done, e.g., the standardization of various tax systems, a first step toward which has already been taken with the tax *a la valeur ajoutee*. There is a need for identical legal systems and, finally, for a common currency which had a sort of beginning with the Eurodollar. In the private sector in France, equally enormous changes have occurred which one can apply *mutando mutandis* to other European countries.

France was, and to a certain degree is still, a country of medium-sized industrial units. Not one of its industries could have ranked as an international enterprise. Today this has changed and will change more. One can now see Michelin, the greatest tire producer in Europe; the Francaise des Petroles among the petrol giants; the Europeenne de Brasseries, the biggest brewery in Continental Europe. All of this has been achieved by a legion of dedicated men conscious of the

tremendous changes of our new era. The first thing was to restructure each industry separately; to abandon products which could no longer find a large market; to produce new lines, to diversify; to put the accent on research, efficiency, cost and investment. Many a casualty fell on the battlefield, and many more will follow because this battle will remain a constant feature of our European economy. The better-situated ones, the most energetic and farsighted, will emerge as the victors.

The second stage, if one can so express oneself, is concentration. The old principle, *viribus unitis*, proved itself once again. This was particularly remarkable in those sectors of industry which require a lot of manpower like food, textile, chemicals and steel. In France in 1965, there were seven iron and steel concerns worth mentioning. Today there are three. In the textile group, plagued by several hundred small industries, two groups emerged from the crisis. Agach Willot in 1963 had a turnover of 100 million francs and today has reached 427 million francs, and Dollfuss Krieg passed from 66 million francs to 289 million francs. There were in France in 1952 780 breweries; today there are but 150 units. The *Europeen de Brasseries*, which I mentioned before, produced in 1961 one million hectoliters and is today at nearly seven million hectoliters. Thus, bigger and more competitive units are emerging, and again, this will remain a permanent feature of the economic life of each country.

The third stage was the internationalization of enterprises. Here one must speak of the intervention of America private capital in Europe which I, for one, contrary to some official or private fears, welcome. It has not always been rightly handled, but what human venture can boast perfection? It has sometimes created much ill-feeling because of different methods, frontal attacks against traditional habits and, let us admit it, a little bit of a holler-than-thou attitude but, and the but is extremely important, it brought to Europe new ideas, new methods, new ways and a competition against which one had to fight. As long, therefore, as it does not degenerate into monopolies, a danger that really exists because of the vast superiority in American industrial power and financial possibilities, it is a real contribution that the new world has brought to a somewhat stale and retrograde Europe.

The internationalization in the limited framework of Europe, and by Europe I mean again industrial Europe, not the Common Market alone, has begun. Thus, we had the Belgian Empain Group coming into the French Schneider Group, the Fiat-Citroen merger, the Hoechst-Roussel Uclaf collaboration and many others.

Maybe my own very small and humble experience can throw light on these developments. I was a partner in a family-owned private bank in Paris which we changed into a limited company. Our main shareholders, apart naturally from the French, are English, Swiss and Italian.

The great changes which I have tried to describe to you have not been obtained without what Churchill described in his famous speech as blood, sweat and tears. Just look at the appalling agony of the agricultural world, politically still too powerful not to be left alone to fight for its own renovation, economically too feeble to carry on with its existent structures.

It is quite certain that today progress toward a united Europe varies, whether you consider the industrial and economic sector, public opinion or the national political structure. Economic integration is by far the dynamic factor behind a united Europe. Public opinion is not far behind. Take, for instance, the idea, recently much discussed in France, of regionalization, in my mind the only way to get out of this overaged concept of the sanctity of national sovereignty at

any price. Regionalization involves the creation of local capitals or economic poles of attraction, behind which are grouped hinterlands big enough to be economic units, small enough to be easily administered by local authorities aware of local interests and possibilities rather than by a distant, central, omnipotent authority. Now in the public discussions in France, great was my surprise to find many people who approved the extension of these regions beyond the actual national frontiers, or even more astounding, the giving up of territories which naturally and economically should belong to one of those poles of attraction situated in another country.

Today the political machine is the obstacle to development. Indeed, it has not been able to adapt its structure to the revolution and has, up to now, shown little desire to do so. Again, I take the example of France which I admit is the most dramatic one in the Common Market. You speak sometimes of "red tape." You cannot imagine to what perfection the administrative structure of the French State, created 200 years ago by Napoleon and never really modernized since that time, has brought this art. The permanent and irresponsible personnel of the administration interferes in every facet of the citizens' lives. The thought of the administration appears to be that the State is not the servant of the citizens, but that the citizens are raw material to be fed into a wonderful machine called the State which they are called upon to organize according to their own ideas. The former Minister of Education, and probably one of the ablest political figures in France, Mr. Edgar Faure, called it the technostucture against which even responsible ministers are often completely powerless.

The technostucture is composed of able men with brilliant minds who have never been asked to think in terms of the practical business of daily life. To them everything can be reduced to a simple problem which you solve on paper, regardless of human reaction, or cost and profits. We have to admit that, in our day, more and more matters must be discussed and decided upon by professional men. The politicians elected to Parliament are obviously not professional people in all fields; nevertheless, they are called upon to discuss, propose and decide in all fields. This is why Parliaments, as we know them now in Continental Europe, are more and more losing their grip on public life, and their debates are less and less favored with public interest.

Aware of this trend, General de Gaulle suggested reforming the Senate by opening it up to responsible professional people, trade union leaders, agricultural experts, members of chambers of commerce, outstanding business people, technicians, etc., so that the political parties in Parliament, so necessary to the democratic process, would be balanced by another chamber composed of real experts. But he was defeated.

This resistance of the political technostucture to reform led directly, in my opinion, to the events of May 1968. The rowdiness of the students who protested against the teaching system, with the help of professional agitators, showed the very profound uneasiness of youth in the face of the rigid, outdated attitude of the technostucture. It was a clumsy, thoughtless reaction against an archaic form which no longer corresponds to the needs of our time. Later, the referendum which General de Gaulle called on the question of the regions, linking it with his own political future, was lost. I am convinced, not because people were against the regions, but because the General, rightly or wrongly in their minds, incarnated the old regime which they no longer wanted.

The new President, Pompidou, and his Government understood the warning and spoke of the new society they want to create.

Let us hope that they will really do something; otherwise, they will be cast out because the citizens have decided that a change must be made.

I hope that in this short and obviously incomplete expose of the development of European integration, you will have seen that I am a deep believer in the future of a United Europe. We needed perhaps to go through the endless negotiations, frustrations and ill feelings which finally gave birth first, to the E.C.S.C. and later to the European Economic Community and the European Free Trade Association, so as to awaken to reality, to throw away the shackles of nineteenth-century concepts while keeping the good we have inherited from our forefathers, and to play again our role in the world.

In my mind, all of these organizations which we have created are only stepping-stones to a true United Europe. It appears, therefore, of minor importance whether the United Kingdom joins the Common Market now or later. The United Kingdom is an essential element of Europe. It cannot free itself of this historic and mainly geographical reality and, as we all know, Englishmen are by nature realists and, therefore, will face up, at the moment they choose, to join either the Common Market or the European Organization that will follow, and thus open the way definitively to a United Europe.

As United Europe is being born amid great travail, the question naturally asked by my shepherd friend immediately jumps to one's mind: "What about relations with our brothers who live across the sea?" It is quite obvious that the U.S.A. has, for the moment, an enormous head start compared to Europe—a single market of 200 million people, a modern political and administrative organization, a federal capital, a single currency, a single language, a system of law applicable to the 3.5 million square miles which form the largest and most powerful industrial concentration in the world.

But with the tremendous development of technical knowledge and industrial production, even that market might become too small. Even the 80 million active people in the U.S.A. will not be enough to tackle the final technical and industrial problems in front of us. As you know, you cannot, with all your political might, impose a global policy aimed at a better organization of human life everywhere. You will have to make a political choice; you will have to decide who your true friends, your brothers, are. Your choice can, I think, only be your brothers across the sea, the Europeans, who are inspired by the same ideals as you and prepared to share with you work and responsibility for this new world.

Obviously, you could make what I would call a colonial policy. You could drain any other country of its greatest wealth, implant your industrial machines where manpower is cheap, and impose your world monopoly on certain sectors of industry. History teaches us that this is the wrong solution, and we still have, alas, such examples in our time. I, for one, therefore, discard this short-term view, this facile solution which, in the end, would turn against its authors. You can and will associate yourselves with us, just as we try to associate with each other in Europe, and form an even more powerful unit. Today such an association across the Atlantic Ocean might seem a daydream, but do not forget the idea of a common market, much less a United Europe, was a daydream thirty years ago. With the tremendous acceleration of things in our time, even such a daydream can come true sooner than we can now imagine.

An association, and we are giving ample proof of it in Europe at the moment, does not grow all of a sudden. It needs preparation and previous contacts and collaboration;

then and then only can it grow harmoniously. I think, therefore, that the time has come when real collaboration between the U.S.A. and a growing Europe should be started on a practical basis. We have already an example which is not talked about enough and which is highly successful. It is the communications satellite network which began as a purely American adventure, but in which American shareholding is now a little over 50 percent. The United States is, admittedly with every show of reluctance, beginning to concede some say in planning and management to foreign member countries. The benefit to Europe is that most of the communications satellites are now being built in Europe to American specifications. A few days ago, the BASF bought an American chemical concern, not paying in dollars, as has been the custom until now, but by exchanging shares. This shows a real change of mind on both sides of the ocean.

There is no reason why the same should not happen in the conquest of space, a new field where there is room for everyone. When 20,000 contractors and 500,000 men are required to put three astronauts in the orbit of the moon, you will agree that it is totally immaterial to the planning of the project whether components are built in Europe or the U.S.A.

It was calculated by Professor Hermann Bondi, Head of Europe's International Space Research Organization, that Europe spends 1.5 cents a year per head on space compared to 54.5 cents a year per head for the Americans. Professor Bondi should have added that Europe gets, and rightly so, only 1.5 cents worth of space. In fact, the biggest European rocket under development is not even capable of launching the smallest American communications satellite. We are, therefore, wasting our money stupidly.

I have learned from my experience as a banker that what you cannot do profitably with your own organization, you have always to call in experts to do for you for a fee. Thus, you have a better result with less expense in the end. Expensive as a lawyer, fiscal expert, or specialized engineer may be, he can save you from making costly and useless errors.

To put the cosmonauts on the moon, the N.A.S.A. has spent \$3.7 billion in a year. This represents 0.4 percent of the national gross product of America. If the European Economic Community were to do the same alone, it would cost roughly \$1.8 billion, and the E.E.C. and E.F.T.A. together would represent \$2.2 billion. If their efforts were combined, the N.A.S.A., today without any doubt the most efficient instrument in space development, could have a budget of over \$5 billion and I need not say what we could achieve together. My fellow Europeans could object that this would represent for them a very important new fiscal charge. Let me answer them by saying that the sum thus collected would represent less than one-third of what they spend on smoking. It would also bring a number of space contracts to Europe, benefitting all parties and keeping them abreast of technical developments, while now they are powerless onlookers, wasting valuable money in an effort which has already proved to be a failure. It would, on the other hand, give N.A.S.A. the possibility of accelerating its research and create between the U.S.A. and Europe a practical link of friendship, of partnership in these totally new fields which, gentlemen, will not only be the playground for your and my children, but may be the beginning of yet another completely new era.

If we can realize, and I believe we must, such collaboration, we can tell our children that we have lived through the greatest transition period of the world—where the future was shaped by foresight and courage. We are leaving you a practical plan for col-

laboration between America and Europe in many fields. It is up to you to create now an even larger and permanent association.

A LOOK AT ISSUES IN ATOM FUEL PLANT CONTROL

Mr. GOODELL. Mr. President, the discussion on the complex question of Government-owned atomic plants and private enterprise makes pertinent the observations expressed by Alan Emory in the Watertown, N.Y., Daily Times.

I ask unanimous consent that Mr. Emory's views be printed in the RECORD.

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

[From the Watertown (N.Y.) Daily Times, Nov. 13, 1969]

NIXON PLAN TO SELL THREE FEDERAL ATOM PLANTS STRONGLY OPPOSED

(By Alan Emory)

WASHINGTON.—If President Nixon is "really interested in nationalizing the power industry, he is going at it the right way," says Sen. George D. Aiken, R. Vt.

Rep. Chet Holifield, D., Calif., warns that the Nixon move could stifle price competition in atomic fuel.

If the president is merely postponing a move to turn government-owned fuel plants over to private industry until after the 1970 elections, says Sen. Albert Gore, D., Tenn., "I think I will still be at the bridgehead."

Atomic Energy Commissioner James T. Ramey fears a potential private monopoly could stem from the president's proposal.

Nixon took the first step this week looking toward the sale of three federal plants that make enriched uranium—the key to atomic power and atomic weapons—to private industry.

AEC Commissioner Ramey said, in an interview, "if the decision is made to sell the plants, the government should hang onto at least one."

Ramey said it would be 10 years or more before any disposal could be made, and he was concerned about the private-company monopoly that could occur then.

"We can't get meaningful competition with only three plants," he said.

Utility and oil companies have been pressuring the government to sell at a price that could give them a windfall of more than a billion dollars.

Opponents of the proposed sale—which the president endorsed formally for the first time Monday—claim the result could be a scandal that would put the Eisenhower Administration's Dixon-Yates controversy in the shade.

Nixon has told the Atomic Energy Commission, which owns the plants, to set up a separate internal organization to run the facilities, but only until they are sold.

CONCERN OVER COSTS

He is concerned about the costs of modernizing and expanding them over the next 10 to 15 years and wants them shouldered by private enterprise. Nixon said they should be sold to private owners "at such time as various national interests will best be served, including a reasonable return to the Treasury."

The government paid \$2,300,000,000 for the plants at Oak Ridge, Tenn.; Paducah, Ky., and Portsmouth, O. Utility interests want to buy them for about \$1,300,000,000. Their current value is estimated at between \$2,500,000,000 and \$3,000,000,000.

Ironically, a private firm was commissioned to study the proposed sale without the knowledge of the A.E.C. representative. Eventually, the commission was allowed in on the act.

The General Accounting Office and several utility interests, including the Consolidated Edison Co. and some small utility firms, have opposed the sale. The most popular suggestion has been to have the plants owned and run by a government corporation similar to the Tennessee Valley Authority.

Holifield, warning against "another Dixon-Yates," says he is against selling the plants at 10 cents on the dollar with a penny down and the other nine cents owed. He says there is a serious question "whether there is any likelihood for effective price competition in what is now, and in all probability for some years to come will be, a highly concentrated industry."

His colleague on the Joint Congressional Atomic Energy Committee, Senator Aiken, said, "They have done pretty well, but they don't quite make it. If they can get the enriched fuel plants they will be in a position to do business the world over, and there could be a monopoly of all sources of power."

Gore, who is also on the committee, had warned six months ago the administration would propose turning the plants over to "private power trust facilities."

NIXON CONGRATULATED

This week he congratulated the president for postponing the basic sale decision and forecast that it "will likely never be justified."

"Since he does not now recommend it," Gore said, "we can cross that bridge when we reach it—and I will then be at the crossing. If the postponement is merely until after next year's election, I think I will still be at the bridgehead."

Sale of the plants, known as gaseous diffusion facilities, was first urged by the Atomic Industrial Forum, an organization of top private utility executives. The proposed sale price was about half the government's original cost, not counting outlays for research, development and staff and technical training.

"The overwhelming proportion of our electricity is expected to be generated by nuclear reactors," Gore said. "Whoever controls the source of fuel will be in the driver's seat."

Aiken says utility companies want a single producer of electricity and to control that one. He says he understands oil billionaire J. Paul Getty is one of those seeking to buy the fuel enrichment plants.

The Dixon-Yates controversy, which rocked the Eisenhower administration and is being cited as a model for the current fight, involved a private utility plan to combine with the A.E.C. to build a steam generating plant, with the power to be fed into the T.V.A. system as a replacement for T.V.A. power. Congressional opposition defeated the plan and preceded senate rejection of A.E.C. Chairman Lewis L. Strauss as secretary of commerce.

[From the Watertown (N.Y.) Daily Times, Nov. 13, 1969]

ATOM FUEL PLANT CONTROL

Congress must take a long hard look at President Nixon's proposal to sell three government-owned uranium enrichment facilities to private enterprise. Then it should either reject the plan or surround it with tight regulations that will insure protection to electric consumers and the public in general.

The enrichment plants carry out the final processing in providing fuel for the country's nuclear power plants. If such vital plants are turned over to the private utilities, the result will be a monopoly, with industry calling the shot over pricing decisions. This is one sure way to eliminate competition from the public power agencies which have helped keep power costs in line and which have been the one major protection consumers have had.

Although the president has yet to order the outright sale of the three plants, his directive to the Atomic Energy Commission to put them in a separate financial accounting category is the major preliminary step toward eventual release to the private sector.

The U.S. taxpayers have spent billions of dollars on the uranium enrichment facilities. The need for getting sufficient quantities of U-235 to sustain nuclear reaction for the benefit of our entire atomic program was essential and still is. This same money provided the bounty and the blessing for the private and public power utilities.

The money and efforts should not be sacrificed for the expediency of shedding one more government obligation, to the exclusive advantage of one particular private segment. The government would find itself scandalously giving the plants away at the expense of the taxpayer and the electric power consumer.

Without the uranium enrichment process, there can be no nuclear electric power. That, in plain language, is how important the functions of the three plants are. Whoever controls the plants has a hammerlock over all other agencies, private and public, domestic and foreign, that will need precious nuclear fuel to run their power plants. Congress must act in behalf of millions of American residents who want to flick their light switches without their sounding like cash registers.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business? The PRESIDING OFFICER (Mr. ALLEN in the chair). Is there further morning business? If not, morning business is closed.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the pending business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 13111) making appropriations for the Departments of Labor and Health, Education, and Welfare for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BYRD of West Virginia. Mr. President, I send to the desk an amendment which I will call up later. I offer it in behalf of myself and Mr. MANSFIELD, Mr. MAGNUSON, Mr. BOGGS, Mr. MONTROYA—members of the Appropriations Committee—and Mr. MUSKIE and Mr. RANDOLPH,

for the purpose of increasing the appropriation of the air pollution control program. I will call the amendment up later.

The PRESIDING OFFICER. Without objection, the amendment will be received.

Mr. MAGNUSON obtained the floor.

Mr. JAVITS. Mr. President, will the Senator yield so that we may have an idea of time?

Mr. MAGNUSON. I yield.

Mr. JAVITS. I do not wish to trouble the Senator about the substantive details; only as to some idea of time. We all have just now received report on the the pending bill. Many of us may wish to propose amendments. Some things are controversial.

I wonder whether the chairman could give us a little idea of time, so that we might cooperate in facilitating the work of the Senate. One could ask for a live quorum and get time, or somebody could talk, but that is neither here nor there. I wonder whether the chairman might give us his idea as to how this matter will be orchestrated.

Mr. MAGNUSON. Let us get this straight. We have had this bill ready for several days. The reports and the bill were on the desks last night.

Mr. JAVITS. Will the chairman allow me to contradict him. No report was in until this morning.

Mr. MAGNUSON. They were ready.

Mr. JAVITS. We did not get them, so we did not know what is in the bill.

Mr. MAGNUSON. This was ready a week ago; and we have been talking, as members of the committee know—Senator COTTON has been to every meeting—about the general language, the Whitten amendment and the Cotton amendment. The money items have been long since settled. Anyone could have found out about them. We had this finished some time ago.

Mr. JAVITS. I served on the Appropriations Committee. We really tried to find out what is in this bill. I think I have as good sources as anybody else. We could not find out. The staff down there, bless them, is very private about all this information.

Mr. MAGNUSON. Will the Senator permit me to finish? Then perhaps he will not have to ask all these questions. I should like to make a general statement about the bill, and then we can stay here as long as we want, and the Senator can bring up any amendment to any section of the bill.

I think it will save the time of the Senate if we deal first with the money items and near the end get down to where we obviously will have a great deal of discussion, and we can have a yea and nay vote on the so-called Cotton amendment and the so-called Whitten amendment, which the committee changed slightly, but I must say that I do not think there is much difference.

Mr. JAVITS. No.

Mr. MAGNUSON. That is the purpose, and we want to go on. I will make a statement, and then the Senator can go on as long as he wants with respect to the different items in the bill he would like to discuss.

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

Mr. MAGNUSON. I yield.

Mr. JAVITS. Would the Senator except section 407 and section 408 from the normal request that the amendments be considered original text? I shall certainly raise the issue on 407, and I understand that another Senator—I cannot name him, because he has not agreed—will raise the issue on section 408.

Mr. MAGNUSON. That issue can come up in the normal course. I think we will save time if we discuss the money items as long as we can.

Mr. JAVITS. I think the Senator knows me well enough to know that I will do my utmost to cooperate with the Senator's wishes; but I do hope he will hold out these two amendments, so that we can have a yea and nay vote on each one. I mean, in an original sense, so that the committee amendments are up for consideration.

Mr. MAGNUSON. The usual request is to accept the committee amendments en bloc, and then the Senate can work its will.

Mr. JAVITS. I do not wish that. I will object. I do not wish to object. I ask the Senator to except from his unanimous consent request sections 407 and 408.

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

Mr. MAGNUSON. I yield.

Mr. COTTON. I should like to make one suggestion, which may not commend itself either to the chairman of the subcommittee or to the Senator from New York.

The Senator from New York and others, I am sure, are justifiably concerned that they want the dollar items in this bill. There are many, and they are complicated. They want an opportunity to study this matter and digest it and know what they are doing. We all sympathize with that. Everybody knows that we are going to have a contest here on the language—

Mr. MAGNUSON. On sections 407, 408, and 409.

Mr. COTTON. That is correct.

It would seem to me that, if we excepted those from any en bloc request and proceeded to get behind us the contest that is inevitable on sections 407, 408, and 409, while we would be doing that, it would give the Members of the Senate a chance to familiarize themselves thoroughly with the dollar content of the bill, and, in the end, would save us time and permit us to finish earlier tonight.

Mr. MAGNUSON. I do not disagree with that. I would like this general language considered separately, whether the Senate wants to do it first or last; I would not like to have that mixed up with the dollar items because it has only an indirect connection with the dollar items. There are many items in the bill. I do not know how many line items are in the bill, but there are several hundred. Then, there are breakdowns of the line items. There are probably several hundred items in the report where matters are spelled out.

We would be glad to explain what the House did and said. I could explain all of that in my opening statement. The

OEO matter has not been authorized yet but the House passed it. Then, we have the item the House passed on the floor on title I, ESEA. So it is not just a straight bill that came up. Everyone is making changes, even on sections 408 and 409. The administration saw fit to send wires to everyone and the wires got to most of us at 2 o'clock, 3 o'clock, and 4 o'clock in the morning. I am speaking of night before last. It was a very long telegram. We are trying to be fair about it and give everyone all the time needed.

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

Mr. MAGNUSON. I yield.

Mr. ALLOTT. Mr. President, first, I wish to give notice now that I will object to any limitation of time on this bill on any item except as that limitation may be agreed to upon the calling up of any particular item or particular amendment; otherwise, as to any general limitation of time on this bill I want to interpose an objection now.

Second, in line with what has been said by the distinguished senior Senator from New York, I would like to suggest that the Senator at this time, before he starts his discussion of the items, ask unanimous consent that the text of the bill be considered as original text for the purposes of amendment, except for sections 407, 408, and 409.

Mr. MAGNUSON. Except the general language provision.

Mr. ALLOTT. Except the general language provision.

Mr. MAGNUSON. Except title IV, General Provisions.

Mr. ALLOTT. Then, we are on the way.

Mr. MAGNUSON. Then, we are on the way. Will the Senator from Colorado make that request?

Mr. ALLOTT. Mr. President, I ask that the amendments of the committee be adopted en bloc, and considered as original text for the purposes of amendment, except "Title IV—General Provisions," which will not be considered in that respect.

Mr. JAVITS. Mr. President, will the Senator omit the word "adopted"? The Senator used the word "adopted."

Mr. MAGNUSON. It should be "considered." If the Senator will yield further, the correct word is "agreed."

Mr. ALLOTT. Mr. President, I ask unanimous consent that the committee amendments to H.R. 13111 be considered and agreed to en bloc, and that the bill as thus amended be regarded for purposes of amendment as original text for the purposes of further amendment, provided that no point of order shall be considered to have been waived by reason of agreement to the request, except title IV of said bill, to which this consent will not apply.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I wonder if it would not be more appropriate to make this request after we get the bill that has been reported by the committee.

Mr. MAGNUSON. I am sorry. I cannot hear the Senator.

Mr. WILLIAMS of Delaware. Reserving the right to object, I wonder if it would not be more appropriate to proceed with the explanation and then make this request after we get back from the printer the bill that has been officially reported by the committee. All we have here before us now is the committee print. The committee never officially reported this bill until this morning. I think it is a highly irresponsible procedure to be considering a \$20-billion bill within an hour after the committee takes final action.

Mr. MAGNUSON. There is no change in this at all.

Mr. WILLIAMS of Delaware. Then, what was the committee meeting on this morning?

Mr. MAGNUSON. There is no change at all.

Mr. WILLIAMS of Delaware. I still want to see the bill before granting unanimous consent. That is the least we can do when a \$20 billion bill is before the Senate.

There will be no consent agreed to at this time.

Mr. MAGNUSON. This is the same language.

Mr. WILLIAMS of Delaware. We shall wait until we get it. This is the committee print.

Mr. MAGNUSON. Does the Senator object to this?

Mr. WILLIAMS of Delaware. I object to any action until we see the bill.

Mr. MAGNUSON. The only thing before the Senate is this unanimous-consent request.

Mr. WILLIAMS of Delaware. It is not there now.

Mr. MAGNUSON. Do you object to this?

Mr. WILLIAMS of Delaware. Yes. The PRESIDING OFFICER. Objection is noted.

Mr. MAGNUSON. What is the pending order of business?

The PRESIDING OFFICER. The clerk will state the first committee amendment.

Mr. MAGNUSON. The bill is the same as this.

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

Mr. MAGNUSON. I yield.

Mr. GRIFFIN. Mr. President, I was in charge of the floor for this side of the aisle late last evening after the vote on the Defense appropriation bill, when the unanimous-consent request was made that this bill be made the pending order of business even though the bill had not been reported from committee.

I must confess I was torn in my own mind because I think that is not a good way to proceed. We, on this side of the aisle, are also anxious to conclude and get the work done on the various appropriation bills that have to be acted upon. I did not object but I think it is obvious from the colloquy that has taken place that a number of Senators are very disturbed about trying to act on such a complicated bill without the bill being before the Senate and without time to consider what is in the bill. Ordinarily amendments that are going to be offered

would be printed and available on the desks of Senators. In this case, at least as of now, they will not be. I know the Senator from Delaware feels the same way and other Senators are very concerned. I think it is important that we protect Senators' rights until they have ample opportunity to acquaint themselves with the bill. Within that framework and within those limitations we are going to do everything we can to expedite the bill, but we should not move too rapidly.

Mr. MAGNUSON. No one intends to move too rapidly. I hope the Senator from Delaware will take the word of all committee members that this is the bill.

Mr. WILLIAMS of Delaware. This may be the same as the final bill, but we did not receive even the committee print until 1 hour ago.

Mr. MAGNUSON. Not a "t" or an "i" or a dot has been changed.

Mr. WILLIAMS of Delaware. This bill has been before the committee since August 4. It has been held up and not reported to the Senate until today, December 16. If it took the committee that long Senators should at least have a chance to read it before being asked to vote. This is a \$20-billion bill.

The fact is the original bill which was reported by the committee is not back from the printer. This is only an advance committee print. To consider an appropriation and make it the pending business before the committee actually reports the bill is highly irresponsible in my opinion. I have no objection to the chairman proceeding to explain the bill, but I do not want the amendments considered en bloc until we know what they are. I suggest the absence of a quorum.

Mr. MAGNUSON. Mr. President, will the Senator withdraw that request?

Mr. WILLIAMS of Delaware. I will withdraw the request if the Senator wants me to, but before the Senator makes a speech—

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mr. MAGNUSON. I have the floor. If the Senator wants to engage in a colloquy with me or members of the committee with respect to why portions of this bill were over here, the Senator can apply the same thing to the Defense appropriation bill, the foreign aid bill, and the transportation bill. There are about seven appropriation bills.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MAGNUSON. I shall yield in just a moment. I would like to finish. We have been sitting around here waiting for the administration to bring up programs. They asked us in several instances to wait, and even as late as last week they sent us another program from the Budget. We have been waiting for the OEO appropriation, which is a \$2 billion part of the bill.

The Senate authorized it and the House authorized it but they are in conference on it today, I believe. The Senator from Delaware and I have been around here considering appropriation bills on many occasions in the month of

December, I will go back into the record on foreign aid where we were here between Christmas and New Year's on it.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I do not yield. I have got the floor.

Mr. WILLIAMS of Delaware. Then use it.

Mr. MAGNUSON. Everyone here is trying to expedite this, including the leadership. I hope the Senator will take the word of the full committee and the subcommittee that this is the bill.

It is a little bit unusual, but this has happened many times toward the end of the session. I do not know whether it has happened since the Senator from Michigan (Mr. GRIFFIN) has been here, but it certainly has happened since the Senator from Delaware has been here.

Mr. WILLIAMS of Delaware. Will the Senator from Washington yield?

Mr. MAGNUSON. No, I do not care to yield. I will stay here until New Year's Eve, if the Senator wants me to, but Members of the Senate at least can proceed with the bill. This is the bill.

Mr. COTTON. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield. I do not think anyone is irresponsible. The Senator from Delaware did not sit and listen to over 470 witnesses as the Senator from New Hampshire and I did. Perhaps the Senator heard that many on the tax bill, but those witnesses were shut off. We had to listen to ours, some of them all important people, the top men in education, science, and in other fields, and some of them would take maybe all morning, from 10 o'clock to 12 o'clock. We met at 9 and would go on until 7:30 in the evening.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I just think we had better take a look at this. If we want to proceed with appropriation bills, I suppose someone could object. The Senator from Delaware has asked for a bill to lay over in committee. I am sure the Senator has done that, has he not?

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Washington yield right there?

Mr. MAGNUSON. I yield. I do not know—this does not make any difference to me personally. I am speaking for the full Committee on Appropriations and the subcommittee.

We had the bill in the subcommittee ready 10 days to 2 weeks ago, but we have had these continual arguments regarding the general provisions. That is not the fault of the members of the committee. People are seriously and deeply concerned on portions of this issue.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Washington yield to me now?

Mr. COTTON. Mr. President, will the Senator from Washington yield?

Mr. HOLLAND. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I recall that the—

Mr. MAGNUSON. Oh, I had yielded to the Senator from Delaware a few moments ago.

Mr. WILLIAMS of Delaware. I want to suggest to the Senator that any unanimous consent be withheld at this time; in the meantime if the Senator wants to explain the bill I have no objection, but if he wants to lecture me for trying to get a copy of the bill before the Senate acts, let me say that he is not scaring anyone. So keep right on, but it may take a little longer this way. I still say this is an irresponsible way to pass an appropriation bill.

Mr. MAGNUSON. I am going to explain the bill, but in general terms. It is open for anyone to offer an amendment.

Mr. HOLLAND. Mr. President, if the Senator will yield to me now?

Mr. MAGNUSON. I yield.

Mr. COTTON. Did not the Senator yield to me before?

Mr. HOLLAND. I recall that the Senator from Delaware (Mr. WILLIAMS) made the same objection when we were considering the agricultural appropriation bill. Rather than wait indefinitely, we went ahead and took up amendments, amendment by amendment, and we got through that same day, as I recall. We received the cooperation of the Senator from Delaware by proceeding in that way.

I suggest that maybe that is the answer to this problem now.

The Senator from Delaware will recall that.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. WILLIAMS of Delaware. I have not been trying to delay the Senate. We have a situation here where we only have a committee print. The bill was not officially reported until this morning. If Senators will turn to page D1210 of yesterday's CONGRESSIONAL RECORD, Daily Digest, it says:

Committee on Appropriations: Committee met in executive session to begin mark up of H.R. 13111, fiscal 1970 appropriations for the Departments of Labor and Health, Education, and Welfare, but did not conclude action thereon, and will meet again tomorrow.

The committee met at 9 o'clock this morning and then reported the bill which would authorize over \$20 billion in expenditures for this one agency.

Mr. COTTON. Mr. President, who has the floor?

Mr. MAGNUSON. Mr. President, I have the floor and I yielded to the Senator from Florida.

Mr. WILLIAMS of Delaware. The Senator from Washington yielded the floor. I make the point that he does not have the floor.

The PRESIDING OFFICER. The Senator from Washington yielded to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I am trying to reply to the Senator from Washington to say that I have no objection to proceeding, but Senators should have an opportunity to look at the bill. I do

object to a unanimous consent at this time.

So far as the lecture of the Senator from Washington is concerned I am not the least bit impressed by it. The bill was in the Senator's committee for 4½ months, and I can tell the Senator why it was not out before. I hope we can proceed with consideration of this bill without getting into personalities, but if the Senator wants the real reason for this delay in the record I shall be glad to oblige.

Mr. MAGNUSON. We had 3 months of hearings and then 3 weeks of recess—

Mr. COTTON. Mr. President, I have been waiting to speak. I am the ranking minority member of the subcommittee.

Mr. HOLLAND. Mr. President, I have the floor, and I yield to the Senator from New Hampshire.

Mr. COTTON. I thank the Senator.

Mr. President, it is regrettable, with the problems we have before us today, that we start out with a rather acrimonious exchange. It is no use going back into the history of discussion on appropriation bills. The Senator from Delaware has some justifiable points that he is making. I happen to have worked night and day with the distinguished chairman of the subcommittee the Senator from Washington (Mr. MAGNUSON), and I know that when we got going on the bill, we worked on it from early morning until late evening. Here we are with only a few days left and we have a bill before us. Whether it came late, early, or in between, we have a bill that is one of the largest appropriation bills, second only in amount to Defense appropriations.

The pending bill has almost \$21 billion in it which I will say something about later. Now we have all worked hard, and are tired and even anxious. We have got to try to handle this thing dispassionately and as expeditiously as we can, but not to the extent of running a bill of this size through the Senate without giving every Senator full opportunity to examine it and know what it contains.

I think perhaps it would be wise to withhold this consent agreement. Certainly the Senator from Washington must make his opening statement which the Senate is entitled to hear and which the Senator is entitled to give. I shall not make any. But everyone in the Senate knows and I said this before—we are going to have a floor fight on sections 407, 408, and 409.

Those sections, of course, have to do with language in the bill and with what came over from the House, the Whitten amendments.

We know that debate will be fairly prolonged. So, if we start in after the chairman's preliminary statement, on the dollar items in the bill, we will find ourselves here in the middle of the night with a long, drawn-out debate on the disputed language which cannot be avoided. After the opening statement, if we could agree to go on to this disputed language, we would use the early hours of the day in making that inevitable debate, and it will be behind us. While that is going on, Senators will be able to

examine the report and look at the bill item by item. And we will have saved a lot of time.

I make that suggestion again. I think, in the condition we are all in at the present time in the Senate, it would help avoid any possible unpleasantness and irritation, and as the Senator from Delaware has very correctly asked, Senators would have a chance to look carefully at the bill and the report.

Mr. President, this procedure, I believe will save wear and tear, will save our tempers, and will afford everyone an opportunity to fully consider the matter.

Mr. HOLLAND. Mr. President, I appreciate the kindly suggestion of the Senator from New Hampshire. I just want to say that, although I am a member of the subcommittee, I did not go through anything like the punishment that the chairman and the ranking minority member went through in hearing, as I recall, something over 400 witnesses. Nor did I go through the frustration of waiting for the House, after several postponements, to pass its version of the OEO bill, so that we would know what to put in the bill for that important activity. Nor did I have to go through the frustration of waiting from time to time while the executive department was sending down new items. I understand the items continued to reach the subcommittee until perhaps the last month or thereabouts.

All I can say is we are indebted to those two Senators. We ought to take it up in any way that suits them. I have suggested taking it up amendment by amendment. If that is not acceptable, I certainly will join the Senator from New Hampshire in his suggestion. But I do want to say to the Senator from Delaware that he is making a point that is only technical, because this committee print is the committee bill. There is not a word changed. There is not an "i" dotted or a "t" crossed different in the bill as reported today from that which is in the committee print, because we were only awaiting final action by the full committee this morning, which was held up on some of the general provisions in title IV of the bill. The rest is all behind us and all agreed to, and apparently it was not at all unknown, because last Saturday I received a nine-page wire from the Secretary of Health, Education, and Welfare relating what the subcommittee had done. Somebody in the subcommittee evidently had done some talking.

That was received by me last Saturday. I noted in the press in Washington next morning a long discussion about it, and I have that in my pocket also. So nothing has been furtively or secretly held back here. The committee print is the bill we are considering so far as the substance is concerned. It is changed in no regard.

I hope we can hear the opening statement of the distinguished chairman and the ranking minority member, if he cares to make one. Then if the Senator insists we must take it up item by item, just as we did in the case of the agriculture bill, we can do so.

I yield now to the Senator from West Virginia.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield to me first?

Mr. HOLLAND. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I stated yesterday that I had no objection if they wanted to take up the bill, but I did not mean before the bill was available. I am not asking that it be delayed after we get the official bill. I know the Senate wants to proceed. I do not question that the committee print may be the same as the final bill, but it is not the bill. Even the committee print was not available to us until a few minutes ago. To suggest that the Senate should act on a \$20-billion appropriation bill before it is even back from the printer is most irresponsible.

All I suggested to the Senate was that unanimous consent to accept the committee amendments en bloc be withheld until some of us have at least had a chance to examine the bill. That request could be presented later in the day. I was not filing any permanent objection, but I thought it was a reasonable request to ask for a short delay.

When there is before us a \$20-billion bill that is not available to Members of the Senate and even now technically is not before the Senate, I say that there is no reason for such a rush. To avoid any misunderstanding there will be no unanimous consent as far as I am concerned—and I think I shall be here to take care of that—until we get a chance to look at the bill.

We would make much better time if the chairman would proceed to discuss the bill instead of having all this colloquy about procedure, because he is not going to get anywhere. Some of us understand the rules of procedure. I think we would make much better time if they proceed to talk about the bill.

Again I say it is indefensible that the Senate does not get this until 3½ months after it came from the House. Frankly I do not care how the committee wants to proceed, but there is not going to be a unanimous consent on the committee amendments en bloc until some of us have a chance to look at them.

This bill is over \$900 million above the budget requests. Surely some attention needs to be given to these excessive expenditures, and to try to vote on a bill before it is even back from the printer is not being fiscally responsible.

Mr. HOLLAND. I understand the Senator from Delaware.

I yield now to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, the Senator from Delaware has made a legitimate objection to the adoption of the committee amendments en bloc. I think under the circumstances it is an understandable objection and a reasonable one.

As I understand the Senator, he has no present intention of continuing his objection throughout the day to the adoption of the committee amendments en bloc. He merely wants to have an opportunity to look over the committee amendments before removing his objection.

I would hope that at some time during

the day the Senator would remove his objection after he has had an opportunity to study the committee amendments.

Mr. President, the chairman has done a very fine piece of work on this bill. He has held evening sessions and he has held sessions throughout the day for many weeks. He and the ranking minority member, (Mr. COTTON), have heard hundreds of witnesses. I think they are to be congratulated on their work on this very important bill. Many items had to have lengthy study.

We have only 7 days, including Christmas Eve, in which to complete our work, if we can. We have already consumed 30 minutes this morning, without accomplishing anything.

I hope the Senator from Delaware will have an opportunity to study the amendments and that later he will not interpose an objection to their adoption en bloc. I hope the chairman will proceed with his statement and the ranking minority member with his. During that time perhaps we can work out an agreement with everyone concerned to expedite the procedure, because we ought to pass this bill as soon as possible so as to allow prompt consideration of the Transportation appropriation bill, which will be ready for floor action.

I thank all Senators, on behalf of the majority leader, for their consideration.

Mr. HOLLAND. Mr. President, I yield the floor.

Mr. MAGNUSON. Mr. President, I think all understand what this is about. The Appropriations Committee can take these items up one by one, if Senators want to do that. There are a great number of them. Many of them are not in controversy. Many of the budget items and the House items were the same, and the Senate committee adopted them. It will expedite matters if we work it the other way.

I have a general statement about the bill which I would like to present to the Senate at this time.

The Labor-HEW appropriation bill, which is H.R. 13111, as reported totals \$20,819,691,700.

This is an increase over 1969 of \$1,492,657,000, an increase over the President's recommendations of \$985,566,000, and an increase over the House allowances—and I want to underline this figure for further discussion—of \$3,246,089,000.

First, I know the Senate would question this tremendous difference with the House allowances of over \$3 billion. This is explained easily by the OEO appropriation, which was sent up late by the Budget, which is now in conference, and has not yet been authorized, but that amounted to \$2,048,000,000.

Then there was the advanced funding for education for 1971, which was sent up in the meantime, I will say to the Senator from Delaware, only a short time ago, in the amount of over a billion dollars for advanced funding for 1971.

The House, during their action on this bill, did not consider either of these items due to lack of authorization. Although both issues remain to be resolved, we did consider appropriations for the Office of Economic Opportunity,

and Advance Funding of Education for 1971.

Those two items make up the \$3.246 billion, except for some other items sent up by the Bureau of the Budget, some of them as late as the last 2 weeks, amounting to another \$50 million, which were not considered by the House of Representatives, in budgets for unemployment compensation, a new amount, labor-management services, capital grants for the Federal City College—that never came up—the Social and Rehabilitation Service salaries and expenses, Social Security Administration limitation on salaries, and two smaller items, the Office of the Comptroller and the Federal Mediation and Conciliation Service.

These items were not considered by the House of Representatives, and they came up since the hearings—in some cases during the middle of them—and the total of these items would add up to \$3.338 billion.

Then there was an item of great importance not considered by the House of Representatives, in a relatively large amount, though small compared to the total of the bill. Congress passed what we called the Older Americans Act, and finally we got a budget estimate on that, after a long period of time.

So there were a lot of various items that kept coming in, that the House of Representatives had not considered, after the House had passed its bill. The House of Representatives, during its action on the bill, not only did not consider those items, in many cases not necessarily due to delay in authorization, but in many cases because there was no authorization.

Although both issues, the advance funding and the OEO, remain to be resolved, we did consider the appropriations for the Office of Economic Opportunity and the advance funding also. Those were the two items amounting to \$3,274 million which we have had before us only about 2½ weeks.

The bill recommends \$1,624 million as a conditional appropriation for the Office of Economic Opportunity. For advance funding of education in 1971, we have provided \$1,117,580,000, which will be 80 percent of the 1970 levels. The two items total \$2,741,530,000, and make our actual difference with the House allowances \$505,509,000.

In arriving at the final recommendation, the committee carefully considered and reviewed every request and every action taken by the House of Representatives. We received from the President, as I have pointed out, several budget amounts as we were moving along, the latest one arriving on November 14. During our reviews, we cut 28 bureaus, agencies, and divisions by a total of \$231,753,000 below the President's requests.

On a comparable basis to the House action, we made increases of \$591,149,000 and decreases of \$72,640,000. Thus we would have items in question with the House of Representatives that total approximately, in round figures—we will have the exact figures for the record—\$591,149,000; the net difference with the House of Representatives, on these items, of \$517,509,000.

Of the increases we have recommended, about 42 percent, or \$246,214,000, are to bolster the health manpower and medical research programs of the National Institutes of Health, the regional medical programs, the Chronic Disease Control Center programs—which the Bureau of the Budget cut out completely—the Health Services, and an additional amount for Mental Health Administration.

About 46 percent of these increases, or \$271,835,000, is slated for education, primarily in construction funds for community colleges and technical institutes, other 4-year colleges; books for public libraries and college library resources, including librarian training programs; for student assistance in the form of educational opportunity grants; and for juvenile delinquency control and the dropout prevention programs which will help to curb crime among youth. About 7 percent will fund programs under the Older Americans Act, the foster grandparents program and grants to States for programs they develop for the aging. About 5 percent will help the social and rehabilitation service to launch better auditing programs and reviews of medicare-medicoid expenditures, which are also in the bill for a large sum.

During our review of all the programs covered in this Labor-HEW appropriation bill, we became quite disturbed over several trends in the budget. While we all support the goal of holding down Federal outlays in an inflationary period, we do not believe this should be accomplished at the expense of vital domestic programs.

Cuts in education, health research, health manpower, and economic opportunity programs cannot be justified by general and often superficial references to the dangers of inflation. Inflation may indeed dictate firm control of the total Federal budget, but we had serious doubts about priority choices reflected in the 1970 Federal budget recommendations presented to us as related to that problem.

In fact, we held strongly to the premise that, even in times of economic uncertainty, care must be taken to protect, or for that matter even expand, programs that represent long-term investments in the basic health and well-being of our society. This bill and our recommendations represent an important and continuing step in that direction.

We are recommending that not only should the Senate agree with the action taken by the House of Representatives to protect vital education programs, but that we should also take a special initiative of our own to protect the Nation's investment in health research and the production of health manpower. The returns from past investment in this area have been substantial.

It is clear to me and to my fellow members of the subcommittee that health research must be expanded if heart disease, cancer, stroke, and other killing and crippling diseases are to be conquered. Yet, not only did the administration request a cut in health research projects but also asked that we

cut research training projects. The implication of this action is unmistakable, and therefore properly subject to careful scrutiny by ourselves.

The cutback in health research is not intended to be temporary, because I think below the surface of the budget and the House allowance for health research training is a subtle budget policy with long-term implications for the production of future research scientists and, most important, the production of future teachers of physicians, medical technicians, and others on the periphery of the medical field, the supply of which is falling further behind with every passing day.

We are opposed to such a policy, and recommend restoration of a proper level of health research activity for 1970, and the continued expansion of health manpower programs for research, teaching and service personnel. Continued shortages within the health professions can only result in acceleration of the spiraling costs of health care and inexcusable delay in bringing to the American people possible improvements in the delivery of health care, and the benefits of some good research that has been conducted.

During our hearings, many instances of overlapping programs and responsibilities came to our attention. This is why we spent a great deal of time on the hearings and heard from an almost overwhelming number of witnesses to find out why these many programs, many of them in HEW, had a tendency to overlap and programs in different departments had the same purpose.

We found the matter of mental health and mental retardation in at least seven or nine divisions of Health, Education, and Welfare. We are for this program. However, we felt that if we could get some of them consolidated, we would have more efficiency and spend the same amount of money but spend it more properly.

Both the Department of Health, Education, and Welfare and the Office of Economic Opportunity operate virtually identical neighborhood health center programs.

Organizations seeking to provide health services to the poor are confronted by a maze of funding sources and confusing and overlapping application procedures.

It is not unusual for any Senator to have the experience of people from his home State who want to participate in one of the programs come to Washington and be at a complete loss to find out where to make an application, whether to make it in one department or another.

We hope that this will be changed by the reorganization which is still in process. That is what made the funding of some of the money a little confusing at times to the committee.

Health manpower training and mental retardation programs are scattered all over the Department of Health, Education, and Welfare. Each one, I guess, is doing its particular job. The testimony is that they are different programs as such, because they deal with separate phases of the matter.

This kind of fragmentation and competition among agencies is inherently inefficient. While the program objectives are worthwhile, this method of organizing to attain them wastes public resources. We expect a careful review to be made of this problem and for steps to be taken to streamline program administration.

Our committee specifically directed the Secretary of Health, Education, and Welfare to examine the following areas of activity within the Department to determine whether there may be excessive overlapping or duplication: First, mental retardation; second, assistance to migrant farmworkers; third, family planning; fourth, nutrition; fifth, health services for the poor; and sixth, health manpower training programs.

We especially directed the Director of the National Institutes of Health to take charge of the review of health manpower training programs and requested a comprehensive and carefully documented report, with recommendations, that would cover the current status and future development of all Federal programs involved in any way with health manpower.

The members of our committee also shared a criticism of delegated programs with funds flowing through and among several different agencies. This was especially evident in the OEO programs.

A number of economic opportunity programs have been transferred from OEO and are now administered by other departments and agencies. In some instances, however, OEO has continued to budget for transferred programs and then allocate funds to the other agencies. The most prominent examples of this are the Headstart and Follow Through programs now administered by the Department of Health, Education, and Welfare and a number of manpower programs administered by the Department of Labor.

We found this practice of one agency budgeting for another to be quite confusing to the Congress and the public, and expect this method of budgeting to be discontinued as soon as possible.

In detailing my summary or review of our recommendations, I should like to commence with what are called the "related agencies." Other than the two Departments, there are 11 related agencies in this bill, excluding the Office of Economic Opportunity. For those 11 related agencies, our recommendation is \$93,902,000.

This would be \$97,000 below the President's requests, and \$15,472,000 over the House allowances. It would be \$13,874,000 over the comparable appropriations for fiscal 1969, but the major reason for this difference and our difference with the House allowances is reflected by the payment to the Corporation for Public Broadcasting.

This is another item, I suggest to my good friend, the Senator from Delaware, that we received only 2 weeks ago from the Budget Bureau. This is a very important matter of keeping alive the matter of educational TV. That item was included in our bill. The House did not con-

sider that amount. So that is the main difference between those related agencies.

The House did not consider funding for the Corporation for Public Broadcasting, and we allowed \$15,000,000 for these activities that help to support creative and innovative programming by public television and radio stations—such as those produced by NET—and for technical assistance to improve station operations. The President requested \$20 million for this program. They had \$5 million in 1969. So our allowance of \$15 million accounts for the bulk of our difference with the House on these items, and the increase over 1969.

Included among these related agencies is the National Commission on Product Safety which will be completing its investigations during this fiscal year, and preparing a comprehensive report on the adequacy of measures currently employed to protect consumers against unreasonable risk of injuries caused by hazardous household products. That Commission was created by an act of the last Congress. It passed the Senate unanimously. Last year they received \$525,000 and for 1970 we recommended \$1,474,000 which is the balance of the authorization for this excellent program.

They have held lengthy hearings in 10 or 11 sections of the country and are doing what everyone thinks is a marvelous job. They will make recommendations at the next session of Congress.

Among the other differences in this bill as recommended by our committee and the House allowances, are:

The President's Council on Youth Opportunity: An item not considered by the House, our allowance of \$300,000 is under the President's request. We felt they were spending far too much for "consultants fees," and that they should either take advantage of volunteers, or make these people regular employees so we can determine just what their salaries actually should be and whether such expenses are reasonable.

The Federal Mediation and Conciliation Service was increased by \$172,000. This will allow them to participate, along with the Department of Labor, in the Federal employee labor-management relations program that was recently instituted—again, long after the House bill was passed.

The Office of Economic Opportunity is also one of the related agencies in this bill, and we have recommended an appropriation of \$1,624,000,000 which is \$424 million below the President's request, and \$324 million below the 1969 level of operations.

In dealing with the OEO program, the committee was confronted with a series of difficult situations, and I quote from our report:

The Economic Opportunity Act amendments of 1967 authorized appropriations through June 30, 1969.

The administration has proposed a two-year extension of the existing provisions of the Economic Opportunity Act of 1964, as amended, requesting that \$2,048,000,000 be authorized for the appropriation for the fiscal year ending June 30, 1970, and such sums as may be necessary for the fiscal year ending June 1971.

The Senate has passed the bill entitled "The Economic Opportunity Amendments of 1969," which would authorize the same amount, \$2,048,000,000, to be appropriated for the fiscal year ending June 1970, and \$2,732 billion for the fiscal year ending June 30, 1971—in other words, carrying out the 2-year extension.

Authorizing legislation for the Economic Opportunity Act program has been passed by the House, but is still in conference.

Here, again, are some of our problems. I wrote this opening statement 4 days ago, and now I have to change that because of action of the House since that time. It has passed the House, it is in conference, and I do not know whether the conference will be resolved this week. The House members of the committee have hopes that it will. That will have some bearing on these amounts.

The fiscal year 1970 Appropriation Act is here under consideration, almost 6 months after the fiscal year has begun. Should congressional action continue to be withheld, it is unlikely that funds will be available much before 8 months of the fiscal year for which they are intended.

I might say to the Senator from New York (Mr. JAVITS) the more I read this, the more I think that we should pass the Magnuson plan of the legislative and fiscal sessions, of which the Senator from New York has been a prominent co-sponsor.

The committee is aware of the importance of the economic opportunity program and notes that the Senate has taken timely action on its passage of S. 3016, the "Economic Opportunity Amendments of 1969." It believes that it would be damaging to the important new directions set by the administration and the Senate itself if there is further delay than absolutely necessary in providing appropriations. These new directions call for the Office of Economic Opportunity to reconstitute itself as the vanguard of experimentation and development in more effective ways to deal with domestic problems affecting the poor and disadvantaged.

None of us likes to provide appropriations for some program that has not been fully authorized. The differences between the House and Senate, however, are not too great, so that we can estimate pretty closely the amount. But we do have a Senate rule, called to my attention vividly by the Senator from Florida, to the effect that we have the right to make appropriations on bills that we have authorized, which we did. But we cut it down because of the time element involved and because we knew that the Administration would then come up with the first appropriation supplemental in the year; but they would have the money, if the conference agrees, to carry out the program up to that time.

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

Mr. MAGNUSON. I yield.

Mr. JAVITS. I do not believe that it works that way, because, as I understand the way the departments operate, they have already spent money on the continuing resolution. They will then allocate what they have received in the way of appropriation, or the Budget

Bureau will do it for them, and it may result in scaling down their allocation if the appropriation for this fiscal year is less than for the previous fiscal year, for the period which the Senator has in mind.

The supplemental appropriation bill really does not help too much in that kind of situation, where you have ongoing administration, because they have to condition their activities, which have a certain amount of leadtime, according to the very low appropriation which is provided for in this bill. It is not an automatic situation, such as in the case of interest on debt or veteran's benefits, where a supplemental can really mean something. It is also unlike situations which are prospective in their application, such as the neighborhood youth corps summer program where we do not get action until July but the money can still be used.

The Economic Opportunity Act appropriation is an ongoing thing which requires balance through the year, and it does not do them any good unless they have some stabilizing concept of what they are budgeting and what they are doing.

Therefore, I would appreciate it if the Senator would tell us precisely what the substantive basis was for the Appropriation Committees' cuts, unless the only substantive basis was the committee's idea that half the year has expired. With all due respect, I do not think that represents any basis for cuts of this kind.

Mr. MAGNUSON. That is not involved, because they have been spending every month one-twelfth of what they had last year.

Mr. JAVITS. That is correct.

Mr. MAGNUSON. Another peculiar thing about OEO—I have never understood why it happens, and it is like our fiscal year versus the calendar year—is that most of their programs run to April 15, and then they are renewed. That is true of a great number of their programs. I do not know how they got April 15, unless the first appropriation for OEO might have been passed by Congress in January, in the beginning, and then they started their programs.

Because of the uncertainty of the authorization, as to whether the House would get to it at all, we thought we would put some money in the bank, with the general understanding that if the conference report came here similar to what the administration recommended, we would immediately honor it. That is about the only answer I have.

Mr. JAVITS. What I am trying to get at is this: Is there any substantive basis for this very large cut in the Senate-authorized amount? If there is, then, by a discussion on the floor, at least the agency and we—I am the ranking minority member of that committee—can get an idea why the committee sort of turned thumbs down on the OEO to the extent of approximately a 20-percent cut. Twenty percent is a good deal of money for one agency.

Mr. MAGNUSON. The Senator from New Hampshire has spent a great deal of

time looking into this matter, and I am sure he is going to mention that.

Because of the lateness of authorization, and even yet not knowing, we thought we should have some say as they move along on the priorities. The Senate Appropriations Committee may not necessarily want to establish the same priorities in OEO. We may want more for one program and less for another. That is one reason why we gave ourselves this leeway. Other than that, we had no reason.

Mr. JAVITS. May I hope that when the Senator from New Hampshire (Mr. COTTON) adds his analysis to that of the chairman, we will have either the fact that it is not substantive or that it is, and if so, on what basis. Otherwise, it would be hard to judge what to do about it.

Mr. COTTON. As a matter of fact, usually, the ranking minority member rises and retraces the points covered by the chairman. I do not intend to do that, because I think it is important for the Senate to take up these matters as they come along.

The history of this matter is that when the subcommittee first had to face up to this OEO problem, we were going blindly. We had no evidence. The Director of OEO had not appeared before us, because the chairman, quite correctly, told him that we preferred to listen to him when we had an authorization. We did not have an authorization, and we were writing up the bill. We agreed at that time, as I recall—to appropriate—for the remainder of the year; that is, to appropriate all they used for 6 months under the continuing resolution of OEO. Then, we appropriated 80 percent for the remaining part of the year with the idea this would keep them going and that we could take care of surpluses in the supplemental. The figure was 80 percent, was it not?

Mr. MAGNUSON. Yes; 80 percent.

Mr. COTTON. At that point we got the authorization, or part of it. Am I correct?

Mr. MAGNUSON. The new Director appeared before us when we were marking up the bill and said, "Please wait until tomorrow night." That would be, for instance, on a Wednesday. So we waited. He is a very able man. I know him well. Then, the House got into a squabble about the Green amendment. So the Director came back and we had to do what we are now doing here in sheer desperation to get the bill up.

I wish to read from the committee report.

Mr. COTTON. Mr. President, if the Senator will yield, I would like to correct a misstatement I made.

Mr. MAGNUSON. I yield.

Mr. COTTON. I referred to 80 percent with respect to advance funding. We appropriated the amount that they had already used under the continuing resolution in the first 6 months and two-thirds of the request for the remaining 6 months.

Mr. MAGNUSON. That is correct.

Mr. JAVITS. When the Senator says "request," does he mean the Senate-passed authorization?

Mr. MAGNUSON. It was the same as the Budget request.

Mr. COTTON. It was two-thirds, not with the idea that it was sufficient, but we were proceeding with no evidence. We appropriated two-thirds of the Budget request for the last 6 months of this year with the intention that when the supplemental came in we could hear the Director, hear all of his program, all of the details, and obviously do whatever was necessary in the judgment of the subcommittee and the committee.

Mr. MAGNUSON. I wish to read to the Senator from New York the language which appears on page 93 of the committee report. I might add that we knew this long before the squabble in the House:

For these reasons the committee includes \$1.624 billion, which is the rate of operations in fiscal year 1969, projected through the first 10 months of fiscal year 1970. This amount has been deliberately held at a point where the agency will be able to sustain necessary operations for the time being, but is clearly below what the Senate and House authorized.

That is taking the cue from what we did in the budget. That is the key.

This appropriation will enable the Economic Opportunity Program to continue in as orderly a fashion as possible immediately upon completion of final action on this authorization. The committee would then expect—

We bind ourselves to this—

to act on such supplemental appropriation requests as would be required to reflect whatever new directions might be indicated by its new authorization.

As the Senator knows, there is much controversy in connection with the direction of some of these programs. We reserved the right to take a look at them but did not deny them the right to go on.

Mr. JAVITS. Mr. President, I think both Senators have been very helpful, and I refer to the chairman of the committee, the Senator from Washington (Mr. MAGNUSON), and the ranking minority member, the Senator from New Hampshire (Mr. COTTON), in giving us the rationale for the action of the committee.

I wish to indicate to the chairman what I think we have to do on our side. I think we have to ascertain whether OEO can really proceed with this \$1.624 billion level, or, in fact, more would be jeopardized by proceeding at that level. Second, we have to determine what OEO would have to propose for the supplemental and what reception it would be likely to get from the Bureau of the Budget. This should not take more than a few hours. Then I hope to be able to report that to the Senate and to the committee from the OEO point of view and from our point of view. I shall contact the Senator from Texas (Mr. YARBOROUGH). Then, we can mutually determine if this can stand as it is or whether we might contemplate any amendment; but I am sure the Senator will look at this matter de novo in the supplemental, as if it were an initial application because then he would look at the facts.

Mr. MAGNUSON. Mr. President, there

was another factor. We did not get word directly from the Bureau of the Budget. I do not know what part of the OEO program they are going to continue. There is a great deal of discussion. There is one school of thought to cut it out altogether. That is the extreme. The other extreme is to keep everything going. Frankly, I do not see how we can keep all these programs going and cut it down much lower than we cut it. I do not know what the result will be because we have had so many changes in the last 4 months down there. I hate to suggest what it is going to be. I am waiting for another telegram at 4 o'clock in the morning.

Mr. COTTON. Mr. President, I would like to add to that. I wish to say to the Senator from New York that in all the years I have been on this subcommittee, and all the years I have been on the Committee on Appropriations in both the House and the Senate I have never seen such an unhappy example of what should not happen to this bill.

We have the situation which has been covered in the report. One bureau—one department—getting the money and turning it over to another. In this case OEO turning the money over to Labor. There is no business procedure about it whatsoever, and no way we can know what we are doing in committee.

In addition, OEO has not had the opportunity to tell us—we should have known but we were unable to get the information—as to exactly what they wanted. They did tell the House but not the Senate. The Bureau of the Budget has not gotten around to telling us what their analysis is or what their idea is of the function of OEO and how much money it is going to take.

The administration has not done so. The Senator from New Hampshire expected we would get some of the information the Senator from New York is now seeking to obtain. The Senator from New Hampshire thought, handicapped as we were and operating in such a vacuum if we arbitrarily gave them only two-thirds for the last months of the year of what they were probably expecting, that it would bring to us some definite, clear-cut information. We have not received it.

I know the Director of OEO is not to blame because he is eager and willing to give it to us. But whether it is in the Bureau of the Budget or where the hold-up takes place, I do not know.

Frankly speaking for one member of the committee, and I think that was the feeling of the subcommittee, we thought that the quickest way to get some real, definite, down-to-earth information was to do something that would cause them to see the necessity of getting it to us. Apparently, that method fell on the desert air. If the Senator from New York, during the day, can acquire that information, he will be rendering a great service.

Mr. JAVITS. I am grateful to my colleague. I shall do exactly that.

PRIVILEGE OF THE FLOOR

Mr. President, may I ask the chairman to yield to me, so that I may ask permission for the privilege of the floor to be given to the various staff members of the

Committee on Labor and Public Welfare while we debate the bill?

Mr. MAGNUSON. Oh yes. I yield.

Mr. JAVITS. Mr. President, I ask unanimous consent that the necessary members of the staff of the Committee on Labor and Public Welfare have the privilege of the floor during debate on the bill.

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

Mr. MAGNUSON. While the Senator is on that subject, so that I will not forget it, let me say that no one can be more grateful than the Senator from New Hampshire (Mr. COTTON) and myself for the tremendous work that the staff on HEW and all members of the Appropriations Committee staff gave us. They worked late at night for weeks, night and day. That is how complicated the bill is. I wanted to say this while the Senator from Delaware is in the Chamber. We had to add 17 new items which came up from the Budget in the last 5 weeks. They were new ones in the bill.

Mr. JAVITS. I thank the chairman very much.

Mr. MAGNUSON. It is pretty hard to know what is going on down below.

Now, Mr. President, I will continue with the statement.

The committee is aware of the importance of the Economic Opportunity program, and notes that the Senate has taken timely action in its passage of S. 3016, the Economic Opportunity Amendments of 1969.

But, again there, the Senate was plagued with the proposition that two of its most important programs—I suggest not the most popular but at least two of the most worthy programs—the largest was transferred out of OEO and we did not know at that time whether the administration would transfer the remainder of the program. No one seemed to know. They were working on it but had made no decision and have not yet, but we did start here on the HEW Job Corps and two or three other job training programs which went to Labor but they did not want the onus of the funds. They wanted us to fund it through the OEO which we deplore and suggest that that does not happen again.

The committee believes that it would be damaging to the important new directions set by the administration and the Senate itself if there is further delay than absolutely necessary in providing appropriations. We do not know what the experiments will be with the rest of them. I suppose it will be, much of it, a continuation of past programs.

This committee has been critical in the past Economic Opportunity programs and management, which fell short of reasonable expectations for efficiency and effectiveness. It hopes that the commitment of the present administration and the new management of the Office of Economic Opportunity may be realized. However, the committee also acknowledges that it is almost impossible to expect creditable performance with such unprecedented delay in authorizing a program now almost halfway through the fiscal year.

For these reasons the committee in-

cludes \$1,624,000,000, which is the rate of operations in fiscal year 1969, projected through the first 10 months of fiscal year 1970.

I shall not discuss that in my statement any further. I think it is pretty clear what we did and why we did it.

This amount has been deliberately held at a point where the agency will be able to sustain necessary operations for the time being, but is clearly below what the Senate authorized in S. 3016. This appropriation will enable the Economic Opportunity program to continue in as orderly a fashion as possible immediately upon completion of final action on its authorization. The committee would then expect to act on such supplemental appropriation requests as will be required to reflect whatever new directions might be indicated by its new authorization.

The House took final action on the OEO authorization last week, and a conference report should be forthcoming shortly.

DEPARTMENT OF LABOR

For the Department of Labor, our recommendation is \$979,578,000, which is \$23,457,000 below the President's requests, and \$2,673,000 over the House allowance.

Our recommendation would reflect an increase over 1969 funding of \$208,009,000. When you consider the activities of the Manpower Administration, with their responsibility for the Neighborhood Youth Corps, job opportunities in the business sector and the concentrated employment program, it is understandable that their appropriation is increased \$248,113,000 over the 1969 level. We do not feel those increases within the Department of Labor are unreasonable.

Mr. JAVITS. Mr. President, will the Senator from Washington yield at that point?

Mr. MAGNUSON. I yield.

Mr. JAVITS. I hope the Senator will forgive me, but I think he knows that this is my principal committee and I am heavily involved in all of its activities, including the manpower provision to which the Senator has just referred. We will check out the Neighborhood Youth Corps summer program in order to see whether any effort to increase that allocation is justified and I will report to the Senate and to the chairman, but I did want to ask the Senator this one question which puzzles me. The Senator speaks of the JOBS program, but the Senator does not say exactly what the committee gave that program.

Mr. MAGNUSON. We will come to that later on.

Mr. JAVITS. That will be fine.

Mr. MAGNUSON. I break this down. I was merely saying, in view of things the Senator is talking about, and probably even more, it is not unusual to see this two hundred and more million dollars over in 1969.

Mr. JAVITS. So that the Senator can understand better the point that I raise on page 6 of the report, it reads as follows:

The amount requested for 1970 was an increase of \$192,050,000 for the JOBS program and \$44,200,000 for the Concentrated Employment Program. These are both relatively new programs funded at a low level at the beginning of fiscal year 1969 . . .

Mr. MAGNUSON. They did not themselves break it down. Page 6 of the report states:

The Committee directs that within the total funds approved \$26,400,000 be reprogrammed to provide for an increase in the Neighborhood Youth Corps summer program in 1970 to a level of \$147,900,000, the same level as the total program for 1969. This reprogramming will require a reduction in the program increases specifically requested by the Department within the total amount approved by the Committee. Most of the Departments' request was accounted for by two programs, the Job Opportunities in the Business Sector program (JOBS), under the sponsorship of the National Alliance of Businessmen, and the Concentrated Employment Program. The amount requested for 1970 was an increase of \$192,050,000 for the JOBS program and \$44,200,000 for the Concentrated Employment Program. These are both relatively new programs funded at a low level at the beginning of fiscal year 1969, but expanded considerably during the year under the appropriations made for this purpose. The amounts requested by the Department for 1970 would have done little more than maintain the level of activities reached by the end of fiscal year 1969.

The Committee strongly supports efforts of the department to evaluate the effectiveness of manpower programs, and feels that a continuing review is vital if we are to make the most effective use of our resources. The Committee would welcome evidence that we should give emphasis to those programs that are best contributing to our objectives of improving the work skills and quality of life for all Americans, and the reduction or elimination of less productive programs.

In other words, the Senator is trying to find out the exact amounts.

Mr. JAVITS. I know what they requested, but what did the committee give them?

Mr. MAGNUSON. We did not direct a breakdown because they did not ask for a breakdown. They wanted the full sum. They wanted it to be flexible. We strongly suggested that they keep it at the 1969 level.

Mr. JAVITS. Nevertheless, the committee funded the program at less than the 1970 budget request.

Mr. MAGNUSON. They did not ask for a breakdown. There were many witnesses, but I received the impression that they wanted this flexibility. However, we made that statement in the report.

As mentioned, our recommendations in Labor are \$2,673,000 above the House allowances, and to highlight these differences:

The Office of Manpower Administration: Our increase of \$1,582,000 allows them to conduct a study of seasonality in the construction industry and to further their mobility demonstration and placement assistance programs.

Office of Labor Management Relations: Our increase of \$841,000 allows them to strengthen and improve the new program established for Federal employees and their unions. This was an administration request. The Assistant Secretary for Labor-Management Relations will be responsible for determining appropriate bargaining units, supervising representative elections, deciding cases involving unfair labor practices, and administering the standards of conduct for Federal employee organizations. This is

very important and should prove beneficial to all Federal employees.

In the Wage and Labor Standards Administration, we feel the safety program in high-hazard industries is very important, and long neglected.

The increase of \$250,000 over the House allowance will provide \$150,000 for a high-hazard inspection training and education safety program which will permit the Department to carry out its responsibilities under the safety provisions of the Walsh-Healey and Public Service Contracts Acts.

The funds recommended will only permit long overdue first steps toward proper administration of the acts. Without them the safety activity will be able to carry on only a skeleton program. It will also provide \$100,000 for restoration of mandatory Federal pay increase costs not completely funded in 1969 and will permit the filling of positions authorized in 1970 and a reduction of the backlog in adjudication and payment of claims of injured Federal employees.

For "unemployment compensation," we also allowed a trust fund transfer of \$26,929,000 in this grants-to-States program. This will cover increased salary costs in the administration of these programs in the States and for the establishment of 11 "job banks"—the program that has proved so successful in the Baltimore demonstration in helping to place people in jobs.

In the Office of Labor Management Relations, we agreed with the House, in not allowing them \$2 million plus to investigate union pension plans under the so-called attack against organized crime. The Office of Labor-Management and Welfare-Pension reports may well contain a wealth of information essential in the fight against organized crime, but these reports are public information and readily available to the Department of Justice for use in their law enforcement activities. The committee feels the Department of Justice should make whatever request it finds necessary; that the costs of any review of these reports should be carried by that Department, and conducted by employees of that Department.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The variety of programs administered by this most important agency of the Federal Government occupied most of our time in committee, and I am certain will take most of the time the Senate spends deliberating these recommendations.

The grand total of our recommendation for HEW is \$18,122,211,700 which is \$1,433,120,000 above the President's requests, and \$486,364,000 over the House allowances if we discount the advance funding of education for 1971.

During our deliberations, we essentially agreed with the House additions for education, but we made further increases for the construction of facilities for the community colleges and technical schools, and other 4-year colleges.

I need not tell the Senate the importance of community colleges in our scheme of education, and their great success in pretty nearly every State of the

Union in filling the needs and relieving the pressure on some of the 4-year colleges, although some of the community colleges have been attempting to become, and some have become, 4-year colleges.

We added funds for libraries, for college library resources, for librarian training programs, for student assistance in the form of educational opportunity grants, and for the dropout prevention program.

In the area of health, especially the critical needs for additional health manpower, we became convinced that the administration ignored their own rhetoric.

There is an impending crisis in the delivery of health care to the people of the United States. One of the basic reasons for this is the increasing shortage of trained personnel—people who can help to deliver health care. Costs of all types of health care have been accelerating at a rate far in excess of any inflationary factors.

Worst of all, possible improvements in the actual health care available to average Americans is being denied them today. Denied because the knowledge about all of those improvements is not being made available to every practicing physician and to every hospital.

This is due, at least in part, to budgetary restrictions—here at the Federal level, but also at the State and local levels, and within the private sector. We could not, in good conscience, shirk back from those truths. We therefore increased those items within health and health manpower by a total of \$246,214,000, and of that amount, 71 percent or \$175,733,000 is slated for the National Institutes of Health.

I want to discuss these increases in more detail, but for those members who have not had an opportunity to study these items in detail, I think it best that I review all of these increases within the HEW budget that we are recommending.

FOOD AND DRUG CONTROL—\$691,000

We were concerned that the Fair Packaging and Labeling Act has not been implemented as vigorously as was intended by the Congress. To rectify the chronic deficiency of resources for fair packaging and labeling activities, we recommend an increase of \$691,000 over the House allowance for the Food and Drug Administration. These funds are intended to answer legitimate consumer demands, by stimulating expanded efforts to detect and prevent economic cheating in the food market and violations of the Fair Packaging and Labeling Act.

MENTAL HEALTH—\$24,698,000

We recommend an increase of \$8,000,000 over the President's budget request and \$4,000,000 over the House allowance to assist communities in providing treatment services for alcoholics, a program authorized in the Alcoholic and Narcotic Addict Rehabilitation Amendments of 1968. The \$8,000,000 increase will support grants for the construction and initial staffing of facilities for the prevention and treatment of alcoholism, consistent with the community health center concept.

The committee recommends an in-

crease of \$1,102,000 over the House allowance to restore the funds, including administrative support, requested in the budget for an early child-care demonstration program.

An increase of \$500,000 in direct operations will restore funds requested in the budget, but denied by the House, for special contract research studies.

We recommend an increase of \$5,000,000 over both the House allowance and the budget request for the training grant program. This will provide a total of \$112,500,000, the same amount requested in the original 1970 budget. The budget amendments submitted included a reduction of \$5,000,000 in this program which would have eliminated funds for new training grants and reduced the size of some established training programs. This would have come at a time when there is a particular need for increasing the manpower available for mental health research and services. We oppose this policy and therefore restored this program to the original budget.

We recommend an increase of \$7,000,000 over the House allowance and the budget request for grants for the construction of community mental health centers. The development of community mental health services and facilities has been a significant factor in reducing the size of the patient population in the Nation's mental hospitals and has been a major advance in the treatment of the mentally ill.

An increase of \$7,096,000 over the House allowance and the budget request is provided for community mental health center staffing grants and for research fellowships. This recommendation is consistent with the committee's general policy on expanding the supply of essential health manpower.

COMPREHENSIVE HEALTH PLANNING AND SERVICES—\$6,890,000

With the restoration of these funds, \$15,000,000 will now be available for health programs that serve over 325,000 migrant workers in some 120 projects in 36 States. We suggested this increase be utilized in reaching a greater number of eligible recipients with out-patient care and increasing the quality of that care. An intensified program of early case-finding, with ambulatory care facilities available where the migrants are located, should further enhance the achievements of this program.

REGIONAL MEDICAL PROGRAMS—\$24,000,000

Now I come to a program that has had great success. It is somewhat new, but we heard many witnesses on what this program has been accomplishing, and the importance of it. I refer to the regional medical programs. We added \$24 million for the amount for this item.

Of the \$100,000,000 allowed \$24,771,000 is for direct operations, primarily for the long-established chronic disease control program and a domestic nutrition program; and \$73,500,000 is for regional medical operational and planning grants.

We are strongly opposed to the proposal of the Department to make a \$4 million reduction in chronic disease control programs and shift this amount to operational and planning grants of the regional medical programs. We think they should have both. If this were done

as recommended by the Department the action would entirely eliminate ongoing activities in five disease categories: heart disease; respiratory disease; cancer, diabetes and arthritis; and neurological and sensory diseases.

We expect that there will be no diminution of effort in the kidney dialysis program. Advances in kidney dialysis are saving lives every day and there is no reason to slow the rate of technical progress, although I must say, Mr. President, that in that field there is still a long way to go. I forget the exact testimony, but I think there are still something like 8 out of 10 of the people affected who cannot obtain the kidney machines in order to live. Only about 20 percent can afford them because of the tremendous cost involved.

But this chronic disease program, which is in part a research program, is doing a great job. We were shown, in the committee, a small bio-engineering device that can sell for a relatively small amount of money, which can be used now for the purpose of kidney dialysis, and will be of great help in reaching many of those people who must otherwise die if a dialysis machine is not available to them. Here, again, is an example of the folly of cutting down on health manpower programs. Even if we appropriated great sums, there simply are not enough trained people to handle the machines for the benefit of all the people suffering from this problem.

DISTRICT OF COLUMBIA MEDICAL FACILITIES—\$10,000,000

For the District of Columbia medical facilities, we added \$15 million in the supplemental for construction funds. This is for all of the problems involved in this area, in the supplemental. But we added \$6,500,000 for loans in this field, and \$3,500,000 for grants, for some needed repairs and remodeling. The need for improved medical facilities in the District and in the area, of course, has been well documented.

NATIONAL CANCER INSTITUTE—\$19,275,000

Now come the Institutes proper, within the National Institutes of Health. Your chairman has a deep personal interest in this next item, because when I came to Congress some 33 years ago as a Member of the House of Representatives, the bill to establish a National Cancer Institute was the first bill of which I ever obtained passage. So I have watched it for 30-odd years, hoping that its research programs can finally press the button that will do the job on this great killer in this country.

We have had some great successes. The testimony shows very exciting developments in the new fields of the establishment of the relation of viruses to cancer, the pap test problems, Parkinson's disease—for which there is a new drug that seems to work, research on leukemia, and many other fields of cancer problems as to which there is now some light at the end of the tunnel.

We have figures which show that whereas 2 out of 3 afflicted persons died of cancer some 30 years ago, or up until approximately the time of World War II, we have now cut the figure down, in many cases, to 1 out of 5 or 1 out of 4. So we have made much general prog-

ress, and the necessity of education for all types of people, not only those in the National Cancer Institute, to work toward the early detection of cancer, is of utmost importance.

To advance the work of the Institute toward a level of activity commensurate with the complexity, urgency, and importance of the problems in whose solution it is engaged, we increased the appropriation to \$200 million. This is in sharp contrast to the appropriation I mentioned back in 1938, for which we received the great sum of \$1 million, to start the program. If it had not been for a very generous lady in Bethesda who owned the land where the Institute now stands and donated it to us, we could not have started then. The land has an immense value today.

We provided \$200 million for this, the Cancer Institute. I do not know, but I think in this field the members of the committee who hear the testimony wonder if perhaps we had some sort of a crash program in the field and were to add 4, 5, or 6 times the amount of the appropriation. Perhaps we should proceed on a crash program within the various types of cancer, rather than proceed as we are doing. Perhaps it would be good to work on one that shows a promise of achieving a cure and let the others go.

This is an agonizing problem for the people working in this field.

We provided an appropriation of \$200 million. And we hope that a part of the increase will be devoted to the cancer chemotherapy program and to studies on the possible virus origin of cancer. There are 200 types of cancer. And it is hard to know which one to get at first. However, there are some promising things.

The increase also includes an addition of at least \$3,232,500 for the training grant and fellowship programs.

In some cases we thought of appropriating a much larger amount of money. However, there are not enough skilled people in the field to do this work. That was the effect of the testimony.

NATIONAL HEART INSTITUTE

The biggest killer in the United States, of course, is heart disease. For the National Heart Institute we recommended an increase over the budget request of \$21,487,000. Of this increase, at least \$4,950,800 shall be used for the training grant and fellowship programs as allocated between these two programs by the Director of NIH. We just cannot get at these things, even if more money were available, unless we train people. The additional funds also include an increase of \$5 million for the artificial heart program, which will bring the amount available for hardware and engineering development to \$13 million.

NATIONAL INSTITUTE OF DENTAL RESEARCH

We recommend an increase of \$2,711,000 over the budget request for this Institute. Of this increase, at least \$1,376,400 shall be used for the training grant and fellowship programs as allocated between these two programs by the Director of NIH.

We all know about the shortage of doctors in the country. I will come to that again. However, there is a greater short-

age of dentists in the country. And if one does not believe it, let him try to get an appointment with a dentist. If he does not go to the dentist's office on the day of the appointment, he is out for awhile.

We think it is vitally necessary to keep the training grants and fellowships moving.

In this particular case, when we talk about trainees, there are many things that a dentist does that some trained help can do. I refer to the ordinary dental care, cleaning of teeth, and things like that that take the time, energy, and talents of dentists. That time could be better used for more important work.

This is true also with respect to the Cancer Institute and the Heart Institute.

NATIONAL INSTITUTE OF ARTHRITIS AND METABOLIC DISEASES

We add \$17,332,000 in this appropriation. Of that increase, we directed that at least \$4,576,000 be used for the training grants and fellowship programs that an additional \$2,000,000 be allocated for the artificial kidney-chronic uremia program.

They are in both Institutes. However, the artificial kidney machine that we hear about so much is in this program. There is also an additional \$2 million provided for special arthritis clinical research centers.

We are making some progress in arthritis and some of these other diseases. As to the cause, there again some exciting things are happening in relation to virus in arthritis.

NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE

We added \$11,440,000. We want to establish a research program on head and spinal cord injuries. And they can do it. They testified they would like to do this.

A research program on head and spinal cord injuries has been launched in the hope of mitigating this fairly common cause of death, mental impairment, and severe physical disability. Of the increase appropriated for the Institute, \$700,000 should be used for research on spinal cord injuries, and at least \$3,802,200 shall be used for the training grant and fellowship programs.

I do not think we have more than one or two centers around the country at this time. And they have been run in a rather haphazard fashion because of inadequate funds.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

We added \$2,611,000. Infectious diseases provide dramatic examples of what can be achieved by research. Most of the infectious diseases that were dreaded killers earlier in this century have been virtually eliminated, and the incidence of others has been sharply reduced.

To continue these varied and important activities at a reasonable level, we recommend an increase of \$2,611,000 over the budget request for this Institute. Of this increase, at least \$1,297,000 shall be used for the training grant and fellowship programs.

Here again, I hope that someday we can enlarge this Institute and direct more of its activity into the field of prevention and delivery of care to people. It would save so many more lives, so much suffering, and so much money.

We could do it in so many ways nowadays with all kinds of drugs and antibiotics and shots and things of that nature, particularly in children's diseases, which are on their way to being eliminated.

THE NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The National Institute of General Medical Sciences is one that cuts across many paths. I think this is a good thing, and for this reason.

This Institute has the largest increase. We added \$20,712,000. This Institute has the largest and most diverse health manpower training program at the graduate levels and we therefore directed that at least \$12,998,400 be used for those programs.

NIGMS is also the principal coordinator of biomedical engineering and because of the excellent work they have done, and sponsored, to bring into being the necessary "hardware" of medical science, we have suggested they might well add the word "technology" to their name. Through this Institute, NIH helps to support the Oak Ridge National Laboratory and we earmarked \$3 million for that activity.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

We recommend an increase of \$4,902,000 over the budget request for this Institute. Of this increase, at least \$2,617,500 shall be used for the training grant and fellowship programs as allocated between these two programs by the Director of NIH. The remainder shall be used primarily for funding the mental retardation research centers.

In every case, it will be noted that in attacking the health manpower problem, we have used the word "shall," and we hope this is carried out literally the way the committee suggested.

NATIONAL EYE INSTITUTE—\$1,315,000

The National Eye Institute has been made a separate Institute. The committee recommends an increase of \$1,315,000 over the budget request for this Institute. Of this increase, at least \$832,900 shall be used for the training grant and fellowship programs as allocated between these two programs by the Director of National Institutes of Health.

GENERAL RESEARCH AND SERVICES—\$6,000,000

Our committee recommends an appropriation of \$79,658,000, a decrease of \$5,151,500 from the 1969 appropriation, an increase of \$9,960,000 over the budget estimate, and an increase of \$6,000,000 over the House allowance.

The committee is much disturbed by the announcement that rising hospitalization costs will force NIH to close 19 of the 93 general clinical research centers now located in 32 States, the District of Columbia and Puerto Rico. These general clinical research centers have played a vital role in raising the quality of health care capabilities in our Nation.

The committee heartily concurs in the action of the House in adding \$3,960,000 to restore the appropriation for the general clinical research centers to the original budget estimate. In order not merely to keep these important centers in operation but to keep them operating at an

optimum level, we included an additional \$6 million in this appropriation.

HEALTH MANPOWER—\$31,979,000

We have recommended an appropriation of \$250,000,000 which is an increase of \$77,824,000 over the 1969 level, and an increase of \$31,979,000 over the budget estimate and the House allowance.

Here, again, we are talking about health manpower. We are talking about the need for more doctors, more trainees, more specialists, more dentists, and more nurses. We have a nurse program in this bill, also.

We allocated \$20,781,000 of this increase to student assistance programs: \$10,500,000 for direct loans, and \$10,281,000 for scholarships. We felt an increase in scholarships, over last year, was especially important if we are to expect these professional schools to continue their efforts to recruit into their programs an increasing number of minority students.

The balance of the health manpower increase, \$11,198,000 will be for institutional support, and we earmarked about \$1.5 million for new methods, demonstration grants under the allied health program. This will support programs like those developed for returning medical corpsmen.

Compared to the revised budget estimates, this new allocation of these funds to student assistance will allow some 42,292 nursing students and 43,361 students in the various health professions to be recipients of this aid. Over 14,080 fewer students would have received financial assistance without this addition.

DENTAL HEALTH—\$1,165,000

This is a separate item, and is not to be confused with the Institute of Dental Research. Dental health is the delivery of dental health to neighborhood centers, clinic centers, child care, and other such institutions, and the training of so-called subprofessionals.

The House reduced the amount requested for other dental health activities by \$165,000. We do not understand why. These funds were intended for the continuation of five long-range training programs, one additional grant for a continuing education project for dentists, and the extension of the dental manpower survey.

Although the Department did not ask for the restoration of these funds, we see no reason for withholding them, and recommend an increase of \$1,000,000 over the budget request and \$1,165,000 over the House allowance for dental health activities.

CONSTRUCTION OF HEALTH EDUCATIONAL, RESEARCH, AND LIBRARY FACILITIES—\$33,900,000

We added \$20 million to the budget request for the construction of teaching facilities for health professional schools. The role of these schools is crucial to the whole national health improvement effort. The facilities for providing the necessary numbers of well-qualified professional health personnel must be expanded as rapidly as possible.

In the case of nursing, where the need is particularly acute throughout this country, the budget request is inadequate. Only \$8 million was requested, and the committee has added \$2 million to this item.

We are especially concerned that health research facilities and medical libraries received no funds in this budget. Both are essential features of high-quality professional schools. The opportunity to conduct research, which includes access to a well-stocked library, is indispensable to the training of graduate students and is an important factor in attracting and retaining first-class faculty. In addition, a medical library is a valuable community asset with a direct influence on the quality of health service. These construction needs must be given higher priority. The committee has therefore added \$10 million for health research facilities construction and \$1,900,000 for library construction.

BUILDINGS AND FACILITIES—\$900,000

The budget request provides no new funds for construction of the Lister Hill National Center for Biomedical Communications whose creation the Congress authorized last year in honor of the beloved former Senator from Alabama, Mr. Hill, who worked so diligently throughout his long and distinguished service in the Congress to strengthen the Federal programs aimed at improving the health of the American people.

The Bureau of the Budget eliminated, from the funds requested by the Department for buildings and facilities, the planning funds for the construction of the building for the Lister Hill Center. While it is, for the time being, prudent to postpone construction wherever possible, we see no valid reason for postponing the planning and architectural design—which, at best, seems to take an inordinate amount of time—so that construction can proceed without further delay when construction funds can be appropriated. The committee has therefore included funds for this purpose.

Mr. President, that concludes the items increased under the health section of the bill. There were many items. We heard many witnesses on every item in this breakdown.

OFFICE OF EDUCATION

The committee has given careful attention to all of the programs within the Office of Education, but wishes to make particular mention of those programs which require various levels of matching funds from State and local governmental agencies, or educational institutions. Matching programs enjoy a greater incidence of success in achieving objectives because of the investment by recipients of their own funds, after making difficult financial decisions comparable to those of our committee and Congress. We are well aware that the matching approach is not always possible, nor preferable, in all Federal programs to assist education. We are also well aware of the burden such programs impose upon possible recipients, and that such programs do not result in perfect distribution patterns. But it is obvious to this committee that these particular programs have achieved a significant portion of their stated objectives, and they must not be abandoned.

ELEMENTARY AND SECONDARY EDUCATION

We recommend \$702,036,700, a decrease of \$48,740,000 from the House al-

lowance, and a net increase of \$297,458,000 over the budget estimate. We concur in the \$78,740,000 allowed by the House for educational equipment and minor remodeling, but have decided to include this item under a separate appropriation, "Instructional equipment." On a comparable basis, therefore, the recommendation is an increase of \$30,000,000 over the House allowance.

We were impressed with the initial success that has been shown in projects funded by the dropout prevention program, and have allowed \$20,000,000, an increase over the House allowance of \$15,000,000.

Several Senators came in and testified in connection with the need for bilingual education. There are at least 3 million children in this country who need bilingual education. For bilingual education we recommend \$25 million, an increase over the House allowance and the budget request of \$10 million.

In addition to new projects begun in 1969, at least 80 more projects wait to be funded.

Our recommendation will more adequately support this fine program and allow the vital expansion of bilingual education.

ELEMENTARY AND SECONDARY EDUCATION— \$1,117,580,000 ADVANCE APPROPRIATIONS

The committee recommends \$1,117,580,000 for advance funding of title I of the Elementary and Secondary Education Act. Due to the lack of authorizing legislation, the House deferred consideration of this item. The Senate Subcommittee on Education of the Committee on Labor and Public Welfare has, however, extended the title I authorization through June 30, 1974, and the committee has included the advance authority, at a level equal to 80 percent of the 1970 estimates contingent upon final extension of the basic law.

This is a large sum. These are some of the problems that plagued us in trying to mark up the bill, waiting for these authorizations. A committee cannot appropriate without having some idea what the budget is going to be.

EDUCATION PROFESSIONS DEVELOPMENT— \$25,000,000

The amount approved by the committee includes \$21,500,000 to fund the program of grants to States for the recruitment of educational personnel, an increase of \$6,500,000 over the House allowance and budget estimate. This additional amount will enable the States to step up their recruitment and training of elementary and secondary teachers and teachers aides.

For parts C, D, and F of the Education Professions Development Act, the committee is recommending \$98,000,000, an increase of \$18,000,000 over the House allowance and budget estimate. Under these programs, grants and contracts are made with institutions of higher education and State and local education agencies for inservice and preservice training programs to improve the quality of educational personnel at the preschool through postsecondary vocational levels.

We feel that special attention should be given to the collection and dissemination of information regarding short-

ages and surpluses within the education profession, and giving adequate publicity to such opportunities, and therefore allowed \$500,000 for this purpose.

TEACHER CORPS—\$9,363,000

The amount approved by committee represents an increase of \$10,200,000 over the 1969 appropriation. The number of corps members supported will total 4,389, of which 2,389 will be assigned to inservice programs in local school districts during the current school year. Within this total, the committee allowance provides for 2,000 new Corps members whose preservice training will commence in the summer of 1970, an increase of 500 new Corps members over the level approved last year.

HIGHER EDUCATION—\$161,741,000

For construction of public community colleges and technical institutes, we recommend \$125,000,000, an increase of \$82,000,000 over the House allowance and budget estimate. For other undergraduate facilities, \$75,000,000 is allowed, an increase of the same amount over the budget estimate and \$42,000,000 over the House allowance.

Now we had a great deal of testimony from educators, even in cases when they were down here to testify on some other specific project. They went out of their way to mention the need, the prominent place for, and the most important function of the community colleges which they are playing in our system of education.

In my State, we started them early, and they are in nearly every State of the Union now. They serve the purpose of relieving some of the pressure on other colleges which cannot handle the enrollments, and gives educators an opportunity to put more stress and thrust upon vocational education. They are crowded. They are busy. They are doing a fine job.

In my State, there are 23 public community colleges averaging perhaps 4,000 students per college. They used to be called junior colleges. They call them community colleges now.

For student assistance programs, we recommend an appropriation of \$667,500,000. This is an increase of \$16,000,000 above the House allowance for educational opportunity grants, which will allow a modest expansion of initial year grants.

We also included the popular NDEA program of matching grants to purchase undergraduate instructional equipment and other resources, which had been eliminated by the budget requests. We restored the program by adding \$14,500,000. A combination of two NDEA programs now shows these as a line item.

Mr. COTTON. Mr. President, will the Senator from Washington yield at that point?

Mr. MAGNUSON. I yield.

Mr. COTTON. I dislike interrupting the Senator, but I wish to express to him my appreciation, and the appreciation of many other Members, of the fact that this is national defense education funds for educational equipment which was inserted at about the same rate as last year plus, of course, the \$4½ million. I would like to make this point. The Ele-

mentary and Secondary School Act is a pure Federal program, where we furnish every dollar. Under the National Defense Education Act the States or local communities have to match every penny, dollar for dollar. Now the school superintendents and the State boards of education and the principals and the administrators in the States say they need this national defense program and they eagerly provide the matching funds. If they were not confident they needed it, they would not be digging down in their own pockets.

It has therefore been impossible for me to follow the reasoning whereby the Bureau of the Budget, under the last administration and this administration, cuts out the program that requires the matching funds, when the States want it and are ready to meet it, and insist on swelling programs where the Federal Government pays it all.

I compliment the chairman for his fairmindedness in inserting this.

Mr. MAGNUSON. As the Senator from New Hampshire has said on many occasions, when the local people match these funds, they see that the program is carried out successfully. This is a step toward better use of those dollars.

Mr. COTTON. They see that every dollar is spent wisely and frugally because, as the Senator says, it is their money.

Mr. MAGNUSON. I agree with the Senator.

Now, Mr. President, on the subject of libraries and community services.

LIBRARIES AND COMMUNITY SERVICES—\$20,231,000

For college library programs we approved \$25,000,000, an increase of \$12,500,000 over the House allowance and the budget estimate. The allowance will restore this important activity to its 1969 funding level. We are also restoring the libraries training program to its 1969 level of \$8,250,000. This is an increase of \$4,250,000 over both the House allowance and the budget estimate. Another library activity which we believe deserves additional support is the acquisition and cataloging program of the Library of Congress. Centralized support of these services avoids wasteful duplication by college and research libraries throughout the country, conserves scarce library manpower, and saves millions of dollars. Therefore the committee has included an increase of \$1,856,000 above the House allowance of \$5,500,000.

For grants under the educational broadcasting facilities program we recommend \$5,625,000, an increase of \$1,625,000 over the House allowance and the budget estimate, and the 1969 level.

EDUCATION FOR THE HANDICAPPED—\$5,000,000

The amount allowed for preschool and school programs for the handicapped is \$34,190,000, an increase of \$5 million above the House allowance, the budget estimate, and the 1969 level. This additional amount will help meet the increasing costs of special education as well as provide some funds for additional services.

RESEARCH AND TRAINING—\$12,500,000

The committee recommends funding at the level requested for all items except

major demonstrations and experimental schools. Under major demonstrations, we allowed \$4,000,000 for the Anacostia Community School project, an increase of \$3,000,000 over the House allowance and a decrease of \$1,000,000 from the budget estimate. In allowing the increase, the committee feels that the Anacostia project has proven highly successful and should be continued.

We had splendid testimony from the people directly involved. It is really a community enterprise, of community people.

For "Experimental schools," a new program recommended by the administration, we recommend \$9,500,000, which is \$15,500,000 below the budget request. The House did not include any funds for this project, even though it indicated that it had no objection to planning for these schools within the overall research budget. Although we have allowed operational funds, we urge the Department to go slow on this program and limit support to a small number of carefully selected experiments.

INTERNATIONAL EDUCATION—\$2 MILLION

We have approved the budget request of \$2 million for implementation of the International Education Act of 1966. This has never been funded—and we feel this program will help our colleges and universities to strengthen studies in world affairs.

This is not a foreign aid program.

SOCIAL AND REHABILITATION SERVICE

MENTAL RETARDATION—\$2 MILLION

We recommend that \$2,000,000 be appropriated for the construction of university-affiliated mental retardation facilities.

Most of these facilities are in conjunction with a university medical school, and they work with the medical school in the problems of mental retardation. We recommended \$2 million for the construction of university-affiliated mental retardation facilities. Nothing was requested or included in the House allowance for this purpose. An application to construct a university-affiliated facility in Cincinnati, Ohio, has been approved but unfunded by the Social and Rehabilitation Service.

There are either 11 or 12 throughout the country. They have been very successful in the studies of mental retardation, because they work with the medical schools, train teachers, and are truly a campuswide activity, involving a number of disciplines.

DEVELOPMENT OF PROGRAMS FOR THE AGING—\$35,650,000

We recommend \$35,650,000, an increase of \$7,290,000 over the budget estimate, and include \$9,250,000 for support of the foster-grandparent program, which in 1969 was funded by the Office of Economic Opportunity.

Here is another item, the Older Americans Act, which the President himself did not sign into law until late in September.

Let me repeat that for the Senator from Delaware. Here is a major item which the President himself did not sign into law until late September. The Bureau of the Budget did not send a recommendation for a long time, but on

that program we recommended \$35,650,000, an increase of \$7,290 million over the budget estimate, and included \$9,250 million for support of the foster-grandparent program, which had been funded by the Office of Economic Opportunity.

The administration waited until October to shift this around.

So again it was not as simple as the ordinary appropriation that we have handled in previous years.

The House did not act on this item inasmuch as the basic authority for the conduct of the aging program had not been extended. The amendments to the Older Americans Act were signed into law on September 17, 1969. Then we had to wait for the budget recommendation.

We recommend \$20,000,000 for title III programs, an increase of \$7,000,000 over the budget estimate. This will provide for a more adequate implementation of the new legislation than would be possible with the budget estimate.

The committee has added \$290,000 to the budget request for training to restore this program to the 1969 level of \$2,900,000.

JUVENILE DELINQUENCY PREVENTION AND CONTROL—\$10,000,000

We feel that increased support must be given to the objectives of the Juvenile Delinquency Prevention and Control Act of 1968 and the Federal effort to assist State and local communities to develop effective approaches to the prevention and control of juvenile delinquency must be expanded. America's best hope for reducing crime is to reduce juvenile delinquency and crime among youth. There has been little sustained support of delinquency prevention and control programs, and local community resources for working with problem youth are universally scarce. The major thrust of this act emphasizes treating the offender in the community in which he lives, not an isolated institutional complex far from normal family life, and we heartily endorse the cooperative nature of this program.

SALARIES AND EXPENSES—\$2,893,000

Subsequent to the House action, a budget amendment for 125 positions and \$2,893,000 was sent to the Senate by the President to mount a major effort to improve and redirect the management of the medicaid program at both the Federal and State levels.

Here again is a budget amendment that showed up only recently. After the House had acted, the budget wanted 125 more positions, quite late. So we had to consider it late.

The committee is fully in agreement with this effort. Medical care of the highest quality should be available to the poor, and it should be administered through the use of the most sophisticated business and management systems to insure efficiency and eradicate the circumstances which breed fraud. It is hoped that with these added resources the Social and Rehabilitation Service will be able to make a strong beginning toward attaining these objectives.

SOCIAL SECURITY ADMINISTRATION CONSUMER CREDIT TRAINING—\$300,000

The committee does not agree with the House finding that many other programs

are duplicating this program. On the contrary, the committee's findings are clear that the Bureau of Federal Credit Unions' Protect Moneywise is the only program of its kind. This program was designed to teach money management to people in low-income areas and to establish credit unions owned and operated by the people themselves, to serve as a lending source at reasonable rates.

GALLAUDET COLLEGE—\$314,000

The increase relates directly to the security problems on the Gallaudet campus. A tripling of the security force, which our addition to salaries and expenses will allow, must be coupled with improved lighting of the grounds within the confines of the campus and additional fencing along the edges of the campus. At least \$164,000 would be required during fiscal year 1970 to improve the lighting system on the grounds. While there is existing fencing around part of the campus, repairs need to be made and a major addition of fencing along Florida Avenue would require at least \$46,000, and possibly as much as \$75,000. The remaining \$75,000 was allowed for the salaries of 14 additional guards, which would bring their total security force to 21.

Mr. President, this completes my review of the actions of our committee increasing items over the House allowances. Again, I remind the Senate this bill totals \$20,819,619,700. The actual net increase over the House is \$504,509,000, and our increase over the President's estimates is \$985,566,000.

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

Mr. MAGNUSON. I yield.

Mr. BIBLE. Mr. President, I rise simply to pay tribute to the distinguished chairman of our subcommittee, as well as the ranking minority member of that subcommittee. It seems to me this is one of the most complicated of all the bills to come before the Congress annually.

I think it was increasingly complicated, and made more complex and difficult this year, for the reasons which are detailed rather fully on page 2 of the committee report, showing the five items that were not considered by the House of Representatives due to lack of authorization, and I feel that probably the distinguished Senator from Washington, the chairman of the committee has commented at length on those items already; I did not hear all of his statement.

In addition, there is a total of seven additional items of budget amendments which were proposed subsequent to House action, making a total addition of some \$3,338,531,000 in this bill that were not in the House bill.

Mr. MAGNUSON. Nor was the recommendation from down below sent up for them.

Mr. BIBLE. That is right. It came up very late, and I heard the Senator from Washington commenting on that.

I think, in fairness to the record and in fairness to the amount of work that has gone into this bill, that point should be made abundantly clear. We always leave, at the end of the year, with great New Year's resolutions. I hope that we will

leave this year resolving to move forward earlier next year, with the hope that the legislative committees might finish their work at some earlier time, so that our action on the appropriation bill can be a little more timely.

Mr. MAGNUSON. Yes, and with the hope in mind also—the Senator from Nevada spent a great deal of time at these hearings, listening to all kinds of witnesses—that there will be some reorganization in clearing up some of the duplication that the Senator from New Hampshire and I have been looking at, and that when the budget does come up here, it will be the final budget, and we can start working on it. It would be very simple if, when the President in January sends up his budget, that would be, and remain, the budget. Then we can start work on it, even before the House of Representatives, as far as I am concerned, to hear the witnesses, because, as I say, there will be at least 500. Some of them this year could not testify, because we could not get them all in. One day we had them stacked up in the hall downstairs. I thought maybe there was something else going on, but there was not; it was just our witnesses.

We could not do what we normally do, and say, "You have 10 minutes, put it in the record," because, if Senators will look at the list, the witnesses, as the Senator from Nevada knows, who testified for this bill, were the top people in their fields from throughout the Nation, and they had something of vital interest to say.

Mr. BIBLE. I could not agree with the Senator more fully.

Mr. MAGNUSON. They ranged from Nobel Prize winners to university presidents, from students to volunteer workers in the field. Everyone was involved. This is a bill that touches every American in some way.

Mr. BIBLE. As I understand it, there were some 450 witnesses on the list.

Mr. MAGNUSON. Yes.

Mr. BIBLE. It was humanly impossible to give them all adequate time.

Mr. MAGNUSON. And of that number, the Department had 153 witnesses.

Mr. BIBLE. I think they could cut theirs down somewhat.

Mr. MAGNUSON. There were 153 witnesses from the Department alone.

Mr. BIBLE. I think they could stand a very substantial reduction, not only in the number of their personnel, but in the number of witnesses to justify their existence.

Mr. MAGNUSON. I think we all realize that.

Mr. BIBLE. But I compliment the chairman, and put particular emphasis on some of the experts we heard in connection with the field of cancer and some of the exciting breakthroughs that are apparently just around the corner, and in the field of heart disease which, as I understand it, is the greatest of all the cripples.

A million people, I believe the figures show, die each year of heart disease—more than half the deaths in this Nation stem from heart and circulatory disease—and some 400,000, or some such figure, of cancer, which is the second

major cause of death in the United States. The medical researchers continue to contend that they are getting very close to a cure for cancer. I do not know whether they are or are not; but they maintain they cannot make orderly headway down the path of success unless they have adequate funding. I am sure the Senator has commented on that earlier.

I was very happy to support the chairman and the subcommittee in making these fundings more realistic, not only for heart and cancer but for all the important health research efforts. There is a great deal of money involved, no doubt about it, but I know of no problem that crosses our entire Nation with greater impact than the problems of heart disease, cancer, and other major afflictions. I am not downgrading the other cripples and the other diseases, because they are entitled to greater emphasis and importance as well; but the point is that over the years, we have made great headway. If everyone in the Senate, for example, could have been there to hear witnesses such as Dr. DeBakey and Dr. Barbour, or the other experts in all this great range of medical expertise, they would have come away with the feeling that the tax dollar in this area is well spent. I think that message came through to us time and time again.

I have no hesitancy at all in supporting the higher level of funding—and it is a higher level; it is a level that gets back to about the amount of the 1969 funding, plus about 10 percent; is that not correct, in general?

Mr. MAGNUSON. Yes. I am glad the Senator brought that up. Both the subcommittee and the full committee, on the Institute items—

Mr. BIBLE. I am talking about the National Institutes of Health at this time.

Mr. MAGNUSON. Yes. We raised those items, on an average, from 10 to 12 percent over last year. We thought perhaps we should have done even more, because they do have some costs going up in the meantime; but at least they can maintain the level at which they are operating now, and maybe take some of the funds and reallocate them, and zero in on the virus-caused cancers about which we heard testimony.

That is very exciting. And then what was the drug with the very appropriate name, that is working on Parkinson's disease? L-dopa.

Mr. BIBLE. And we have had people in our own midst who have received the benefit of the expertise and training in that area. If I am not mistaken, the Senator's predecessor in the very spot he occupies so nobly today had a problem in his own family in that area. I think his wife had some serious difficulty, and I am told that, through the discovery of this so-called wonder drug, vast improvement has been shown. Also, we have a colleague now who has some problems in that area.

Mr. MAGNUSON. Yes.

Mr. BIBLE. All of these things are forward looking. They are justified. One thing that came to my attention time and time again, throughout the testi-

mony of the many witnesses who appeared before us. This was the fact that if you cut them off at the purse strings, then you lose a crew of experts that are almost irreplaceable; is that not true?

Mr. MAGNUSON. That is true.

Mr. BIBLE. We heard, for example, from one professor I have particularly in mind at UCLA, in Westwood, Calif., where they have built up some fine medical talent into a team to work on many of the cancer problems. If they are cut short and their work cannot be funded, he said, the man who has to get a paycheck to pay his grocery bills is going to leave that facility and go into private practice, which I think would be a loss, with the background and knowledge that he has.

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

Mr. BIBLE. I am happy to yield to the Senator from New Hampshire.

Mr. COTTON. I call the attention of the Senate to the fact that recommendations for the various Institutes of Health in the NIH which came to us totaled \$1,628 million. After we added roughly 10 percent to those items, the whole NIH program would exceed that for fiscal 1969 by less than \$220 million; and when you realize that the dollar buys less research today than it did in fiscal 1969, that amount is comparatively small; and it exceeded the budget, after we granted these raises, by less than \$177 million.

When you get up to \$21 billion—which was the total amount of this bill—I think we did the very least that could be done in these fields of research. I compliment the chairman, and I compliment the distinguished Senator from Nevada. I believe we are completely in accord on this matter, that for those increases we need make no apologies to anyone, and if we were to make any, it would be for the fact that we did not raise them enough. Those were the minimums, and I think the committee was very wise in making the revision it made.

Mr. BIBLE. Mr. President, I thoroughly agree with the Senator from New Hampshire.

There is one other rather closely allied field in which he is interested. It is not in the National Institute field, but in the public health field. That is the regional medical program. I think they are of vast importance, particularly to those who come from rather sparsely populated States.

We heard some very compelling testimony from several medical men, one from Seattle, Wash., one from Sitka, Alaska, and another from the New England area.

I know the program is of great importance in my area of the country because of the remoteness of hospital facilities.

The regional medical programs disseminate the actual medical know-how, medical science, and medical ability to the sparse areas of the country that are in short supply of doctors. These are vital services that go directly to the people. I regard this as being tremendously important.

I am delighted that the committee funded this at a level of \$100 million,

which together with a \$20 million carry-over, was an increase over the budget figure. The authorized amount for grants was \$120 million. There was some carry-over which would allow them to continue next year at near the \$120 million level.

These regional programs are finally beginning to bear fruit, and I hope the other body will agree with the need for the fullest funding possible.

This is one program which gets to the people who need it the most.

I am very grateful for the very wholehearted support of the chairman of the committee. I congratulate him and the Senator from New Hampshire for the great leadership they have shown in this field.

Mr. MAGNUSON. Mr. President, when we look at this field, we realize the tremendous problem involved. We have to meet this situation, and we are doing it.

We heard testimony on man's environment with relation to cancer. It is startling. The estimates are that there are in the order of 20,000 chemical compounds in relatively common contact with man. So, there is very little knowledge about how many of these would cause cancer or other diseases and in what concentrations and over what period of time.

At the present rate of testing these compounds, which are all around us, it would take several centuries to assess their relative safety. This gives some idea of the problem we face today with reference to environment, which the present Presiding Officer knows so well.

With respect to the problem of man's environment today, it may be some simple thing in our environment that causes cancer that we do not know about. It might be a virus that can be isolated. This is what we are hoping.

In the heart program, I was quite pleased with the optimism expressed by some of the well-known heart specialists, regardless of their field, and concerning the progress they believe they are making with the mechanical heart and the pacer.

A lot of people are walking around today with that mechanical pacer. I have four or five friends who have these mechanical pacers. And one would not know the difference.

These are the sort of things that we are struggling to work out.

Mr. President, I yield to the distinguished Senator from Hawaii, who has a conference at 2 o'clock.

The Senator from Hawaii was very diligent in attending the many weeks of hearings. No one appreciates his help more than the Senator from New Hampshire and I.

Mr. FONG. Mr. President, I thank the Senator for yielding. I have an appropriation bill markup at 2 o'clock. That is why I asked the Senator to yield at this time.

The Labor-Health, Education, and Welfare appropriation bill which is pending before us is the second largest appropriation bill Congress considers.

Programs in this complicated and far-reaching measure affect, directly or indirectly, nearly every one of America's 204 million people.

For these programs, the Appropriations Committee, on which I have the honor to serve, has recommended a total of \$20.8 billion.

The Appropriations Subcommittee on Labor-HEW, on which I also serve, after reviewing the testimony that spanned some 8 weeks, concluded there are areas in education, health, and welfare where greater emphasis is needed than the House of Representatives provided in its version of the bill.

Our subcommittee recommended substantial increases for health, education, and welfare. The full Appropriations Committee agreed.

The record should show very clearly that we on the Appropriations Committee in this bill offer concrete proof of the very high priority we place on better education and better health for all Americans and on better programs to alleviate poverty and assist handicapped persons.

HIGH PRIORITY ON DOMESTIC PROGRAMS

Earlier this year when some of us in this body were supporting certain controversial defense systems, which we believe are high priority in our Nation's survival, we were criticized. It was implied that we did not accord high priority to poverty programs, education programs, health programs, social security programs, aid for our cities, and all our other high-priority domestic needs.

At that time I said:

I believe that this Nation, this Administration, and this Congress will find the ways to provide the wherewithal to finance the limited Safeguard ABM proposal before us and to finance education, poverty, health, social security, transportation, and many, many other programs.

By the strong support the Appropriations Committee, including myself, have given to high-priority domestic programs in the Labor-HEW bill before us, I, and other members of the committee, demonstrate our determination to provide the wherewithal to move America forward on these vital programs.

ENORMOUS SCOPE OF LABOR-HEW BILL

To comprehend the enormous scope of this bill, we have only to look at some of the wide-ranging activities included under the Department of Labor, the Department of Health, Education, and Welfare, the Office of Economic Opportunity, the National Relations Board, the National Mediation Board, the Federal Mediation and Conciliation Service, the Federal Radiation Council, the National Commission on Product Safety, the President's Council on Youth Opportunity, the Corporation for Public Broadcasting, and other special institutions and related agencies.

In this bill are funds for manpower development and training activities, labor-management relations, administration of the minimum wage law, employees compensation, Bureau of Labor Statistics, Federal contract compliance and civil rights program, activities to prevent age discrimination in employment and mediation services of the Federal Government.

In this bill are funds for the essential activities of the Food and Drug Administration which are designed to protect

the American people by insuring pure food and safe drugs and medicines.

In this bill are funds for air pollution control, environmental control, and radiological health.

HEALTH ACTIVITIES

Under the Health Services and Mental Health Administration, for which funds are carried in this bill, are such activities as mental health, health services research and development, comprehensive health planning and services, chronic diseases control, regional medical programs, communicable disease prevention and control, hospital construction, and national health statistics.

This bill contains funds for the National Institutes of Health, which provide research on such vital health matters as cancer, heart, dental disease, arthritis and metabolic diseases and stroke, allergies and infectious diseases, general medical science, child health and human development, eye diseases, environmental health, and general research and services in the field of health.

This bill also contains funds to help finance the training of doctors, dentists, nurses, public health professionals, and allied health professionals.

In addition, this bill contains substantial funds for the construction of health educational, research, and medical library facilities.

EDUCATION ACTIVITIES

In the field of education, this bill finances the Federal programs for elementary and secondary education, federally impacted areas, education professions development, Teacher Corps, higher education, including program assistance and construction for community colleges, land-grant colleges, 4-year colleges, graduate schools, and technical schools.

This bill also covers substantial programs of assistance to students and to teachers, including for students educational opportunity grants, direct loans, insured loans, work-study programs, and such special programs as Talent Search and Upward Bound.

College teacher fellowships and training programs are also funded in this bill. Vocational education, which is currently undergoing modernization and upgrading, is given strong support in this bill.

Funds in this bill are carried to provide financial aid for construction of public libraries, for library services, for college library resources, for librarian training, adult basic education and educational broadcasting facilities.

Education for handicapped persons comprises various activities such as preschool and school programs, early childhood programs, special education and recruitment for teachers of the handicapped, for regional resource centers, and for research and demonstrations in the field of education for the handicapped.

This bill also provides funds for education in foreign languages and world affairs including Fulbright-Hayes training grants, funds for centers, fellowships, and research in this area, and funds for the International Education Act.

SOCIAL AND REHABILITATION SERVICES

Under the social and rehabilitation service of the Department of Health,

Education, and Welfare, for which funds are carried in this bill, there are such programs as grants to States for public assistance, including welfare, medicaid, and social services.

Also included are the work incentive programs designed to enable persons on welfare to qualify for jobs and become self-sufficient. Under this program are funds for child care, so that while parents are taking work-incentive training their children will receive supervision and care.

Important rehabilitation services are funded in this bill as well as rehabilitation facilities, so that persons who are handicapped can be trained and assisted to obtain employment.

Another very important activity covered by this bill is in the field of mental retardation where funds are provided for research, hospitalization improvement, rehabilitation projects, and community construction of facilities.

Maternal and child health services and activities are also covered by this bill, which contains more than a quarter of a billion dollars for maternity and infant care, crippled children's services and health of school and preschool children.

Child welfare services are also included under this bill.

AID FOR THE AGING

Programs for our senior citizens, under the jurisdiction of the Administration on Aging, are covered in this bill by grants to States for community planning and services, the foster-grandparents program, and research and training activities.

Still another important activity covered by this bill concerns juvenile delinquency prevention and control.

ANTIPOVERTY FUNDS

The antipoverty program is also funded in this bill. Now that legislation extending the Office of Economic Opportunity has been passed by the Senate and House of Representatives, I am hopeful this legislation will clear the conference committee and the Congress before we adjourn, so that the funds provided for OEO in this bill will be fully authorized for expenditure.

I have not included all of the activities for which we provided funds in this pending appropriations bill. But merely to list those that I have shows the enormous and widespread reach of this bill in terms of many of the basic problems and needs of the American people.

This is a bill which shows the heart and the compassion of the Congress and of the taxpayers of this Nation.

Now to be specific on some of the items which are of special note. I have received many letters from interested citizens of Hawaii, as well as from other States, on the important programs in this bill.

EDUCATION HIGHLIGHTS

For education, we on the Appropriations Committee provided a total of \$4,587,489,700. This was \$1,375,415,000 more than the House of Representatives provided and \$1,174,670,000 more than the budget request.

For elementary and secondary education, the committee added \$15 million for dropout prevention, which we on the committee consider a very serious prob-

lem, and \$15 million for bilingual education.

We also allowed \$78,740,000, as the House did, for educational equipment and minor remodeling. But we put this figure under a separate appropriation, "Instructional equipment." Although technically the Senate committee total for elementary and secondary education appears to be \$48,740,000 less than the House amount, our total is actually \$30 million more than the House, on a comparable basis.

We also urged the administration to tighten up the title I ESEA program so that educationally deprived youngsters from low-income families would receive the assistance Congress intended.

Our committee provided \$50 million, the same as in 1969, for title II ESEA school library resources and \$17,000,000 for guidance, counseling, and testing. The budget did not request funds for these two programs.

Our committee also agreed to \$1.117 billion for advance funding of title I ESEA. The House of Representatives did not provide any funds for the year ahead.

Failure of Congress to complete action on education appropriations early in the year puts a great strain on school districts throughout the country. By advance funding, these districts will be able to make better plans for the coming academic year.

For impacted areas like Hawaii, where Federal installations bring a sharp rise in school enrollments, the Senate committee provided over \$600 million. This would cover allotments to States for 100 percent of category A children of Federal parents and 90 percent of all other categories of federally counted children.

For higher education, our committee provided a total of \$1,006,874,000—nearly \$150,000,000 more than the House amount.

Compared with the House bill, this included an increase of \$82 million for construction of community colleges; \$42 million more for building 4-year colleges; and \$16 million more for Educational Opportunity Grants.

In all, our committee approved \$125 million to build 2-year colleges and \$75 million for 4-year colleges.

We were convinced these extra construction funds are needed so that colleges will be able to accommodate mushrooming enrollments.

We provided educational opportunity grants for 120,400 first-year students, whereas the House cut these grants below the budget. Only 92,200 students could get educational opportunity grants under the House bill.

We agreed with the House to provide \$229 million for direct loans to students, up \$67.1 million over the budget.

For education professions development, we added \$25 million to the House and budget figures. The increase breaks down to \$18 million for teacher training and retraining, \$6.5 million for grants to States and half a million for recruitment.

For the Teacher Corps, we granted the \$31 million budget request, \$9.4 million more than the House provided.

Vocational education received a hefty increase over the budget. Our committee recognized the need to modernize and improve vocational training to prepare

millions of young people in America to hold skilled jobs in today's labor market and to be better homemakers.

We, therefore, approved \$488,716,000 for vocational education, the same as the House and \$209.5 million over the budget.

We put stress on libraries and community services, going above the House amounts. We doubled—to \$25 million—the amount for construction of college library resources. We more than doubled the amount for library training, for a total of \$8,250,000. And we added \$1.625 million for educational broadcasting facilities.

We added \$5 million to the House amount for education for the handicapped. All of the increase is for grants to States.

HEALTH HIGHLIGHTS

In the field of health, we increased research funds of almost all the National Institutes of Health to about the 1969 level.

With heart disease the Nation's No. 1 killer—1 million fatalities a year—and cancer No. 2, we strongly endorsed intensive research by the Heart Institute and Cancer Institute so that we can reduce this terrible toll of lives and suffering.

We believe with greater effort made possible by the increased funds, we can make progress against other diseases such as stroke, spinal cord injuries, arthritis, eye diseases, allergies, and infectious diseases.

With vigorous efforts on a broad front, Americans in the future should be able to look forward to a life of better health.

Under the Health Services and Mental Health Administration, we provided extra funds to build and to staff community mental health centers, to pursue an alcoholism control program, to conduct early child care demonstrations and to train technicians and subprofessionals in the mental health field.

The committee also took steps to prevent closing out of chronic disease centers.

To alleviate the shortage of hospital rooms, we provided \$104 million above the budget for Hill-Burton hospital construction. We also added \$33.9 million to build health educational facilities and medical libraries.

With the shortage of doctors, nurses, dentists, public health workers, and other allied professionals growing more acute, we provided \$250 million for health manpower programs, nearly \$32 million more than the House and budget amounts.

In addition, where the House had cut funds for medical, dental, and nursing scholarships, transferring these to loans, we restored the money for scholarships.

Our committee heard impressive testimony that scholarship assistance is imperative in order to permit students from low- and moderate-income families to take medical, dental, nursing, and other health professions trainings.

OTHER HIGHLIGHTS

We also approved more funds for the Food and Drug Administration, including nearly \$700,000 to administer the Truth-in-Labeling Act.

We beefed up research in solid waste disposal by about \$3 million.

For programs for the aging, the committee increased by \$7 million grants to States for community planning and services.

We agreed with the President on \$15 million for juvenile delinquency prevention and control and restored the \$10 million cut by the House.

Our committee also agreed with the President on \$300,000 for consumer credit training. Dubbed Project Moneywise, this has been popular on the island of Maui in my State.

To make sure the antipoverty program continues, the committee provided funds to cover OEO requirements through April.

Our Appropriations Committee allowed a total of \$1,624,000,000 for 10 months of fiscal year 1970 and told OEO to ask for the remainder in a supplemental appropriation bill in January.

All in all, the Senate version of the Labor-HEW appropriation bill is a far-reaching measure which puts the priorities where they belong: on education, health, and economic betterment.

Before concluding my remarks, I want to pay special commendation to my two able colleagues. Senator WARREN G. MAGNUSON, chairman on the Labor-HEW Appropriations Subcommittee, and Senator NORRIS COTTON, ranking minority member, for their diligence and leadership on this very important and complex measure. We are all indebted to them for their fine work on this bill. It has been a privilege to serve with them on this subcommittee.

Mr. MAGNUSON. Mr. President, I thank the Senator very much.

Mr. COTTON. Mr. President, the chairman of the subcommittee has made a very thorough and exhaustive review of the bill. I am not going to take the time of the Senate to follow his path and reiterate what he said item by item.

I want to call the attention of the Senate to two or three things that we ought to be thinking about not only as we deliberate on the bill this year, but also as we look forward to our course in the future.

It has been my privilege ever since I have been a member of the Appropriations Committee—and that has been over the period of about a decade—to serve as a member of the subcommittee, and for all but 2 years as the ranking member.

The amount of the bill has grown and grown. And it has been justifiable. Every item in the bill is pointed to the health, the education, the enlightenment, and the opportunity of our people.

The majority of these items are earmarked and directed at the underprivileged and the disadvantaged.

I feel just as disheartened as any other Senator about the money we are pouring into all of these defense items and the money that we will apparently continue to pour into Vietnam. I cannot work up too much enthusiasm about repeated excursions to the moon when we have air pollution and water pollution here on earth and have people living in unfortunate circumstances.

I wish that the next time someone says that we are not doing anything for these people, we would remind them that the

pending bill carries almost \$21 billion, and that practically every dollar of it is pointed to relieving and preserving the health and the educational opportunity of the American people and our children, our handicapped people, the deaf, the blind, and the mentally retarded. It is a great humanitarian bill, but that does not mean it does not have fat in it, because it does.

I shall recite, in capsule form, the history of the pending bill:

The committee of the House of Representatives reported this bill to the floor of the House in the amount of \$16.5 billion. More than \$1 billion was added on the floor of the House. Then the House passed a bill which was brought up to \$17.5 billion, and it came to the Senate; and the subcommittee of which I am a member added \$3.5 billion to that.

As a matter of fact, the distinguished Secretary of Health, Education, and Welfare came before us at the beginning of these hearings and asked us to cut the billion dollars that was written into this bill, added by the House of Representatives, practically all on educational items. He said that the House had puffed it up too big.

This is like the story about the preacher, when they asked for his resignation.

He said, "Do I not argify the Scriptures?"

They said, "Yes; you argify the Scriptures."

He said, "Do I not sputify the Scriptures?"

They said, "Yes; you sputify the Scriptures. But you do not state wherein."

The Secretary came up and said, "You must not keep this billion dollars in the bill that was added on the floor of the House." But he failed to tell us just what items he approved of cutting. When we started cutting some items, we immediately got a big protest from downtown. So the subcommittee added \$3.5 billion; and, of course, as has been explained, a large portion of that are write-ins that were not considered by the House.

The big leaks in this bill, of course, come in OEO. The President of the United States said some time ago that we were not going to destroy the OEO but we were going to make it on experimental agency and turn the regular programs over to HEW and elsewhere. They have turned over the programs, but they have not shrunk OEO. We had to guess at what we had to appropriate in order to keep them going until we got the specifications and the authorization.

The same is true of title I funds under the elementary and secondary school bill, which run into a tremendous amount of money.

The same is true of medicaid. If we do not find some way to plug up the medicaid hole, which is growing bigger and bigger every year, and if we do not put it on a rational basis, we will find that next year this bill will swell, and it will swell the following year, until it chokes us to death.

That money does not go to medicare for the aged. It does not go to the handicapped children. It does not go to educate youth. It goes for medical attention for people in the prime of life. Some

of it is necessary and needed, but some of it is not justified, and it is gaining every year.

After the subcommittee had added \$3.5 billion, the full committee began to bring in items and added \$31 million more. So that the Senate bill now is almost \$21 billion.

I want to suggest, Mr. President, that we must do certain things in Congress, and if we do not, we are going to find these appropriations entirely out of control. Necessary and vital though they are, they will be entirely out of control.

I shall go through these items as quickly as possible.

No. 1, we have to take care of the problem of authorization.

The chairman of the subcommittee, the distinguished Senator from Washington (Mr. MAGNUSON)—I compliment him for all the constructive work he has done—has a plan for dealing with the problem of authorization. A colleague from my own State, a member of the Appropriations Committee of the other body, Representative WYMAN, of New Hampshire, has introduced a bill which provides that legislative committees get through their authorizations bills in the first 6 months of the year, before the 1st of July; that if they have not completed them by the 1st of July, the Appropriations Committees can go ahead and appropriate without authorization, and their appropriation will be the authorization.

We must do something to take care of the authorization problem. That is the main reason why we are here—with the Christmas bells ringing and Christmas carols being sung—dealing with a \$21 billion bill that goes to the heart of the needs of America, and we are dealing with it in a few hours, without an opportunity for the Senate to study it ahead of time.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. COTTON. I yield.

Mr. PASTORE. As a matter of fact, I had occasion to make the same admonition on a discussion of the appropriation bill for independent offices. That bill was sent to us from the House in the latter part of June. Our hearings were held on July 22. We were ready to mark up the bill on July 23. But the final authorization conference was resolved on November 4 on NASA, which made it impossible for us to mark it up until after November 4.

How can we do business that way? If a private industry were run the same way, it would go bankrupt.

Mr. COTTON. I thank the Senator. As usual, he has hit at the heart of the problem.

No. 2 is the matter of matching funds. I am certainly one of the ardent friends and supporters of the President of the United States. I have great admiration for him. I believe that he is completely sincere and that he is giving his level best to his great responsibilities. The President has been giving out some pretty high-sounding statements about his plans for tax sharing with the States. Many Members of this body have been Governors and I think they will agree

with me when I say—that the Governors' conferences, and the various tax organizations of our States have been talking about tax sharing for years now, referring to the fact that the Federal Government is drying up the tax resources and that there must be some way to send some money back to the States. I do not see any immediate prospect of sending much money back to the States, as long as our feet are stuck in the mire in Vietnam and as long as we have—and I say this in frankness and candor—a bureaucracy of such proportions. That word bureaucracy has been worn out and beaten to death. There is nothing wrong with a bureaucrat, and the sneering about bureaucrats does not do us much credit, because a bureaucrat is a man who is doing a job in Government. He believes his job is important. I would not give 10 cents for anybody downtown who did not think that his particular job was important, because he cannot be dedicated to it unless he does.

Nevertheless, it is a fact that the executive branches of Government that have grown and grown are filled with people who insist that the Federal Government must direct the spending of every cent that we send out to the States. Billions of dollars are in this bill for payment to the States in all kinds of programs. They are good programs, but most of them are being administered from Washington, and they are not being matched by anyone. When a State or a community matches even 25 percent or 30 percent of a Federal grant, Senators may be certain that there will be self-policing, and that the money is going to be spent carefully and frugally so that it accomplishes its purpose, and hits the mark.

The States eagerly grasp these funds because there is not a State, community, or city that does not have horrible problems that must be met. Every one of them reaches out eagerly to get some of this money; but they do not spend it quite as carefully as they would if they contributed something to match a percentage of it.

Mr. President, this appropriation bill is the second largest appropriation bill for fiscal year 1970. There is nothing above it except our huge defense appropriation bill. This bill used to be equal with the appropriation bill for independent offices, but it far outstrips that bill now. This is a \$21 billion bill. If Senators do not want to see it grow some more until it shocks us to death, we have to see to it that there is a partnership between the Federal Government, the States, and the local subdivisions of the Government so that there is some responsibility and control back home, back in the States, and back in the area where the money is spent.

So I have mentioned, first, the authorization problem, second, the matching of funds problem, and now I come to the problem of consolidation of programs.

I shall not be much longer because we want to get to work here. But I do wish I had time to go into a full discussion of this problem. I wish I could go into the duplication and the parallel programs that just honeycomb this vast appropriation bill.

Mr. President, at this point, in order to save the time of the Senate and so as not to inflict myself on the Senate too long, I ask unanimous consent that there be printed in the RECORD an excerpt from the committee report starting in the middle of page 3 under title "General Comments," through the sections entitled "Health Research and Manpower Programs," "Reprogramming," "Program Overlap," "OEO Delegate Agencies," and "Program Evaluation" on page 5.

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

GENERAL COMMENTS

During its review of the programs covered by the Labor-HEW Appropriation Bill, the Committee became quite disturbed over several trends in the budget. While the Committee supports the goal of holding down Federal outlays in an inflationary period, we do not believe that this should be accomplished at the expense of vital domestic programs. Cuts in education, health research, and economic opportunity programs cannot be justified by general and often superficial references to the dangers of inflation. Inflation may indeed dictate firm control of the total Federal budget, but the Committee has serious doubts about priority choices reflected in the 1970 Federal budget. In fact, the Committee holds strongly to the premise that, even in times of economic uncertainty, care must be taken to protect, or for that matter even expand, programs that represent long-term investments in the basic health and well-being of our society. This bill represents an important step in that direction.

HEALTH RESEARCH AND MANPOWER PROGRAMS

The Committee recommends that, not only should the Senate agree to the action taken by the House to protect vital education programs but that it should also take a special initiative of its own to protect the Nation's investment in health research and the production of health manpower. The returns on this investment have been substantial. It is clear that health research must be expanded if heart disease, cancer, stroke, and other killing and crippling diseases are to be conquered. Yet, not only did the Administration request a cut in health research projects but also asked that we cut research training projects. The implication of this action is unmistakable. The cutback in health research is not intended to be temporary. Lurking below the surface of the budget and the House allowance for health research training is a subtle budget policy with long-term implications for the production of future research scientists and, most important, the production of future teachers of physicians and medical technicians, the supply of which is falling further behind with every passing day. The Committee is strongly opposed to such a policy. The Committee is recommending restoration of a proper level of health research activity for 1970, and the continued expansion of health manpower programs for research, teaching and service personnel. Continued shortages within the health professions can only result in acceleration of the spiraling costs of health care and inexcusable delay in bringing to the American people possible improvements in the delivery of health care.

The Committee has heard considerable testimony on the provisional 1970 ceilings which the Budget Bureau has set for the Department of Health, Education, and Welfare. The bill recommended by the Committee would require a substantial adjustment in that ceiling. The Committee feels that the increases recommended in health and education programs are both reasonable and justified, and that they will not, when re-

lated to Congressional action on other appropriations, cause the Federal budget to exceed the government wide expenditure ceiling for 1970. The Committee expects that the Department of Health, Education, and Welfare portion of this ceiling will be adjusted so that the appropriations made in this bill can be spent in an orderly manner.

REPROGRAMMING

The Committee is aware of the complexities involved in administering budgets the size of those covered by the Labor-HEW Appropriation Bill. Inevitably, the need for a certain number of reprogrammings will arise during the course of the year. The Committee, however, expects to receive advance notice of any such reprogramming. This has been the practice for some years and should be well-known to budget administrators. Yet, the Department of Health, Education, and Welfare took steps to cut back a number of ongoing chronic disease programs and NIH research projects without providing adequate advance notice to the Committee on Appropriations. It should be perfectly clear to all agencies that cutbacks in programs as well as increases should be cleared with the Committee before final decisions are made.

It has also come to the Committee's attention that the budgets for the principal agencies covered by this bill have been realigned to give special assistance to the Model Cities designated by the Department of Housing and Urban Development. The Committee supports the Model Cities program and realizes that its success depends on the coordinated effort of all the domestically oriented agencies. However, the budget justifications and testimony at the hearings made virtually no mention of any money being spent in the Model Cities. The Committee expects this problem to be corrected before the hearings on next year's budget. There should be increased Congressional review of budget plans for Model Cities so that they are reviewed to the same extent as any other program.

PROGRAM OVERLAP

During the hearings, many instances for overlapping programs and responsibilities came to the Committee's attention. For example, both the Department of Health, Education, and Welfare and the Office of Economic Opportunity operate virtually identical neighborhood health center programs. Organizations seeking to provide health services to the poor are confronted by a maze of funding sources and confusing and overlapping application procedures. Health manpower training and mental retardation programs are scattered all over the Department of Health, Education, and Welfare. This kind of fragmentation and competition among agencies is inherently inefficient. While the program objectives are worthwhile, this method of organizing to attain them wastes public resources. The Committee expects a careful review to be made of this problem and steps taken to streamline program administration. The Committee specifically asks the Secretary of Health, Education, and Welfare to examine the following areas of activity within the Department to determine whether there may be excessive overlapping or duplication:

1. Mental Retardation.
2. Assistance to Migrant Farm Workers.
3. Family Planning.
4. Nutrition.
5. Health services for the poor.
6. Health manpower training.

Testimony before this Committee suggests that such overlapping or duplication exists in these programs.

OEO DELEGATE AGENCIES

A number of economic opportunity programs have been transferred from OEO and are now administered by other departments and agencies. In some instances, however, OEO has continued to budget for transferred

programs and then allocate funds to the other agencies. The most prominent examples of this are the Headstart and Follow Through programs now administered by the Department of Health, Education, and Welfare and a number of manpower programs administered by the Department of Labor. The Committee finds this practice of one agency budgeting for another to be quite confusing to the Congress and the public. The Committee expects this method of budgeting to be discontinued as soon as possible.

PROGRAM EVALUATION

The Secretary of Health, Education, and Welfare has indicated to the Committee a strong interest in the evaluation of major HEW programs, particularly some of the newer programs that involve large sums of Federal funds. The Committee commends the Secretary for this objective and would urge him to move as quickly as possible to initiate meaningful studies and evaluations of as many HEW programs as possible. These evaluations should stress results rather than effort and amount of money spent. There are a number of instances in which this bill contains specific resources for such program evaluations. There are a number of other areas in need of review. In the opinion of the Committee, such reviews and studies may be made within regular appropriations made for the programs themselves. Examples of such instances include education of the handicapped, education professions development, Teacher Corps, health manpower education, child welfare services, Headstart, mental retardation, and others. In all such instances, the Committee expects the Secretary to use, to the extent necessary, related program and/or salary and expense appropriations to finance meaningful reviews, studies, analyses, and evaluations that will permit both the Secretary and the Congress to determine the adequacy and effectiveness of the programs in question. Further, the Committee would expect the Secretary to make maximum use of appropriations made for research and development for this purpose. Examples of such appropriations are Education Research and Training, and Rehabilitation Research and Training. Other than funds already included in the bill, the Committee sees no need for special or separate appropriations for such purposes at this time. The Committee would expect, however, to be kept informed of the Secretary's plans for such evaluations. Wherever this involves significant shifts or earmarkings of monies, the Committee would expect to be advised in advance through established reprogramming procedures.

Mr. COTTON. Mr. President, I wish every Senator sometime during the debate—and heavens knows, it is going to be long enough—would pick up the report and read those sections. I mention that in connection with the third of my suggestions, that is, consolidating programs. I will now read from page 5, the paragraph under the headline "Program Overlap":

During the hearings, many instances for overlapping programs and responsibilities came to the committee's attention. For example, both the Department of Health, Education, and Welfare and the Office of Economic Opportunity operate virtually identical neighborhood health center programs. Organizations seeking to provide health services to the poor are confronted by a maze of funding sources and confusing and overlapping application procedures. Health, manpower training and mental retardation programs are scattered all over the Department of Health, Education, and Welfare.

Mr. President, as a matter of fact manpower training is scattered not only all over the Department of Health, Educa-

tion, and Welfare but also it spills over into Labor, Defense, Agriculture, and into many other departments. The same is true of job training and vocational training.

I asked the staff to tell me how many separate programs of vocational job training we have in the appropriation bill this year and how many departments there are. They found 19 and they are still counting. They are not all the same. Some of them are to retrain people who have been deprived of vocations, like the coal miners in West Virginia and elsewhere. Some of them are for young people, in order to get them off the streets and train them.

I shall continue to read from the report:

This kind of fragmentation and competition among agencies is inherently inefficient. While the program objectives are worthwhile, this method of organizing to attain them wastes public resources.

There is a lot of waste in this \$21 billion bill and do not think there is not.

The committee expects a careful review to be made of this problem and steps to streamline program administration.

Practically those same words have been in the report of this subcommittee every year for the past 5 years. We say what we expect to be done, and it is similar to the boy who hung up his stocking at Christmas time and found it empty in the morning.

I wish to read that sentence again:

The committee expects a careful review to be made of this problem and steps taken to streamline program administration.

Next year when they begin to hear those 400 witnesses who will flood through the subcommittee, if I am still a committee member, I have no idea that we will find that has been done.

The committee specifically asks the Secretary of Health, Education, and Welfare to examine the following areas of activity within the department to determine whether there may be excessive overlapping or duplication:

1. Mental retardation.
2. Assistance to migrant farm workers.
3. Family planning.
4. Nutrition.
5. Health services for the poor.
6. Health manpower training.

Mr. President, those are just some of the fields of overlapping. Let me repeat: First, we have to do something about the authorization problem; second, we have to do something about matching funds; third, we have to do something about consolidating programs and cutting out parallel and overlapping efforts; and fourth, we have to do something about facing up to the so-called advance funding.

As I remember we went through the same thing on foreign aid. We got it to going good and then they would come in and say that they wanted appropriations not for 1 year in advance but for 3 or even 4 years so that they could plan their programs. We began to let go of our authority.

Now in this bill, because of the problem that the schools have, because they want to be able in late winter or spring to plan their activities and equip themselves and get the personnel to do the work in edu-

cation, they want to know what they are going to get in the next school year. I do not blame them. It would be wasteful, and inefficient if they did not.

As a matter of fact, we do not have to make any radical changes to accomplish that. All we have to do is what I suggested in the No. 1 recommendation. That is to have a time limit on the legislative committees giving us their authorizations, and make them act by the end of the fiscal year or shortly thereafter. If we do that, they will know what will get put into a bill and it will save a lot of advance funding. We are tying our hands, in many instances, for fiscal 1971.

Mr. MURPHY. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. MURPHY. I wonder whether the distinguished Senator knows of the program we have in California which was funded last year and was a bipartisan program enthusiastically adopted by the Governor and also by at least one of the men who will be his opponents next year, to do exactly what the distinguished Senator from New Hampshire has been suggesting; namely, to cut out duplications and giving them permission to consolidate many programs and put them all in one unified, central place so that we can eliminate the duplication and make them much more operative and much more practical and, I am told, much less costly.

I have not had a chance to read the report on the bill because, as my colleague knows, the report has been barely printed, but I have been told that the program has been taken out of the bill. Is the Senator familiar with the program referred to?

Mr. COTTON. I am not sure that I am familiar with that program as it appears in the bill. The Senator means something similar to what is being done in the State of California?

Mr. MURPHY. Yes, that it would be a sort of pilot test case in California, and it was suggested that it be on a bipartisan basis. I brought it to the committee on our side. I had suggested this authorization. My understanding is that it was working very well and was practical, and would give such time to do what the Senator is talking about, that is, to cut out the duplications. I have been told that it has been lifted out of the bill. I will give the details to my colleague later on.

Mr. COTTON. I would appreciate that. I do not know of any appropriation that was adjusted for it.

Mr. MURPHY. It was a small appropriation last year.

Mr. COTTON. I thank the Senator from California. I shall be happy to have that information.

Now, Mr. President, in these preliminary remarks which I have tried to lay down, as has been so frequently said, I talk about the problem but I have not given any solutions.

In closing, I want to say that as far as the medical features are concerned, every dollar is justified and that every dollar we added to it is also justified.

It has been interesting to note through the years, especially during the long de-

bate we had on the tax bill recently, that the contributions given to research from individuals and foundations have in large measure dried up. Those contributions are now going into the sociological fields. That is undoubtedly good. Some of them are going into almost quasi-political fields. But the financing of heart, stroke, and cancer research, the financing and research that is being made in the area of mental diseases, the Federal Government has to carry that load with very little help from other sources. That part of the bill is absolutely justified.

I want to say frankly to my colleagues in the Senate, that I never was so frustrated in all the years I have served on the Appropriations Committee as I have been these past few weeks working on this bill. We have not had the authorization. The budget has been slow in giving us some of its recommendations. We have had an avalanche of people demanding new departments and new programs, right and left, forwards and backwards, extending into every nook, corner, and crevice of our living.

The task of determining priorities, the task of detecting duplications, has been more difficult than ever before. Although I compliment my colleagues on the subcommittee and on the committee for working long hours, speaking for myself, I am not proud of our accomplishments.

So far as I am concerned, I think that I have failed in measuring up to what we might have done. I have never seen so many difficulties and roadblocks placed in our path.

Mr. HATFIELD. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. HATFIELD. Mr. President, I wish to commend the able chairman of the Appropriations Subcommittee, Senator WARREN G. MAGNUSON, and Senator NORRIS COTTON, the ranking GOP member, and their hard working colleagues on that committee, for their herculean efforts in wrestling through this HEW appropriations bill.

I most particularly appreciate their efforts to appropriate additional money for the pressing needs of educating the young people of this country.

It is my understanding that the committee voted not only to include the almost \$1 billion which the House appropriated in July, but, in addition, raised the amount by \$250 million. We are dealing with an education bill which is nearly \$4½ billion—roughly the cost of building and maintaining four of our 15 aircraft carrier task forces, which are of doubtful value.

This is a mistaken priority of the administration when contrasted with the obvious value to the strength of the Nation by investing additional funds for an educated citizenry.

I am pleased that the committee allowed almost \$500 million for vocational education—funds which were cut back by the administration to \$279 million in their budget request.

I pointed out yesterday that the current cost over-run for the ABM system is currently \$277 million more than anticipated.

Perhaps the administration could have used this money to better effect by raising the vocational education budget request to \$500 million—more nearly in line with the authorized bill—if they were not spending so much money on nonproductive military armament.

The administration also allowed only \$5.75 million for the training of vocational teachers. This at a time when our community colleges are doubling enrollments and the new thrust is to upgrade vocational education training to meet space-age needs.

We should produce 20,000 additional vocational education teachers this year. The committee action in raising appropriations from \$95 million to \$125 million for the Education Professions Development Act will help.

I trust that the Bureau of Education Professions in the Office of Education will use the additional funding which Congress may vote to provide additional money for training of vocational education teachers.

I commend the Senators on this committee for raising the amounts to \$20 million for dropout prevention, and to \$25 million for bilingual education. My State, which is experiencing an increase in school dropouts, is especially desirous of this help. We can, as well, spend the additional funds for bilingual education. Oregon, an agricultural State, welcomes almost 30,000 migrant workers each year; the State has pioneered in education for migrant children of Mexican American parentage, but we only have half the money needed this year for this work at the State level.

I am pleased that \$125 million was allowed for college construction. Community college presidents in Oregon have been especially in need of this Federal aid, for they are being pushed by the State to expand to meet the burgeoning demand for enrollments throughout the State and have been hampered by the lack of construction money at the Federal level.

I am grateful for the additional money for student assistance. My office has received countless letters from the colleges in my State telling the unhappy story of students forced to drop out of school for lack of assistance, at the very time the Federal Government has encouraged them to seek bright, but poor, youngsters for higher education.

It is my hope that the Senate conferees can retain these amounts in conference. I just wanted to thank my colleagues from Washington and New Hampshire and the other members of the committee for their efforts and to express my gratitude and that of the young people and educators of my State for increasing appropriations for education—action which will go much further toward internal stability and strength than all the billions spent for the ABM systems or nuclear aircraft carriers.

The committee should be praised also for restoring funds to health research and training doctors and nurses.

Mr. President, I want to add my further thought that even though Senators may be expressing frustrations at this point as to what the committee would like to have accomplished and

what they think the committee has not accomplished, when history is written I am sure there will be demonstrated the great courage shown by the two Senators and their colleagues on the subcommittee, at a time when pressure for the expenditure of money in other areas of Government happens to be so great. So I am very happy with what the committee has done. We all would like to see more, but what the committee has done certainly bespeaks the dedication its members have to the cause of education in this country.

Mr. COTTON, Mr. President, I thank the Senator for his very kind words and also for the fine statement he made about at least some of the problems and priorities that we tried to deal with.

I am not ashamed of what this committee has done, because this country cannot afford to economize in educating its youth, in improving the health of its people, and in keeping the wolf from the door of the elderly, the needy and disadvantaged. That is what the bill does.

When I spoke about being frustrated and feeling a sense of guilt, it was because I had a feeling—which I am sure was shared by other members of the committee—as we sat day after day and far into the evening, that we were traveling through such a maze of needs and so many paralleling programs and so many contesting priorities, that whatever we did and however much we spent, we were leaving a job that had a lot of rough edges.

I close my remarks with the comment that we had the benefit and the cooperation of a fine and able staff. At this point I want to mention one man for the work he has done. He stood by the side of our beloved friend, Lister Hill. I refer to Mr. Downey, who has been on the staff of this subcommittee for many years. I do not want this debate to be closed without saying how much I miss working with Lister Hill, as I did through the years; and if I have come to get a little vision of what the vistas are that open up in this bill, in spite of our stumblings and gropings, it is because I had the opportunity to serve with that dedicated man.

Because I have served as ranking minority member for years on the Committee on Commerce, I have again seen the efficiency and the keenness of our chairman, the distinguished Senator from Washington, whose mind is like a steel trap, and who goes to the point every time a witness testifies.

I compliment the young man, his assistant, Mr. Dirks, who has been invaluable, as well as my own assistant on the minority side, Mr. Kennedy.

I will now subside and hope we can expeditiously deal with the amendments that will be presented.

Mr. MAGNUSON, Mr. President, I did not want the Senator from New Hampshire to subside. I was feeling better all the time he was talking.

Mr. WILLIAMS of Delaware, Mr. President, both the chairman of the subcommittee, the Senator from Washington (Mr. MAGNUSON), and the Senator from New Hampshire (Mr. COTTON) have made a rather detailed explanation of

the bill which momentarily is expected back from the printer. Once again I want to express my regret, and I am sure they share it, that the bill was not before us prior to this late hour so we could study it in more detail before we were asked to act on a \$20 billion bill. I do not question the many reasons that could be advanced for that situation, some of which were delays by the administration, some by the legislative committees in getting authorization acted upon; and perhaps equally important the Appropriations Committee itself must accept some responsibility for this undue delay.

Why we are caught in this situation is all immaterial. I still say I hope it does not happen again, because I do not believe it is good business to ask the Senate to deal with a \$20 billion measure, such as we were asked to do this morning, before the official bill was actually back from the printer. Up to this moment all that we had was the committee print.

Think of it, the Senate being asked to vote on a \$20-billion bill hours before it is even printed.

Never before have I witnessed such irresponsible action and it is all so unnecessary.

However, now that we have had a detailed explanation of the bill and in the couple of hours intervening, Senators have had a chance to examine it. I am not going to object to the procedural request that we consider the amendments en bloc. However, I would suggest that the request be made only after we have a live quorum.

I understand the bill will be back from the printer by the time the quorum call can be completed. It is now after 2 p.m. and for 3 hours the Senate has been discussing this \$20-billion bill which is just now being made available for Senators. I emphasize this point to illustrate just how irresponsible the Senate is acting here today.

I am going to suggest the absence of a quorum.

Mr. MAGNUSON, Mr. President, before the Senator does that, let me say that there was a combination of reasons why this situation developed. The bill went to the printer. I hope to get copies of the bill before us. I do not know how long it will take. The bill should be here in about an hour. I appreciate what the Senator has said.

Mr. WILLIAMS of Delaware. I repeat, it is an unfortunate situation that the Senate technically has been considering a \$20 billion bill 3 hours before it was back from the printer.

Mr. MAGNUSON. It would have been much better the other way.

Mr. WILLIAMS of Delaware. I hope in the future we can have bills lay over for a day or two so Senators will have an opportunity to study them.

Mr. MAGNUSON. I would certainly prefer that, in self-defense.

Mr. WILLIAMS of Delaware, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

	[No. 242 Leg.]	
Allott	Hansen	Montoya
Bellmon	Hart	Murphy
Brooke	Hartke	Muskie
Byrd, Va.	Hatfield	Nelson
Byrd, W. Va.	Holland	Packwood
Cook	Hruska	Pastore
Cotton	Inouye	Pearson
Dominick	Javits	Pell
Eastland	Magnuson	Prouty
Ellender	Mathias	Randolph
Fong	McCarthy	Ribicoff
Griffin	McGee	Stennis
Gurney	McIntyre	Williams, Del.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Georgia (Mr. RUSSELL), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I also announce that the Senator from Washington (Mr. JACKSON) is absent because of a death in his family.

Mr. GRIFFIN, I announce that the Senator from Kentucky (Mr. COOPER) is absent because of illness in his family.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia, Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Aiken	Goldwater	Saxbe
Allen	Goodell	Schwelker
Baker	Gore	Scott
Bayh	Gravel	Smith, Maine
Bennett	Harris	Smith, Ill.
Bible	Hollings	Sparkman
Boggs	Hughes	Spong
Burdick	Jordan, N.C.	Stevens
Cannon	Jordan, Idaho	Talmadge
Case	Long	Thurmond
Church	Mansfield	Tower
Cranston	McClellan	Tydings
Curtis	McGovern	Williams, N.J.
Dodd	Metcalf	Yarborough
Dole	Miller	Young,
Eagleton	Mondale	N. Dak.
Ervin	Moss	Young, Ohio
Fannin	Percy	
Fulbright	Proxmire	

The PRESIDING OFFICER. A quorum is present.

Mr. MAGNUSON, Mr. President, I ask unanimous consent that the committee amendments to H.R. 13111 be agreed to en bloc, that the bill as so amended be considered as original text for the purpose of further amendment, and that no points of order will be waived.

Mr. JAVITS, Reserving the right to object, Mr. President, I should like to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. We originally discussed the possibility of reserving from this unanimous consent request, sections 407, 408, and 409. My parliamentary inquiry is as follows: If the committee amendment on section 407, section 408, or section 409 is not agreed to, do we then revert to the House text as stricken out in the bill?

The PRESIDING OFFICER. If the Senate does not agree to the committee amendment to sections 407, 408, and 409, the House language would come back.

Mr. JAVITS. Then, in order to remove the House language from the bill which will be submitted to the Senate for final vote, it will be necessary to strike the House language?

The PRESIDING OFFICER. That is correct.

Mr. JAVITS. On the other hand, if the unanimous-consent request is granted, that immediately removes the House language from the bill, does it not?

The PRESIDING OFFICER. That is correct.

Mr. JAVITS. And then the motion to deal with the Senate language or not agree to it would be final?

The PRESIDING OFFICER. I am advised that if the Senate language is put in on this basis, then a motion to strike it out would be in order.

Mr. JAVITS. Or a motion to amend or modify.

The PRESIDING OFFICER. That is correct.

Mr. JAVITS. On that basis, Mr. President, and for the information of the Senate, because I regard the House language, from the point of view of the opponents of the Senate amendments, worse than the Senate amendments, I shall not object.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Reserving the right to object, Mr. President, I wish the Chair would state the ruling again.

We have before us now a bill with a Senate amendment. The question was, if there was a motion to strike the Senate amendment—was that the question?

Mr. MAGNUSON. Yes.

Mr. STENNIS. And if that should prevail, what would become of the House language?

The PRESIDING OFFICER. If the request of the Senator from Washington is agreed to, the House language goes out and the Senate proposed amendment goes into the bill as original text for the purpose of further amendment.

Mr. MAGNUSON. If the request is agreed to, the Senate language will be before the Senate and a motion to strike will be in order. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. STENNIS. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

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

Mr. MAGNUSON. I yield.

Mr. PASTORE. Why does not the Senator amend his unanimous-consent request to take into account all amendments but sections 407, 408, and 409?

Mr. MAGNUSON. For the simple reason that I am trying to accommodate too many people. I had that in my request at the request of the Senator from New York, and he now says he would rather make the request to cover the bill, so we would have a simple vote up or down.

Mr. PASTORE. That is right. But in view of this new development, I think the Senator from New York will even revise that.

Mr. JAVITS. I cannot revise my thinking. It is a matter of practicality. That is the only consent we could get.

Mr. MAGNUSON. If I exempt sections 407, 408, and 409, the Senator will object.

Mr. JAVITS. No, I will not.

Mr. PASTORE. No, he will not. Try it.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MAGNUSON. Mr. President, I will state it again, so we can get the bill going and get to the money items. Twenty-five thousand school districts in this country want to know about this bill.

I ask unanimous consent that the committee amendments to H.R. 13111 be considered en bloc; that the bill as so amended be considered as original text for the purpose of further amendment; that no points of order will be waived; and that sections 407, 408, and 409 be exempt from this unanimous-consent request.

Mr. JAVITS. Reserving the right to object, Mr. President—and I will not object—I have no desire to impede the Senate. I wish to facilitate, not to delay, this procedure. I thought the other was better. It was generic and would cover everything. But if there are Members who feel strongly about it, the Senate can work its will adequately.

Mr. MAGNUSON. I appreciate that. I want to get to all these money items. Some of them are critically important. Some people have strong feelings about them.

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

Mr. MAGNUSON. I yield.

Mr. STENNIS. Mr. President, the Senator from Washington is handling the bill, and he knows of the special interest in those sections, two of them.

Mr. MAGNUSON. Three of them.

Mr. STENNIS. The two in which I am interested.

I think it is better that we have time for a little conference with the Parliamentarian before the unanimous-consent request is put.

Mr. MAGNUSON. I have put the unanimous-consent request.

Mr. ALLEN. Is the Senator from Washington including sections 407, 408, and 409?

Mr. MAGNUSON. I exempt sections 407, 408, and 409.

Mr. ALLEN. I object to that. If all the House amendments are not going to be accepted, and we work from the committee amendments as a basis for further amendments, then I will object. I see no reason for excepting sections 407, 408, and 409.

Mr. MAGNUSON. I kept them in, but then the Senator from Mississippi objected.

Mr. ALLEN. The request of the Senator from New York was that the sections be kept out of the unanimous-consent request.

Mr. MAGNUSON. That is correct. And

then the Senator from Mississippi objected.

Mr. ALLOTT. That is the same request I made this morning.

Mr. ALLEN. Why not take the committee amendments en bloc, and work from the committee amendments as a basis for further amendments?

Mr. MAGNUSON. That is what I would like to do.

Mr. ALLEN. That is what I would agree to.

Mr. MAGNUSON. The Senator from Mississippi objected to that.

Mr. ALLEN. He has never objected to that. He objected to the request of the Senator from New York.

Mr. PASTORE. Mr. President, I think we ought to start all over again.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to withdraw my unanimous-consent request, and I am going to put this question.

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

Mr. MAGNUSON. This is the way we generally do this: I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of further amendment, and that no points of order be waived. The effect of that would be to put the amendments before the Senate, and a motion to strike would be in order. That is all there is to it.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. No objection, Mr. President.

Mr. ALLEN. We are not excepting sections 407, 408, and 409?

Mr. MAGNUSON. That is correct. I did not do that in the first place, and they objected. Earlier, the Senator from New York objected unless I put them in.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 9, after "1971", insert a colon and "Provided, That the amounts appropriated herein for title II, parts A and B of said Act which are available for expenses of programs authorized under the provisions of subsections 123(a)(5) or (8) of the Economic Opportunity Act of 1964, as amended, shall not be subject to the apportionment of benefits provisions of section 301 of such Act."

On page 2, line 23, strike out "\$35,325,000" and insert "\$36,907,000 to remain available until June 30, 1971".

On page 3, line 11, after the word "by", strike out "title XV of the Social Security Act, as amended," and insert "title 5, chapter 85 of the United States Code."

On page 3, line 20, after the word "by", strike out "title XV of the Social Security Act, as amended," and insert "title 5, chapter 85 of the United States Code."

On page 5, line 15, after the word "title", strike out "XV of the Social Security Act, as amended (68 Stat. 1130)" and insert "5, chapter 85 of the United States Code"; in line 16, after the amendment just above stated, strike out "\$630,772,000" and insert "\$657,700,000"; and, in line 19, after the word "which", strike out "\$12,000,000" and insert "\$15,000,000".

On page 7, line 12, strike out "\$9,585,000" and insert "\$10,426,000".

On page 7, line 20, strike out "\$12,050,000" and insert "\$12,300,000".

On page 9, line 19, after the word "shall", strike out "be" and insert "remain available until December 31, 1975."

On page 12, line 13, strike out "\$72,007,000" and insert "\$72,698,000".

On page 12, line 20, after "\$93,800,000", insert a comma and "of which \$21,900,000 shall remain available until expended to carry out section 104 of the Clean Air Act".

On page 13, after line 9, insert:

"BUILDINGS AND FACILITIES

"Such unexpended balances (including balances obligated but not disbursed) as the Secretary of Health, Education, and Welfare may determine to be available as of June 30, 1969, in the appropriation for "Buildings and facilities, Public Health Service", for Consumer Protection and Environmental Health Service activities, shall be transferred to an account under this head. There shall be merged with such account the unexpended balance (including any balance obligated but not disbursed) as of June 30, 1969, in the appropriation for "Food and Drug Administration, buildings and facilities."

On page 14, line 7, after "1966", strike out "(Public Law 89-973)" and insert "(Public Law 89-793)"; in line 12, after "1942", strike out "\$360,302,000" and insert "\$385,000,000"; and, in the same line, after the word "which", strike out "\$42,500,000" and insert "\$52,200,000".

On page 15, line 14, after the word "Act", strike out "\$207,143,000" and insert "\$214,033,000".

On page 15, line 25, after the word "Act", strike out "\$76,000,000" and insert "\$100,000,000"; on page 16, line 1, after the word "which", strike out "\$50,000,000" and insert "\$73,500,000"; and, in line 3, after "IX", insert "and \$24,771,000 shall be for development, assistance, and chronic disease control activities".

On page 17, after line 10, insert:

"DISTRICT OF COLUMBIA MEDICAL FACILITIES

"For grants of \$3,500,000 and loans of \$6,500,000 for nonprofit private facilities pursuant to the District of Columbia Medical Facilities Construction Act of 1968 (Public Law 90-457) to remain available until expended".

On page 18, after line 19, insert:

"BUILDINGS AND FACILITIES

"Such unexpended balances (including balances obligated but not disbursed) as the Secretary of Health, Education, and Welfare may determine to be available as of June 30, 1969, in the appropriation for "Buildings and facilities, Public Health Service", for Health Services and Mental Health Administration activities, shall be transferred to an account under this head. There shall be merged with such account the unexpended balance (including any balance obligated but not disbursed) as of June 30, 1969, in the appropriation for "Saint Elizabeths Hospital, buildings and facilities."

On page 19, line 21, after the word "Act", strike out "\$180,725,000" and insert "\$200,000,000".

On page 19, line 25, strike out "\$160,513,000" and insert "\$182,000,000".

On page 20, line 3, after the word "Act", strike out "\$29,892,000" and insert "\$32,000,000".

On page 20, line 9, after the word "diseases", strike out "\$137,668,000" and insert "\$155,000,000".

On page 20, line 15, after the word "stroke", strike out "\$101,256,000" and insert "\$112,700,000".

On page 20, line 20, after the word "diseases", strike out "\$102,389,000" and insert "\$105,000,000".

On page 21, line 5, after the word "anes-

thesiologists", strike out "\$154,288,000" and insert "\$175,000,000".

On page 21, line 11, strike out "\$73,098,000" and insert "\$78,000,000".

On page 21, line 15, after the word "disorders", strike out "\$23,685,000" and insert "\$25,000,000".

On page 22, line 3, after the word "research", strike out "\$73,658,000" and insert "\$79,658,000".

On page 22, line 18, after the word "Act", strike out "\$218,021,000" and insert "\$250,000,000".

On page 23, line 15, after the word "Act", strike out "\$10,722,000" and insert "\$11,887,000".

On page 23, line 21, after the word "facilities", strike out "\$126,100,000" and insert "\$160,000,000".

On page 24, line 12, after the word "provided", strike out "\$1,000,000" and insert "\$1,900,000"; and, in line 13, after the word "expended", insert a colon and "Provided, That such unexpended balances (including balances obligated but not disbursed) as the Secretary of Health, Education, and Welfare may determine to be available as of June 30, 1969, in the appropriation for "Buildings and facilities, Public Health Service" for National Institutes of Health activities, shall be merged with this appropriation."

On page 26, line 22, after the word "of", strike out "\$60,700,000" and insert "\$65,700,000".

On page 27, line 6, after the word "and", where it appears the first time, strike out "titles III-A and" and insert "title"; at the beginning of line 8, strike out "\$364,616,000" and insert "\$315,876,000"; in line 12, after "1965", strike out "\$78,740,000" shall be for equipment and minor remodeling and state administrative services under title III-A of said Act of 1958;"; in line 18, after "1965", strike out "\$5,000,000" and insert "\$20,000,000"; and, in line 22, after the word "and", strike out "\$10,000,000" and insert "\$25,000,000".

On page 28, line 6, after the word "grants.", insert "For grants under title I-A of the Elementary and Secondary Education Act of 1965, \$1,117,580,000 for the fiscal year 1971: Provided, That these funds shall not be available until enactment into law of authorizing legislation."

On page 28, after line 10, strike out:

"For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$600,167,000, of which \$585,000,000 shall be for the maintenance and operation of schools as authorized by sections 3, 6, and 7 of said title I of the Act of September 30, 1950, as amended, and \$15,167,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950. For carrying out titles III and IV (except parts D and F), part E of title V, and section 1207 of the Higher Education Act of 1965, as amended, titles I and III of the Higher Education Facilities Act of 1963, as amended, titles II and IV of the National Defense Education Act of 1958, as amended (20 U.S.C. 421-429), and section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), \$859,633,000, of which \$159,600,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965 and shall remain available through June 30, 1971, \$63,900,000 to remain available until expended shall be for loan insurance programs under part B of title IV of that Act, including not to exceed \$1,500,000 for computer services in connection with the insured loan program, \$154,000,000 shall be for grants for college work study programs under part C of title IV of that Act (of which amounts reallocated shall remain available through June 30, 1971), including one per centum of such amount to be available, without regard to the provisions in section

442 of that Act, for cooperative education programs that alternate periods of full-time academic study with periods of full-time public or private employment, \$43,000,000 shall be for grants for construction of public community colleges and technical institutes and \$33,000,000 shall be for grants for construction of other academic facilities under title I of the Higher Education Facilities Act of 1963 which amounts shall remain available through June 30, 1971, \$11,750,000, to remain available until expended, shall be for annual interest grants under section 306 of that Act, \$222,100,000 shall be for Federal capital contributions to student".

On page 30, after line 23, insert:

"INSTRUCTIONAL EQUIPMENT

"For carrying out title III-A of the National Defense Education Act of 1958, as amended, and title VI of the Higher Education Act of 1965, as amended, \$93,240,000, of which \$78,740,000 shall be for equipment and minor remodeling and State administrative services under title III-A of said National Defense Education Act; \$13,000,000 shall be for equipment and minor remodeling under section 601(b) of said Higher Education Act, and \$1,500,000 shall be for the acquisition of television equipment and for minor remodeling under section 601(c) of said Higher Education Act: Provided, That allotments under sections 302(a) and 305 of the National Defense Education Act, for equipment and minor remodeling shall be made on the basis of \$75,740,000 for grants to States and on the basis of \$1,000,000 for loans to nonprofit private schools, and allotments under section 302(b) of said Act for administrative services shall be made on the basis of \$2,000,000.

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$600,167,000, of which \$585,000,000 shall be for payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and \$15,167,000 which shall remain available until expended, shall be for providing school facilities and for grants to local educational agencies in federally affected areas as authorized by said Act of September 23, 1950: Provided, That this appropriation shall also be available for carrying out the provisions of section 6 of the Act of September 30, 1950."

On page 32, line 5, after the word "out", insert "section 504."; at the beginning of line 8, strike out "\$95,000,000" and insert "\$120,000,000"; and, in the same line, after the word "which", strike out "\$15,000,000" and insert "\$21,500,000".

On page 32, line 12, after the word "amended", strike out "\$21,737,000" and insert "\$31,100,000".

On page 32, after line 20, insert:

"For carrying out titles III and IV (except parts D and F), part E of title V, and section 1207 of the Higher Education Act of 1965, as amended, titles I and III of the Higher Education Facilities Act of 1963, as amended, titles II and IV of the National Defense Education Act of 1958, as amended (20 U.S.C. 421-429), and section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), \$1,006,874,000, of which \$175,600,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965 and shall remain available through June 30, 1971, \$63,900,000 to remain available until expended shall be for loan insurance programs under part B of title IV of that Act, including not to exceed \$1,500,000 for computer services in connection with the insured loan program, \$154,000,000 shall be for grants for college

work-study programs under part C of title IV of that Act (of which amounts reallocated shall remain available through June 30, 1971), including one per centum of such amount to be available, without regard to the provisions in section 442 of that Act, for cooperative education programs that alternate periods of full-time academic study with periods of full-time public or private employment, \$125,000,000 shall be for grants for construction of public community colleges and technical institutes and \$75,000,000 shall be for grants for construction of other academic facilities under title I of the Higher Education Facilities Act of 1963 which amounts shall remain available through June 30, 1971, \$11,750,000, to remain available until expended, shall be for annual interest grants under section 306 of that Act, \$222,100,000 shall be for Federal capital contributions to student loan funds established in accordance with agreements pursuant to section 204 of the National Defense Education Act of 1958, and \$12,120,000 shall be for the purposes of section 22 of the Act of June 29, 1935: *Provided*, That \$7,241,000 shall be for payments authorized by section 108(b) of the District of Columbia Public Education Act, as amended (D.C. Code, sec. 31-1608)."

On page 34, after line 7, insert:

"VOCATIONAL EDUCATION

"For carrying out the Vocational Education Act of 1963, as amended (20 U.S.C. 1241-1391) (except part E of title I), and section 402 of the Elementary and Secondary Education Amendments of 1967, \$488,716,000, of which not to exceed \$352,836,000 shall be for State vocational education programs under part B and \$40,000,000 shall be for programs under section 102(b) of said Vocational Education Act of 1963, including development and administration of State plans and evaluation and dissemination activities authorized under section 102(c) of said Act, and \$10,000,000 for work-study programs under part H of said Act, not to exceed \$2,800,000 for State advisory councils established pursuant to section 104(b) of said Act, \$13,000,000 for exemplary programs under part D of said Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1971, \$20,000,000 for consumer and homemaking education programs under part F of said Act, and \$14,000,000 shall be for cooperative vocational programs under part G of said Act."

On page 35, line 11, after "(40 U.S.C. 390-395, 397-399)", strike out "\$135,391,000" and insert "\$155,625,000"; in line 23, after the word "Act", strike out "\$5,500,000" and insert "\$7,356,000"; and, on page 36, line 2, after the word "and", strike out "\$4,000,000" and insert "\$5,625,000".

On page 36, line 16, after "(20 U.S.C. 621-624)", strike out "\$100,000,000, of which \$29,190,000" and insert "\$105,000,000, of which \$34,250,000".

On page 37, line 2, after "1968", strike out "\$85,750,000" and insert "\$98,250,000"; and, in line 12, after the word "programs", insert a comma and "and \$9,500,000 shall remain available under said Cooperative Research Act through June 30, 1971, for experimental schools".

On page 37, line 19, after "1961", strike out "\$18,000,000" and insert "\$12,000,000".

On page 39, line 1, after the word "That", strike out "no loans shall be made from this fund in the current fiscal year" and insert "loans may be made during the current fiscal year from the Fund to the extent that amounts are available from commitments withdrawn prior to July 1, 1970, by the Commissioner of Education".

On page 40, line 6, after the word "Act", strike out "\$129,640,000" and insert "\$100,000,000".

On page 40, line 21, after "12", strike out "and 13" and insert "13, and 17"; in line 22,

after the word "amended", strike out "\$499,783,000 of which \$471,000,000" and insert "\$464,783,000; of which \$436,000,000"; and, on page 41, line 9, after "\$25,000", insert a colon and "*Provided further*, That such grants to any State shall not be less than made to the State under section 2 for the fiscal year 1969."

On page 42, line 4, after the word "amended", strike out "\$37,000,000, of which" and insert "\$39,000,000, of which \$2,000,000 shall remain available until expended for grants for facilities pursuant to part B of the Mental Retardation Facilities Construction Act, and".

On page 43, after line 3, insert:

"DEVELOPMENT OF PROGRAMS FOR THE AGING

"To carry out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and for initial expenses of a White House Conference on Aging, \$35,650,000 including not to exceed \$4,000,000 for State planning and other activities to remain available until June 30, 1972, in accordance with the provisions of section 304 of the Act of 1965, as amended."

On page 43, line 14, after "1968", strike out "\$5,000,000: *Provided*, That none of the funds contained herein shall be used to make grants, under Title I of said Act, in excess of the following: (1) \$12,500 each to the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, (2) \$50,000 to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico" and insert "\$15,000,000".

On page 45, line 2, after the word "distribution", strike out "\$28,780,000" and insert "\$31,673,000".

At the top of page 47, insert:

"CONSUMER CREDIT TRAINING

"For necessary expenses of the Bureau of Federal Credit Unions, with respect to consumer credit training, as authorized by section 21(f)(2) of the Federal Credit Union Act, as amended (12 U.S.C. 1766), \$300,000."

On page 47, line 7, after the word "than", strike out "\$901,500,000" and insert "\$921,200,000".

On page 48, line 25, after "(68 Stat. 265)", strike out "\$4,257,000" and insert "\$4,332,000".

On page 49, line 11, after the word "Administration", strike out "\$867,000" and insert "\$1,106,000".

On page 51, line 12, after the word "exceed", strike out "\$1,808,000" and insert "\$2,060,000".

On page 58, line 12, strike out "\$8,240,000" and insert "\$8,412,000".

On page 59, after line 2, insert:

"ECONOMIC OPPORTUNITY PROGRAM

"For expenses necessary to carry out the provisions of the Economic Opportunity Act of 1964 (Public Law 88-452, approved August 20, 1964), as amended, \$1,624,000,000, plus reimbursements: *Provided*, That this appropriation shall be available for transfers to the economic opportunity loan fund for loans under title III, and amounts so transferred shall remain available until expended: *Provided further*, That this appropriation shall be available for the purchase and hire of passenger motor vehicles, and for construction, alteration, and repair of buildings and other facilities, as authorized by section 602 of the Economic Opportunity Act of 1964, and for purchase of real property for training centers: *Provided further*, That this appropriation shall not be available for contracts under titles I, II, V, VI, and VII extending for more than twenty-four months: *Provided further*, That no part of the funds appropriated in this paragraph shall be available for any grant until the Director has determined that the grantee is qualified to administer the funds and programs involved in the proposed grant: *Provided further*, That all grant agreements shall provide that

the General Accounting Office shall have access to the records of the grantee which bear exclusively upon the Federal grant: *Provided further*, That these funds shall not be available until enactment into law of authorizing legislation."

On page 60, after line 18, insert:

PRESIDENTIAL COUNCIL ON YOUTH OPPORTUNITY

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of Executive Order 11330, dated March 5, 1967, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, \$300,000.

On page 61, after line 5, insert:

"PAYMENT TO THE CORPORATION FOR PUBLIC BROADCASTING

"To enable the Department of Health, Education, and Welfare to make payment to the Corporation for Public Broadcasting, authorized to be established by section 396 of the Communications Act of 1934, as amended, for expenses of the Corporation, \$15,000,000, to remain available until expended."

On page 62, after line 16, strike out:

"SEC. 407. None of the funds appropriated by this Act shall be used to formulate or carry out any grant to any institution of higher education that is not in full compliance with section 504 of the Higher Education Amendments of 1968 (Public Law 90-575). No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who had engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

And, in lieu thereof, insert:

"SEC. 407. The Congress recommends the following limitation:

"That in any case where the Secretary of Health, Education, and Welfare determines that—

"(a) on more than two separate occasions—

"(1) disorderly conduct or persons on the property of an institution of higher education has interfered in any way with the right of students at such institution to carry out their regular educational activities; or

"(2) persons have taken unauthorized possession of any building, or part thereof, of such institution;

"(b) such institution has not punished any such persons who are students, has not prosecuted or tried to prosecute any of such persons who are not students, and did not request assistance from any State or local government law enforcement officials in terminating such disorderly conduct or unauthorized possession;

"That before grants, contracts, or renewal thereof with such institutions shall be entered into, the Secretary is authorized to require such institutions to submit a plan or program which, in the judgment of the Secretary, provides reasonable assurance that any disorderly conduct or unauthorized possession above described will not recur, or if recurring, will be dealt with effectively.

"This provision shall not include fellowships, scholarships, loans, or any other form of aid to the individual student."

On page 64, after line 12, strike out:

"SEC. 408. No part of the funds contained in this Act may be used to force busing of stu-

dents, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent."

And, in lieu thereof, insert:

"Sec. 408. No part of the funds contained in this Act may be used to force any school district to take any actions involving the busing of students, the abolishment of any school or the assignment of any student attending any elementary or secondary school to a particular school against the choice of his or her parents or parent."

On page 65, after line 2, strike out:

"Sec. 409. No part of the funds contained in this Act shall be used to force any school district to take any actions involving the busing of students, the abolishment of any school or the attendance of students at a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school."

And, in lieu thereof, insert:

"Sec. 409. No part of the funds contained in this Act shall be used to force any school district to take any actions involving the busing of students, the abolishment of any school or the assignment of students to a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school."

Mr. MAGNUSON. Mr. President, as I understand it, the bill is open for amendment.

The PRESIDING OFFICER. The bill as reported by the committee is open to amendment.

Mr. BYRD of West Virginia. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. BYRD of West Virginia. Mr. President, I call up an amendment at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The assistant legislative clerk read the amendment, as follows:

On page 12, line 20, strike out "\$93,800,000" and "\$21,900,000" and insert in lieu thereof "\$116,900,000" and "\$45,000,000" respectively.

Mr. BYRD of West Virginia. Mr. President, I offer this amendment on behalf of myself, the majority leader (Mr. MANSFIELD), the chairman of the subcommittee (Mr. MAGNUSON), the Senator from New Mexico (Mr. MONTOYA), the Senator from Delaware (Mr. BOGGS), all of whom are members of the Committee on Appropriations, together with my colleague from West Virginia (Mr. RANDOLPH), the Senator from Maine (Mr. MUSKIE), and the Senator from Indiana (Mr. HARTKE).

Mr. President, this amendment was offered yesterday in the Committee on Appropriations by the distinguished Junior Senator from Delaware (Mr. BOGGS). It was defeated on a tie vote. This morning I sought to resurrect the amendment. The sentiment of the committee appeared to be favorable and the committee was inclined to adopt the amendment, but for the fact that the committee report had been printed, and the committee bill had been printed, and if an amendment to a committee provision had been accepted at that point it would have necessitated changes in the committee report and the committee

bill. Everyone knows the rigid timetable under which we are working. Therefore, in the interest of expediting the matter it was agreed that I would attempt to write the amendment in on the floor rather than in the committee.

Mr. President, the bill before us recommends an appropriation of \$93.8 million, the same as the House allowance for air pollution control, a decrease of \$2 million from the budget estimate and \$5.067 million more than the funds available in 1969.

Within the total available for air pollution control activities approved by the House and recommended by the committee, it is directed that \$21,900,000, \$2,000,000 more than the House allowance, be devoted to research and development into new and improved methods for preventing and controlling air pollution resulting from fuel combustion. During 1970, the committee wants to assure that such research and development will include work on sulfur oxide emissions, including desulfurization of coal. Since House passage of the appropriation bill, the Congress has extended section 104 of the Air Quality Act for 1 year, through June 30, 1970. As originally requested in the President's Budget, the committee has restored a specific reference to section 104 in the appropriation language. Adequate funding of this provision is essential to progress toward the control of sulfur oxide emissions from stationary sources and motor vehicle pollution control.

I would like to make two references to the House committee report on the subject. The House argued that the air pollution control program was receiving too much emphasis in the budget and the House cut it back from \$95.8 million to \$93.8 million. The report stated:

It also appeared to the committee that the emphasis given this appropriation was out of balance with that given to other important programs of the department.

With reference to solid waste, the report stated:

It would be desirable if some funds could be programmed from other activities to increase the funds available for solid waste program. It appears that the budget did not give support to this program in proportion to its importance.

Since that report was written, this bill has been increased from \$16.5 billion overall, as proposed by the administration, to somewhere over \$21 billion, or an increase of circa 30 percent. About the only two major programs left behind, that have not been increased substantially, have been the programs to which I call attention.

I am proposing, therefore, with the assistance of those who are coauthoring the amendment with me, to bring these programs into line with the remainder of the budget; that is, that the program for air pollution control be increased to \$116.9 million—an increase of \$23.1 million. It should be understood that this money would be assigned to section 104 operations—Air Quality Act of 1967—which covers research in the burning of fossil fuel in vehicles.

Authorities in the field attribute about 90 percent of our air pollution problem

to the burning of fossil fuel, with automobiles alone accounting for 60 percent of the nuisance. I believe that this section constitutes the best possible attack on air pollution and should be effectively funded.

The \$23.1 million proposed by the amendment would provide the \$45 million authorized under section 194; it would provide a total of \$116.9 million for the overall air pollution control program—still only two-thirds of its authorized \$179.3 million.

It is further proposed that \$2 million be added to direct operations of the Bureau of Solid Waste Management, under the heading, "Environmental control." This would provide an amount of \$16,872,000 for the Bureau, compared to its authorized \$20 million. It would increase the appropriation for environmental control to \$57,208,000.

This \$2 million is urgently needed by the Bureau if it is to cope effectively with trash and garbage problems. It would be utilized in underwriting research by private industry into methods of disposing of or recycling waste. These contracts were funded, up until last year, at the rate of about \$1.5 million a year. The level having dropped off to \$1 million currently, the Bureau has no funds available to initiate new contracts. Two million dollars worth of worthy application which cannot be approved are in the Bureau's files. This amendment would permit continued research at a reasonable level.

The amendment proposed today—\$23.1 million to provide full authorization of \$45 million for section 104 operations—would accelerate the development of new and improved methods for preventing and controlling air pollution from fuels combustion. Special emphasis would be placed on the following areas:

First, construction of a prototype coal deep-cleaning—removal of sulfur pyrite—plant within a shorter time period;

Second, research and demonstration on the development of new, economical techniques for removing sulfur from coal; and

Third, development of unconventional power systems—for example, a family-size car. At the August 1969, meeting of the Environmental Quality Council the President requested acceleration of efforts to develop unconventionally powered vehicles which could be procured by Federal agencies and others to assist in the development of an economically viable market for such vehicles. Full authorization of section 104 would expedite this effort in fiscal 1970.

Mr. President, the amendment is offered for the consideration of the committee. I hope the chairman of the committee and the ranking minority member will be disposed to accept it. Before asking their reaction, I would like to yield to the Senator from Maine (Mr. MUSKIE) and the Senator from West Virginia (Mr. RANDOLPH), both of whom are very knowledgeable in this area and have rendered valuable service in this field.

I yield first to the Senator from West Virginia, my senior colleague.

Mr. RANDOLPH. Mr. President, the Senator from West Virginia (Mr. BYRD)

has in essence, but very clearly, stated valid reasons for the amendment presented by him, with the cooperation and cosponsorship of other members of the Committee on Appropriations and the Committee on Public Works, and additional colleagues who are interested in this needed effort.

I think it is important to recall that in 1967 the Senate unanimously passed the Air Quality Act initiating a new and systematic approach to this Nation's efforts to control and abate air pollution.

Substantial progress has been made toward the establishment of regional air quality standards for particulate matter and sulfur oxides. Fifty-seven of the Nation's largest metropolitan areas, affecting 97 million citizens or 70 percent of our urban population, will have initiated standard setting procedures by the summer of 1970.

But standards are not enough, implementation is required, and implementation requires adequate control technology. With sulfur oxide levels in the atmosphere increasing by 5 percent per year, a crisis is imminent; a crisis where air pollution episodes may become daily occurrences.

All of the projections for the energy needs of the United States in the next two to three decades, and all the projections for automobile production in the near future indicate that the quality of air of the urban centers of the United States will continue to be degraded unless these critical problems of eliminating the pollutants from the combustion of fossil fuels and from automobile emissions are solved. There is no higher priority for research and development in the field of air pollution abatement than this challenge. It is my hope that the executive branch will assume greater initiative in this area.

On November 25, the Senate approved the conference report on S. 2276 and authorized \$45 million for research on controlling air pollution from fuels combustion and automobile emissions. This amount falls far short of the action needs for research funds in this field. For example, the National Air Pollution Control Administration estimates that it will require \$8 million to develop and demonstrate the wet limestone process for controlling sulfur oxides through fiscal year 1974. And this is only one of the many processes awaiting development.

The Stanford Research Institute conducted an in-depth study of the research and development needs to perfect control technology for sulfur dioxides. In its report, which was conducted under contract for the National Air Pollution Control Administration, the Institute recommended a systematic 5-year research and development program for sulfur oxides control which would cost approximately \$250 million with a recommended expenditure for fiscal year 1970 of \$56 million. The projected goal for fiscal year 1969 was \$41 million, of which only \$12.8 million was appropriated and obligated for this area, leaving the recommended program \$28 million behind at the beginning of fiscal 1970.

This recommended level for the devel-

opment of sulfur oxide control technology was validated by another study, conducted by the National Academy of Sciences. In its unpublished report to the President's Office of Science and Technology, the eminent panel of scientists recommended also a 5-year program for 1969 to 1974, with an average annual level of expenditures of \$50 million.

Sulfur oxides are but one of the pollutants generated by fuels combustion, and for this one area of inquiry we should be spending in the neighborhood of \$50 million a year, while the administration has requested for section 104 of the Air Quality Act only \$21.9 million for fiscal year 1970.

This section 104, which was the result of an amendment I offered in the Public Works Committee to the Air Quality Act of 1967—I have discussed this amendment and its purpose with my colleague Mr. BYRD. It provides for the Federal research and development effort in fuels combustion and automobile emission and this is the main thrust—it is not just a timid approach that we have made. I stress that which has been said, but I repeat, that the automobile contributes 60 percent of all air pollution and as high as 85 percent in our urban areas, producing 90 million tons annually of pollutant materials, with industry producing 30 million tons a year, powerplants 15 million tons, space heating facilities 8 million tons, and waste incinerators 3 million tons. To develop the technology to control and eliminate this mounting volume of pollution we must have a much more vigorous Federal effort in research and development. Therefore, I support the amendment of my diligent colleague from West Virginia (Mr. BYRD), which I cosponsor, to increase the appropriations for section 104 from \$21.9 million to the \$45 million authorized by enactment of S. 2276 earlier this year. This action by the Senate this afternoon would be a significant step in the direction of meeting a national commitment to improve the quality of our environment.

Mr. BYRD of West Virginia. I thank my able senior colleague from West Virginia for his contribution.

Mr. MUSKIE. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I am happy to yield to the distinguished Senator from Maine (Mr. MUSKIE).

Mr. President, I ask for order in the Senate and ask that staff members be told to take their seats or leave the Chamber.

The PRESIDING OFFICER. The Senate will be in order and all staff members will take their seats.

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to enforce this order during the remainder of the afternoon.

The PRESIDING OFFICER. The Chair instructs the Sergeant at Arms to carry out this order.

The Senator from Maine may proceed.

Mr. MUSKIE. Mr. President, I am privileged to cosponsor this amendment and would like to emphasize its long-range impact in the field of pollution control.

The Air Quality Act of 1967 dealt with the creation of air quality control regions, establishing air quality criteria, and developing air quality standards. These have to do with the mechanics of finally enforcing pollution control and achieving effective pollution control. In the long term, their effectiveness depends upon greatly expanded research.

In the amendment sponsored by the distinguished chairman of the Public Works Committee, Senator RANDOLPH, we undertook to set the research goals which have since been endorsed by the National Air Quality Control Administration. In its publication this year called "The Cost of Clean Air," that agency, in its first report to the Secretary of Health, Education, and Welfare, estimated a 5-year plan for expenditures on research ought to amount to \$255 million.

Mr. President, in the Air Quality Act of 1967, we undertook to establish such goals for research. We have had disappointing results since that time.

For example, in 1968, following enactment of the Air Quality Act of 1967, authorization was for \$35 million. Under section 104, the budget request was \$16 million.

Mr. President, in 1969 the authorization reached the level of \$90 million. The budget request was for \$31.3 million. The appropriation was for \$18.7 million. The 1970 authorization was cut back from the level of \$90 million to \$45 million. The appropriations have not kept pace with the authorizations, and so the budget request this year, as mentioned by the Senator from West Virginia, is \$21.9 million, instead of approaching the \$90 million level we had envisioned.

This has produced the following record in the two critical areas of pollution control; namely, sulfur oxides control and motor vehicle emissions.

With respect to the sulfur oxides, the expenditure for control research started at \$9.3 million in 1968 and has reached a level of \$13.3 million in the present budget request.

In the case of motor vehicle emissions, \$1.9 million in 1968 to the level of \$3.4 million in this year's budget request.

Obviously, we have not been successful in stimulating the kind of research effort without which the Air Quality Act of 1967 cannot hope to be effective.

It is as simple as that.

Mr. President, section 104 of the Air Quality Act of 1967 was an important feature of that landmark legislation. This provision, sponsored by the chairman of the Committee on Public Works, Senator JENNINGS RANDOLPH, placed special research emphasis on development of technology to control fuel combustion byproducts. Of particular importance was the concern for development of the technology to control automobile emissions and emissions of oxides of sulfur resulting from combustion of coal and oil.

Development of advanced technology to control sulfur oxides is important now. Across the Nation air quality standards are being set for particulate matter and sulfur oxides. Public hearings on standards have been held in numerous air quality control regions. Plans for im-

plementation of those standards are in the process of development.

Those plans for implementation will depend on the availability of technology, alternative fuels, and other methods of reducing air pollution. Control technology for oxides of sulfur, one of the two pollutants for which standards are being set, other than alternative fuels and low sulfur fuels is not available. It was primarily for this purpose that this section was enacted in 1967.

There is limited supply of low sulfur coal which will be available in most communities to meet standards now. But a major technological breakthrough will be required to assure compliance with the standards which have been proposed and which meet the Nation's energy demands at the same time.

Another area where more research is needed is in developing alternatives to the internal combustion engine and a more effective means of controlling the existing engine. Too little has been done in this area. The administration has been weak in its response to the need to develop this technology. The automobile industry has been guilty of delay.

The National Air Pollution Control Administration is charged with the responsibility to develop national emission standards for motor vehicles. Those standards are related to technical and economic feasibility. Without additional funds to stimulate research into control techniques for internal combustion engines and to stimulate the development of alternatives to internal combustion, upgrading of those standards will be delayed unnecessarily. The National Air Pollution Control Administration has the competence and the program to implement research in this area if the funds are provided.

According to first "Cost of Clean Air" report from the Secretary of Health, Education, and Welfare:

A 5 year (fiscal 1968-72) plan for this program (Sec. 104) called for expenditures by the National Air Pollution Control Administration of some \$255 million. While actual expenditures may be much lower, this figure provides an indication of the magnitude of effort considered necessary in this area.

We simply cannot control or hope to control sulfur oxides, which so directly achieve higher mortality rates in cities like New York, Chicago, Los Angeles, and other cities across the country, unless we find ways to deal with these kinds of emissions.

Section 104—the research section and the funding of section 104 are critical to this effort. The same can be said of motor vehicle emissions. Motor vehicle emissions constitute something like 60 percent of the pollution load in this country.

Again, we are not going to deal with that one unless we develop the technology.

Thus, I applaud the amendment offered by the distinguished Senator from West Virginia.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I addressed to the distinguished chairman of the subcommittee, the Senator from Washington (Mr. MAG-

NUSON), on November 25, 1969, covering section 104; and in addition, a statement indicating the areas of research which would be explored if the additional appropriation is approved by the Senate this afternoon.

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

COMMITTEE ON PUBLIC WORKS,
Washington, D.C., November 25, 1969.

HON. WARREN G. MAGNUSON,
Chairman, Senate Appropriations Subcommittee on Labor, Health, Education, and Welfare, and Related Agencies, U.S. Senate, Washington, D.C.

DEAR WARREN: As you know, the Air Quality Act of 1967 is a far-reaching and critically important measure authorizing major Federal support for a national program of air quality enhancement. Substantial progress is being made toward the implementation of this program. However, our capacity to pollute exceeds our capacity to control pollution. For example, in the absence of control, sulfur oxide air pollution levels will continue to increase for the next ten years.

This situation need not continue. The Air Quality Act of 1967 provided adequate authority to develop necessary technology. However, appropriation and budget requests for that program have been inadequate. In 1969 the Administration requested \$31.3 million for Section 104. Only \$18.7 million were appropriated. For FY 1970 the Administration only requested \$18.7 million for Section 104.

The effect of these reduced appropriations will be continued delay in the development of sulfur oxide and motor vehicle emissions control technology. Standards are now being set by the States under the Air Quality Act for particulates and sulfur oxides, but effective long-term implementation of the sulfur oxide standards may be delayed in the absence of technically feasible control systems.

Senate and House conferees have agreed to authorize \$45 million to carry out Section 104 in FY 1970 but, as mentioned above, the Administration requested only \$18.7 million. The House did not appropriate any funds for this section in the absence of an authorization.

As you know, research and demonstration efforts to control emissions from motor vehicles and to develop alternatives to the internal combustion engine are carried out with Section 104 funds. This effort only received approximately \$4 million in 1969 for new propulsion systems as well as control methods applicable to existing systems. This is obviously inadequate.

During recent hearings before your Subcommittee, Mr. C. C. Johnson agreed with Senator Case on the current status of sulfur oxide control technology: "In other words, we are at a very primitive state of the art here." Air pollution control technologies must keep pace with the standards setting procedure by the states and the Federal program must be strengthened in this area.

Yet, at this crucial time, the Administration reduced the fiscal 1970 budget of the Consumer Protection and Environmental Health Service by 13 percent, or \$30 million. Environmental quality must become a more important priority. If the Administration does not recognize this need, then the Congress, you must make up the slack.

Your efforts to strengthen this program by providing adequate funding for research relating to the development of new and improved methods to control fuel combustion by-products will assist in indicating Congressional concern.

We urge you to consider an increase in the Section 104 appropriation to the authorized level of \$45 million, with a directive to emphasize development of sulfur oxide and motor vehicle emission controls technology.

If we can be of further assistance in this matter, please let me know.

Sincerely,

EDMUND S. MUSKIE,
HOWARD H. BAKER, Jr.
BIRCH BAYH,
THOMAS F. EAGLETON,
JOSEPH M. MONTOYA,
JENNINGS RANDOLPHE,
WILLIAM B. SPONG, Jr.

PROPOSED APPROPRIATIONS OF \$45 MILLION FOR SECTION 104

(Prepared by NAPCA for Senate Appropriations Committee)

The proposed amendment of \$25,100,000 over the House action which provided \$19,900,000 for Section 104 Research and Development and the 1969 carry-over of \$1 million would be used to accelerate work in the areas of developing new and improved methods for the prevention and control of air pollution resulting from combustion of fuels. This will involve activities related to fuel desulfurization including emission cleaning processes such as the wet and dry lime stone and fluid bed combustion processes.

In the area of fuel desulfurization, projects to be supported will include mine sampling and equipment evaluation; detail plant and test program design; reject identification and utilization; procurement, construction, and operation of prototype plants; and project evaluation and control. Work on the wet and dry limestone injection processes will be accelerated, especially that which involves the testing and demonstration of wet limestone scrubbing. Construction of a coal-fired power plant will be initiated to test potentially feasible fluid bed combustion systems.

In addition to the above work on fuels, special emphasis will be placed on work related to motor vehicle emission and development of unconventional power systems. The National Air Pollution Control Administration is presently prepared to provide an additional \$5 million for support of this effort should the necessary funds be made available.

In order to properly manage research and development activities of this magnitude, 100 additional positions are necessary. The existing staff has reached the point where any additional work load in terms of new or expanded programs could present serious problems in our ability to undertake such work and still adhere to sound project management and procurement practices.

Mr. MUSKIE. Mr. President, this money can be spent. It must be spent if we are to come to grips with the problem which I think is energizing the concern and, indeed, the excitement of American citizens by the millions from coast to coast.

The Senate, this afternoon, has the opportunity to indicate, by appropriations of relatively small amounts, its concern in this field.

Before I close, Mr. President, I should like to compliment the distinguished Senator from Washington (Mr. MAGNUSON) and the distinguished Senator from New Hampshire (Mr. CORRON) for the support and encouragement they have given us from their vantage point on the subcommittee.

Mr. BYRD of West Virginia. I thank the distinguished Senator from Maine whose consistent efforts in this field have been nationally recognized.

Certainly, my effort this afternoon is not an attempt to pre-empt in any way the work that he has done. I could not do it.

My senior colleague from West Vir-

ginia has also been a leader in this field, and has worked very effectively with the Senator from Maine (Mr. MUSKIE).

As a member of the Appropriations Committee I have been interested, and it is merely in this capacity that I have offered the amendment this afternoon, which has been co-authored by those to whom I referred earlier.

Mr. MUSKIE. The Senator from West Virginia (Mr. RANDOLPH) and I both recognize that the objectives laid down in the authorization legislation cannot possibly succeed unless we have partners equally motivated and equally energized on the Appropriations Committee.

So we welcome with enthusiasm the support we are getting from the Appropriations Committee in the persons of the distinguished Senator from West Virginia (Mr. BYRD) and the distinguished Senator from Delaware (Mr. BOGGS), who also serves on the subcommittee, and the distinguished Chairman and the ranking Republican member of the subcommittee Senator COTTON.

Mr. BYRD of West Virginia. The members of the committee which has jurisdiction over this field of legislation are, of course, providing the leadership. We are merely following their leadership.

I now yield to the distinguished Senator from Delaware (Mr. BOGGS).

Mr. BOGGS. Mr. President, I thank the Senator for yielding, and I want to commend both distinguished Senators from West Virginia and my good friend and colleague from Maine (Mr. MUSKIE) and other Senators who cosponsored the amendment today. I agree with everything they have said. Especially I want to pay my respects to the distinguished chairman of the subcommittee and the ranking minority member of the subcommittee for their interest and the able work they have done on this very difficult and complicated bill.

Mr. President, I am in full support of this amendment, which would provide an increase of \$23.1 million for the National Air Pollution Control Administration.

This money would be devoted to operations under section 104 of the Air Quality Act of 1967. This section deals with research relating to the burning of fossil fuel, both in vehicles and from stationary sources.

This is a program which has interested us greatly on the Air and Water Pollution Subcommittee of the Public Works Committee, and we are anxious that it be funded as adequately as possible.

I have talked repeatedly with representatives of the National Air Pollution Control Administration, and they have assured me that this money is most urgently needed and could be expended effectively. It would go to, along with other things, research in abating pollution from stationary sources, where sulphur oxide is the most noticeable contributor. It also would go to research on control on emissions from the internal combustion engine and development of alternatives to that engine.

It has been established that the burning of fossil fuel represents about 90 percent of our urban air pollution problem, with automobiles alone contributing about 60 percent of this pollution.

Section 104, I believe, is the very heart of our battle against air pollution, and should be funded accordingly.

This \$23.1 million would bring section 104 to its authorization of \$45 million. It would provide the total air pollution control program with \$116.9 million, still only 65 percent of its authorized \$179.3 million.

Air pollution is a problem which affects each of us every day. We still are far behind in our efforts to control it; and I believe we can do no less than to provide this really minimal funding.

There has been comment in discussions about this program about possible overlapping with programs of the the Bureau of Mines in the Department of the Interior. I would like to try to explain that situation.

The Department of Transportation currently is conducting a research project on reduction of emissions from buses. This is a very important project, but does not conflict with the National Air Pollution Control Administration's project which deals primarily with passenger cars, the largest single air polluter.

The Bureau of Mines is conducting research in this area, but it is primarily with funds provided by the National Air Pollution Control Administration. The results of the Bureau of Mines research is fed back to NAPCA and is correlated with the administration's own findings.

I also would like to point out that the President's Environmental Quality Council is concerned with problems of possible overlapping of these programs and is working to establish a unified Federal plan to combat air and water pollution. Secretary Robert H. Finch of the Department of Health, Education, and Welfare, is the chairman of a special air pollution committee of the council which is coordinating efforts in this area.

This amendment, as has been so well pointed out, would accomplish the funding of the program to which I have referred. I am hopeful the manager of the bill, the distinguished Senator from Washington, will be able to accept the amendment.

Mr. BYRD of West Virginia. I thank the Senator, and I want to express appreciation again for the efforts he made yesterday to get this amendment adopted in committee.

Mr. BOGGS. It was a close vote.

Mr. BYRD of West Virginia. It was a tie vote, and, by virtue of its being a tie vote, it was lost.

I do want to emphasize the interest of the majority leader, who is also a member of the Appropriations Committee. He is not on the floor at the moment, but he is interested in this amendment and is a coauthor. He spoke to me within the last 15 minutes about his interest in the amendment.

Mr. MAGNUSON. The letter the coauthor of the amendment sent us was very interesting. It is a subject in which his interest has been paramount.

Mr. President, I have no objection to this amendment.

I thought it might be of some interest to point out that in the Commerce Committee we have had a long interest in what we call low-emission automobiles. The Senator from Maine and I have rid-

den together in electric cars, steam cars, and gas cars.

Last week, Henry Ford II held a press conference in New York. What has been said here by Senators today is correct. The automobile is the main villain in the piece as far as urban centers are concerned, and we must develop low-emission automobiles, even if it has to be done through law. Mr. Ford said his company would spend \$31 million on vehicle pollution control next year, and \$60 million in the next 2 years on cutting air and water pollution at Ford plants. In the last 10 years, Ford spent \$6 million to curb pollution at its plants. They have even been able to develop a little white box to help garage men diagnose pollution problems that they are going to put to use as they roll down the assembly line.

I complimented Henry Ford for that. I hope the others will follow. My thought is that if private industry is going to do this much in the automobile field, and spend that amount of money, the Federal Government can easily spend the amount of money here involved.

I have no objection to the amendment.

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

Mr. MAGNUSON. I yield.

Mr. COTTON. I agree with the Senator. I am glad to have him accept the amendment and take it to conference, but the Senator from Washington also sits on the Appropriations Committee with respect to the Department of Transportation appropriations. The only thing I wanted to make sure of was that we are not starting more parallel programs. Does the Department of Transportation have any programs dealing with emission from automobiles?

I may invite the attention of the Senator from Mississippi (Mr. STENNIS) to this matter.

Mr. MAGNUSON. I recall that in the Department of Transportation appropriation \$2 or \$3 million was applied to research on low emission automobiles.

Mr. STENNIS. Yes.

Mr. MAGNUSON. I am sure I am correct in this, and if not, I will correct the RECORD. The purpose of that is to do some research in order that the Department may lay down some guidelines for the States for the purpose of legal procedure.

So the research of that Department is somewhat different. This research will be helpful, but I do not think there will be too much conflict.

Mr. COTTON. I hope it will not grow into a conflict.

Mr. MAGNUSON. Mr. President, I yield to the Senator from Kentucky.

Mr. COOK. Mr. President, I would like to associate myself with the remarks of the distinguished chairman of the subcommittee and the distinguished Senators from Delaware, West Virginia, and Maine on this point.

I ask unanimous consent, if it is agreeable to the Senator from West Virginia, that I may also be a cosponsor of the amendment.

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

Mr. COOK. Mr. President, I really do not believe that there is any situation in the country today about which the people are not more concerned than this problem. I am delighted to say that I asked the distinguished Senator from Delaware, not too long ago, to go down to the University of Louisville and make a speech to the county officials of the State of Kentucky on this very subject. I am delighted he has spoken in favor of the amendment.

I thank the chairman for yielding.

Mr. MAGNUSON. I yield to the Senator from California.

Mr. MURPHY. Mr. President, I, too, would like to associate myself with—and, with the permission of the distinguished Senator from West Virginia, become a cosponsor of—the amendment.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the name of the Senator from California and also the name of the Senator from Virginia (Mr. SPONG) and the name of the Senator from Kentucky (Mr. COOK) be added as cosponsors of the amendment.

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

Mr. MURPHY. Mr. President, the States that are represented so well and eloquently here have not been the States where the problem really started. It started in my State, in the California Basin. I had the privilege of serving on the committee with the Senator from Maine and have watched this matter begin. I am pleased with the great start toward solution of the problem made under his leadership. However, we are just not making progress; we are merely keeping up with the problem, and if we do not move faster, the problem will overcome us, and in certain areas of this great Nation it will become impossible to sustain life. Senators would not believe what we have seen in our bad days out there.

So I am pleased to find that my distinguished colleague from West Virginia has sponsored this amendment and has given me permission to cosponsor it.

I urge upon the distinguished chairman that I can think of nothing that is more important to the future of this great country than the job that needs to be done, and the need for this money to get on with a start toward the solution of air pollution as well as water pollution problems.

I thank the chairman and my colleague from West Virginia.

Mr. MAGNUSON. Mr. President, I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, with the permission of the Senator from West Virginia, I ask to be made a cosponsor of the amendment.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the name of the Senator from Illinois may be added as a cosponsor of the amendment.

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

Mr. PERCY. Mr. President, my own city is known as the Windy City. We have always felt that the winds across the lake would protect the city, but I have noticed in recent months that hardly a day goes

by when there have not been stories of some asphyxiating, noxious gases hanging over our city or pictures of our 100-story buildings with only 30 stories visible. The rest are covered by smog.

We have noticed considerable concern about the health hazard that this pollution is now causing in the city of Chicago. It is also causing the same hazard elsewhere. I was interested that the United Nations, in a San Francisco conference on the environment, indicated that by 1975 we might not be able to exist in some areas of this country. I was also interested to note the resolutions adopted by NATO and the speech given by the Assistant to the President, Mr. Pat Moynihan, on the need for getting together all the free nations of the world to work together on this problem of the environment.

These nations are going to look to this country for technical assistance and advice. Certainly industry must take the lead in providing this assistance. They must do the kind of job indicated by the insertions put into the Record by the distinguished chairman, the Senator from Washington. The fight against pollution is a partnership that must be worked out between the private sector and the governments—local, State, and Federal.

We, in the Federal Government, must do our share also and I commend the Senator from West Virginia and the other Senators who have joined in this colloquy to indicate our deep concern about the problem of pollution. We recognize that this is a matter of high priority and that we must take care of it now. I think we are helping to solve the problem by this amendment.

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

Mr. PERCY. I do not have the floor.

Mr. MAGNUSON. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I wish to emphasize what the articulate Senator from Illinois (Mr. PERCY) has just said about the partnership between government and industry, or industry and government. I think we have to consider neither of these entities as the junior partner. We need to have a complete understanding, and a realization of the urgency and of the challenge, between government and industry.

One industry for example, in West Virginia, the Weirton Steel Co., a subsidiary of the National Steel Corp., has recently expended more than \$100 million on what is known as "the mill of the future." Air pollution control and abatement has been achieved in a very effective way. This is an enlightened contribution of industry which must be repeated a thousandfold throughout the Nation.

I emphasize again the concern expressed by the Senator from New Hampshire (Mr. COTTON) in indicating that we must be very careful not to spread ourselves too thin and overlap in this worthy effort. I think we would do great damage if we had programs too hydra-headed in nature; and I like the caution with which he has spoken. This work is a continuing commitment and challenge to those of us who have been especially ac-

tive in the pollution control battle for many years within the Public Works Committee.

Mr. COTTON. Mr. President, I thank the Senator from West Virginia for speaking so kindly about me.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the names of the junior Senator from Indiana (Mr. BAYH) and the senior Senator from Nevada (Mr. BIBLE) be added as cosponsors of the amendment.

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

Mr. SPONG. Mr. President, I am pleased to be a cosponsor of this amendment. It is important that adequate funding be provided for research activity on the development of control technology for sulfur oxide and motor vehicle emissions.

Congress has adopted the concept of a Federal-State partnership in the basic legislation on air pollution. The long-term implementation of the sulfur oxide standards being set by the States could well be delayed unless adequate Federal funds are provided to help develop feasible control technology.

An appropriation of \$45 million would demonstrate to the States that the Federal Government intends to keep pace with the standard-setting procedures of the States. I hope the amendment is adopted.

Mr. MONTROYA. Mr. President, today I cosponsor the amendment of Senator BYRD of West Virginia to appropriate \$45 million for research on the combustion of fuels and motor vehicle pollution controls. As air pollution levels continue to rise in this country, there is an increasing need for adequate control technology that is economic. Section 104 of the Air Quality Act of 1967 provides for the development of such technologies.

Traditionally, when mention has been made of air pollution, thoughts have been turned to Los Angeles and New York. However, in recent years there has been an awareness that air pollution is presenting a potential threat to all metropolitan areas and remedial actions must be directed at all sources of pollution.

It is not enough to apply control methods that comply with current laws and regulations; provision must be made for the development and demonstration of methods suitable to future needs also.

In my own State of New Mexico there is a utility utilizing the low sulfur coal deposits of the New Mexico and Arizona area to produce power to serve the growing energy needs of such metropolitan areas as Los Angeles, Phoenix, Tucson, and Albuquerque. In the process of generating this power, large amounts of particulate matter are being discharged to the environment. Much of this material is so fine as to not be captured or controlled by current technologies. This is one example of the need for an improved state of art in the control of particulate matter.

Automobile emission control is another area for improvement. The National Air Pollution Control Administration is spending an estimated \$6 million on research to first, reduce the emissions from internal combustion engines, second, the

development of new power sources, and third, the development of new fuel types. It has been estimated that current control devices under development will never be able to reduce air pollution from motor vehicles far enough to offset projected increased numbers of cars. In the next 10 years, by the year 1980, the number of automobiles on America's roads will double. Even under the progressive California standards, it will be possible to eliminate only 60 percent of the total automobile emissions in that State. New and innovated approaches to the development of lower emission vehicles are clearly needed.

The Williams Bros. of Pennsylvania and Mr. Lear, the former president of Lear Jet, have made significant strides to perfect steam engines for automobiles. Mr. Lear is also developing steam engines for large transportation vehicles. These men have expended family fortunes on this notable and worthy effort and are to be commended.

This Nation must now build upon this experience by providing adequate funding of section 104 of the Air Quality Act. Natural gas has also been suggested as a fuel for automobiles and would reduce air pollution emissions.

It is also reported that if lead were removed from gasoline significant engine modifications could be made that would reduce automobile emissions. These are alternatives that can and must be investigated. They highlight the need for this funding.

The industries of this Nation could make a significant contribution in the reduction of automotive emissions. It is estimated that the operators of fleets of vehicles accounts for more than 50 percent of the vehicle pollution in urban areas or approximately 30 percent of the total urban air pollution problem. I call upon fleet vehicle operators to apply the latest available control technologies to further exert pressure on the automobile industry to reduce automotive air pollution. Industry's support in this regard would represent a significant public service.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PASTORE. Mr. President, I should like the RECORD to show that the senior Senator from Rhode Island voted in the affirmative.

The PRESIDING OFFICER. The RECORD will so show. The bill is open to further amendment.

Mr. NELSON. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Wisconsin (Mr. NELSON) proposes an amendment, for himself and the Senator from New York (Mr. JAVITS), as follows:

On page 59, line 7, strike the numeral and insert in lieu thereof "\$2,048,000,000".

Mr. NELSON. Mr. President, I ask unanimous consent that the names of the following Senators be added as cosponsors of the amendment, together

with myself and Senator JAVITS: Mr. SCOTT, Mr. BAYH, Mr. GRAVEL, Mr. WILLIAMS of New Jersey, Mr. CRANSTON, Mr. HART, Mr. MCGOVERN, Mr. RIBICOFF, Mr. PERCY, Mr. GOODELL, Mr. BROOKE, and Mr. YARBOROUGH.

Mr. CASE. Mr. President, if the Senator will yield, I think my name should be on there also.

Mr. NELSON. Yes; I am sure there are a number of other Senators who will wish to join as cosponsors.

Mr. JAVITS. Mr. President, if the Senator will yield, with the speed at which we have proceeded here, I am afraid we have missed some Senators who want to be on the amendment. As we go along, I am trying my best to keep up with them, if the Senator will accommodate us by permitting me to state their names from time to time.

Mr. NELSON. I agree. The bill just came out, and we did not have an opportunity to check with many Senators who would like to be cosponsors.

I ask unanimous consent that the names of the Senator from Maine (Mr. MUSKIE) and the Senator from Oregon (Mr. HATFIELD) be added as cosponsors; and I am sure we will have some further names.

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

Mr. NELSON. Mr. President, this amendment simply proposes to restore to the appropriation exactly the amount requested by President Nixon and the amount authorized by the Senate by a vote of 72 to 3 on the authorization bill.

Mr. President, the Office of Economic Opportunity, which has been given a very challenging assignment by the Congress, is in an extremely difficult position in regard to its appropriations.

We all know of the difficulties which have been encountered in our war on poverty. This is neither the time nor place to debate and attempt to resolve those difficulties. The important thing to emphasize today is that every single difficulty we have encountered in the Office of Economic Opportunity is aggravated by the uncertainty of appropriations.

I might point out that the appropriation bill before us appropriates for only 10 months, and it will require that there be a supplemental appropriation immediately afterward for 2 months. One of the very serious difficulties with that is that the Headstart programs, for example, and the summer programs involving some 400,000 young people, have to be authorized, developed, and started prior to the time that it would be possible for Congress to pass a supplemental appropriation.

We all, of course, want capable people with good professional backgrounds working in the poverty program. You cannot recruit and hold such people in a program which has no assurance of funding.

We want good administration. A good administration cannot be obtained in a program which must live in an atmosphere of financial confusion and uncertainty.

We want fresh and creative thinking, to find new ways to deal with the age-old

riddle of poverty in an affluent nation. It is impossible to innovate and develop creative new programs without an assurance of appropriations.

The appropriations difficulty in which OEO finds itself today is a result of an unfortunate chain of circumstances. There is no need for faultfinding or ascribing blame to anyone.

The simple fact is that the appropriations authorization for this agency expired on June 30 of this year. Both Houses of Congress have been working diligently to extend the authorization. We hope to complete that task within the next day or two.

The Appropriations Committee has been considerate in considering OEO appropriations in advance of final passage of the authorizing legislation which occurred in the House only last Friday.

However, it seems clear today, as we rush toward final action on both the appropriations and authorizing legislation, that the amount which the Appropriations Committee has been able to include in the Labor-HEW appropriations bill will cause serious problems unless the Senate increases it to the level requested by the administration and endorsed by both Houses in the authorizing legislation.

The spending level for OEO for fiscal 1969 was \$1.948 billion.

Inasmuch as the agency has been operating since June 30 without any new authorization or appropriation, this has been the appropriations level under which it has operated for the 5½ months.

The administration, after careful review, requested a funding level of \$2.048 billion for fiscal 1970—an increase of \$100 million over the previous year's spending.

This is precisely the amount which the Senate authorized on October 14 when it passed the OEO authorization bill by a vote of 72 to 3.

The House authorized an even higher amount—\$2.343 billion—when it passed its OEO authorization bill last Friday, December 12.

The Senate-House conferees will meet tomorrow, Wednesday, December 17, at 2 p.m., to resolve the differences in the Senate and House bills. Very few substantive issues remain to be resolved, and we should be able to come to quick agreement on authorization legislation.

With the authorization problem thus virtually resolved, it would be unfortunate to throw this agency back into an atmosphere of confusion and uncertainty by cutting its appropriation below the 1969 level, and below the level on which the agency has been operating for the past 5½ months.

Mr. President, one of the most important aspects of the war on poverty involves working with hundreds of thousands of people all over the country—political and civic leaders, religious organizations, farm organizations, and educational institutions. These are busy, responsible people. We cannot operate a war on poverty without them; yet we cannot expect them to take the war on poverty seriously and to give it their full commitment of time and sometimes of matching funds, if we are not seri-

ous about the program ourselves. Before we recruit civic and community leaders into a program, we have to be able to tell them that there is a program, that there are appropriations for it, and that it is going to run for a certain reasonable period of time.

Certainly at this late date—5½ months into the fiscal year—we should be willing to give this agency the assurance that it will have appropriations to continue operating until June 30, 1970.

Certainly that is the least that the Congress can say to the hundreds of thousands of people, and to the thousands of very fine organizations and institutions which we want to join with us in fighting poverty.

Mr. President, we had 217,000 children enrolled in Headstart full-year programs in 1969. We had another 447,000 children enrolled in summer Headstart programs. These programs are continuing in public schools, in some private schools, and in community centers all over America.

I might add parenthetically, as I mentioned earlier, that if they have to wait on a supplemental appropriation, it is almost a certainty that the supplemental will not be passed in time for them to plan with any certainty for the summer programs.

These programs cannot be stopped and started on short notice. Do we want to go on serving more than 600,000 preschool children through the Headstart program—as we voted to do, and as the House voted to do, in the authorizing legislation? Then the very least we can tell the people who are operating these programs is that you will have a program until June 30, 1970.

We have roughly 1 million training opportunities in our manpower training programs. Very close to half the entire OEO budget—almost \$900 million—goes for work and training programs which are operated by the U.S. Department of Labor. The Labor Department negotiates thousands of contracts with public and private agencies, with business corporations, with State, local, and Federal agencies to carry on these manpower training programs. They offer hope of taking young men off the streets and giving them the training in a skill which will enable them to be self-sufficient. These programs cannot be turned on and off. Certainly if we want the cooperation of all these agencies and organizations, we must be able to tell them at the very least that they will have a program, with appropriations, until June 30, 1970.

The same argument can be made for the other programs—for the network of health centers which we have in 50 some communities, for the emergency food and medical services programs which are operating in more than 1,000 counties, for the family planning clinics, for the senior opportunity centers, for the rural loan program, for the migrant worker program.

If we expect these programs to continue to operate, we have to give them the appropriations which they require and which we ourselves have authorized.

Mr. President, the Appropriations Committee is quite right and on sound ground in wanting to conduct a careful

review of the OEO programs. The members of our Employment, Manpower and Poverty Subcommittee agree 100 percent with the need for careful review of OEO programs.

But simply because of the unavoidable delay in the enactment of authorizing and appropriations legislation, this review should now be aimed at fiscal 1971, which will be upon us before we know it.

I think all of us would have preferred it if such a review could have been carried out for fiscal 1970 spending, but we face the reality of the calendar. The time has run.

If this agency is to be operated on a sound, professional basis, emphasizing good administration, it is not too early to begin as soon as the Congress returns in January a painstaking review of OEO appropriations requests for the next fiscal year which begins July 1, 1970—just over 6 months away.

For these reasons, Mr. President, I am offering an amendment to strike out the OEO appropriations figure of \$1,624,000,000—the figure recommended by the committee—and inserting in lieu thereof the amount of \$2,048,000,000.

This is the amount recommended by the President and the amount authorized by the Senate in bill S. 3016, which passed the Senate on October 14 by the vote of 72 to 3.

Mr. President, I ask unanimous consent to have printed in the RECORD a fact sheet on OEO appropriations.

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

Nelson fact sheet on OEO appropriations

Appropriations Committee recommended (calculated as 10 months of the fiscal 1969 appropriation)-----	\$1,624,000,000
Funds available during fiscal 1969 (this expired June 30 but spending has continued at that level under a continuing resolution)---	1,948,000,000
Fiscal 1970 budget request by President Nixon-----	2,048,000,000
Fiscal 1970 authorization by Senate-----	2,048,000,000
Fiscal 1970 authorization by House-----	2,343,000,000

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

Mr. NELSON. I yield.

Mr. COTTON. Mr. President, does the fact sheet the Senator has just had printed in the RECORD tell us exactly how this \$2 billion is going to be spent, what the programs are, and how the money is to be allocated?

Mr. NELSON. The fact sheet I was referring to does not. It is a lump-sum appropriations sheet. It states what the Appropriations Committee recommended for 10 months—\$1,624,000,000. It states that the fiscal 1969 funds available were \$1,948,000,000.

The fiscal 1970 authorization by the President was \$2,048,000,000.

The fiscal 1970 authorization by the Senate was \$2,048,000,000.

The fiscal 1970 authorization by the House was \$2,343,000,000.

The authorization bill we passed, as the Senator knows, being a member of the Appropriations Committee, ear-

marked a substantial portion of the \$2,048,000,000 that we acted upon in the authorization bill.

Mr. COTTON. Mr. President, it is my understanding with respect to Headstart, and Upward Bound, that there is not the slightest danger of their being discontinued.

The purpose of the subcommittee, as I understand it, was to appropriate, even without the authorization, enough money so that those programs would not lapse and to provide an additional amount to tide them over until we could get some evidence before the committee and put the item into the supplemental.

Perhaps the distinguished Senator has in mind exactly how this money is to be spent, but if he has, I am afraid he is the only one.

I cannot make out, from what the President has said or from what anyone else has said, exactly how these are allocated.

The fact remains that the Appropriations Committee of the Senate—the subcommittee and the full committee—has not had one word of testimony about the program for which we are asked to appropriate for the remainder of fiscal 1970. I cannot imagine anything more irresponsible than a member of the Appropriations Committee of this body voting to appropriate a cool \$2 billion until we have had some evidence about what the money is going to be used for. That is why I thought we were going a long, long way when we appropriated \$1.624 billion without a single word of testimony.

I do not want to throw a roadblock in the way of any program. The President said this is going to be an experimental agency. We all know that we are going ahead and financing Headstart and Upward Bound and some of these very fine programs, and I support them. But to appropriate a cool \$2 billion without hearing one word of testimony on how the money is going to be spent is, to me, the height of irresponsibility. The other Members of the Senate can take it if they wish, but I would not have the nerve to continue to serve on the Appropriations Committee if I cast such a vote without more information.

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

Mr. COTTON. I yield.

Mr. JAVITS. 173 pages of justification were submitted to the Appropriations Committee. The budget submission, which is before me, is dated November 1969. It details with the greatest itemization. For example, I look now at page 83 of the summary, which shows exactly what was done in 1969 in these very things—Headstart, Follow Through, Special Impact, Health Services, Addiction, Mental Health, Family Planning, Emergency Food. The increases and the exact basis therefor are given. The Budget Bureau went along with them.

I have served on the Appropriations Committee, too. I appreciate the fact that the members of the committee are unbelievably overwhelmed. But where information has been submitted, if it has not been consulted or digested or dealt with by the committee, I do not think

the agency can be taxed. I know—because we all have experienced it—what happens when you go for a 4-month program, which is what is being done. There must be cancellations now, because people cannot tool in and tool out that quickly, and then the fat is in the fire in city after city. The problem is not so much that the committee does not have the material but that it has not had an opportunity to digest it.

Mr. COTTON. I have served on the Appropriations Committee with my friend the Senator from New York. One of the things I admire most about him is that he is so thorough and careful and always armed with the facts before he takes a position. I doubt very much if the Senator from New York would serve on that committee and not have an opportunity to ask a question about anything in this book.

Mr. JAVITS. May I say this. The Senator from New Hampshire did serve with me, and I admire him and respect him, and there is no question of his fidelity and unbelievably hard work, and of that of the chairman. We are advised that is the only way we can put it before the committee, that this justification was submitted, that Mr. Rumsfeld was there, that he just was not asked any questions about it.

Mr. MAGNUSON. Let us get this straight. In the first place, the committee has a general rule—it is not the law—that unless it is something unusual, we do not appropriate money and have no right to appropriate money, until it is authorized. OEO has not even been authorized as yet.

For a long time, the committee felt, on the best advice we could get from the House, that there probably would not be any authorization. We did not know until last Friday that the House even was going to pass it. I understand that there will not be too much trouble in conference. We kept having Mr. Rumsfeld over, and we said, "Can't you get your ex-colleagues over there to move, so that we can get at this thing?"

He submitted this. We did not know what was going to happen. So when it did happen, we said we thought that in a rare case, an exception to the rule, the Senate having authorized the \$2.048 billion, we could go ahead, subject to authorization. But then we got thinking, what are the priorities? I have read a good deal of this. Has the Senator read it all?

Mr. JAVITS. I have read it all.

Mr. MAGNUSON. I have read a good deal of it. It became a little confusing to me.

We put it all in the record. It is in the record, every bit of it, for anybody to see, in the blue books. Then we took a dim view about what was going on downtown. Some people down there did not want any OEO at all. Not much help was given to them on the House side, from what I have heard and read, which seems to be very reliable.

Mr. JAVITS. Until they won.

Mr. MAGNUSON. Until they won.

Mr. JAVITS. That is right. And that is what counts.

Mr. MAGNUSON. So we did not know whether they were going to send something up. But they took the Senate figure. We asked them, "What about this?"

Well, here it is.

We also took a dim view of this. Here is HEW administering Headstart but not putting it in the HEW budget. The Senator knows the old game: You do not want it in your budget; let somebody else pay for it.

So they want OEO, which has enough problems of its own, I think—enough argument about it—to pay for Headstart instead of putting it where it belongs, in the HEW education budget.

The Department did not want to put Job Corps in its budget. But it is going to administer it. There were a couple of other smaller programs such as Upward Bound.

We are in this position. As is true with the Senator, we do not want to see this program out because of the failure of authorization, and Mr. Rumsfeld was over here. He must have had 25 people with him, waiting to testify, and the bill had not even been passed. We have to exercise some responsibility for \$2 billion. No one has been a better supporter of OEO than the Senator from Washington.

We asked him this—perhaps the Senator can clear it up—here is \$180 million for Job Corps that is going to be taken out of the OEO appropriation and turned over to the Labor Department. Is that the correct figure?

Mr. NELSON. Yes.

Mr. MAGNUSON. That is one program. Here is New Careers, which is still in the OEO. Is that correct?

Mr. NELSON. Yes. It is in the OEO budget.

Mr. MAGNUSON. New Careers is going to take \$91 million, as I understand it, and Main Stream is not in there.

They have a great item in here—"Other work and training, \$604 million." There is some explanation of what they mean by "Other work and training," but it covers many priorities and some programs that have been under severe criticism—not from me, but from others.

Headstart is going to turn over to HEW \$338 million of their hard-earned appropriation and authorization from OEO that should have been in the HEW budget.

So we get down to Follow Through, \$32 million. Legal Services—that is still in OEO.

Mr. NELSON. That is correct.

Mr. MAGNUSON. Health Services, in which there is some education in the rehabilitation programs and all the other programs in rehabilitation; Community Health Centers. That is all right. Emergency food and medical service, \$30 million. Family planning, \$15 million.

That is in OEO. The Senator mentioned that. But the Senator from New Hampshire and I would like to know what is the \$34 million for migrant workers? We have a good amount elsewhere in this bill.

Mr. MONDALE. Mr. President, will the Senator yield there?

Mr. MAGNUSON. I shall yield in just

a moment. We do not want two identical items in two places in the bill.

Mr. MONDALE. As the chairman of the Subcommittee on Migratory Labor, this is a modest program which reaches fewer than 10 percent of the migrants, and helps them with education and training, reemployment and adjustment assistance, and housing and sanitation.

Mr. MAGNUSON. That is exactly what we have in here.

Mr. MONDALE. This is a long standing program, that is about 6 years old, but it reaches fewer than 10 percent of the migrants intended to be served. It is a program that is desperately needed if we are to reach the poorest and the most desperate sector of American life.

Mr. MAGNUSON. For migrant health we have \$15 million, is it the same as this?

Mr. MONDALE. No, there is a difference between the \$15 million provided under the Migrant Health Act as part of the HEW appropriation, and the \$34 million provided for title III B of Office of Economic Opportunity.

Mr. MAGNUSON. What is the difference?

Mr. MONDALE. They are separate and distinct programs. The migrant and seasonal farmworker program of OEO is a modest program.

Mr. MAGNUSON. Will the Senator speak a little louder.

Mr. MONDALE. The OEO migrant program deals with training and education, health, housing and sanitation problems, community organization problems and tries to assist migrants to join together in programs to assert their points of view. It involves modest programs affecting the streams of migrant workers that move from the South to the North, along the east coast stream, from Texas to the North; and on the west coast, to phase them into local community programs and resources where needed.

Mr. MAGNUSON. We have taken care of health.

Mr. MONDALE. That is correct. Health care programs for migrant workers are considered as part of the Migrant Health Act appropriation under HEW. I can get very specific figures on this program if the Senator would like to have them.

Mr. MAGNUSON. They just gave them to me.

Then, in addition, we have in rehabilitation \$2 million and, then, we just put in \$25 million for bilingual education.

Mr. MONDALE. Bilingual education is an entirely different HEW program under the Office of Education. That amount goes for public school programs.

Mr. MAGNUSON. But it is partially for migrants.

Mr. MONDALE. No, it is not limited just to migrants. It is for the benefit of millions of American children—Puerto Ricans, Americans, and some Indians.

Mr. MAGNUSON. We know that figure. That is why we put it in.

Mr. MONDALE. Only a small portion of bilingual education money goes to migrants.

Mr. MAGNUSON. But this is education and they mention that. I do not know. I

do not want any avoidable duplication here.

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

Mr. MAGNUSON. I shall yield in just a moment. I would like to get down to another figure. After we have taken \$338 million of this money for Headstart and turned it over for HEW for them to operate, and \$180 million for the Job Corps, that is close to \$525 million. Now, they have these other items. But under title II—not earmarked, this is from the OEO—there is \$427 million. This is what we would like to know. What is it for?

Mr. COTTON. Mr. President, will the Senator yield to me for 1 minute?

Mr. MAGNUSON. I yield.

Mr. COTTON. I thank the Senator. I wish to make a suggestion. I want to appeal to my friend on the amendment he offered. We are interested in this program. The members of the House committee have said to me that Mr. Rumsfeld made a tremendous impression on that committee when he testified. I regret we did not have an opportunity to hear him testify. But now the House has no appropriation at all so it is open-ended.

If we go over to conference, whether we go with \$1 billion or \$1.5 billion, whatever we go with, there is no ceiling on it in conference. Am I correct?

Mr. NELSON. My understanding is that they have zero money for OEO for 1970 in the House appropriations bill.

Mr. COTTON. The Senator is talking about the second year, 1971?

Mr. NELSON. Is the Senator talking about the authorization section?

Mr. COTTON. Yes. They have no authorization section yet so they have no appropriation. They are open-end. The House is not instructed.

Mr. NELSON. For 1970 the House has authorized \$2.343 billion.

Mr. COTTON. The House appropriation does not have anything. The appropriation bill came here with nothing in it because it had not been authorized.

Mr. NELSON. I assume that is correct.

Mr. COTTON. If that is the case, if they have nothing and if the Senate had \$1, we can go anywhere up to the authorization. In other words, it is not as though the House had \$1 billion and the Senate a half billion dollars and you had to arrive at a figure between them. The conference committee right now, without the Senator's formal amendment, can appropriate all they want within the authorization, if the Senator gets his amendment and the Senate votes to appropriate the entire authorization.

I read that book and there are some things in there I could not accept and yet the Senator is asking for the full authorization. We have to go over and defend everything in that book upon which we have no evidence. Yet, I think that the Senator will find that the conference committee would go well up toward the authorization if they would give them that opportunity.

Mr. NELSON. Mr. President, if the Senator will yield, I would like to say that I am very aware of the difficulty under which the appropriations conferees operate when the authorizing committees

have not completed their work. In the case of the authorizing subcommittee of which I am chairman, we did have the bill out and passed by the Senate by October 14.

Mr. MAGNUSON. And the Senate established priorities.

Mr. NELSON. Yes. We established and earmarked priorities in the bill. I realize the great problem of the Committee on Appropriations and I would guess the Subcommittee on Appropriations acted on this bill a few hours before the House voted the OEO authorization late last Friday night. However, what they have done in the House has been, in effect, to extend the OEO authorization for 2 years with some added authorizations bringing it slightly above to the President's budget figure of \$2.048 billion. On the House side, they added \$295 million to the authorization, for a total of \$2.343 billion.

Mr. MAGNUSON. On the authorization. But what will the House Committee on Appropriations do?

Mr. NELSON. I do not know.

Mr. JAVITS. Mr. President, will the Senator yield in connection with the House Appropriations Committee?

Mr. NELSON. I yield.

Mr. JAVITS. I just talked with the Parliamentarian and under the circumstances we face where the House did not deal with the matter at all and the Senate is dealing with a matter not dealt with by the House, the ceiling becomes whatever the Senate does. We can negotiate between zero and that ceiling. I know the Senator's feelings, and the feelings of the Senator from New Hampshire, and I would be the first to testify to their good will, good faith, and their desire to do everything they can in conscience do for this program. I have lived with them both in this particular case, and I can testify to it myself. But the Senate does not have the room, unless we give it by this amendment. This is why we had to move.

Mr. COTTON. But if the Senator gives us the total appropriation, we go over there honor bound to fight for the total authorization.

Mr. JAVITS. That is true. I have faced that hard road myself with the House, but the only time one gets stuck that way is when the House comes over and says, "We will take it." But I think, as practical men, we can guarantee that the House will not.

Mr. MAGNUSON. One thing, and I shall not talk any more about it, if this had been totally authorized here—the law authorization—which is \$2.048 billion, which was the budget item, the committee would not have given you that full amount anyway.

Mr. JAVITS. That is true.

Mr. MAGNUSON. Because there would be some programs that could wait or someone would have objection to. I imagine the best—I am guessing—I am only one member—but I am guessing that the best one could have gotten was last year's amount.

Mr. JAVITS. Last year's amount was \$100 million less than the \$2.048 billion.

Mr. MAGNUSON. If you had got that,

you would be doing pretty well in the committee. I see some committee members nodding their heads.

Mr. JAVITS. But that would be the eventuality. If you carry it over with the ceiling of \$1,624 million; that is what we have to fight against, as a matter of conscience.

Mr. MAGNUSON. The Senator did not get my suggestion, did he?

Mr. JAVITS. I got the suggestion.

Mr. MAGNUSON. I thought a word to the wise should be sufficient.

Mr. JAVITS. I got the suggestion. When you go over there, you are still going to have to compromise.

Mr. MAGNUSON. Not necessarily, if they authorize much more, they will take this.

Mr. PERCY. Mr. President, will the Senator from Wisconsin yield to me?

Mr. NELSON. I yield.

Mr. PERCY. Mr. President, I should like to address myself to this question of funds for OEO. I have high regard for my colleague from the State of Washington and recognize that he faces a practical problem here.

Sometimes, when we look at the details on the economic balance sheet, we also have to look at a number of other things such as what do the figures symbolize. This is the case with money for OEO.

It would be a perfectly dreadful thing if yesterday we approved \$69 billion in a Defense budget—and if we are going to approve the SST—

Mr. MAGNUSON. That is a small amount.

Mr. PERCY. We did not give great consideration to money for OEO. What will the people of our country think if we find a way to give an agency which has been in existence for 5 years, which now has a colleague from Congress whom I admire and respect as its head, which deals with the poor, funds for only 10 months? What will they think if we have not faith enough to give OEO the full amount, if we cannot find a place to spend \$2 billion for the 25 million poor of this country?

I believe that is the essence of what we have to consider. Do we have enough faith?

Second, are we going to put the administrator of the program and his top people in a position that all they will be doing is constantly coming back to Congress defending their programs day in and day out?

I remember when the OEO program was in the branch of Government administered by the opposition party, the Democratic Party, and Sargent Shriver came over to see me one day. I said to him, "How can you afford so much time on the Hill? How much time do you spend on the Hill?"

He looked back at me and said, "When I look at my days and weeks, I find that I am up on the Hill at 9 o'clock in the morning, Monday through Friday, and I get back to my office at 6 o'clock at night. Then I say to myself and my staff, 'Now, what can I do for the poor?'"

I think we are placing Mr. Rumsfeld almost in the same position. We are saying that we cannot even authorize an

appropriation for 1 year for a program we all have faith in and that the President of the United States has said he must have.

Just the other day, we held hearings for one solid week in the Small Business Committee of the Committee on Banking and Currency. We listened to businessmen, agency heads and secretaries of departments come over and say what they are doing to implement the President's program for black capitalism and minority enterprises.

Mr. President, I should like to read something I just happened to pull out about an agency which I know enough about—the Chicago Economic Development Corp. It is a marvelous organization, aimed at complementing privately the national bipartisan objectives; namely, making the minority groups in this country, Spanish speaking, blacks, American Indians, whoever they may be, part of the economic fiber of this country.

Mr. Garland Guice testified as to how they were operating their agency, and he said:

This has been the agency most helpful for us. We have got some small funds from the Department of Commerce, we have got some small funds from the Small Business Administration, but we would be out of business if our funds relied on those two agencies. *OEO has been the agency which has most supported our operation in the past years.*

Mr. President, here is a program that is a new program, started by the Democrats last year under Howard Samuels, and carried forward now with great energy by the OEO. It is a program where the OEO is the experimenter, the innovator, the one that pioneers and finds a way, by using the money, to do the job that is needed, while others are merely talking about structuring the job.

I have been around the country studying health centers, which try to bring health care closer to the people where it is needed most and not through the county hospitals which are hard to get at, such as those in Los Angeles or Chicago.

What agency did we find that really did the best job with health centers?

It was the OEO with Neighborhood Health Centers. They were the pioneering group in this field which paved the way for us to make possible major legislation under the Hill-Burton Act.

Certainly, now that the President is talking about day care centers under his reform bill for welfare—

Mr. MAGNUSON. Yes, but they did not ask for any day care centers.

Mr. PERCY. These are the people who have been experimenting how to set up day care centers. I think that this agency knows as much about day care centers as any agency of Government.

Mr. MAGNUSON. One of the best programs in the business.

Mr. PERCY. Absolutely. I concur completely with my distinguished colleague from Washington. But here is a program that now, in the next 2 years, will get a tremendous push from the administration. I hope it will be bipartisan program and that it will be bipartisanly supported. It will take welfare mothers tied down with children and educate them, let them learn a skill, and stand on their

own feet and have dignity to earn their own living. It will give mothers a place to put their children.

We are one of the few civilized countries in the world which has no real provision for the care of the children of working mothers. Every other country does it. Eastern and Western Europe do. We are just now beginning.

OEO has paved the way. It has experimented with day care and has led the way in this area. Certainly in job training programs, in which I am very much interested, it has also led the way OEO has worked in connection with the National Alliance of Businessmen, where men such as Henry Ford and Donald Kendall are pulling new companies into their organization to find jobs for the poor.

Certainly, the Department of Commerce works with them, but it is the OEO which is providing that kind of help, too.

Mr. Kendall mentioned that in one city, Sacramento, Calif., 20 percent of that city's population lives in the ghetto. In Sacramento, this 20 percent pays 12 percent of its taxes, and accounts for 36 percent of its fires, 42 percent of adult crimes, 76 percent of its tuberculosis cases, requires 50 percent of its public health services, and 41 percent of its police costs.

NAB is working in this city with these people. OEO has helped support and fund their program from one city to another.

OEO is not just the major cities. OEO, with \$52 million, has set up community centers which are rurally oriented. Marketing cooperatives have been set up in rural communities to help rural people in depressed areas find ways to lift themselves by their own bootstraps.

The fact is that I do not know how they have been able to do so much with their money.

In our own select committee on food and hunger and human needs, the Bureau of the Budget has said that if we are to close the hunger gap, we will require \$2.930 billion this year for food alone. It is OEO that we turn to, which knows more about emergency food and medical attention for the poor than anyone else, which has worked cooperatively and harmoniously with the Department of Labor, HEW, and other agencies of Government in this area. It has been the catalyst, and the people concerned in this field have turned to OEO for help.

Certainly, in most of these areas, I think we can say that it has been the agency that, with only 5 years' experience, has pioneered and innovated. Now, with much tighter control, it can concentrate on evaluation and experimentation.

I would say this agency deserves a vote of confidence, and not to be held back with reluctance or with great concern. We are talking about a pittance, \$2 billion, when we are talking about the poor and human needs in America. When contrasted with \$69 billion for the Department of Defense, and certainly when contrasted with the billions of dollars for space, I certainly think we can find it in our hearts to have faith in this agency, in Donald Rumsfeld, and in his dedicated group, and certainly in the

President of the United States and this administration, which has given this agency a charter.

Mr. MAGNUSON. Mr. President, there was no discussion in the committee about the fine programs the Senator has so eloquently talked about. I voted for every OEO program.

Mr. MAGNUSON. There was nothing said about the merits of the programs, or the goals.

Mr. NELSON. May I say something?

Mr. MAGNUSON. Not yet.

Mr. NELSON. Mr. President, I did not even yield time.

Mr. COTTON. Mr. President, are we on a time limit?

Mr. MAGNUSON. No.

We were faced, like the cashier of a bank, with a real money problem.

Let me say again that very seldom does the Appropriations Committee allow the full authorization. I am hopeful we can work this matter out. We want some flexibility. It is too bad this happened in the House. Nobody down there is going to vote against OEO as such.

We said, in effect, that when the first supplemental bill comes up in January, the administration will have the program ready, and that we will accept it if the administration puts it in the supplemental bill, because there has been a little heel dragging down at the lower end about OEO. I can give the Senator chapter and verse on that.

Mr. NELSON. Mr. President, may I remind the Senator from Washington on this point? The Senator raised the point that nobody has been before the Appropriations Committee to explain the details of this authorization and appropriation. I appreciate that they were not there this year, but the Senator, who is very familiar with these programs, has conducted hearings every year for 4 years. There is not a single new program in this year's authorization or in the appropriation. So every single program going on is a program that the distinguished Senator from Washington conducted hearings on in the last Congress. And last year the Senate appropriated \$2.088 billion—\$40 million more than the President of the United States asked for this year, and \$40 million more than we authorized on the floor this year. So last year we appropriated \$2.088 billion, and all we are asking for now is an appropriation of \$2.048 billion, which is \$40 million less.

I am down here carrying water for the President of the United States. I am happy to do it, even though he is not of my party.

I supported \$290 million more in the authorization that we were able to get on the floor, and \$290 million more than the President asked for; but I think the President's request of \$2.048 billion is the minimum that we ought to appropriate here.

The essence of the argument here—and it is not the chairman's fault—is that this ends up being a 4-month supplemental appropriation, which expires in April, so to speak, with 2 months appropriations hanging in limbo, with all the problems that that creates for this administration, which I do not think we ought to create for it.

Mr. MAGNUSON. We will have the administration's position clear by next year sometime, because there have been a lot of changes.

I want to correct a figure. Last year they spent \$1.948 billion.

Mr. NELSON. That is the figure I have used.

Mr. MAGNUSON. Yes.

Mr. NELSON. I said we appropriated \$2.088 billion, which is \$40 million more than is in the proposal before us.

Mr. JAVITS. That is right.

Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. JAVITS. I think as long as the Senate is interested in the details of this matter, it is very important to point them out.

For work and training programs, Job Corps, school in summer, comprehensive employment, special impact, work experience, and foster grandparents, the authorized amount is \$871 million.

For the community action programs, which includes Headstart, legal service, and other programs, \$1.078 billion.

For the other miscellaneous programs, like migrant workers, rural areas, VISTA, and administration of the program, it generally comes to about \$100 million.

That is the anatomy of what is being requested in this appropriation.

It seems to me that the argument of the Senator from Wisconsin (Mr. NELSON) upon that is conclusive. There are no new programs involved; it has been an ongoing program.

With the parliamentary situation that the ceiling will be whatever the Senate appropriates, we must go to this higher figure.

The juxtaposition between what we are doing in war and war preparation and many other things is certainly a fair appeal to conscience in terms of the clients of this program.

If the Senator will yield for that purpose, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JAVITS. I say to the Senator in conclusion, Mr. President, that as a matter of common decency, the ceiling for the Senate negotiators should at least be the budget figure, which is the figure authorized by the Senate committee and, as the Senator from Wisconsin has very eloquently pointed out, is \$40 million less than what the Senate appropriated in money the last time out, with a program that is infinitely more expensive, as we know, to administer.

Mr. NELSON. I agree with the Senator. I would just like to say to the Senator from Washington that the part that really worries me about a figure the same as was agreed upon between the House and the Senate and adopted for this year is that if we took the \$1,948,000,000, and if the \$1,600,000,000-plus that was appropriated is to be ten-twelfths of that and, therefore, we are going to end up appropriating exactly what we spent this year, then we may very well be in a position, with the House of Representatives, where we have got to compromise at a figure less than the operating budget for this year; whereas, if we took the President's recommendation of \$2,048,000,000, at

least we would have some bargaining room.

Last year we started out with \$2,088,000,000, and ended up compromising on this year's figure of \$1,948,000,000.

Mr. MAGNUSON. Mr. President, one other thing is true. We have got to face this: With the conference starting tomorrow, suppose we should split the difference with the House of Representatives, their authorization would be higher than the \$2,048,000,000. Assuming what usually happens, there would be a difference of about \$100,000,000, or somewhere in there, as was true on the authorization.

Mr. NELSON. Then that has to come back to the Senate.

Mr. MAGNUSON. So the appropriation might—we do not know—end up less than the authorization.

Mr. BYRD of Virginia. Mr. President, will the Senator yield to me so that I might ask some questions of the chairman of the committee?

Mr. NELSON. I yield the floor.

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mr. MAGNUSON. Mr. President, I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I shall be very brief. This information sheet, which I am frank to say I have never had the opportunity to see until just now, if I read it correctly, after listing some of these appropriations, has here, unearmarked, under the authorization, \$427.9 million.

That is not far from half a billion dollars, which is not even earmarked.

Mr. NELSON. Let me give the Senator the explanation of that. This table to which he refers is the budget request of the administration. They submitted to the committee in detail how they proposed to use that money.

Mr. COTTON. Submitted it to what committee?

Mr. NELSON. To the Poverty Subcommittee of the Committee on Labor and Public Welfare, and to the committee over on the House side. The particular money to which you referred is to be spent for Community Action, local initiative programs, program direction, technical assistance, State economic opportunity offices, research, pilot programs, and evaluations.

That is what the unearmarked money is to be spent for. By not earmarking, we give them some flexibility.

Mr. COTTON. Well, it is very nice of the Senator to tell us that. It is helpful to know. But let us just look at the situation that presents itself to us, from a parliamentary standpoint.

The mistake that the Appropriations Committee of the Senate made was in appropriating one single dollar, because, when we tried our best to be fair and understanding, we opened ourselves up to this; and we deserved to get it in the neck, because we were interested, and reasoned as follows: The top authorization, the top request, is \$2.048 billion—

Mr. NELSON. May I say to the Senator that I have not in any way been critical of the Appropriations Committee.

Mr. COTTON. We talked it over, and

we said, "There is no authorization as yet, we have had no hearings"—and I want to be absolutely fair on this; I think that was probably our fault. I think if we had not been so pressed, hour after hour and night after night, we should have found time, had Mr. Rumsfeld come up with his people, and listened to him, even though we had not received the authorization. I wish we had.

But we have been operating for the last 6 weeks night and day. We certainly wanted to be fair, and not suppress this program by leaving them with no money until the passage of a supplemental.

So we said, "If we give them \$1.6 billion out of the \$2.048 billion, then it gives the Appropriations Committees a chance to obtain the necessary evidence, and the rest of it can wait for a supplemental appropriation without doing anyone any harm."

We were trying to be fair. We were trying to be generous. There is not a person in this Chamber, I do not believe, who thinks that, with \$1.6 billion in their hands, and with a supplemental coming along, they could not operate. When you talk about planning for next summer, the supplemental hopefully would be enacted before we adjourn, and certainly if we do not get a supplemental through before we adjourn, it has got to come through very quickly after the new year starts. Then there will be an opportunity to review the whole thing and get the evidence.

But no; the Senator wants to do something that has never been done before, I would wager, in the history of the Senate or of the other body. Suppose we vote the entire appropriation, without one word of evidence, without a chance of examining one single witness, what does the Senator get? Some \$400 million more than we are giving them; and all the information I had, until the Senator from Wisconsin started illuminating the situation just now, was a sheet here showing that there was \$427.9 million not earmarked.

It is ridiculous, Mr. President, to say that we have ruined this program. It is ridiculous to say that we have not been generous. What do they want to do? Do they want to pass the whole authorization without our being given a chance to weigh any one of these programs? There are two or three of them I have grave doubts about. Do we want to send conferees over to the conference with the House of Representatives, absolutely honorbound to hold out for the full amount?

I have served on this committee a good many years, and this is the first time I have ever seen such a proposition put before us. We have done something beyond what we were supposed to do and leaned over backward trying to be fair, so as not to stifle the program.

Mr. PERCY. Mr. President, I wish to comment briefly on the discussion we had today on the OEO appropriations and the points the senior Senator from New Hampshire made.

Senator COTTON was rightly concerned about the unusual situation confronting the Senate in voting funds for OEO. It is unusual for us to be appropriating money

when the authorization bill has not yet been approved. While I feel it is vital to approve this appropriation today for a full 12 months, I do understand the Senator's concern.

I commend him for his diligence and the fine work he has done on this difficult bill. He has a life long regard and devotion to the cause of justice, of concern for the poor and disadvantaged, the handicapped and the aging.

I join him in expressing the hope that we will resume regular procedures in the next session of the 91st Congress and all future sessions.

At this time, I would particularly like to commend and express appreciation to Senator Cotton and the other members of the Appropriations Committee for incorporating into this bill my amendment to fund title III of the Older American's Act at the authorized level of \$20 million. In so doing, they have recognized the special needs of our senior citizens and provided the funds needed to help meet them.

The PRESIDING OFFICER (Mr. BAKER in the chair). The question is on agreeing to the amendment of the Senator from Wisconsin. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Georgia (Mr. RUSSELL), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I also announce that the Senator from Washington (Mr. JACKSON) is absent because of a death in his family.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON), and the Senator from Massachusetts (Mr. KENNEDY) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Kentucky (Mr. COOPER) is absent because of illness in his family.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Ohio (Mr. SAXBE) would vote "yea."

The result was announced—yeas 60, nays 32, as follows:

[No. 243 Leg.]

YEAS—60

Alken	Harris	Muskie
Baker	Hart	Nelson
Bayh	Hartke	Packwood
Boggs	Hatfield	Pastore
Brooke	Hollings	Pearson
Burdick	Hughes	Pell
Case	Inouye	Percy
Church	Javits	Prouty
Cook	Jordan, Idaho	Proxmire
Cranston	Mansfield	Randolph
Dodd	Mathias	Ribicoff
Dole	McCarthy	Schweiker
Dominick	McGee	Scott
Eagleton	McGovern	Smith, Ill.
Fong	McIntyre	Spong
Fulbright	Metcalf	Stevens
Goodell	Mondale	Tydings
Gore	Montoya	Williams, N.J.
Gravel	Moss	Yarborough
Griffin	Murphy	Young, Ohio

NAYS—32

Allen	Ellender	McClellan
Allott	Ervin	Miller
Bellmon	Fannin	Smith, Maine
Bennett	Goldwater	Sparkman
Bible	Gurney	Stennis
Byrd, Va.	Hansen	Talmadge
Byrd, W. Va.	Holland	Thurmond
Cannon	Hruska	Tower
Cotton	Jordan, N.C.	Williams, Del.
Curtis	Long	Young, N. Dak.
Eastland	Magnuson	

NOT VOTING—8

Anderson	Kennedy	Saxbe
Cooper	Mundt	Symington
Jackson	Russell	

So Mr. NELSON's amendment was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SCOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I ask unanimous consent that the names of the Senator from Kansas (Mr. PEARSON) and the Senator from Kentucky (Mr. COOK) be added as cosponsors of the amendment.

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

CHRONIC DISEASE CONTROL PROGRAM

Mr. HART. Mr. President, I want particularly to commend the chairman of the Subcommittee on Appropriations for the Departments of Labor and Health, Education, and Welfare—as well as the other members of the committee—for restoring the \$24 million cut by the House in the regional medical programs, and for earmarking \$24,771,000 under this program for support of the chronic disease control program.

As pointed out on pages 22 and 23 of the committee report, the fiscal 1970 appropriation for the chronic disease program was combined with that of the regular medical program in accordance with the reorganization of health programs in the department.

This action and the subsequent cut by the House of \$24 million below the 1970 budget estimate placed in jeopardy the Nation's first regional medical arthritis control program, a collaborative project of the University of Michigan in Ann Arbor and the Henry Ford Hospital in Detroit. For the first year of a planned 5-year program, \$450,000 had been made available.

The committee is to be commended for recognizing the importance of the chronic disease programs and for providing the funds to maintain them at their previous operating level.

Hopefully our colleagues in the other body will be persuaded of the wisdom of this action and will accept this relatively small increase.

By way of background material, and in the interest of broader understanding of this health service, I ask unanimous consent to insert in the RECORD at this point the revised summary of testimony

of Dr. Ivan F. Duff before the subcommittee.

There being no objection, the summary was order to be printed in the RECORD, as follows:

REVISED SUMMARY OF TESTIMONY OF IVAN F. DUFF, M.D., CONCERNING THE REGIONAL ARTHRITIS CONTROL PROGRAM IN MICHIGAN

Mr. Chairman, I am Ivan Duff, a Professor and Internist at The University of Michigan Medical School. Mr. Hulce, President of the Michigan Chapter of the Arthritis Foundation (and who spoke briefly last evening at these hearings) and I, with the request that our full testimony be entered in the record, would like to present a brief revised summary as follows.

Since July 1, 1969, I have been in charge of the development of the nation's first Regional Medical Arthritis Control Program which is located in Michigan. This is a collaborative project utilizing the core resources of The University of Michigan and the Henry Ford Hospital in Detroit.

Two days ago, Senator Smathers and Dr. Clark impressively documented for this Committee the need for research support toward a cure of arthritis to alleviate the plight of the millions of arthritics and the staggering costs of these chronic diseases to the nation. There's was a request for funds for the National Institutes of Health.

Our ongoing program, since it is directly concerned with the delivery to arthritics of medical services, is a part of the Regional Medical Programs Service. We wish to testify concerning a very important matter, mainly the decision by officials of the Department of Health, Education and Welfare to reduce the activities of five of the eight chronic disease programs during fiscal year 1970 and to phase out several programs including the country's pilot Arthritis Control Program.

The basic concept of our program grew out of the 1965 Surgeon General's Workshop on Prevention of Disability from Arthritis. In essence, this is a program to demonstrate that crippling from arthritis can be delayed or prevented by a method of delivery of medical care which provides for early diagnosis, comprehensive evaluation of the patient's total problem, efficient and knowledgeable use of today's treatment measures, and provision for continuing medical and social support. The working design of our program includes analysis of social and economic benefits, direct medical costs, as well as objective criteria for measuring physical benefit.

The original plan called for the establishment and support of nine centers, to be located in Public Health Service districts. However, in 1968, the 90th Congress made an appropriation of \$500,000 for a single arthritis demonstration center program to the National Center for Chronic Disease Control—That center, September, 1968, was merged with the Regional Medical Programs Service.

In January, 1969 the Diabetes and Arthritis Control Programs, Division of Chronic Diseases, announced the availability of funds on a competitive basis for the nation's pilot demonstration program. On June 18, 1969 the Public Health Service announced that this award had been made to Michigan; on July 1, the program was activated.

The merger of the Division of Chronic Diseases into the Regional Medical Programs Service, which as you know, is concerned with heart, cancer and stroke and "related disorders" puts the authorized pilot Arthritis Control Program, which happens to be located in Michigan, in a situation of jeopardy. Our concern is what is to happen to this nationally important ongoing program intended to be of five-years duration, after July 1, 1970, in view of the public announcement of the reduced activities of the Arthritis and Diabetes Chronic Disease Programs

and it follows our program—after only one year of operation.

Mr. Chairman, we would make the point that the merger of our program vitally concerned with the delivery of medical services, with the Regional Medical Programs Service, carried with it the obligation for continued support. Our concern is for visible evidence of this in the form of continued support by the Health Services and Mental Health Administration and the Director of the Regional Medical Programs Service.

In appealing for ongoing funding in the fiscal year 1970, to permit this program's continuation, I would like to briefly summarize our progress to date:

1. In five months of operation we have demonstrated that the participation of many health related disciplines can be obtained in the formulation and operation of such a project. This program is the product of successful collaboration between physicians with an interest in arthritis and rehabilitation, physical and occupational therapists, public health nurses, social workers, behavioral scientists, specialists in research design, statistics, data retrieval, analysis of program direct costs and benefits and measurement of social costs.

2. We have demonstrated that cooperation of patients can be obtained. Our contemplated goal at the end of five years was about 600 rheumatoid patients; since admission to the program of the first patient early in September 1969, 34 eligible adults and three children with rheumatoid arthritis have been entered into the study. On pages 7-9 of my formal testimony are two case reports to document the plight of arthritis victims and what we can do; in other words, Senator Magnuson, we have something to deliver and we are making delivery.

3. We have demonstrated that such a program can be truly regional—two-thirds of the peoples in Michigan reside in the Detroit-Ann Arbor-Grand Rapids area. There is a real potential for expanding this to a state-wide program through the network of active patient service teaching clinics for physicians, now operative in eleven key locations throughout Michigan. It was to the role of the Michigan Arthritis Foundation, which by supporting these clinics in a total of \$100,000 a year, implements the yield of the Regional Arthritis Control Center, that Mr. Hulce (President of the Chapter and an executive of the Ford Motor Company) testified in part last evening.

4. Since its conception, it was clear between us and our contract officers, that this program would require a minimum of five years to achieve its objectives. In the first few months of its operation, much of the time has been involved recruiting personnel and with standardization of the many procedures involved in data collection and plans for analysis of a multidisciplinary project. More rapid development of actual operations can be anticipated now that this "tooling up" process is underway.

Senator Magnuson and gentlemen, we are appearing before you to respectfully seek renewal of recognition by the Congress of the importance of their and our pilot Arthritis demonstration center program and to request ongoing appropriations for this program. If there is a question of adequacy of authorization under the Regional Medical Programs Service to carry out arthritis projects, we need to seek legislation authorizing expansion of the Regional Medical Program Services to include this and other arthritis programs. Specifically, we request renewal of the budget appropriation in the amount of \$500,000 for Health, Education and Welfare for fiscal 1970 for the nation's first Regional Arthritis Control Program located in Michigan.

Thank you for the opportunity of appearing before you, for your courtesy and for your interest.

PROGRAM

Mr. SCOTT. Mr. President, I rise to inquire of the distinguished majority leader as to his intentions with regard to the progress of this bill and future business today and thereafter.

Mr. MANSFIELD. Mr. President, as the distinguished minority leader knows, there are a number of other appropriation bills following the disposition of the Labor-HEW proposal. This is the one, however, which may well take up most of the time. We also have a mistletoe gathering in which we are all interested to some degree. I would hope it would be possible that we could stay very late tonight. Whether or not we can finish this bill, I am not at all certain. I would say that the odds are against us; but if we do not try, we will never know.

At this time, I ask unanimous consent that there be a time limitation of 1 hour on all amendments, except as to sections 407, 408, and 409, the time to be equally divided between the sponsors of the amendments and the manager of the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I repeat, in response to the question raised by the distinguished minority leader, that we are going to be in session very late tonight, because we really do not have much choice. I know that many of us are tired, especially the members of the Appropriations Committee, who have been doing superhuman work over the past several weeks and especially during the past day or so.

With that word of cheer, I will yield the floor.

Mr. SCOTT. The majority leader has made me happy once again [laughter].

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1970—CONFERENCE REPORT

Mr. PROXMIRE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14916) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1970, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of December 15, 1969, p. 39093, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PROXMIRE. Mr. President, I urge that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER. The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$104,169,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 5 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$38,769,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$129,556,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 10 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$17,406,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$136,234,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$32,707,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 14 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert: "\$120,682,300".

Mr. PROXMIRE. Mr. President, I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 1, 5, 7, 10, 11, 13, and 14.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to.

Mr. PROXMIRE. Mr. President, I have a brief explanation and then I will yield to the Senator from Missouri (Mr. EAGLETON) briefly.

Mr. President, the total sum approved by the conferees is \$650,249,600. This amount is \$6,815,000 under the Senate bill, \$32,856,700 under the House bill, and \$102,694,700 under the budget estimates for fiscal year 1970.

The Federal payment to the general fund of the District of Columbia was fixed at \$104,169,000. The Federal loan authority is \$60,263,000.

Included in this record budget are substantial numbers of new personnel and programs which I hope will make the government of the District of Columbia more responsive to the needs of its citizens and improve the quality of life here in the Nation's Capital.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD.

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

SUMMARY OF BILL (H.R. 14916)

Agency and item (1)	New budget (obligational) authority, fiscal year 1969 (enacted to date) (2)	Budget estimates of new (obligational) authority, fiscal year 1970 (3)	New budget (obligational) authority recommended in House bill (4)	New budget (obligational) authority recommended in Senate bill (5)	New budget (obligational) authority recommended by conference action (6)
FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA					
General fund.....	\$89,365,000	\$110,000,000	\$107,000,000	\$109,206,000	\$104,169,000
Water fund.....	2,098,000	2,504,000	2,504,000	2,504,000	2,504,000
Sanitary sewage works fund.....	1,184,000	1,424,000	1,424,000	1,424,000	1,424,000
Total, Federal payment to the District of Columbia.....	92,647,000	113,928,000	110,928,000	113,134,000	108,097,000
LOANS TO THE DISTRICT OF COLUMBIA OR CAPITAL OUTLAY (FROM THE U.S. TREASURY)					
General fund.....	\$65,125,000	\$111,736,000	74,735,000	57,235,000	57,235,000
Highway fund.....	8,000,000	700,000	700,000	700,000	700,000
Water fund.....	1,250,000	170,000	170,000	170,000	170,000
Sanitary sewage works fund.....		2,158,000	2,158,000	2,158,000	2,158,000
Total, loan appropriation to District of Columbia.....	74,375,000	114,764,000	77,763,000	60,263,000	60,263,000
The Commission on Revision of Criminal Laws of the District of Columbia.....		150,000		150,000	150,000
Grand total, Federal funds.....	167,022,000	228,842,000	188,691,000	173,547,000	168,510,000
DISTRICT OF COLUMBIA APPROPRIATED FUNDS					
General operating expenses.....	\$35,405,500	\$44,091,000	(39,209,000)	(40,471,000)	(38,769,000)
Public safety.....	113,022,000	133,899,000	(130,324,000)	(130,801,000)	(129,556,000)
Education.....	122,607,000	149,956,000	(140,077,000)	(141,250,000)	(140,386,000)
Parks and recreation.....	17,305,988	20,421,000	(18,337,000)	(17,419,000)	(17,406,000)
Health and welfare.....	123,904,000	145,383,000	(137,382,000)	(137,297,000)	(136,234,000)
Highways and traffic.....	17,784,000	18,486,000	(18,450,000)	(18,206,000)	(18,450,000)
Sanitary engineering.....	31,214,000	34,929,000	(33,340,000)	(33,101,000)	(32,707,000)
Metropolitan Police (additional municipal services, inaugural ceremonies).....	(440,000)				
Personal services, wage-board employees.....	3,966,000	(5,201,300)	(5,201,300)	(5,201,300)	(5,201,300)
Settlement of claims and suits.....	(77,900)	(51,000)	(51,000)	(51,000)	(51,000)
Total, operating expenses.....	(465,726,388)	(552,417,300)	(522,371,300)	(523,797,300)	(518,760,300)
Repayment of loans and interest.....	(8,769,000)	(10,918,000)	(10,807,000)	(10,807,000)	(10,807,000)
Capital outlay.....	(109,100,000)	(189,609,000)	(149,928,000)	(122,460,300)	(120,682,300)
Grand total, District of Columbia appropriated funds.....	(583,595,388)	(752,944,300)	(683,106,300)	(657,064,600)	(650,249,600)

¹ Includes \$10,365,000 in 2d supplemental, 1969 (Public Law 91-47).

² Includes \$20,000,000 requested in H. Doc. 91-196.

³ Includes \$7,902,000 in supplemental, 1969 (Public Law 90-608).

⁴ Includes \$18,736,000 requested in H. Doc. 91-50 for fiscal year 1969, and reflects decrease of \$515,000 proposed in H. Doc. 91-99 and includes \$6,000,000 requested in H. Doc. 91-140.

⁵ Includes \$1,049,500 in supplemental, 1969 (Public Law 90-608), and \$975,000 in 2d supplemental, 1969 (Public Law 91-47). Also includes \$1,611,000 for Corporation Counsel appropriated under "Public safety."

⁶ Includes \$847,000 requested in H. Doc. 91-99.

⁷ Includes \$68,000 in supplemental, 1969 (Public Law 90-608) and \$10,034,000 in 2d supplemental, 1969 (Public Law 91-47). Excludes \$1,611,000 for Corporation Counsel, now under "General operating expenses."

⁸ Includes \$10,060,000 requested in H. Doc. 91-99.

⁹ Includes \$13,931,000 in 2d supplemental, 1969 (Public Law 91-47).

¹⁰ Includes \$1,204,000 requested in H. Doc. 91-99.

¹¹ Includes \$322,000 in 2d supplemental, 1969 (Public Law 91-47).

¹² Includes \$563,000 requested in H. Doc. 91-99.

¹³ Includes \$2,548,000 in 2d supplemental, 1969 (Public Law 91-47).

¹⁴ Includes \$2,054,000 requested in H. Doc. 91-99 and \$2,200,000 requested in H. Doc. 91-140 and \$1,369,000 requested in H. Doc. 91-196.

¹⁵ Includes \$163,000 in 2d supplemental, 1969 (Public Law 91-47).

¹⁶ Includes \$35,000 requested in H. Doc. 91-99.

¹⁷ Includes \$479,000 in 2d supplemental, 1969 (Public Law 91-47).

¹⁸ Includes \$403,000 requested in H. Doc. 91-99.

¹⁹ Includes \$3,179,000 in 2d supplemental, 1969 (Public Law 91-47).

²⁰ Includes \$27,900 in supplemental 1969 (Public Law 90-608), and \$50,000 in 2d supplemental, 1969 (Public Law 91-47).

²¹ Requested in H. Doc. 91-196.

²² Includes \$49,000 requested in H. Doc. 91-140.

²³ Includes \$18,736,000 requested in H. Doc. 91-50 for fiscal year 1969, \$8,928,000 requested in H. Doc. 91-99, and \$18,275,000 requested in H. Doc. 140.

²⁴ Includes \$10,590,000 in supplemental, 1969 (Public Law 90-608).

²⁵ Excludes \$2,286,000 requested in H. Doc. 91-196.

Mr. EAGLETON. Mr. President, will the Senator from Indiana yield to me for 2 minutes on the same subject?

Mr. HARTKE. I yield 2 minutes to the Senator from Missouri without losing my right to the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. EAGLETON. Mr. President, I would be less than candid if I did not express some disappointment in this conference report, especially in the recommended Federal payment of \$104.1 million. I had expected that the figure would be somewhere between the \$107 million approved by the House and the \$109 million passed by the Senate. I do not consider this to be a "compromise" in the usual legislative sense of that word when the final figure is \$3 million below the lowest amount approved by either House.

Mr. President, I repeat that I am somewhat disappointed and I believe important District programs will suffer as a result. However, there is some comfort in the fact that the Federal payment is still \$4 million more than was first recommended to the Senate.

Mr. President, I wish to pay due respect to the senior Senator from Wisconsin (Mr. PROXMIER) in seeing that indisensible and vital programs were spared

further cuts. For example, a considerable part of the previously mentioned reduction was made up by not funding authorized but vacant personnel positions. For example, another \$1 million was saved by eliminating a planned increase in jurors' fees. These actions will make the reduction less painful to bear although they cannot entirely remove the sting.

Nevertheless, I congratulate the senior Senator from Wisconsin (Mr. PROXMIER) for his conscientious leadership in this regard. He and I disagreed on some aspects of the budget but I believe we both have the best interests of the District of Columbia as our goal.

Mr. PROXMIER. Mr. President, I thank the Senator from Missouri, who has been most helpful. I think he permitted us to reach a better decision than we could have otherwise. The Eagleton amendment was agreed to in conference because it was already accepted by the House.

I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am grateful to my colleague for yielding to me that I may comment on a particular portion of the remarks of the Senator from Missouri (Mr. EAGLETON).

The Senator from Missouri expressed appreciation for the appropriation in the District of Columbia conference bill to improve the jury system and assist in law enforcement.

Mr. President, I recently received a letter from a very splendid citizen of the District of Columbia who was called for jury duty. This young woman—I know her personally—is a schoolteacher. She is a person genuinely interested in good government and desirous of meeting her obligations as a citizen. But she had the very unpleasant and disillusioning experience. While being available day after day and drawing \$20 per diem, she actually served on four cases, involving approximately 6 days. Because of her interest in the processes of government, she has taken the time to write of her experience. Her comments are constructive.

I ask unanimous consent that the letter be printed in the RECORD, without using the name of the person.

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

DECEMBER 7, 1969.

DEAR SENATOR: Having completed jury duty service at the U.S. District Court, Washington, D.C., for the month of November, 1969,

I wanted to register my dissatisfaction and complaints.

I looked upon the summons to jury duty as a challenge, a completion of a civic duty, and provision for an insight into the judicial system. I was disillusioned—greatly so. Out of one month of jury duty, I participated in a total of four criminal cases; at the outside this totaled six days. As I was there for a total of twenty-two days, that meant sixteen days of not being in court.

During this time, three days could go by at a time without my being called to be questioned as a prospective juror. The result—Boredom. I read volumes of books, talked with many people, and felt useless and uninterested in the process of justice, even at \$20.00 per diem. Often there would be 80 to 100 others doing the same thing, sitting and waiting. This could be a potential labor force, organized to organize the jury panels.

Since there are basic questions used to disqualify jurors, a form could be used to establish a juror's qualifications before entering the courtroom. A standard question in civil cases is "have you been awarded money from being in an accident?" This was true in my case, with the result I never sat on a civil case. By having a more efficient pre-selection process, jurors would be more readily available for panels for which they would be qualified.

Whatever the cause, nothing can justify the hours I spent sitting and waiting. If lawyers and judges were required to do this for sixteen days in the jury lounge, something would be changed.

Thank you for your attention.

Sincerely,

Mr. PROXMIRE. I thank the Senator.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 54) consenting to an extension and renewal of the interstate compact to conserve oil and gas.

The message also announced that the House insisted upon its amendment to the amendment of the Senate to the bill (H.R. 4293) to provide for continuation of authority for regulation of exports, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes by the two Houses thereon, and that Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. WIDNALL, Mr. MIZE, and Mr. BROWN of Michigan were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14916) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1970, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 4 to the bill, and concurred therein; and that the House receded from its disagreement to the amendments of the Senate numbered 1, 5, 7, 10, 11, and 13 to the bill, and con-

curred therein, severally with an amendment, in which it requested the concurrence of the Senate.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1970

The Senate resumed the consideration of the bill (H.R. 13111) making appropriations for the Departments of Labor and Health, Education, and Welfare for the fiscal year ending June 30, 1970, and for other purposes.

Mr. HARTKE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 15, line 15, insert the following: strike "214,033,000" and insert in lieu thereof "\$224,033,000, of which \$100,000,000 shall be available for grants pursuant to sec. 314 (d), not less than \$10,000,000 of which shall be available only for the purchase of rubella (German measles) vaccine.

The PRESIDING OFFICER. We are now operating under the unanimous consent agreement; 30 minutes to each side.

Mr. HARTKE. Mr. President, rubella, commonly known as "German measles," is an infectious virus disease. Once viewed as an innocuous childhood illness, rubella is now known to cause congenital abnormalities, and even death, in infants born to mothers infected with the disease while pregnant. During the 1964 rubella epidemic an estimated 50,000 spontaneous abortions and stillbirths occurred, and more than 20,000 infants were born blind, deaf, mentally retarded, or with heart disease. Additionally, recent studies prove that after being exposed to rubella in the womb, even those children who appear normal at birth are likely to develop serious hearing and speech defects as they grow older.

Since rubella is a cyclic disease, with epidemics occurring every 7 years, it is expected that the next major outbreak will strike early in 1971. To prevent a recurrence of the 1964 tragedy, it is absolutely essential that the immunization program currently being conducted by the public health service's national communicable disease center be made as effective as possible. Presently, however, this program is dangerously underfunded. Brief reference to the background of the program will be sufficient, I believe to bear out my contention that it needs a dramatic increase in funding.

In February of this year, the National Communicable Disease Center—NCDC—reported to the Congress that a vaccine had been developed which was effective against rubella. The Congress responded to this good news by approving a supplemental appropriation of \$9.6 million with which to launch a nationwide rubella vaccination program. It was then decided by the Public Health Service advisory committee on immunization practice, in close cooperation with the American Academy of Pediatrics, that the

vaccine should be used for children between the age of one year to puberty. Since this age group is the primary carrier of rubella, the decision was reached to immunize children ages 1 to 13 rather than the mothers themselves. In this fashion, it was hoped that a wall of immunity would be formed around women of child bearing age. It was determined that the vaccine should not be administered to women of child-bearing age because the effect of the live vaccine on pregnant women is not yet fully known.

The Census Bureau estimates that there are today at least 57 million children between the ages of 1 and 13 in this country who should be vaccinated pursuant to the NCDC guidelines. Under the NCDC program, the Federal Government, in cooperation with State and local public health officials, hopes to vaccinate at least 75 percent of this gigantic population pool before the anticipated 1971 rubella epidemic breaks out. Officials at NCDC appear confident that if this percentage can be reached, that is, if approximately 43 million children can be vaccinated in the next year, another tragic outbreak of rubella will be averted. Within this age group initial vaccination priority will reportedly be given to children in kindergarten and the early grades of elementary school.

These guidelines were set in February, and the live vaccine was licensed in June. Since that time, what action has been taken to vaccinate these 43 million children and thereby protect the 800,000 women, who it is estimated, will become pregnant during 1971 but who have developed no immunity to rubella? By my estimate—and the estimate of others—far too little.

The Office of Information for Health Services and the Mental Health Administration within HEW informs me that to date \$19.2 million has been spent on the rubella program. This figure was arrived at by adding the \$9.6 million supplemental appropriation for fiscal year 1969 to the additional \$9.6 million already committed under the fiscal year 1970 appropriation request of \$16 million.

Of this amount of \$19.2 million, I am told that only \$4.75 million has been expended for the purchase of vaccine. The remainder, approximately \$14.5 million has been spent on organizational, supervisory, and equipment costs. Although amazed that this \$19.2 million figure should yield so little for vaccine, I am prepared to accept its correctness. I am assured, however, that virtually all of the uncommitted portion of the \$16 million appropriation for fiscal year 1970, approximately \$6.4 million, will be used to purchase vaccine. If this proves to be true, the NCDC will have available to it approximately \$11.2 million for the purchase of vaccine during this fiscal year. Officials at NCDC estimate that this will be sufficient to purchase 8.6 million immunization shots. Their estimate is based upon the projected cost of the vaccine which they predict will be in the neighborhood of \$1.25 per shot. Put differently, the Federal Government will have funds sufficient to immunize less than 9 million out of the necessary 43 million children

in the 6 months remaining before the end of this fiscal year.

Rather than being alarmed that Federal funds will have resulted in the immunization of less than 25 percent of the target population, with only 6 additional months remaining to the start of 1971, officials within NCDC and HEW appear to be content with the projected progress of the program. When criticized for their failure to request a larger appropriation for their program, they respond that this is a cooperative venture entered into by the Federal and State Government and that the States should be required to pay their fair share. What that "fair share" should amount to, however, has never been accurately determined. When the rubella program was first conceived in February, HEW officials contemplated that the Federal Government would assume no more than 30 percent of the program's cost. Now these same officials estimate that the Federal Government might be forced to assume as much as 50 percent of the cost. This increase in their estimate of what the Federal role should be was apparently caused by recent criticism directed at the program in the newspapers and on television.

On October 26, the Washington Post published a most incisive article written by William Hines of the Chicago Sun Times. In this article Mr. Hines contended that—

Thousands of American women may bear dead, deformed or retarded children in 1972 because a nationwide immunization campaign against rubella is not getting off the ground, except in a few states, New York and the District of Columbia.

Hines further contended:

The reason for this slow-down seems to be the economy drive that is touching virtually all non-military echelons of the Federal Government.

He then quoted an unnamed official within NCDC who when asked whether financial restrictions were not posing an otherwise avoidable risk to thousands of unborn children answered:

I don't think you can argue with that. It's obvious that if you had the money you could do a whole lot to cut way down or even eliminate rubella.

However, Dr. James H. Cavanaugh, Assistant Secretary for Health in the Department of Health, Education, and Welfare took exception to the position that additional funds for the rubella program in this fiscal year would serve any useful purpose. In an interview he had with Mr. Hines, Dr. Cavanaugh stated that any additional funding above the \$25.6 million figure which HEW had requested for fiscal years 1969 and 1970 could not be used efficiently. He asserted at that time that a shortage of vaccine and personnel to administer it ruled out any increase in the appropriation for fiscal year 1970. With respect to the vaccine question Hines noted comments by drug industry officials which indicated that more than enough vaccine would be available if the Federal Government would only license additional producers.

At the time Hines wrote his article there was only one licensed company, Merck, Sharp & Dohme, within the last

week an additional company, Philips Roxane Laboratories, has also been licensed. Sources at Philips Roxane indicate that they presently have in stock more than 8 million doses of rubella vaccine and possess the capability of producing 1 million more per month. This is in addition to the estimated capability of Merck, Sharp & Dohme which has been set at 1.5 million doses by its officials. The two companies have, then, a combined capability to furnish 23 million doses of vaccine by the end of this fiscal year but HEW has requested, and the Appropriations Committee has approved, funds sufficient to purchase only 8.6 million doses. Clearly, then, HEW and NCDC are faced not with a shortage of vaccine but a surplus of more than 14 million shots.

What is to happen to this vaccine? Will it be allowed to sit in pharmaceutical company warehouses or will it be used to prevent rubella? HEW's answer has been that any vaccine surplus will be easily absorbed by official and private sources within the States. This answer is based on the HEW presumption that State and private sources should—and more importantly, will—shoulder at least half the cost of the immunization program. In view of its importance, the correctness of this presumption must be examined. And examined it has been in a series of investigative reports by Paul Friedman and Jim Gaver of NBC news. Their conclusions, I believe, merit very close attention. Based on conversations they had with U.S. Public Health officials in each of the 50 States they found that the individual States were not acting to accept their responsibilities under the program. Specifically, there are only 11 States in which health authorities indicated that by 1971 they will have vaccinated more than 75 percent of the children ages one through puberty. As I mentioned earlier a vaccination program reaching 75 percent is considered reasonably effective by most public health authorities. They then noted that outside these 11 States, the picture became very bleak.

In eight States the expectation was that between 50 and 75 percent of the applicable children would be vaccinated. In 26 of the States—more than half—the estimate was that less than 50 percent of the children would be vaccinated by the time of the next rubella outbreak. NBC news reported that these States included some of the largest "young populations"—such as California, New York, Illinois, Ohio, and Pennsylvania. Of these 26 States, 14 reported that they would vaccinate fewer than a third of their children. NBC then reported that in the five remaining States health officials were just beginning to think about rubella vaccination programs and that no program was actually in progress. NBC concluded its report by noting that their figures were "obtained by speaking with health officials in each of the 50 States, who told it how much they think they will be able to do using Federal, State, and private funds—plus what they think private doctors will do. Adding everything up, a generous estimate is that 20 million children in the one to puberty

age group will be vaccinated by the spring of 1971. That is 20 million, not the 40 million estimated by the Department of Health, Education, and Welfare. Twenty million vaccinations are not likely to stop another outbreak of rubella, with its resulting tragedies."

Mr. President, this expected failure of most States to pay for at least 50 percent of the program's cost raises a question of utmost seriousness. If the States are unable to meet the standards set down by the Federal Government will the Federal Government through HEW and NCDC eventually have to assume a larger share of the cost? Obviously, the answer to this question must be in the affirmative.

At their recent meeting held in Washington just last week, the Association of State and Territorial Health Officers called upon the President and the Congress to increase the Federal funds available under the rubella vaccination program. Without an increase in Federal assistance the association declared that the States would not be able to shoulder their responsibilities under the program. Needless to say I agree with the sentiments expressed by the association.

Mr. HARTKE. Mr. President, I ask unanimous consent that the report of December 10, 1969, be printed in the RECORD.

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

ASSOCIATION OF STATE AND TERRITORIAL HEALTH OFFICERS, Washington, D.C., December 10, 1969.

It is recommended that since rubella may cause damage to an unborn infant if the mother gets this infection during the early months of pregnancy; since health officials estimate that more than 20,000 rubella babies were born in the United States as a result of the 1964 epidemic; since many of these children were born blind, deaf, mentally retarded, undersized, or with serious heart defects; since a rubella baby represents untold sorrow for its family and may cost as much as \$65,000 for education and training; since a rubella vaccine which has now been licensed can prevent another epidemic of such tragic consequences; and since widespread administration of this new vaccine to most of the children in the 50 States will not be possible without the support of additional Federal funds; therefore, the Association of State and Territorial Health Officers calls upon the Congress and the President of the United States to support legislation that will provide funds for the immunization against rubella of all eligible susceptible boys and girls between the ages of one year and puberty in the United States, as quickly as possible commensurate with the availability of licensed vaccine, but prior to 1971.

Mr. HARTKE. Mr. President, if at least 75 percent of the 43 million children estimated to be between ages 1 to puberty are to be immunized, the Federal Government must immunize more than 8.6 million of them in the next 6 months. In my opinion the NCDC must take upon itself the responsibility of vaccinating at least an additional 14 million children before July 1970. To do less, in my opinion, would be to cruelly gamble with the fate of thousands of children who will be conceived in 1971.

The simple truth is that we have the means now at hand to stamp out a

disease which is the No. 1 cause of mental retardation among children. We have the means now at hand to stamp out a disease which has caused blindness and deafness in thousands of infants and children.

In view of the terrible damage worked by this disease, I do not think we can do less than our very utmost to curb rubella.

For that reason I am introducing an amendment to H.R. 13111 which would provide at least an additional \$15 million for the fight against rubella. Specifically, my amendment would increase the appropriation under 314(d) from \$90 million to its authorized limit of \$100 million. Since 314(d) has a matching fund requirement, I anticipate that at least \$5 million more would be added to the Federal figure by State contributions. Since administration, supervision, and equipment costs have largely been provided for, I contemplate that the entire \$15 million figure will be used for the purchase of vaccine. In view of the vaccine surplus which will likely result by the end of this fiscal year, I believe it imperative that the entire amount generated by my amendment be used to purchase vaccine.

I might point out it has been estimated it costs \$68,000 to educate one retarded child or one crippled child. On the basis of this \$10 million investment in vaccine, it will provide for a saving of the money required to educate retarded and crippled children of over \$1.3 billion, not counting the \$50,000 children who died in 1964 alone due to still-born or premature abortions.

Mr. MAGNUSON. Mr. President, the committee heard a great deal of testimony on this matter. The health people, of course, are quite pleased with the results of using this vaccine, but as I understood from the testimony, German measles runs in cycles and is particularly dangerous to pregnant women. We do not know when the next cycle will occur, but the best estimate is late 1970 or 1971. Thus, the more youngsters that can be inoculated and the more women that can be examined for it so that they will not get it, the better.

I have no objection to the amendment. I wish, however, that the Senator from Indiana would modify his amendment. He states:

Not less than \$10 million of which shall be available only for the purchase . . .

Now, this program requires not only the purchase of rubella but also requires some aid in the community health centers and clinics for inoculations. In other words, the whole process, if it can be accomplished, would be better.

Mr. HARTKE. Mr. President, I ask unanimous consent to amend my amendment in that fashion.

Mr. MAGNUSON. There is no use getting it all unless we can put it someplace. There is only one company licensed to do it now. Two, I believe, but we will need more.

If the amendment would read:

Strike 214,033,000 and insert in lieu thereof, 224 million, of which 100 million shall be available for grants pursuant to section 314(d).

Mr. HARTKE. I have so asked unanimous consent that it be modified accordingly.

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

Mr. MAGNUSON. Colloquy on the floor will be sufficient to put it in the conference report, that it is for this purpose.

Mr. HARTKE. I thank the Senator.

The text of the amendment of the Senator from Indiana as modified is as follows:

On page 15, line 15, insert the following: strike "214,033,000" and insert in lieu thereof "\$224,033,000, of which \$100,000,000 shall be available for grants pursuant to sec. 314(d).

Mr. HARTKE. Mr. President, I yield back the remainder of my time.

Mr. MAGNUSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Indiana as modified.

The amendment as modified was agreed to.

Mr. MURPHY. Mr. President, I send to the desk an amendment adding \$20 million for the manpower development and training activities to be used under title V, supplementary State programs, of the Manpower Development and Training Act, and ask that it be stated. I will explain it briefly. The cosponsors of the amendment are as follows: Senators GOODELL, JAVITS, CRANSTON, GRIFFIN, and FANNIN.

The PRESIDING OFFICER. The amendment will be printed in the RECORD. The assistant legislative clerk proceeded to read the amendment.

Mr. MURPHY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by the Senator from California (Mr. MURPHY) is as follows:

On page 2, lines 8 and 9, strike out "\$655,605,000" and insert in lieu thereof "\$675,605,000".

On page 2, line 15, before the period insert a colon and the following: "Provided further, That of the amounts appropriated herein \$20,000,000 shall be available only for carrying out the provisions of title V of said Act".

Mr. MURPHY. Mr. President, my colleagues will recall that we considered the extension to the Manpower Development and Training Act in the closing days of the last session. As a result, there was considerable pressure to extend the act without any amendments. Notwithstanding this pressure and the time problem, the Congress adopted my amendment adding the new supplementary State program to the Manpower Act. This, incidentally, was the only major new amendment added last year. I believe this indicates the importance of the program. The supplementary State program is designed to encourage State initiative, creativity, and coordination in an effort to improve manpower programs. Under this program, a State may receive Federal matching funds not to exceed 75

percent "for the purpose of supplementing, coordinating, and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment."

Although enacted late in the last session, States have responded enthusiastically to the new program. Thirty States have already expressed interest in the program. Of those expressing an interest, 24 have said that they have State matching funds available. H.R. 13111, the Labor-HEW appropriation bill which we are now considering, when passed by the House, failed to fund this important program. The reason given was "that grant programs in this area should be consolidated rather than proliferated." Mr. President, no one has been more concerned than I with the twin problems of program proliferation and inadequate coordination. As the ranking Republican on the Senate Labor and Public Welfare Subcommittee on Manpower, Employment, and Poverty, these problems have received my continued attention. When I introduced the supplementary State program amendment I spoke in some detail on the proliferation of programs and lack of coordination.

Concern over program proliferation and inadequate coordination has been a recurrent theme sounded by experts, advisory committees, and congressional committees. In the Senate report accompanying the 1968 manpower amendments, the Senate Labor and Public Welfare Committee sharply criticized the "plethora of different and largely uncoordinated federal manpower programs" which "do not result in any comprehensive manpower policy." Instead, the committee said "individual acts were written, considered and amended in rapid succession to meet current crises, real or imagined, with little attention to their interrelations." Although very critical of program proliferation and inadequate coordination, the Senate Labor and Public Welfare Committee and the full Senate adopted my amendment obviously feeling that the supplementary State program would help pull together and improve the total manpower effort. The 1969 report of the Department of Health, Education, and Welfare on the Manpower Development Act also spoke of the program's potential. I quote:

The new Title V program in the 1968 Amendments to the Manpower Development and Training Act provides potential to the states to strengthen their capabilities to plan and coordinate manpower programs.

Thus the title V program in the judgment of the Congress, the Department of Labor, the Department of Health, Education, and Welfare, and the States has a great potential in helping to remedy some of the existing defects in the present manpower programs. Title V encourages state initiative and innovation towards meeting these defects. Under the title V program, we should see:

Better coordination as States move to

tie together manpower programs at the State and local levels;

Improved services for the program's participants as existing program gaps are filled and imbalances corrected;

New ideas and approaches by the States based on local and State experiences as the States move out and chart new directions in the manpower field.

No greater example of the program's potential can be found than my State of California where we have attempted to put together the various pieces of the manpower effort in a logical coordinated manner. In California, last year, the State legislature passed a package of bipartisan measures designed to deal with the problems of the disadvantaged in an imaginative way. This legislation has been signed into law by Governor Reagan. I want to emphasize the bipartisan nature of this effort. Some have remarked that the cooperation by the two political parties in California during last year, an election year, was almost a "miracle." I personally attribute this meeting of the minds to the realization of the importance of the problems confronting California and the country and determination by the State legislature and executive branches to shape programs to match the dimensions of the problems. California rightly has placed the problems of the people before the politics of the parties. This bipartisan effort is a tribute to the high level of State government in California.

One of the bills in the bipartisan package, assembly bill 1463, established a new State Department of Human Resources and Development designed to coordinate the various State programs aimed at the disadvantaged. The State of California hopes to provide the hard-core unemployed with a "unbroken sequence of services from intake through placement in a job and periodic followup and evaluation" so that we will know exactly what is being done and what progress is being made. It is the intent of all of us to try to break the barriers of the bureaucracy that tie up the getting of needed services to our people. Presently, we too often force people into existing programs. California hopes to make the individual the focus and tailor programs to fit the individual for employment rather than force an individual into a program. In other words, California hopes to personalize programs so they serve the needs of the individuals rather than force the individual to conform to the requirements of the program. To do this, a new civil servant, a "job agent" would be created and assigned the task of securing the necessary training needed by his disadvantaged unemployed client in order to make him employable. To accomplish this, California needs a little flexibility in the use of highly categorical Federal aid funds. The title V program would provide this flexibility and thus encourage California and other States to be creative.

I would also point out that many other States have started to reorganize their State structures to create departments similar to the California Department of Human Resources and Development.

Too often, however, creative State ef-

forts are thwarted by restrictions and regulations of Federal laws. On July 15, 1968, I outlined in some detail the problems that California was having in implementing its program. Other States have relayed to me similar frustrations as they attempted to embark on a new course in the manpower field.

In the bill before us and the report accompanying it, it is my understanding that no funds have been provided for this important title V program. In my quick reading of the report, I see no rationale given for not funding the program. Perhaps the committee shared the views of the House, but I believe that my statement today refutes that position.

Mr. President, the problems of our country are so immense and diverse that initiatives and cooperations by all levels of government as well as the private sector is needed. We hear a great deal of criticism regarding the States. I realize that all the criticism is not without justification. Yet, I know too well that all the brainpower in this country is not centralized in Washington.

If there is one thing that is becoming clear, it is that Washington cannot prepackage "canned solutions" to solve all the local and State problems. There are too many local communities and the distances from Washington to them are too great for Federal foresight to make a Federal program work everywhere. Hind-sight and experience clearly show us this.

The same is also true of program fragmentation and inadequate coordination. Steps taken at the Federal level toward consolidation and coordination must be accompanied by similar strides at the State and local level or we will not accomplish our purpose. For program proliferation, multiplicity of funding, and lack of coordination are not problems solely peculiar to Washington. To the contrary, these problems seem to multiply at the local level. Secretary Shultz and the administration recognize that "making sense" out of the present "manpower maze" requires leadership at all levels. The Secretary of Labor's reorganization of the Labor Department and the administration's manpower proposals evidence such leadership at the national level. The Secretary also recognizes that planning, coordination, and reorganization at the State and local levels are even more important for, after all, this is the action level where in the final analysis the success or failure of our programs will be determined.

Mr. President, for the Congress to slam the door on the enthusiastic response made by the States to title V's invitation to them to be creative in the manpower field would be a blow to all our efforts to not only improve our manpower programs, but also to strengthen the States' roles and their responsibilities. I, therefore, strongly urge the adoption of my amendment providing the \$20 million recommended by the administration to support this program.

Mr. President, I ask unanimous consent that a summary of the package of the bipartisan measures passed by the California Legislature be printed in the RECORD, along with a copy of a letter

which Governor Reagan wrote to the members of the Appropriations Committee in support of my program.

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

BIPARTISAN JOB DEVELOPMENT AND TRAINING PACKAGE—SUMMARY

Preface

These bipartisan bills, which represent the most comprehensive effort developed by any state to deal with the problems of job training and development in economically disadvantaged areas, are supported by Governor Reagan, Lieutenant Governor Finch as well as legislative leaders of both parties.

AB 109—(Campbell)—California Job Development Corporation law

This bill authorizes the creation of regional non-profit California Job Development Corporations to provide loan capital and management assistance to create small business opportunities and create jobs in economically disadvantaged areas.

It would:

1. Set up a State Executive Board to set guidelines for the operation of regional corporations.
2. Provide that members (financial institutions, businesses, non-profit corporations) commit loan capital or other resources to the corporation as a condition of membership.
3. Provide \$1 million for "start-up" loans for regional corporations and for regional guarantee funds to back up loans.
4. Require that persons who receive small business loans maintain a consulting relationship with the corporation for two years, to avoid business failures.

AB 1463—(Unruh) Creates Department of Human Resources Development

This measure:

1. Fixes responsibility for the delivery of services to the chronically unemployed, by establishing a single agency (the Department of Human Resources Development) to provide a full-range of needed services to the hard-core unemployed on an individualized basis.
2. Creates a new kind of civil servant—a "job agent"—who is held responsible for getting the necessary services to each client and following through until his client is on a job. The job agent develops a "plan" for each client and a timetable for providing those services. He may contract with public or private agencies in providing these services, be they education or vocational training, medical services or housing for the client.
3. Consolidates a number of existing state agencies dealing with employment and poverty problems into the new agency, including the Department of Employment, the Multi-Service Center program, and the State Anti-Poverty Office. The several scattered funds supporting these programs are consolidated within one "Manpower Development Fund".
4. Designates target areas within the state with the most serious unemployment problems and requires the department to focus its prime attention on those areas and their unemployed residents.

AB 1777—(Monagan) Pooled money investment fund

This bill would:

1. Provide an incentive for banks to make high risk loans in urban poverty areas as members of a California Job Development Corporation.
2. Permit the Pooled Money Investment Board, consisting of the State Controller, Treasurer, and Finance Director, to increase the amount of state surplus money available for time deposits and place the money in banks which are members of CAL-JOB

corporations and have made loans to such corporation or to corporation-approved borrowers.

3. Declare the intent of the Legislature that the Pooled Money Investment Board give due regard to assisting such efforts as the CAL-JOB program established by AB 109 in administering its investment program.

It is anticipated that utilization of reserve funds to provide incentives could also bolster the entire state economy, as any new money made available to banks would be used and reused, having a "multiplier effect" of roughly two and one-half times the amount deposited.

AB 1046—(Unruh) Small Business Assistance program law

This bill:

1. Creates a two-year pilot program, to be administered through the CAL-JOB Executive Board formed by AB 109, whereby the state will contract with private non-profit associations to provide technical business assistance to small businessmen who live in and desire to locate their enterprises in specified disadvantaged urban areas.

2. The bill appropriates \$150,000 and requires the CAL-JOB Executive Board to report to the 1970 Legislature on the effectiveness of the program.

AB 1966—(Veneman) tax incentive for job training

This bill would:

1. Provide a tax incentive on a two year pilot basis for employers to hire long-term unemployed persons, with priority to recipients of public assistance. It is limited to 2,500 certified trainees per year or a revenue loss of no more than \$300,000 per year.

2. Permit an employer to deduct from his gross income an amount equal to 50 percent of the training costs and wages paid an approved trainee, providing the term of employment is at least six months. It is anticipated that the resulting loss of tax revenue to the state would be offset by savings in public assistance expenditures on a minimum three to one dollar ratio. Employers would realize a tax saving up to seven percent of wages and training costs expended. This should encourage small and medium size employers, who account for most of the California labor force, to participate in training unskilled and unemployable workers.

3. Protect against potential abuse by providing that both the employer and trainee would have to be certified by the Administrator of the Health and Welfare Agency before the tax incentive could be claimed.

4. Appropriates \$50,000 for administrative costs.

AB 1464—(Ralph) Elimination of discrimination in apprenticeship programs

This bill requires the Joint Apprenticeship Council, which sets guidelines for apprenticeship programs, to insure that selection procedures are impartially administered without discrimination. It requires that complaints alleging discrimination be filed with the Fair Employment Practices Commission, but that the Division of Apprenticeship Standards investigate the complaint, holding at least one open hearing and act upon it within 60 days. Cases may be reassigned to FEPC upon their request at which time they would act upon it within 30 days.

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,

Sacramento, December 8, 1969.

HON. WARREN G. MAGNUSON,
Chairman, U.S. Senate Appropriations Subcommittee on the Departments of Labor and Health, Education, and Welfare,
Senate Office Building, Washington, D.C.

DEAR SENATOR MAGNUSON: As passed by the House of Representatives, the Labor-HEW appropriations bill (H.R. 13111) would not fund the new "Supplementary State Pro-

grams" under Title V of the Manpower Development and Training Act (MDTA). I feel that MDTA Title V, newly enacted by Congress in 1968, is vitally important to developing more effective, coordinated manpower services in the states, as we are attempting to do in California. I ask your support in the Appropriations Subcommittee on the Departments of Labor and HEW to restore the \$20 million Title V appropriation originally requested by the Administration to help the states move ahead in dealing with our critical manpower problems.

In the House, the appropriation was eliminated in the belief that the MDTA Title V program was simply another in the long series of proliferated manpower programs about which we are all concerned.

I can understand this point of view, and I certainly would not be urging this appropriation if I felt that it would only add to the complicated system of manpower programs we now administer. I am supporting this program, however, because I believe it will provide the vehicle for us to learn how to more effectively administer a manpower program, how to modify the existing proliferation, and ultimately make our programs more efficient and economical.

Title V was added to MDTA on the motion of Senator Murphy to give the states a flexible tool to deal with the problems posed by the rigid requirements of the existing categorical manpower programs. If funded, Title V will give the states the resources to coordinate and fill the gaps in the existing programs and to respond flexibly to the individual needs of the hardcore unemployed and underemployed. Because of the generalized nature of Title V, it will also enable the states to begin implementing the innovative, responsive manpower programs envisioned in President Nixon's proposed Manpower Training Act.

Twenty-four states want to carry out programs under this title and have matching funds available to do so in the current fiscal year if federal funds are appropriated. As an example, the California Legislature, in its recently completed session, appropriated \$1 million to be used as matching funds under Title V. We also have developed a proposal which is ready for submittal as soon as funds become available.

For your information, I have enclosed a reprint from the Congressional Record giving Senator Murphy's views on Title V and outlining the new California manpower program.

Sincerely,

RONALD REAGAN,
Governor.

NOTE.—This letter went to all of the members of the U.S. Senate Appropriations Subcommittee.

Mr. MURPHY. Mr. President, I would like to point out that this administration has requested the same amount, \$20 million. It would enable us to implement the title V program—adopted by the Congress in 1968.

I respectfully request that the distinguished chairman of the subcommittee consider it and accept it. I can assure him it is an excellent program.

Mr. MAGNUSON. Mr. President, I am familiar with the program, and I thoroughly agree with the Senator from California that, somewhere, we have to secure coordination in all these matters. That has been the whole problem downtown, with this bill, and with the authorizations. I would hope this would be a pilot plan for getting coordination.

Mr. MURPHY. If the Senator will yield for a moment, that is exactly what it is designed to be. It is designed to demonstrate what States can do if we only give

them the opportunity. The experiments they undertake can have national implications. The germination of the idea started California on a bipartisan basis, because the State is so large and it had so many programs that one just could not find out what was going on. There was duplication. There was competition. This program seeks to end this waste and allow States to examine manpower efforts at the local and State levels, and tie these activities together with the Federal programs, I am convinced that title V will help bring about greater effectiveness and greater coordination of our manpower programs.

The amendment will streamline State efforts and improve services to the program's intended beneficiaries. The program is a vote of confidence to the States. It should be adopted.

Mr. MAGNUSON. Mr. President, if the Senator will bear with me, as far as I am personally concerned, I think it is a good amendment. I am sure if we had considered it in committee, we would have accepted it. But the Senator from New Hampshire is not here right now.

Mr. MURPHY. I spoke to the Senator from New Hampshire earlier. He implied that he would not object to it. I think he is in the cloakroom.

Mr. MAGNUSON. I would like to yield back the balance of my time. I am sure it will be all right. I will talk with the Senator from New Hampshire. With that condition, I will be glad to take it.

Mr. MURPHY. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, the Senator from California and I have had a little arrangement. I may ask to reconsider the amendment when the Senator from New Hampshire comes back. I am sure it will be all right.

EXTENSION OF VOTING RIGHTS ACT OF 1965—REFERRAL TO COMMITTEE ON THE JUDICIARY WITH INSTRUCTIONS

Mr. SCOTT obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. SCOTT. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that H.R. 4249 be referred to the Committee on the Judiciary with instructions to report back not later than March 1, 1970, and that at the conclusion of morning business on March 1, 1970, or the first legislative day thereafter, H.R. 4249 be made the pending business.

Mr. SCOTT. Mr. President, reserving the right to object, will the Senator identify the bill?

Mr. MANSFIELD. Yes; it is the voting rights bill.

Mr. SCOTT. May I inquire whether agreement has been reached with the Senator from Michigan?

Mr. MANSFIELD. Yes, and the Senator from North Carolina.

Mr. SCOTT. I have no objection.
The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL
9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if the Senator will yield further, I ask unanimous consent that when the Senate completes its business late tonight, it stand in adjournment until 9 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

DEPARTMENTS OF LABOR AND
HEALTH, EDUCATION, AND WEL-
FARE, AND RELATED AGENCIES
APPROPRIATIONS, 1970

The Senate resumed the consideration of the bill (H.R. 13111) making appropriations for the Departments of Labor and Health, Education, and Welfare for the fiscal year ending June 30, 1970, and for other purposes.

Mr. MAGNUSON. Mr. President, are there further amendments?

Mr. SCOTT. Mr. President, I have an amendment, which I send to the desk and ask the clerk to state.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment as follows:

On page 64, line 18, in lieu of "no" insert the following: "Except as required by the Constitution no."

On page 65, line 8, in lieu of "no" insert the following: "Except as required by the Constitution no."

Mr. SCOTT. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

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

Mr. SCOTT. Mr. President, may I ask the distinguished majority leader to yield further?

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor at this time.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, I will now address a further question to the distinguished majority leader. As I understand it, the future order of business would be to take up the transportation appropriation bill, the foreign aid appropriation bill, and the supplemental bill.

Mr. MANSFIELD. That is all.

Mr. SCOTT. And that is all the business, except we would be waiting for conference reports. Is that correct?

Mr. MANSFIELD. Yes, with the exception that if something noncontroversial comes up on the calendar, we will take it up, but I want to concentrate on appropriation bills and see if we can beat the Presidential deadline and get out of here.

Mr. SCOTT. Very well.

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

Mr. SCOTT. I yield.

Mr. MAGNUSON. I did not know there was a presidential deadline.

Mr. MANSFIELD. Well, the President said he would call us back if we did not complete all our appropriation bills. Oh, yes, there will be the tax bill conference report.

Mr. MAGNUSON. I want to have a deadline for appropriations and authorizations and what they send up here.

DEPARTMENTS OF LABOR AND
HEALTH, EDUCATION, AND WEL-
FARE, AND RELATED AGENCIES
APPROPRIATIONS, 1970

The Senate continued with the consideration of the bill (H.R. 13111) making appropriations for the Departments of Labor and Health, Education, and Welfare for the fiscal year ending June 30, 1970, and for other purposes.

Mr. MAGNUSON. Mr. President, I want to ask this question with the indulgence of the Senator from Pennsylvania. There are no more of what I would call money amendments pending. We do not have any here that we know of. No Senator has notified me of any. So it is logical to proceed with the general language of sections 407, 408, and 409.

Mr. SCOTT. Yes.

Mr. MAGNUSON. If there are any last minute money amendments after this is over, I do not think the committee will look very favorably upon them, because we have gone all afternoon on them.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. MAGNUSON. I yield.

Mr. SCOTT. Mr. President, I will be glad to yield for a question, but I do not want to suspend the amendment.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. SCOTT. I yield.

Mr. JAVITS. Not to displace anything, but to have a momentary colloquy. The only other money amendment I had in mind was directed to the very important summer job problem. I have determined in my judgment, to rest with the committee, because I have such a feeling for the Senator from Washington in this respect, who helped me immeasurably to get the little bit of money that we did before. He has provided money which will bring it up to 1969. The only thing I would like to say is that the Conference of Mayors feels very strongly that they need at least \$50 million more to meet the need of the cities next summer. In the interim, between now and the next supplemental or the January supplemental bill, I will do my utmost to see if they can make that case, basically and factually, and stand back of it.

The only reservation I would like to interpose is that the Appropriation Committee will recognize that we are not waiving anything here. We have great faith in the chairman of the committee. We know he is not the chairman of the Supplemental or Deficiency Committee. Nevertheless, he is a very important member, and so are the members of his committee.

I just want the Senator to bear in mind that we are going to proceed in good faith ourselves when we must make our case. We will come to the Appropriations Committee, and, if need be, to the Senate, and ask for the Senate's help.

Mr. MAGNUSON. I shall be looking forward to it, because, as the Senator knows, to me that is a fine program, and the only problem we have is whether they can justify the figures they come up with.

Mr. President, I yield now to the Senator from Texas, who has a very minor, short amendment, which will not require over 2 or 3 minutes.

Mr. SCOTT. Mr. President, if I may do so without losing my right to the floor, I shall be happy to yield to the Senator for that purpose.

The PRESIDING OFFICER. The Chair advises the Senator from Washington that there is an amendment before the Senate. The Senate cannot take up another amendment except by unanimous consent. Is there such a request?

Mr. SCOTT. Mr. President, I ask unanimous consent that, without losing my right to the floor or the right to pursue my own amendment immediately thereafter, my amendment may be temporarily laid aside for the purpose of the offering of an amendment by the Senator from Texas (Mr. YARBOROUGH) and action thereon.

Mr. DOMINICK. Mr. President, reserving the right to object, suppose we have a ye and nay vote on the amendment of the Senator from Texas; is the Senator's right to the floor protected on that? I do not know whether we shall have a ye and nay vote or not.

The PRESIDING OFFICER. Under the unanimous consent agreement, it will be protected.

The amendment of the Senator from Texas will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 22, lines 18 and 19, strike out "\$250,000,000" and insert in lieu thereof "\$251,200,000".

Mr. YARBOROUGH. Mr. President, this amendment would add \$1,200,000 to the bill. It would provide additional money for schools of public health. There are now 16 schools of public health in universities in the United States. The last one formed was at the University of Texas at Houston.

The sum for the support of such schools now in the bill is \$9,471,000. That sum does not include any money for that newly established school of public health. In addition, there are four other States that have schools of public health in the planning stage. Those States are Alabama, Illinois, Ohio, and Washington.

Mr. President, these are badly needed institutions. There are hundreds of positions open in the field of public health, with no one there to fill them. The distinguished Senator from Hawaii (Mr. INOUE), who was here a moment ago, wishes to join in offering this amendment, because he thinks a school of public health is being planned for the University of Hawaii.

This is a very modest amendment, to provide badly needed funds to support this school for training in the field of public health, and I hope that the distinguished manager of the bill will accept the amendment.

Mr. MAGNUSON. Mr. President, as far as I personally am concerned, I think that had this amendment been presented

to the committee, we would have accepted it. We heard a great deal of testimony about the need for trained people in this field.

Our hearings have indicated that these dedicated people have done everything they could, and if there is a crisis in health care in this Nation, it is due to failures in the delivery of health services to the people.

The Senator's amendment will help to provide more of the necessary people to do that kind of job, which there are now too few people to do; in fact, there seem to be too few who aspire to that kind of work.

Mr. YARBOROUGH. There have been too few schools.

Mr. MAGNUSON. I am willing to accept the amendment, and I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, how much money is involved in this amendment?

Mr. YARBOROUGH. \$1,200,000. Under the bill as now constituted, the amount provided for schools of public health is \$9,471,000. That figure was arrived at before this school in Houston opened. There are four additional schools in the planning stage now, in addition to the ones in existence already.

Mr. DOMINICK. The ones in the planning stages have not been provided for in the bill; and the one in Houston is all that the amendment would cover?

Mr. YARBOROUGH. Only the one in Houston.

Mr. DOMINICK. The use for all the other funds provided has already been planned?

Mr. YARBOROUGH. Of course, it is not earmarked for the particular schools. But the ones in the planning stages cannot even get any of this \$9,471,000. It is already earmarked for use.

Mr. President, I hope that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. SCOTT. Mr. President, my amendments to sections 408 and 409 are identical as to each section, and are being considered en bloc.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. The Senator will suspend until order is restored.

The Senator from Pennsylvania may proceed.

Mr. SCOTT. In addition to myself, the amendments are being offered on behalf of the distinguished Senator from New Jersey (Mr. CASE), and the distinguished Senator from Rhode Island (Mr. PASTORE); and I also ask unanimous consent to add as cosponsors the names of the distinguished Senator from Kansas (Mr. PEARSON) and the distinguished Senator from New York (Mr. JAVITS).

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

Mr. SCOTT. These amendments involve the addition of a single line only at the beginning of each section, which

would read, "Except as required by the Constitution,"

The issue, in its simplest terms, is this: Will we or will we not abide by the Constitution of the United States and the decisions of the highest court in this land? If we are prepared to ignore the Constitution, the Whitten amendments might be tempting to some, though not to me. If we are to abide by the Constitution, we must render the Whitten amendments consistent with the Constitution.

I believe we must alter the amendments to fit the Constitution, for I am not about to try to change the Constitution to fit the concept visualized by the drafters of those amendments.

I suggest that there is a proper way to deal with what is sought to be accomplished, which would be for those who favor those amendments to submit a constitutional amendment. Meanwhile, to the end that we may abide by the Constitution, I support language, which would precede each of the amendments, such as I have read. Then we continue with the remainder of each section.

If there is any question in any Senator's mind as to the propriety of the Whitten amendments, as reported out of the Appropriations Committee today, the October 29, 1969, decision of the Supreme Court in *Alexander* against Holmes County Board of Education should dispel that question.

Since that decision, the President of the United States has declared that his administration was committed to enforcing the order of the Supreme Court. The lower courts must, without question, enforce the will of the court. Is Congress, then, going to turn the course of justice to a new direction? The answer, I think, is clearly "no," and we are indeed fooling ourselves if we believe we can change it.

What we are inevitably going to do, if we leave the Whitten amendments intact, is produce a double standard of law enforcement which will leave every school district in absolute confusion as to what its obligations are under the law.

The Whitten amendments would permit so-called freedom-of-choice methods of desegregation, while the courts have, for all intents and purposes, outlawed them as insufficient to meet the tests of the Constitution. These amendments would curtail the ability of HEW effectively to work with the school districts to come up with effective desegregation plans, although the burden of the law is still there to produce such an effective plan for desegregation. The Whitten amendments would permit the blatant subsidy of discriminate segregation, although the laws of Congress and the decision of the court have clearly outlawed that kind of subsidy. In short—

Mr. DOMINICK. Mr. President, will the Senator yield for some questions?

Mr. SCOTT. If I may finish this paragraph, I shall be happy to yield.

In short, what HEW would not be able to do, the courts would still be forced to do.

I yield to the Senator from Colorado at this point.

Mr. DOMINICK. I should like to ask the distinguished Republican leader a question or two on legislative interpretation here.

It is my understanding in any court case that the presumption is in favor of constitutionality. It is also my understanding that if something is unconstitutional, then it gets knocked out. So, what do we gain by putting in the words that are provided, as I understand it, in the amendment of the Senator, and leaving the remainder of the sections in?

Are we not just exercising ourselves in a little verbage without really accomplishing very much one way or the other?

Mr. SCOTT. I am afraid that would not be the result if we were to accept the language of section 408 and section 409 as written. Because, as written, that would require the Office of Health, Education, and Welfare to withhold funds under certain circumstances where the decisions of the courts and the administrative decisions of the Department of Justice are to the contrary.

In other words, the Department of Justice has, by the direction of the President, undertaken a course of action which would govern the use of Federal funds in desegregation matters. And if this amendment were to be agreed to in this form, the Department of Health, Education, and Welfare would be instructed that it could not use the funds for the same purpose that the Department of Justice would, in fact, be instructed by the President to use the funds for. In other words, we would have one department of the Government unable to use funds because of this restriction in the law, if it is allowed to remain.

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

Mr. SCOTT. I have already yielded to the Senator from Colorado.

Mr. PASTORE. Will the Senator yield on this very point?

Mr. SCOTT. I yield.

Mr. PASTORE. Mr. President, I think there is a little more to it than just that. As I read the amendment adopted by the committee, the amendment amounts to a modification of a Supreme Court opinion that determined the constitutional rights of the individuals involved.

Mr. SCOTT. The Senator is correct.

Mr. PASTORE. What we are really trying to do here is to reaffirm the constitutionality of the right of the individual as interpreted by the court, irrespective of the practicalities of the hardships that may be involved in certain units. That is what it amounts to. We have to talk frankly here.

The purpose of the amendment as reported by the committee was to create a slowdown that the Supreme Court said cannot take place because it violates the constitutional rights of the persons who are being asked to slow down.

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

Mr. DOMINICK. Mr. President, I appreciate the comments made by the Senator from Rhode Island. I do not know what I will do on the particular amendment. That is not the point. I have not decided that yet.

What I am saying is that I am not sure that adding the language adds anything one way or the other, because either a thing is constitutional or it is not. And saying, "except as provided in the Con-

stitution" does not seem to me to add a word of substance to the amendment.

Mr. SCOTT. It adds everything of substance, I add respectfully, because we adopt a requirement that notwithstanding any language which falls under the interpretation of the statutory language, the administrators of the Health, Education, and Welfare Department are compelled to abide by the Constitution, which means to abide by the decision of the Supreme Court in interpreting the Constitution.

Mr. DOMINICK. But they are required to do that anyhow.

Mr. SCOTT. Not if we leave the language as it is now.

Mr. DOMINICK. Not with these funds.

Mr. SCOTT. Not with these funds. These words would attempt to exempt the use of these funds from the requirement of the Supreme Court decision, and would have all of the force of an act of Congress declaring that certain funds can be exempt from a Supreme Court decision.

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

The PRESIDING OFFICER. The Senate will be in order.

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

Mr. GRIFFIN. Mr. President, will the Senator yield briefly?

Mr. SCOTT. I yield.

Mr. GRIFFIN. Mr. President, I want to say again what the Senator from Rhode Island said, but in different words.

The key words, of course, in section 408 and section 409 are "against the choice of his or her parents or parent."

If a so-called freedom-of-choice plan under all circumstances were constitutional, then the argument of the Senator from Colorado would be correct. But the Supreme Court of the United States has said that in some circumstances and in some situations a so-called freedom-of-choice approach is not constitutional.

This language would, in effect deny the use of Federal funds to achieve the purposes required by the courts under the Supreme Court decisions unless we put in this qualifying language.

The Senator from Pennsylvania is merely inserting the language, "except as required by the Constitution." If it is required by the Constitution, then the funds can be used. If it is not required by the Constitution, then his amendment would not affect the language in the bill.

Mr. DOMINICK. Mr. President, will the Senator yield on the same point?

Mr. SCOTT. I yield.

Mr. DOMINICK. Mr. President, does that mean that the Secretary of Health, Education, and Welfare would be entitled to use the funds provided in the bill in order to foster lawsuits in any area of the country—Pennsylvania, Colorado, or wherever it may be—in order to require the schools to go into a busing system?

Mr. SCOTT. No. That is not my interpretation of the amendment. I think the contrary effect is intended here, that if we comply with the Constitution and with the directives of the President and with the procedures now in force in the Department of Justice, we are not foster-

ing litigation, but we are attempting to avoid new litigation.

Mr. STENNIS. Mr. President, has the committee amendment been called up and submitted to the Senate for approval?

The PRESIDING OFFICER. All committee amendments have been agreed to en bloc, to be considered as original text for the purpose of amendment.

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

Mr. SCOTT. I yield.

Mr. STENNIS. Mr. President, I want to submit this proposition to the Senator from Pennsylvania.

The purpose and the meaning of the amendment has not been presented to the Senate. The consideration by the committee and the action by the committee has not been presented.

With all due deference to everyone, we are just backing into this matter as to what the amendment means without any explanation of the content or the history of it or of the purpose of the amendment according to the sponsor.

I submit to the Senator from Pennsylvania that the more orderly and, I think, the customary way of getting the matter before the Senate would be for someone to explain the amendment from the committee standpoint.

The amendment was adopted by the House. It was approved by the Appropriations Committee of the Senate by a vote of 13 to 8. And it was on a recorded vote.

Mr. PASTORE. The Senator is correct.

Mr. STENNIS. It has had no explanation on the floor. I very respectfully submit that there should be some chance for the committee to be heard and represented and to get the matter before the Senate. Then the Senator from Pennsylvania would certainly be in order.

This is a mighty important matter. We are talking about the constitutional rights of people. We are talking about the practice. And we are talking about schools. We are talking about children. We are talking about teachers. And we are talking about parents. If I obtain the floor, I am going to talk about parents everywhere, not just those who might be involved in a case.

So I implore the Senator to let us have a presentation of this matter, and then his amendment would be in order.

Mr. DOMINICK. Mr. President, will the Senator yield for a brief comment to explain my last question?

Mr. SCOTT. I yield.

Mr. DOMINICK. We have in Denver, Colo., a very complex and difficult situation. We had a school board which put in a forced busing system. Denver is one school district. This takes people from one side of the city to another, and it is for the purpose of overcoming racial imbalance, de facto racial imbalance, in certain sections.

Then there was a school board election, and the new people ran against forced busing. They won by an overall margin of over 2 to 1, about 4 to 1 in the Spanish-American areas, where the people were against forced busing. They reversed it and said, "We will have busing, but it will be done on a voluntary basis."

The people who had been defeated in the election went to court and got a Federal injunction against implementing the new order of the school board. That case will come up in January or February.

That is why I asked the question as to whether or not the funds in this case could be used for the purpose of subsidizing either side in a situation of that kind. I think this is a highly touchy issue, just as the Senator from Mississippi has said. It involves people in deepest emotions.

Mr. SCOTT. I am prepared to reply to the Senator from Mississippi and the Senator from Colorado.

To the question, first, from the Senator from Colorado:

The section clearly states that "no part of the funds contained in this act may be used to force any school district to take any actions involving the busing of students."

Therefore, if the busing is voluntary and is accepted and agreed to by the participants, it does not seem to me that it would be forcing the school district to take the action in the Colorado matter.

Mr. DOMINICK. But it is not voluntary.

Mr. SCOTT. If it is not voluntary, it is governed by the present provisions of the Constitution, by the interpretations and decisions of the courts—the Supreme Court and the lower courts.

In reply to the suggestion propounded by the distinguished Senator from Mississippi: The amendment is at the desk. As soon as I finish my prepared statement, I would expect that opportunity would be given both to the Senator from Mississippi and the Senator from New Jersey, who wishes to comment on the history of the amendment in the committee, so that we may have the benefit of that. I have not much more to go on the prepared speech. At that point, I would be glad to yield for that purpose.

Mr. STENNIS. Mr. President, I have great respect and real affection for the Senator from Pennsylvania. I know he wants to do the right thing. But this is a highly important matter, as he has said; and unless there is some chance soon for those who favor this amendment—and the committee does favor the amendment—I will not be in any kind of agreement about limiting time. I want to have such an agreement, but I just have to fight the best I can, unless we are going to have a chance to present it in that way. The Senator is entitled to make his speech, of course.

Mr. SCOTT. The Senator is a good friend of mine, and I hope that he would not regard me as using too much time if I finish a page and a half of a prepared speech.

Mr. STENNIS. No. I say that the Senator should make the speech.

Mr. SCOTT. I am most anxious that we proceed.

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

Mr. SCOTT. I yield.

Mr. CASE. The Senator from Mississippi, in his deep concern about this problem, with which we are all concerned, has interrupted several times on this point. I think it is only fair to indi-

cate that the Senator has had two extensive hearings already, once in our subcommittee on several different occasions; and I think he will agree that most of us, especially those who are not entirely in agreement with him, were attentive to his remarks and attended the committee quite diligently. So I think that he has had already a great deal of attention paid to the concerns which he has expressed, and which I am sure he will express on the Senate floor, as is his right. I just think that it is not at all inappropriate for the Senator from Pennsylvania, on his own time and in his own way, to explain fully his views on this matter without interruption.

Mr. SCOTT. Yes. I do hope that the distinguished Senator would extend to me that opportunity; because, after all, I am a cosponsor of the amendment, so that I have some interest in it, and I am most anxious to conclude.

Mr. STENNIS. I just thought it appropriate to say now, before we backed into this matter and had a great deal of discussion, that it had not been presented.

I appreciate the Senator's position very much, and I want him to make his speech.

Mr. SCOTT. I thank the Senator. I am not known on the floor of the Senate as one who uses more time than the minimal amount to express his thoughts. I hope that is my reputation.

I repeat:

In short, what HEW will not be able to do, the courts will still be forced to do.

Indeed, it is quite possible, if not likely, that some legal challenge to our action would follow any passage of the Whitten amendments, perhaps within days, and it is equally likely that the Supreme Court could find the Whitten amendments to be inconsistent with the Constitution. This is not the sort of embarrassment I wish to see visited upon this body.

Let me assure Senators, however, that fear of embarrassment is not what moves me today to oppose the Whitten amendment and to back the amendment to Whitten which adds the words "except as required by the Constitution."

No, we have more than a high-flown legalistic argument at hand here. We have the effect upon thousands of children in formerly dual school systems who have begun to experience what could be called an equal educational opportunity for the first time in their young lives. There is no doubt in my mind, nor in the minds of any other experienced observer of the patterns of civil rights enforcement, what the effect of the Whitten amendment will be to undo completely several years of progress, untold hopes of children and their parents, and a reputation for fair play which had begun to be fixed by the Government of the United States.

As Secretary Finch said in his plea to members of the Appropriations Committee several days ago:

Recalcitrant school districts would be encouraged to harden their positions, and districts which have complied with the law would be tempted to go back on their commitments. This could seriously jeopardize the substantial progress made in school desegregation.

I believe Secretary Finch is absolutely right.

The way out of the dilemma we face is quite clear. We must adopt the amendments to the amendments, which begin with the words, "except as required by the Constitution." It is language which has the full backing of Secretary Finch and of the Nixon administration. It is language which permits the upholding, not the destruction, of constitutional law as it applies to children in our Nation's schools.

It is the Constitution which governs this Nation, and it is just that it should be so. We are quite prepared to cite it, to quote it, to invoke it and to embrace it in the name of law and order. Well, what we are talking about here is law and order, and the proper process of Government. Will we abandon the Constitution in the name of civil rights, in the name of equal opportunity to read and write, even as we hold it loudly as ours in other areas of the law? I dearly hope we will not abandon it.

We may not all like all that the law and the decisions prescribe. Some do. Some do not. All must abide by the law or justice falters.

In keeping with our plain duty, let us amend these unfortunate amendments to conform to, rather than confront, the Constitution of the United States.

I submit that, in this body, which has many lawyers, I fail to see what possibly can be wrong to adding to an amendment, even if we accept the suggestion that has been made here that it does not change it, with which I greatly disagree.

But I cannot see anything wrong with adding to an amendment to this kind of bill the statement "except as provided in the Constitution." If the Constitution does not provide for it, well and good; if the Constitution does provide for it, well and good. But let us not change the rules in the middle of the process of securing free and equal treatment for all the children of the United States. Let us not say to the Justice Department, "You are bound by the Supreme Court decision," but say to HEW, "You cannot spend a cent of the money in compliance with Supreme Court decisions because Congress, in its majesty, said you cannot" which merely carries us back to court and possible litigation.

Therefore, Mr. President, I conclude that if it is wrong to add to an amendment the phrase "except in accordance with the Constitution" what is wrong with it entirely escapes me, although I am aware I will hear some argument to the contrary.

I yield the floor.

Mr. COTTON. Mr. President, despite the fact that the distinguished minority leader designated the Senator from New Jersey to make an explanation for the committee, I would like to be recognized at this time.

Mr. SCOTT. I am sorry. I did not see the Senator from New Hampshire.

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

Mr. COTTON. Certainly, I yield.

Mr. STENNIS. Is it agreeable with the Senate that we have a quorum call so that Senators may know the matter

pending before the Senate is being debated.

Mr. COTTON. I would be glad to do so, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER (Mr. Dodd in the chair). Does the Senator suggest the absence of a quorum?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. COTTON. Mr. President, for just a minute or two I think it might be well to review what happened in committee, not with respect to who was heard or how long they talked, or anything else, but just the development of this matter within the committee.

Of course, we were faced with the language in sections 408 and 409, the so-called Whitten amendment language. In the course of discussion about that language it was suggested—I believe I was the one who suggested it—that this language was dangerous any way one looked at it. This is what is stricken out now:

SEC. 408. No part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

Then, section 409 continued with respect to Federal funds. Under that phraseology if a school district wished to cooperate, wished to integrate, wanted, of its own volition and accord to institute busing for any reason, this language would simply mean that district would be deprived of the use of any of the funds under this bill to help it do in a voluntary manner what it wished to do.

Mr. STENNIS. Mr. President, I hate to interrupt the Senator, but let us have order. Will the Chair please ask the Senator to suspend until the gentlemen who are at the desk complete their business there?

The PRESIDING OFFICER. The Senate will be in order.

Mr. COTTON. Mr. President, it was suggested, I think by the chairman of the subcommittee, that no part of the funds contained in this act may be used to force any school district to take any action involving busing of students, and so forth. In his original language was the expression that is in the amendment offered by the distinguished minority leader, the Senator from Pennsylvania, referring to the Constitution. In a compromise that was taken out.

Mr. President, the thing that troubled this Senator from the beginning was that clearly a majority of the committee felt very strongly against enforced busing of students. It was declared to be the intent of those who were supporting it that the inclusion of this proviso, or the edict against "the abolishment of any school, or to force any student attending any elementary or secondary school to attend

a particular school against the choice of his or her parents or parent" was simply meant as an adjunct to the primary thought which was the busing.

In other words, one way of forcing busing is to abolish the school; then, they have to bus. On the other hand, those of the opposite view who were opposed to the inclusion of this language in the legislation took the position that in reference to "the abolishment of any school, to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parent or parents" were the three elements of integration and that they were included there in order to prevent integration, voluntary or involuntary.

Mr. President, I must confess, and I so stated in committee the primary thought here was whether or not there should be enforced busing. If section 409 had been cut out entirely, and section 408 had ended with a period after the word "students," so that it read:

No part of the funds contained in this act may be used to force any school district to take any actions involving the busing of students.

Then I think that the language would have adequately covered what was the opinion of a distinct majority of the committee and, certainly, in the opinion of the Senator from New Hampshire, what we tried to do a year ago in this bill.

A year ago the chairman settled the entire matter by suggesting that no part of the funds could be used for the busing of students for the purpose of overcoming any alleged racial imbalance. Everyone on the committee agreed a year ago that was the objective they had in mind. But, after the bill was passed, it is my understanding that the General Counsel, of the Department of Health, Education, and Welfare, made an interpretation which just knocked it out so that it was completely inoperative and any busing would be alleged to be for purposes other than racial imbalance. So that it was a completely ineffective provision. For that reason we are marching up the hill again this year, to try to agree on language that the majority of us on the committee would agree would do one thing; namely, prevent the use of money appropriated in the bill for enforced busing of students. That is about the situation we found ourselves in.

As a compromise, the reference to the Constitution was sought to be knocked out by the amendment of the distinguished Senator from Pennsylvania and was stricken out. The rest of the language was offered by the chairman of the committee. I simply add that, for my own part, I would have felt the matter greatly simplified, if we put a period right after the word "student," and then we have a distinct and clear-cut plain provision, that money in the bill cannot be used to force any school district to bus students.

Mr. DOMINICK. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. DOMINICK. In the authorization bill which we passed unanimously

through the committee, there was a provision which once again repeated what I think the Senator is referring to; namely, that no portion of funds authorized under the act shall be used to require busing of students for the purpose of overcoming a racial imbalance.

Mr. COTTON. Exactly.

Mr. DOMINICK. There was unanimous adoption of that. It is my understanding that it is the feeling, because of the interpretation given to it, that this can be easily avoided where they do not use the funds for that purpose and use local funds instead to do it, or they say it is not just to overcome racial imbalance, that it is for getting a better quality of education or something of that kind, which is using it as a method by which those funds are then used.

My concern with this provision is a little bit in reverse. We have a situation in Denver where the school board in one district had required that the respective schools in that district be balanced on a racial basis. The people who put it in ran for election and were defeated. The new school board said that it shall be done on a voluntary basis only. The old school board went to the Federal district court and got an injunction against the new school board. Therefore, we are now in a required busing situation for racial imbalance, of de facto segregation, to overcome it—that is the best way to put it, I guess.

The thing that concerns me is whether these provisions in the act might lead a Secretary to determine that he could put funds in, in order to back up the position of the fellows who are the plaintiffs in court to prevent voluntary busing and to require required busing. That is what concerns me because as I read it, it says here—

No part of the funds contained in this Act shall be used to force any school district . . .

He uses the word "force"—

to take any action involving busing of students . . .

But it does not say that he cannot use the funds for the purpose of helping them. It says "force" them to do it, if they do not want to. Suppose that they do. Then, it is my understanding that we can use the funds for the purpose of helping them to do that. If so, I think that is wrong, because we are subsidizing what is going on in a legal suit for enforced busing.

Mr. COTTON. I think that the Senator has raised a very good point because we were considering the language—

No part of the funds contained in this Act may be used to force busing students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

Mr. DOMINICK. Right.

Mr. COTTON. Mr. President, with all that in there, it befores the central issue about busing. If all we want to do, is see to it that under the language of the Whitten amendment, if a school district in Alabama, North Carolina, or Indiana—wished—to bus its students, under the language in the Whitten amendment,

they could not use any of the money to bus them voluntarily or involuntarily.

If the purpose is to see to it that no money in the bill is to be used, I do not know how we are going to make the Department of Health, Education, and Welfare carry out the will of Congress. It was just as plain last year—just as plainly expressed. I am not a great lawyer, just a country lawyer, but I can read English and it was clearly expressed that it should not be used for the busing of students to overcome racial imbalance. They just threw it out and said that was no good because there were other reasons for busing.

Mr. DOMINICK. Could I ask the distinguished Senator from New Hampshire another question on this? Let us suppose we have a school district that has decided it will put a program in effect which will require busing—involuntary busing. It would seem to me that, under that situation, this provision here would permit the use of funds to support that school district.

Mr. COTTON. That is right, and it should not.

Mr. DOMINICK. I think that is wrong.

Mr. COTTON. I think that is wrong, too. I think it should be so phrased, if it can be phrased, so that HEW cannot get around it. It should be so phrased as to make it clear that no money in the bill can be used for the busing of students, whether it is against the will of the local school district or not against the will of the local school district for busing students, because it is no use trying again on this matter of busing students for the purpose of overcoming racial imbalance because they have already indicated that did not mean anything.

On the question of the amendment of the distinguished Senator from Pennsylvania, which was originally in the language offered by the Senator from Washington on the Constitution, I did not feel that that either added or detracted much because if it is constitutional, nothing that we write into the statute can stop it, and if it is unconstitutional, nothing that we write into the statute can be effective.

Thus, it seemed to me that that was surplusage, and the best thing to do was to take it as it was.

Mr. DOMINICK. That is the point I made originally. I appreciate that coming up again. I just say that none of the money can be used to support busing. But there are problems in the rural areas where they wanted to be bused, where they need maximum support in order to get to school from the ranches, the farms, and all the other problems we have there. So we are caught in a trap. I think we are in a tough spot.

This is designed on a racial basis, as I see it, but it goes so broad that it covers not only a racial situation but a lot of other situations in the country.

Mr. COTTON. We had that feeling in the committee. I voted on conviction at that time, and will again. It seems to me that last year we said exactly what the committee meant. Both Houses of Congress ratified it, and HEW disregarded it.

It seemed to me that we should put it

in again, and the committee should inform the Secretary that if this was going to be thrown out this time, he would certainly lose some funds when the committee wrote up the next appropriation bill, because that is exactly what we wanted to do. We said it last year, and everybody agreed to it except HEW, and they simply gave Congress the back of their hand and said the language did not mean anything because the busing might be for other purposes.

Mr. DOMINICK. I thank the Senator for his very helpful colloquy.

Mr. COTTON. Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, the Senator from Washington, who is handling the bill, has been called from the Chamber for some purpose. I really did not intend to try to get the floor or seek the floor at this time. He was going to make a statement, but we are unable to locate him. I feel that he will be back shortly.

Under those circumstances, Mr. President, I want to present to the Senate something of the background of this amendment and its purpose; what it proposes to do and what it does not do. I, at least, speak from the experience of one who has been through this matter for 2 or 3 consecutive years and who has dealt with the other amendments to which the Senator from Nebraska referred, the application of which did not turn out well.

As I see this matter, the basic purpose is really an attempt now to get a policy or an implementation that we will not go so far and will not destroy the public schools. In other words, affirmatively, I wanted to preserve the public schools throughout this Nation. I think we have gotten down to where it is a question now of preserving education rather than just an extreme application of the enforcement of civil rights or full integration.

Mr. President, no place in the Nation is there full integration except in those places in the South that have been proceeded against so very severely. I make no attack on the civil rights law. I make no attack on the courts. This is a limitation on the money being spent. It is a limitation on appropriated funds. There is no question about the Congress having the power to appropriate money under such limits as it may prescribe. The departments, the courts, and everyone else have to take it under those conditions.

I want to emphasize that this is no attack on the Court. The suggestion has been made here already that this was an attempt to try to get out from under a court order. I severely and fully deny that. Those of us who have worked on the amendment are far older than the cases that have been decided. In my humble opinion, it will not affect those cases one bit. The plans and everything else for them have already been formulated and prescribed, and there is a court order for their implementation. I wish this amendment would affect them, but that is an accomplished fact. This amendment looks to the future.

So it is not true that this sponsor of this idea intends to try to evade a court order.

I want to reply to the point made here that this proposal would take away from the courts some power to use these HEW staff members. I want to especially submit this to every fair-minded person. I have not felt that employees of an enforcement agency should be used by the court, anyway. They are working with an agency here that has zeal and money and power to withhold funds, or to do this, or to do that, or to do that. If the court wants someone to represent it, it should call someone under judicial authority, I think, rather than go to the prosecuting attorney's office and get one of the assistant district attorneys.

Anyway, I think that is largely beside the issue here. This matter goes to the very extreme basis of enforcement that just goes too far. I mean enforcement by HEW.

This proposal would say, "You cannot use the funds for getting up plans that would force a school district to bus children." They are not trying to do that anywhere except in the South, but they are adopting plans that cannot be carried out any other way except through busing, beyond the community—not in the community—from one end of the school district to the other, which sometimes is from one end of the county to the other. They are making plans that would force those school districts to abolish the schools—just abolish the whole thing—and bus them on in somewhere else.

The Supreme Court never has ruled out freedom of choice under proper conditions.

This amendment would stop them from drawing up plans that would force those children to be hauled and assigned around without the consent of their parents. That is exactly the pattern of operations now outside the South. HEW does not require any busing in the North or East. It does not require abolition of school districts. It does not deny giving a parent freedom of choice. They are not operating anywhere except in the South, and this on the thinnest kind of legal position.

They have taken the position that they go into what we call the dual system only, or de jure segregation, where it was one time unlawful.

Let us see about that. Until 1954, all desegregation laws, racial schools, dual schools, were legal everywhere. The Supreme Court of the United States had passed on it time and time again. As late as 1927 the Supreme Court of the United States, in a unanimous decision by the late Chief Justice Taft, joined by eight of his colleagues, unanimously decided that it was legal. And it came on down to 1954.

So if it is illegal now, it was illegal everywhere then.

Furthermore, it is not only the Southern States, but, as I have found out through research—a part of it came through the Civil Rights Commission; and that is certainly not a southern institution—eight States beyond the South, which happen to have 91 percent of the Negro school population—and anything I say here is no reflection whatsoever on any race, but those States do have 91 percent of that part of the student pop-

ulation outside the South—all every one of them, at some time had laws that permitted or required segregation of the races in the schools. Illinois was one of them. New York was one of them. That has all been researched out. I put it in the RECORD a number of weeks ago, and it has not been denied.

So these are just the hard facts of life. I have the figures here to show, in a few minutes, the extreme segregation in those areas of those States, which grew up in exactly the same way that segregation grew up in the South, under its segregation laws.

Still, apparently, there is something holy, something not high but holy, about those States. There is no effort made, except what I shall mention briefly in a few isolated instances, to enforce this law anywhere except in the Southern States.

And what is the penalty there? Mr. President, they have gotten it down to this: For the violation of these orders and these plans, it is down, now, to the point where it represents the death penalty for a lot of our schools. That is what is coming. I preach against it, to keep the public schools open regardless, but you will see that they are getting down to where they will not be able to operate, whereas, during the same time since 1954, schools all over Illinois, Indiana, Pennsylvania, New York, and New Jersey, many of them with 100-percent colored students, many more of them with 99 percent, 98 percent, or 95 percent—I shall give the figures in a minute—are going on with immunity, with nothing being done by HEW.

And I do not know of any of the governments in any of those States that propose stricter enforcement of the laws on mixing the races. I do not know of any bill proposed here regarding those States, to clear up those situations. Still, the penalty is put on the Southern States whose history is very similar, and I say that penalty is death.

Mr. President, it is just not right. We do not have any national policy here. We do not have a national policy about desegregating schools. We have a sectional policy only.

We have integrated down our way. We have made more headway. I find by the figures there has been more change in our States since the 1954 decision than in many of these Northern States, and I have the figures here to prove it.

That is why we are pleading here. We are pleading for something less than the death penalty. You are pressing this thing too far. We are just seeking to get adopted here the same formula that you are getting applied to yourselves. I have named the States; I shall not enumerate them again.

Let me state what has happened outside the South, very briefly, about this busing. That is what we are seeking to lessen. Look to New York—and I speak most respectfully of New York, but what have they done about busing? I say to New York, "You can integrate those schools in Harlem, if you really want to." The Federal Government can do it, or the State government can do it. Just put enough manpower and womanpower in there to do it, haul those children out to

the areas where the white schools are, and bring a like number of the white students in, and you will have them integrated. You can do that anywhere.

But what has New York done about it? Have they tried? No. They passed a law this year—on May 2, 1969—a State law which prohibited busing of children on account of racial imbalance; and furthermore, it guaranteed every parent that they would not have their freedom of choice infringed in connection with the selection of a school for their children.

It just happens that Mr. Allen was Commissioner of Education in New York, and he proposed the busing plan for the State. The legislature picked that subject up; they passed this law in the general assembly by a vote of 106 to 43—or very close to those figures—and Governor Rockefeller signed the law. I have copies of it here, if anyone wants to see them.

They absolutely prohibited busing. Someone will say it is unconstitutional. Well, if we grant that, it is still a mighty good reflection of how the fathers and mothers feel in the State of New York about busing their children from school to school, and denying those parents the God-given right and the American right to have something to say about where their children go to school.

I speak with great deference to any area. Look at Denver. Look at Denver, Colo.; I have the statistics on that. Mr. President, that is one of my favorite places. If I were going to leave Mississippi, I might go to Colorado, but I am not going to move.

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

Mr. STENNIS. Let me continue.

They had an election out there, and I have the names of these parties here, but I want to pass on. They had an order for busing. Two people ran for the school board on an antibusing program. One day the New York Times predicted they would be resoundingly defeated, and the next day they reported that those two candidates were elected by a 2-to-1 majority over those who had favored busing.

People simply do not like it. Many other Senators have told me here on this floor, "I am against that busing."

We can all see what is coming. So when Senators say, here, that we are trying to override the Court, or trying to get out of something, that is just not true. It is not true. We are trying to save the lives of our public schools. We are trying to save a remnant, anyway, of the authority for choice of the parents of our children.

I tell you right now, Mr. President, when you go in and pick up a little child—black, white, brown, or whatever he is—and haul him away from his family, many miles away, to attend a school 6 to 20 miles away from home, or whatever it is, and bring him back late at night, you have gone just about all the way with that child's mother, or his father.

I know what the reaction is going to be. I believe if this pattern is enforced out-

side the South, it will bring about a more modified policy. What happened in Chicago, in the great State of Illinois?

Three or four years ago, someone in HEW sent them some kind of a communication about integrating their schools. I do not have the exact substance of it. But here came a message back from Mayor Daly. As I remember, he came to Washington about it. Perhaps he just sent a telegram. Anyway, they swept it under the rug somewhere, I do not know where, and that is the last that has been heard of that case.

This year, about June, they sent them a message over there about integrating their faculty in Chicago. Here came word back that the faculty said they would not do it. They would not change their schools; they already had their contracts. The teachers' union fired back a salvo. The school board wired in here to someone asking for \$48 million, saying that if they were going to have to integrate the faculty, it would cost \$48 million extra. That is the last we have heard of that case.

Mr. President, there has been only one real administrative proceeding by HEW outside the South under this law involving this money, and that was a small school district up in Connecticut, a small district in Connecticut, a community, or a small village.

One case has been filed by the Department of Justice outside of the South alleging discrimination. And that case was filed the day before Mr. Finch testified here before the committee. That is the only proceeding I can possibly find outside of our area of the country.

Do you call that a national policy? Do you think that is enforcing a principle enunciated by the Supreme Court in 1954 on a national basis? Of course it is not.

I do not want anyone treated as we are being treated—not in any area. But, as long as it goes on in this way where we have a sectional application, we are going to get the hot end of the poker. And the Nation itself will not have a national policy.

Mr. SCOTT. Mr. President, will the Senator yield very briefly to allow me to ask for the yeas and nays?

Mr. STENNIS. Mr. President, I yield to the minority leader for that purpose.

Mr. SCOTT. Mr. President, I demand the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, I do not want to talk too long. But the Senator from Rhode Island (Mr. PASTORE), who is an excellent Senator and really a great man—I do not believe he is present on the floor—said something to the effect that regardless of the period of time that was imposed, these things had to be done.

Let me tell the Senate it is hard to believe some of these plans that are being forced on us now. This is a court order. By means of the plan that came about, 960 children are assigned in one of these districts in a high school building that has only five classrooms. A man whom I have known all my life—he is a superintendent—said:

I can only get in 300 of them under any kind of circumstances. There is not even room for the rest of them to get in the building out of the rain.

In another case, there were 396 high school students assigned in one high school under the plan. And all of them had a course in science of some kind. There were only two classrooms in that building that were equipped to teach science. The best estimate we could get was that it would take 4 to 5 months to put in the equipment. But they said to do it by December 31.

With respect to the other example I mentioned concerning the five classrooms, I said, "Get an architect to go out there. Get an estimate of how long it will take to build it and how much it will cost. Put that under oath so that he can swear to it."

The estimate was that it would cost \$1.5 million and take 8 to 9 months to build the building. But the order said to do it by December 31 or be in contempt of court.

That is what we have to live with. I hope there will be some kind of modification of those orders. But there has not been any yet.

Do we want the children, the mothers, and the fathers to travel a road that is that hard? Where will the education come in under conditions such as those?

Mr. ERVIN. Mr. President, will the Senator yield for a question on that point?

Mr. STENNIS. I yield briefly for a question.

Mr. ERVIN. Mr. President, I ask the Senator from Mississippi if those who are ardent advocates of desegregation do not magnify the integration of the bodies of the schoolchildren above the enlightenment of their minds.

Mr. STENNIS. The Senator is correct. That is exactly the extent to which we have gone.

Mr. President, I am going to quote from the President of the United States. I will be very brief. I do it with the greatest deference.

We all know that I do not do it critically. I do not boast of any kind of voting record. But I have a voting record that backs the President here that is almost as good as any Senator, and more than some.

I have three statements the President made concerning this matter.

The President of the United States last year said in the New Republic that he backs the decision of the Court of 1954, but that he did not believe in the busing of the schoolchildren away from their homes and into a strange community to overcome a racial imbalance.

He made the same statement in his campaign last year in a television interview in North Carolina. And I know he meant it.

And he made the same statement again in the U.S. News & World Report, I believe it was. I will produce that a little later in the debate. I have read it many times.

They come here this afternoon and say this represents the administration. It has Mr. Finch's name on it. However, it

does not have the President's name. And I do not believe the President of the United States stands for treatment of the kind we are getting. He said he was against it. And I believe he is against it.

He may be hemmed in some by these very severe Supreme Court decisions. And I do not attack the Court.

We are just asking here for a little relief against the extreme application of these matters by the Department of Health, Education, and Welfare.

As I said, I do not think that will affect the cases that have already been decided.

Mr. President, I have some statistics here, and I will be brief with these.

I find that we have a situation in which we have 303,000 Negro students in the Illinois public schools, or 76 percent of the total enrollment in the State are Negroes, in 284 schools in 21 cities. And those 284 schools are from 95 to 100 percent segregated. That is the term that HEW uses. That means that from 95 percent to 100 percent are black students.

There are 265,000 or 66.5 percent of all the students in the State in the public schools that are in 246 schools, in 14 cities or districts, that are 99 to 100 percent Negro students; 246 schools in Illinois alone, all over the State, that have from 99 to 100 percent Negro students.

In the city of Chicago alone, there are 104 schools that have 100 percent Negro students.

Do you mean that as a national policy, to let those things go on year after year after year when they drag us by the head, and our children and the parents, too, in order to enforce a ratio of integration?

Do not say they are not doing it, because I have heard them use that term too many times.

Where the white student enrollment in Chicago is 219,000 or 37 percent of the total, and the Negro student enrollment is 309,000 or 50 percent of the total, only 9,628 or 4.4 percent of the Negro students go to the majority white schools. And only 25,000, or 11 percent of the white students attend schools that have a minority group enrollment of over 50 percent.

In Maywood, Ill., which has a total public school enrollment of 6,300, 48 percent of which are white, 47-plus percent Negro, 65 percent of those Negro students are in two schools which are between 99 and 100 percent Negro. Under the attitude taken toward us, they would say to us, "Abolish those two schools."

Indiana is one of those States that had laws permitting—some requiring and others permitting—separate schools until, I think, into the 1930's. There are 57 schools in Indiana where the Negro enrollment exceeds 80 percent of the total enrollment. Of these, the Negro enrollment in 49 is 90 to 100 percent, and the total enrollment of 40 of those schools, the Negro enrollment, is 99 to 100 percent.

The figures for Indianapolis are just as bad. In the white area there, 64 schools have 96 to 100 percent white students.

They brush that off by saying, "Well, historically, the South had enforced segregation. That State had it."

I already have referred to New York. I found this: New York had a law that permitted separate schools—I have a copy of it here. It provided for separate schools. That was the law, I think, in 1900. I cannot tell when it was passed, but I have the law that repealed it. The repealing law was not passed until 1938. Part of the segregation that has grown up in that great area resulted from that law.

Ohio has just about the same picture. There are 197 predominantly Negro schools, and of those, 154 are 90 to 100 percent Negro, and 105 are from 98 to 100 percent Negro. That is the figure for the State at large.

I have the figures for New Jersey, and I mention these with all deference to those who represent that great State. I find that under the law in that State separate schools for Negroes were maintained well into the 20th century, despite an 1881 statute prohibiting the exclusion of children from schools on the basis of race. In 1923 the State commissioner of education ruled that local school authorities could provide special schools for Negroes in their residential areas and allow the transfer of white students from these schools to white schools. That was as late as 1923.

My point is that this is a limitation on an appropriation bill. This will be a start, I hope, toward forming a national policy that we do not have now; and when we bring the whole country into the formation of this policy, it will be a livable one. I do not think it will change the law as to integration. But it will be a livable one. It is one in which the parents can live and work. It is one in which the children can be educated. It is one in which the teachers can live and work. And all will move forward in a fine, progressive way.

That is the basic reason behind this very small request for some limitation on these funds.

The identical matter was taken up in the committee, and the committee had the fullest consideration of it. On a roll-call vote, the committee voted 13 to 9 in favor of retaining that provision.

With all respect, I do not think it means a thing in the world, as the Senator from Colorado has pointed out.

Mr. President, I do not care to retain the floor any longer. I believe the facts speak louder than anything I can say.

I referred to statements made by President Nixon, and I will put them in the RECORD at the proper place.

Does the Senator from New Jersey wish me to yield to him?

Mr. CASE. No. Since I have been left temporarily in charge on this side, I wanted to see if someone else is ready to speak.

Mr. STENNIS. Does the Senator from Florida have a question?

Mr. GURNEY. No. I am ready to speak.

Mr. STENNIS. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GURNEY. Mr. President, I should like to address myself to sections 408 and 409 of the bill. I support the present language in the bill and oppose the pending amendment.

Mr. President, I hesitate, in a way, to mix in this school desegregation issue, not because I am afraid of the controversy in any way. I am not a member of the committee. Time is running out on us in this session, and many Members of the Senate have a far greater knowledge of this subject than I do. But it does occur to me that my viewpoint is a bit different, perhaps, from that of some other Senators.

Florida is classified as a Southern State, and indeed parts of it certainly are. But other parts of it are more a melting pot of people from everywhere. Certainly, Miami, our largest city, is more a northern city than a southern city. A great deal of Florida is much like many Northern States in the composition of its population.

Then, too, I think my personal viewpoint on the matter might reflect the viewpoint of many of my northern colleagues, especially on this side of the aisle, if they should live in the South, as I do.

I was born and raised in New England. As a young man, I lived and worked in New York City, before I came to Florida. I think this is of some importance, because a man's attitudes are deeply affected, perhaps indelibly, by his beginning experiences.

But, last and certainly most important, this Senator can speak about this problem with practical experience. Many of those who will cast votes here tonight will do so with great conviction but really have not had anything to do with this problem at all.

There are 67 counties in the State of Florida, and this year we have active files on school desegregation matters in 43 of these counties. Twenty of them are in what I would call trouble with either HEW or the courts. Some have had their school moneys cut off, and many of the school boards have been in my office, in person, or on the phone, seeking our help to try to work out some of these matters. So, believe me, I am one Senator who has been in the middle of the school problem all year. As a matter of fact, one staff member of mine has spent, I would estimate, at least 4 solid months of his time, every day, doing nothing but working on school problems in the State of Florida.

These amendments certainly are simple and in understandable language. They say that Federal funds should not be used to force school districts to bus children. To close school buildings or schools, or to assign students against their choice—to a particular school. In quieter times, or on a less inflammatory issue, it is entirely possible this language would meet with the approval of the vast majority of the Members of this body. But these are not quieter times, and obviously this whole school controversy has stirred so much passion that we are losing sight of the basic, primary goal of our school system: Educating children, black and white.

I think it is time that we pause for a moment and reflect on what extraordinary changes have taken place in public education in America during the last 15 years, the years since the Brown against

Board of Education decision in 1954. That case stood for the proposition that the "separate but equal" school systems which found constitutional support in decisions such as Plessy against Ferguson in the last decade of the 19th century, were unconstitutional. The Court reasoned that it was inherently unequal for the States to set up or to maintain separate school systems, based exclusively on race. Leaving aside the constitutional arguments, it is a proposition which has behind it much moral strength. Tax moneys should not be used to discriminate against any citizen or class of citizens.

The constitutional underpinnings for this action were, of course, the 14th amendment's guarantees of the rights of citizenship, that is, that all persons born or naturalized in the United States were citizens of the United States and the State where they reside and that they had a right "to equal protection of the laws." The 14th amendment, properly construed, is, of course, a restraint on actions of the State governments:

No State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States nor shall any State deprive any person of life, liberty, or property without due process of law, nor shall any person within its jurisdiction be denied the equal protection of the laws.

Such separate school systems, the Court reasoned, violated the 14th amendment "equal protection" clause. The rationale was that American students of the Negro race could not receive a proper education if they were forced to attend wholly black schools. The unstated hope was that Negroes would receive better education if only they could avail themselves of the opportunities offered by an integrated school system. The Court decreed unanimously that school systems would be desegregated "with all deliberate speed." It is interesting to note that Justice Black, who was one of the Justices who sat on the Brown case, recently stated that this preemptory language "all deliberate speed" had caused more trouble than any other single legal phrase in his memory. He regretted its inclusion and so do I.

In the chain of cases following Brown, however, this prohibition on State action, this negative, has been converted, by judicial fiat, into a positive and affirmative obligation to insure "desegregation." It is one thing for the Supreme Court to say that State X may not set up two separate school systems, one for white children and one for black children. No one argues that point anymore. Brown against Board of Education was right and sound law.

But, it is quite another thing for the courts to seek to impose novel and affirmative obligations on local school districts, such as the obligation to bus children from one locality to another to meet these arbitrary and dictated Federal standards of integration. I think the judicial intervention and bureaucratic meddling into matters of this sort have resulted in the sacrifice of sound educational goals to achieve a forced, and artificial integration.

The children, of course, are the pawns in a chess game that has become ludicrous and dangerous. They are shuffled about from place to place; they are expected to bear long, tiring, time-consuming, sometimes even dangerous, daily bus rides so that some arbitrary standard of integration can be achieved—a standard that has no soundness of its own, but exists only in the mind of the contriving bureaucrat who frames it.

Often the bureaucrat's chief claim to fame in this field of school desegregation is that he is dedicated to the abstract notion of integration. He may know nothing about the economic or social facts surrounding a particular school problem, and could care less. In other words, the solutions are as sound or as stupid as the official who fashions them.

In my view, this bureaucratic and judicial overreaching, this heavy-handed and meddling by the Department of Health, Education, and Welfare, in the school desegregation field, has brought about the chaos that we find today in the public educational systems throughout much of the Nation.

I do not think anybody in his right mind would argue that the racial situation in the public schools is better today than it was before Brown; it is immeasurably worse and in large measure it is worse because of the arbitrary, unsound, and often senseless mischief which has occurred in the intervening years.

I think the committee language brings back some rationality into this whole picture. Let me offer to Senators two specific examples of the abuses about which I am thinking.

The first case involves the Palm Beach School District in my own State of Florida. The Palm Beach County School System in 1968-69 year had a school population of 61,715 pupils, of whom 42,067 were white, 16,504 Negro, and 1,224 of other races, primarily Indians and Orientals. At the start of the 1968 school year, there were 91 schools in operation in the system, 15 of which were attended exclusively by Negroes, 12 exclusively by whites, and seven other schools were attended predominately by Negro pupils, with no white children in attendance. The Palm Beach School District had a plan for achieving further integration.

The plan, however, was not found acceptable by the Federal district court. A new plan was drawn up. It was found wanting by the Department of Health, Education, and Welfare. Another new plan was conceived by the Florida School Desegregation Consulting Center at the University of Miami—the so-called title IV plan and this plan was adopted in toto by HEW. HEW then threatened to cut off further Federal assistance to Palm Beach unless or until the title IV plan was adopted. Hearings were held; appeals taken; appeals denied.

One of the provisions of the HEW plan deserves to be mentioned: The plan decreed that substantial numbers of pupils were to be bused from the east coast to the Glades area near Lake Okeechobee in the central part of the State and vice versa, from the Glades to the coast. The distance is about 40 miles and the highway, in all candor, is not a highway. This is one of the most dangerous roads in the

State of Florida. It is called "suicide alley" locally. There have been, according to the Palm Beach County sheriff's office, 18 to 20 fatalities on it just in the last year and a half. Accidents are commonplace on this old two-lane route: the area is sparsely populated and high speeds are the rule. The road has no proper siding in many places as it goes through the marsh land and is bordered by canals. It is dangerous in the best weather conditions; when it rains, it is murderous.

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

Mr. GURNEY. I yield.

Mr. STENNIS. Mr. President, I suggest that we have a quorum call, and I have in mind a live quorum. There are only six or seven Senators in the Chamber. I think they should have notice that this debate is going on.

Mr. GURNEY. I yield to the Senator for that purpose.

Mr. STENNIS. Mr. President, I ask unanimous consent that the Senator may yield without losing his right to the floor so that I may suggest the absence of a quorum.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll and the following Senators answered to their names:

[No. 244 Leg.]

Aiken	Goodell	Moss
Allen	Gore	Murphy
Allott	Gravel	Muskie
Baker	Griffin	Nelson
Bayh	Gurney	Packwood
Bellmon	Hansen	Pastore
Bennett	Harris	Pearson
Bible	Hart	Pell
Boggs	Hartke	Percy
Brooke	Hatfield	Prouty
Burdick	Holland	Proxmire
Byrd, Va.	Hollings	Randolph
Byrd, W. Va.	Hruska	Ribicoff
Cannon	Hughes	Schweiker
Case	Inouye	Scott
Church	Javits	Smith, Maine
Cook	Jordan, N.C.	Smith, Ill.
Cotton	Jordan, Idaho	Sparkman
Cranston	Long	Spong
Curtis	Magnuson	Stennis
Dodd	Mansfield	Stevens
Dole	Mathias	Talmadge
Dominick	McCarthy	Thurmond
Eagleton	McClellan	Tower
Eastland	McGee	Tydings
Ellender	McGovern	Williams, N.J.
Ervin	McIntyre	Williams, Del.
Fannin	Metcalfe	Yarborough
Fong	Miller	Young, N. Dak.
Fulbright	Mondale	Young, Ohio
Goldwater	Montoya	

The PRESIDING OFFICER. A quorum is present.

Mr. GURNEY. Mr. President, at the time of the quorum call, I was talking about the Palm Beach school system, in which they were planning to bus pupils from Palm Beach to the Glades area, which would total somewhere between 3 and 4 hours a day.

This would have meant an 80-mile-per-day round trip for certain students. It would mean lengthening the school-day for these children by from 3 to 4 hours, depending on weather conditions. One might suspect the HEW people, in their hearts, really do not like school-children and have in mind to punish

them by this bizarre idea. How could reasonable people, charged with responsibility of educating our young, seek to impose such an outrageous and irrational scheme on children? And what is to be gained by it? Nothing. Are the children better off? I doubt it.

They are certainly not safer. Certainly not better off in an educational sense—and certainly not in any general welfare sense—crammed in a crowded schoolbus for 3 or 4 hours a day. Why, then, do these bureaucrats insist on such crazy schemes? One can only speculate, for there is no reasonable explanation.

At any rate, my office tried to bring the parties together. After many sessions, HEW finally, but reluctantly, relented. The 80-mile-a-day busing scheme was shelved and a more moderate—a less insane—plan was adopted. Incidentally, the Southern Christian Leadership Conference charged and condemned me for political interference. I would have been derelict in my responsibility as a U.S. Senator if I had turned my back on this arrogant abuse of bureaucratic power.

Let me bring up another case, which involves the school district of Apopka, Fla.

Mr. President, Apopka is a community of about 5,000, near Orlando in central Florida. The Apopka School District encompasses a larger area and has approximately 3,500 students. Before the start of the 1968 school year, the Federal district court ordered that the school board produce an acceptable desegregation plan immediately. The board complied: The plan called for the creation of a new integrated junior high school, using an old elementary school. The old elementary school was, of course, inadequate. It had lacked enough classrooms, there were no science facilities, no cafeteria, no athletic facilities, no auditorium. Temporary portable classrooms had to be installed and they are there today in a pasture, near the small former elementary school.

The Phyllis Wheatley School, the former all-black high school, was abandoned as a high school and became an elementary school. About 1,200 pupils were involved in the various shifts. Busing was decreed. Selected—I do not know how they were selected; I expect by lot—black and white children were ordered to be carried from one end of the school district to the other. The plan satisfied no one; black student and white students alike boycotted the schools earlier this year. Both black and white parents were up in arms. Attendance fell precipitately. The issue again was clearly not integration or segregation. The issue was dissatisfaction with the absurdity of the plan: The people, black and white, resented the haste demanded by HEW and the courts; the additional costs; the busing; the inadequate classrooms; the lack of facilities; and especially were black parents and students angry beyond description here, because they had to give up their fine new high school.

As a matter of fact, they came to our office, and what did they say, loudly and clearly? That they were being discriminated against. That is what they said.

They referred to the absurd plan proposed by the school board—I should not really say “proposed”; blackjacked by HEW and the court system.

As a matter of fact, one thing I did behind the scenes on that—and this is the first time I have said it publicly—was to actually get an emissary, somebody whom I trusted and who was trusted by both blacks and whites, to go in and cool off the situation so the boycott would not get out of hand and the whole community blow up. He was able to do this, and we got tempers cooled down and things under control. Finally, the school system started up again.

The loss of adequate facilities and their replacement with inadequate facilities heightened racial tensions at a time when harmony and good will were needed. The boycott was finally ended, and a temporary accommodation has been patched up. The situation, I regret to say, is still very tense. Much harm has been done, and no productive gains have come out of the whole sorry episode. And, of course, education, the primary purpose of a public school system, has been lost in the shuffle.

These are some of the real, hard problems some of us are dealing with every single day in the school desegregation field. Many Senators who will vote tonight on this question do not know anything at all about it because they do not have that situation, and they will vote, with great conviction here, for school integration and school desegregation without knowing anything about the practical problems involved in these school districts.

As I pointed out earlier, we have active files on school desegregation matters in 43 out of the 67 counties in Florida, and 20 of them are in real trouble.

This is what the amendment seeks to do something about, in a sensible way, so we can come to grips with some of these problems, and, indeed, carry out some of the recent campaign promises made in connection with the problem of education.

Let me give another example of this provision in practicality. I remember when I first came to the Senate this year, about a month after Congress began, we had a high school senior class visit here from Vero Beach, Fla. Many of my colleagues may be familiar with that fine place on the Florida coast. These were students from a Negro high school that had come to Washington. It was the senior class. I had my picture taken with them on the steps of the Old Senate Office Building. After the picture had been taken and I started to my office, about half a dozen senior boys came up to me and said, “Senator, may we talk to you a minute?” I said, “Sure. What’s on your mind?” They said, “Senator, they are proposing to close our high school in Vero Beach, and we don’t want that to happen, because here is where all the good in our community is generated, all around the high school at Vero Beach. If you can do something, Senator, to stop closing the doors of the high school, will you please do it?” Who were they? They were Negro, black, male students of that high school who were begging me to do something about it.

Here are some of the practical problems that many Senators in this Chamber know little about, because they have never dealt with them. These are some of the things on people’s minds, on students’ minds, on the minds of parents. They are problems we see every day and try to do something about, by bringing the school boards and HEW together, so they will sit down and converse, and indeed try to come up with plans that do not necessarily try to stop desegregation, but try to find solutions of the school problems of this country, so that we can get on with the business of education.

And so we can see what started out to be a lofty and highly idealistic exercise in “social engineering” by the Federal Government has ended in chaos, and in waste, and in inefficiency, and in some cases in violence on the local level. The money spent for this kind of thing in my judgment, could be better spent for legitimate educational purposes—for better training of teachers, textbooks, salaries, and better teaching aids.

We can find similar examples in other States besides Florida, particularly of the recent difficulties in the New York City school system. And, of course, we have here in the city of Washington an extraordinary problem. Since the 1954 court action which declared the congressionally enacted separate school systems for the District of Columbia to be unconstitutional, we have had a mass exodus of white residents from the District of Columbia to such an extent that we now have over 90 percent of the entire school population of the District being black. There are very few white students left in the District who can be “integrated” into a school system.

Now, how has the cause of desegregation been served here? Violence is so widespread that it has become, according to the local school board, almost impossible, at times, to conduct classes.

Senator STENNIS has pointed out in the last several weeks that the problem is not exclusively a Southern one. Very many of the school districts in the North, particularly in the States of Ohio, Indiana, New Jersey, Pennsylvania, Illinois, New York, and in California today, 15 years after the Brown against Board of Education, have not achieved the integration demands so stridently of southern school districts.

Very many schools of these northern and nonsouthern schools are entirely or substantially black. Integration, as decreed by the Federal courts and by HEW, has not been achieved in those States. We can see from this that we are dealing with a national problem. In the past it was very easy for the advocates of Brown against Board of Education to point the accusatory finger at the South.

What was needed, they said, was Federal prompting to insure that the Negro residents of the Southern States achieved the full measure of the rights guaranteed by them in the Constitution. It was always the “wicked southerner” who was to blame; the South had to be shown the way.

More and stronger Federal enactments were necessary, these people argued, because the South, acting on its

own initiative, would not desegregate or achieve any measure of integration voluntarily. The years have demonstrated, and Senator STENNIS' research has recently underscored the fact, that the problem is as real in the North as it is in the South. I think the time for accusations is over, Mr. President. Let us get rid of the name-calling and deal with the problem as temperately and as realistically as we can.

The vast majority of southern citizens are not racist monsters as they have been characterized in the press for these many years, any more than northern citizens are racists. The vast majority of southern citizens want for their children the same things as northern parents want for theirs—that is, a proper education, the best that we can provide in our local school systems. There is as great a body of good will in the South as there is in the North on this question. Let us not squander it. We have made substantial gains. Let us now consolidate them and make them lasting.

I think it is interesting to note that much of the criticism of the pace of integration and the extremes visited on local systems by HEW nowadays comes from our black citizens.

The people for whom the battle against segregation was mounted, are becoming disillusioned and alienated by the extremes to which it has been carried. They are just as irritated as anyone else when their children are forcibly bused from point to point for long daily trips. They recognize, as well as white citizens, that proper and legitimate educational goals have frequently been sacrificed in the integration game. So, we are not dealing here with a southern problem but with a national problem which is getting bigger and more explosive with each passing day. The concept of neighborhood schools is dying across the country.

The truism is that education should educate our children. The fundamental purpose and the reason for existence of our public school system is to educate our children.

The public education system is not in existence primarily to provide employment for social engineers, or for Federal bureaucrats, or integration specialists, with impractical ideas that downgrade education.

My great fear is that in increasing numbers middle-class parents, both black and white, are abandoning their faith in the public school system. As soon as they can muster the resources, they seem to be opting out of public education as fast as they can. They are turning, of course, to private school systems, and their loss is a substantial loss to public educational systems throughout the country.

We owe a great debt to the public educational system of our country. It has produced much that is good and valuable and lasting in our society. I would hate to see that system being crippled or seriously impaired by more of the nonsense that has been going on recently in busing, shutting down of useful schools and forced impractical integration for the sake of integration.

The separate but equal school system, the dual system of black and white

schools, is dead. I agree with the Supreme Court in the Brown case. That idea was wrong and should have been struck down. But having washed and cleansed the baby, of segregation, let us not throw the baby out with the wash water. Let us not destroy the public education system in this country by forced impractical integration. It may be spectacular to steam into these dangerous waters full speed ahead and then go down with all integration flags flying, but, I really question whether this accomplishes very much.

We have an almost Orwellian state of affairs now: In the interest of making quality education available to our black citizens, we are destroying the quality of education. In the interest of freedom for our black citizens, we are enforcing coercion on all our citizens.

"Freedom," said George Orwell in his book entitled "1984," "is slavery and slavery is freedom." Let us not repeat the Washington, D.C., experience nationwide. Integration will be achieved completely in Washington probably as the last white student abandons the educational system here. And what will be the gain by this?

The committee amendments, in my judgment, would restore some rationality to this picture. Let us call an end to the school closings. We need more education in this country, not less. What is so extraordinary about giving children the right to attend the elementary or secondary schools that they choose? Why must we force children to attend distant schools in the interest of "freedom"? Why do we have to heighten racial tensions trying to improve race relations?

Why do we have to sacrifice education on the altar of integration schemes that no man in his right mind would suggest, except for this hysteria that seems to affect the bureaucratic mind in school problems. Most of all, why do we have to use our children, black or white, as pawns in this never-ending game of integration.

Mr. President, I know other Senators want to speak, and I probably have said more about this than I should have; but, in closing, I would like to say that it seems to me that in the whole problem of desegregation and integration, I do not think there is a Senator who will argue that we should not have integration. Brown against Board of Education was right and sound, and every one of us knows it. We also know there has been some heel dragging where I live in the South, but there has been just as much heel dragging in New England, where I was born and raised, in New York, and in Chicago, and all over school areas where there are Negroes and minority students. There has been just as much heel dragging there. The problem is just as acute there as it is in Florida or any of the other Southern States.

But the problems we have now, in the matter of busing, in the matter of closing schools, in the matter of forced integration tend to obscure the basic aims of education. And that is what Brown against Board of Education was all about: so that black students could get a decent education, just like white students. A lot of people thought it would be better if we had integrated schools in order to

achieve that. I do not argue against that. But I do say that busing, closing useful schools, and wild schemes for forcing integration is to forget the basic concept of what Brown against Board of Education was all about, and that was to give black students a decent education.

I would say that the Members of the U.S. Senate, in seeking the views of the people they represent back home, would do well to realize that this is the basic problem. We had better try to do something about getting public education in this country back on the track. We cannot put the public schools out of business in an effort to integrate them by some of these impractical schemes.

Mr. HOLLAND. Mr. President, first I wish to compliment, without any reservation whatever, my distinguished colleague on his very fine speech.

I want Senators who are present to know something of the background of my colleague. He is a native of Maine, an academic graduate of Colby College in Maine, a law graduate of Harvard, one who has been in our State long enough to become acquainted with the conditions there, but one who, from no position whatever, could be called an extremist on this subject, and one who has been kind to people of all races and children of all colors. I wish the entire Senate had been here to listen to what he said, particularly to what he said about the difficulties in Palm Beach County—which is not a typically southern county at all—and in Apopka, which is an old southern community out from Orlando—in their efforts to try to get out from under unfair regulations by HEW, which gave affront to them, and which were taking away the chance for education of their children, whether they be white or colored. I repeat, I wish every Senator could have heard him.

Mr. President, I do not happen to be in the same situation as my distinguished colleague so far as my birth and education are concerned, because I am a native of Florida. I have seen it come along a good long way. I have worked for Florida in a great many ways, and for our Nation in some ways, and I think I am not an extremist in any sense of the word in this field.

Senators know that I fought for some 13 or more years for the anti-poll-tax amendment, before Congress would submit it to the States, and now it is a part of our Federal Constitution. That is not the work of an extremist.

Senators do not know that I insisted, as chairman of our local school board of trustees many years ago, on the building of the first big brick high school for colored pupils in my home town, which at that time was about 40-percent colored and is now about 30-percent colored. We built that fine 14-room building, and it is now the center of a complex, which has been the center of community life for the Negroes of my community, and they are distressed beyond measure right now, as were the colored pupils from Vero Beach mentioned by my colleague, at having their school, in effect, taken away from them, their center of community activity taken away from them, with their chance to continue their leadership, as they have been leaders for

years, in the fields of music, athletics, and preparation for college work of young Negroes who have attained distinction as teachers, as doctors, and as various other types of professional and businessmen.

Mr. President, they are sick at heart because now they have had their school taken away from them. Their school has become a school attended by children of both colors. One of my grandchildren is going there, though that school is over in the center of the Negro part of our town. They feel they have been deprived of the finest thing that they had in connection with their community life, just as the Negro boys from Vero Beach expressed themselves to my distinguished colleague when they visited Washington some while ago.

I wonder if Senators think that this business of freedom of choice, or ability to select the place where one sends his children to school, is not as dear to colored parents as it is to white. I wonder whether they realize that many colored people want their children to have a chance to grow up in what they think will be the finest possible circumstances. They have frequently come to me to say, "We want to continue our schools as they have been." Not just in my community, but in other communities in our State. I could give two or three examples, as has my colleague, of matters in which I have intervened, sometimes finding a humane attitude on the part of HEW employees, and sometimes finding the exact opposite, because they have not been understanding, in so many instances, and they have in so many instances imposed intolerable conditions.

Mr. President, I thought our subcommittee had worked this out rather fairly. We adopted an amendment to the so-called Whitten amendments offered by the distinguished Senator from New Hampshire (Mr. Cotton). We adopted it by a vote of 10 to 1, last Thursday or Friday. Somebody from that subcommittee went and advised the Secretary of HEW; so on Saturday, we all received wires—I say all; here is my wire, nine pages long, signed by Robert H. Finch, Secretary of Health, Education, and Welfare—complaining very greatly about what he called improper action on the part of our subcommittee in connection with these two so-called Whitten amendments, and with one other amendment.

Mr. President, this is a nine-page telegram. I shall not attempt to read it. I do ask unanimous consent that it be printed in the RECORD at this point as a part of my remarks.

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

WASHINGTON, D.C.

HON. SPESARD L. HOLLAND,
Sheraton Park Hotel, Washington, D.C.:

I would like to express my deep concern that the Labor-HEW Appropriations Subcommittee has approved provisions which would seriously undermine this department's responsibilities to public education. I refer specifically to the subcommittee's approval of the anti-civil-rights provisions which retain the essence of the House-passed Whitten amendments, and to the punitive amend-

ments dealing with student unrest. This administration is unalterably opposed to both of these provisions.

The amendments dealing with school desegregation, as passed by the House of Representatives and as reported by the Senate subcommittee, would cripple the efforts of this department to enforce the mandate of the Supreme Court and to protect the constitutional rights of all Americans to an equal opportunity in education. The only districts which HEW deals with under title VI of the Civil Rights Act are those operating illegally segregated school systems. HEW's role is to assist these districts in working out practical, effective, and educationally sound desegregation plans which meet the requirements of the law. Sections 408 and 409 would seriously restrict the flexibility of HEW and local school districts in working out appropriate solutions. Recalcitrant school districts would be encouraged to harden their positions, and districts which have complied with the law would be tempted to go back on their commitments. This could seriously jeopardize the substantial progress made in school desegregation.

Accordingly, the administration urges the Senate Appropriations Committee to delete the amendments. In the event the committee chooses not to do so, the administration stresses the urgency of revising them so that their effect is consistent with the requirements of existing law. In this context, the committee at the very least should consider including appropriate language in the subcommittee provisions, such as the following:

Sec. 408. No part of the funds contained in this act may be used to force any school district to take any actions not constitutionally required involving the bussing of students, the abolishment of any school or the assignment of any student attending any elementary or secondary school to a particular school against the choice of his or her parents or parent.

Sec. 409. No part of the funds contained in this act shall be used to force any school district to take any actions not constitutionally required involving the bussing of students, the abolishment of any school or the assignment of students to a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

I also urge the committee to delete section 407 from the pending legislation.

The administration believes that the subject matter of this provision is already adequately covered by section 504 of the higher education amendments of 1968, which specifically spells out actions to be taken by colleges and universities in determining whether federal aid should be denied individuals who create campus disturbances. All operating agreements for the current fiscal year between participating colleges and the U.S. Office of Education require the institutions to "take such steps as are necessary and appropriate to assure that the financial assistance provided under this agreement is not made available to students where prohibited by section 504. . . ."

There are sufficient measures available to the Department to assure compliance with the law. The cutoff of funds to institutions which section 407 proposes is therefore unnecessary. Beyond that, the administration considers it undesirable and counterproductive. By requiring action against an entire institution, it would place a weapon in the hands of the small minority bent on disruption and penalize the innocent along with the guilty. By requiring me to pass judgment on an institution's "plan or program" for dealing with unrest, it not only would add an ill-defined administrative burden to my office but would impose on the campuses a federal presence fraught with dangerous im-

plications for a society which cherishes academic freedom.

As the Attorney General and I said in a letter written to the late Senator Dirksen on July 17 at the request of the President, "The Federal Government must not be placed in the role of enforcer or overseer of rules and regulations for the conduct of students, faculty and other university employees." I fully realize that this session of the Congress is drawing to a close, and that many essential legislative matters remain to be resolved prior to final adjournment. I hope you will share my conviction that these amendments, as approved by the Senate subcommittee, raise issues of overriding importance, and that at this stage in our history the Federal Government cannot turn its back on the basic rights and freedoms inherent in the public educational system of this Nation.

One of the central purposes of our revision of the 1970 budget was to select opportunities for reform, where innovative projects funded in 1970 would help us increase program effectiveness in major social policy areas. I am therefore pleased that the Senate committee saw fit to restore our request for experimental schools, District of Columbia model school, and migrant health. However, other actions taken by the Senate committee raise serious economic policy questions. I indicated at the Senate Appropriations Committee hearing October 14 that the House additions to President Nixon's proposed 1970 budget for our department run counter to the need for economic restraint at this time and, in fact, would erode the purchasing power of the very persons intended to be aided. While we place high priority on the needs of the Nation's schools, hospitals, children, and needy aged, the administration—and the Congress through the outlay ceiling it enacted July 22, 1969—have indicated the necessity of expenditure restraint to curb inflationary pressures. The President said on August 12, 1969, that he regarded the House additions to the HEW appropriations as "inconsistent with the intent of the Congress a week earlier when it imposed a ceiling on spending for the current fiscal year." He said further:

"We must demonstrate the discipline to hold down inflation, which continues to work a special cruelty upon the very poor, those on pensions and fixed incomes, and home buyers who pay increasing prices and high interest rates.

"In the interest, therefore, of those who most need our help, we must act responsibly to hold down national government spending in the present economic environment.

"Present circumstances plainly require a point of predictable firmness and responsibility in dealing with these budgetary problems."

I know that the Congress, as well as the President, has the interest of all the American people at heart. It is therefore essential that in dealing with specific problems—or specific appropriations—we not lose sight of overriding economic trends which could make our actions self-defeating. I urge that you keep this in mind and not send the President a bill which might force him to make choices which were not made by the Congress.

With all good wishes, I am

ROBERT H. FINCH,
Secretary of Health, Education, and Welfare.

Mr. HOLLAND. When I got to my office Monday, I found a letter, with copies attached in exactly these same words, awaiting me, from the distinguished Secretary of Health, Education, and Welfare.

Mr. President, I have heard that this

administration does not twist arms. I wonder what was the purpose of the Secretary of Health, Education, and Welfare in wiring all of us in this long, exhaustive way, and in writing these long, exhaustive letters, and in finding fault with what our committee had done following the lead of a distinguished Senator from New England, who has been here a long time fighting for decent treatment of all people on the part of Congress. I wonder if that was arm twisting.

I wonder particularly if that Secretary was correct in saying he was speaking for the administration, when I know perfectly well what President Nixon said during his campaign repeatedly, as to his tolerant views in this particular field. That has already been mentioned. It is already in the RECORD. My colleague from Mississippi (Mr. STENNIS) has placed it there.

We all know that the President took then an exactly opposite position, and I do not believe that the Secretary of Health, Education, and Welfare was speaking for the administration, as he said he was. I shall never believe that, unless President Nixon himself tells me that he meant nothing by what he said last year when he was running, and that, to the contrary, he is now supporting the antithesis of what he said then to all the people of the United States, not just to the people of Florida, but to the people of New Mexico, the people of Pennsylvania—from which State the proponent of this amendment we are now talking about comes—and to all the people of this great Nation.

Mr. President, reference has been made to the fact that the State of New York, through its legislature, recently passed a statute in this matter. I had followed what happened in New York City. I knew that the Negro parents had complained very bitterly about the busing of their children to a distant district in New York City to accomplish better racial balance.

I read the New York Times day after day and followed the matter very carefully and put some of the articles in the RECORD at the time when it was going on.

That effort was abandoned. However, evidently fearing that it might become more general in New York, the New York Legislature passed, and Governor Rockefeller approved on May 2, 1969, this statute effective September 1, 1969, which is now the law of the State of New York.

Mr. President, I ask unanimous consent that the statute to which I have referred be printed in the RECORD.

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

CIVIL RIGHTS—DISCRIMINATION IN EDUCATION
PROHIBITED
CHAPTER 342

An Act to amend the education law, in relation to prohibiting discrimination on account of race, creed, color or national origin in connection with the education of the children of the state

Approved May 2, 1969, effective Sept. 1, 1969.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section thirty-two hundred one of the education law is hereby amended to read as follows:

§ 3201. No exclusion *Discrimination* on account of race, creed, color or national origin prohibited

1. No person shall be refused admission into or be excluded from any public school in the state of New York on account of race, creed, color or national origin.

2. Except with the express approval of a board of education having jurisdiction, a majority of the members of such board having been elected, no student shall be assigned or compelled to attend any school on account of race, creed, color or national origin, or for the purpose of achieving equality in attendance or increased attendance or reduced attendance, at any school, or persons of one or more particular races, creeds, colors, or national origins; and no school district, school zone or attendance unit, by whatever name known, shall be established, reorganized or maintained for any such purpose, provided that nothing contained in this section shall prevent the assignment of a pupil in the manner requested or authorized by his parents or guardian, and further provided that nothing in this section shall be deemed to affect, in any way the right of a religious or denominational educational institution to select its pupils exclusively or primarily from members of such religion or denomination or from giving preference to such selection to such members or to make such selection to its pupils as is calculated to promote the religious principle for which it is established.

§ 2. This act shall take effect on the first day of September next succeeding the date on which it shall have become a law.

Mr. HOLLAND. Mr. President, I am not going to attempt to read it all. The first section declares the law as it was declared in the Brown case in 1954. But then the second section goes on—and I will read about eight lines of it—to say:

Except with the express approval of a board of education having jurisdiction, a majority of the members of such board having been elected, no student shall be assigned or compelled to attend any school on account of race, creed, color or racial origin or for the purpose of achieving equality in attendance or increased attendance or reduced attendance, at any school, of persons of one or more particular races, creeds, colors, or national origins; and no school district, school zone or attendance unit, by whatever name known, shall be established, reorganized or maintained for any such purpose, provided that nothing contained in this section shall prevent the assignment of a pupil in the manner requested or authorized by his parents or guardian.

Mr. President, the rest of the statute applies to religious schools. I have read all of the part that applied to public schools. I just wonder why freedom of choice, I wonder why the freedom of the parents to send their children to schools of their choice is recognized by the State of New York. I wonder why a statute passed by the Legislature of New York and signed by that great Governor, Governor Rockefeller, had no challenge made upon the right of selection of schools or freedom of choice there by the Department of Health, Education, and Welfare.

I am just asking the Senators to think about it a moment. Why is it that no challenge has been made in New York by this great Department of Health, Education, and Welfare which sends in the nighttime this nine-page wire to

members of the Appropriations Committee? And some of them did not receive it until 4 o'clock the next morning. They were awakened because the directions were that it had to be personally delivered and had to be delivered that day if possible.

I wonder why it is that that Secretary has not challenged the State of New York in its using its sovereignty to say—and I am going to read this again—"provided that nothing contained in this section shall prevent the assignment of a pupil in the manner requested or authorized by his parents or guardian."

Mr. President, it could not be clearer that the great State of New York has recognized the right of selection by parents and guardians of the place at which their child shall attend school. And there has been no challenge made of that. But, Mr. President, they go down into the small community of Jackson County, Fla., named incidentally for Andrew Jackson—

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

Mr. HOLLAND. I yield.

Mr. ERVIN. Mr. President, are there any such weasel words in the statute of the State of New York such as those which are proposed to be inserted in the pending bill which say, "except as required by the Constitution."

Mr. HOLLAND. There are no such words. And may I say to my distinguished friend, the Senator from North Carolina, that it was the putting in of such vague words that got us in trouble last year.

Mr. ERVIN. Mr. President, I ask the Senator if that does not indicate that the members of the New York State Legislature, like the Senator from Florida and the Senator from North Carolina, know that it is perfectly constitutional to pass a law like the law passed in the State of New York and like the provisions contained in the pending bill.

Mr. HOLLAND. I think the legislature of the State of New York knew what they wanted to do. And they said it clearly and constitutionally.

I wonder why our National Government, that is so interested in the subject, has not imposed any challenge. There has not been the slightest effort in that great State where there are hundreds of schools, as has been stated by the distinguished junior Senator from Mississippi, where the Negro students comprise anywhere from 90 percent to 100 percent of the school population. And in many of them they constitute 100 percent of the school population.

Why is it that this question has not been raised there? Perhaps some Senator can answer that question. The Senator from Florida simply cannot do so.

Mr. President, some people ask, "Why is it necessary to do anything about these questions?" The reason that it is necessary to do something, as is attempted to be done by the provisions in the bill, is that HEW has been demanding the busing of pupils, has been demanding the abolishment of schools, has been denying freedom of choice, has been demanding just exactly these

things that are covered by the contested provisions. And the effort is to prevent the spending of the money appropriated by the bill for use by anybody to accomplish those purposes.

Mr. President, I do not know whether the Senators noticed this article in the Washington Post on Sunday. But it was apparently written down in the Department of Health, Education, and Welfare. And it states the facts so well—and perhaps that is unusual for the Washington Post—and so clearly that I read a part of the statement:

The Whitten amendment would prohibit the Government from requiring any district to bus students, close down schools, or assign pupils against parental wishes. All three procedures now are used to help dismantle dual school systems in the South.

That just happens to be true. They are being used by HEW and the reason that we do not want them to be used is that by their being used, we are depriving children of the chance to get a decent education. We are destroying in some places the public schools. We are doing exactly the wrong thing, instead of the right thing, as many of my friends would want to do who oppose us on this matter.

The fact is that HEW is doing these three things. And that is why we have this wording against the forced busing of students and against the closing down of the schools or the assignment of pupils against parental wishes to accomplish integration.

That is why these amendments are placed in the pending bill.

Mr. President, one more short comment and I will be through.

We deprive children of their proper chance to get an education, but why should I have to say that to Senators who see what is going on in Washington? We ride the taxis every day with men, whether white or black, who tell us about what a sorry situation exists here in the school system of Washington, D.C.

The schools which, when I came to Washington, were about 50-50, or maybe not quite half colored, are now some 93 percent colored. Why? It is because the white people with children have moved into Maryland or Virginia or to more distant places. They have children, and many who are able to send them to private schools are doing that.

The proof is right here as to the dissatisfaction that this forced integration of schools has brought about. It is right here where we can see it every day.

Mr. President, I recently went down to visit a cousin of mine in Arvon, Va. It is a pleasant town close to Prince Edward County, where they have established a large and entirely private white school. The children from Arvon where I visited with my cousin are going to that private school 30 miles away, and the children who cannot go have to attend the little public school there, along with the colored children, and neither group is satisfied. The standards are going down, and the school and the community are being deprived of children, who are the finest children in the community.

That is not the only instance I can give. It is happening in many other places. It

is happening in my State in several places.

I believe in the public school system. I have taught in the public school system. I have been the chairman of my local trustees in the public school system. I have been chairman of the State board of education in the public school system. I believe in public education. I just say to my friends in the Senate, well intentioned as they may be, that they are taking a part in the destruction of the public school system, as well as in the destruction of opportunity of thousands of children to get the type of education to which they are entitled and which their parents want them to have.

If you want to destroy in many places the public school system, if you want to have a bunch of demagogues coming to public office from various States—they will not be just Southern States; they will be from some of the great cities of the Nation outside of the South—a bunch of folks who will pander to this feeling of discontent, this feeling of great confusion that has arisen in the cities because of the imposition of this racial problem, just go ahead and vote to destroy these amendments, and you will destroy them if you put in the words referring to constitutional interpretation. We put words in last year that were intended to confine the problem to the establishment of racial balance in the schools. Do you know what the solicitor down there interpreted that to mean? He interpreted it to mean that so long as you did not assign the restoration of racial balance in the schools as your reason for acting but instead assigned some other reason, whether real or imagined, HEW could take that course.

Mr. President, with the solicitors down there interpreting what does constitute constitutional values in this field, we know in advance what will happen if this kind of vague and general wording is put into these amendments.

I hope that sections 408 and 409 will remain in the bill as they were worded, changed from the House versions, worded by the great Senator from New Hampshire (Mr. Cotton). I hope they will stay there in that form and that we will begin to get away from this crazy destruction of the public school system, which is going on right now, along with the destruction of the opportunity of countless thousands of children to get a good education.

I yield the floor.

Mr. ERVIN and Mr. EASTLAND addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. I assure the Senator from Mississippi I will not talk very long.

I should like to give the Senate a picture of what is happening in the South in our schools, while no such events are occurring north of the Mason-Dixon line.

I think the best description of what is being done by the Federal courts to the schools of the South was given by a great judge from the State of Georgia, U.S. District Judge J. Robert Elliott, of the Middle District of Georgia. He gave

this description in connection with an order that remanded a case to his court from the Circuit Court of Appeals of the Fifth Circuit. This circuit has laid down such foolish rulings as the one which demanded that the safety of schoolchildren must yield to the demands of segregation. It has declared that every black student must be given an integrated education, regardless of the expense it entails to the community and the inconvenience it imposes on the students. It has gone so far as to declare in one case that even though an action of a school board is wholly nondiscriminatory in nature, it is unconstitutional unless it results in substantial integration.

In describing what the Federal courts do, Judge Elliott said the following about the decisions of the court of appeals and of the Supreme Court dealing with school desegregation:

A review of these decisions shows that it is intended that integration be brought about in some way by school administrators as the first order of business. Problems of money, problems of transportation, problems of finding competent teachers willing to staff completely integrated schools, problems of political and emotional ramifications and the myriad frustrating difficulties peculiar to public education, and even the substantial objections of those thought to be benefited, are either ignored or brushed aside. We are told not to be "color blind", but to be "color conscious". The three R's long thought to be the reason for the existence of the public school system have been eclipsed by the one big R—Race. Integration is primary. Education is secondary. And through it all is the clear implication that Federal Courts are competent to design, supervise and administer plans for the integration of all school systems within our jurisdiction regardless of the diverse and complex problems presented. As for myself, I disavow any such occult power and am convinced that a fairly administered freedom of choice plan is the best answer and that the "immediate total integration at any cost" approach must inevitably result in serious damage to the public school system. However, we are bound by the decisions of the Supreme Court and the Court of Appeals for the Fifth Circuit, so we will make one more drag of the judicial claw across this sensitive area.

That is what the Federal courts are doing.

Next I would like the Senate to consider what the Department of Health, Education, and Welfare is doing in this area despite the fact that there already are three statutes on the books which prohibit the Department from busing schoolchildren from one school to another in order to change the racial composition of the student bodies.

I hold in my hand a letter from a lady in North Carolina. I could read to the Senate hundreds of such letters, because not only hundreds of people, but thousands of people, are experiencing the same kind of Federal tyranny in every State of the South.

The woman to whom I have referred wrote me a letter dated September 16, as follows:

There is much sadness in Warren County today. School began. It is the most unfair law that requires children to be hauled from school to school, not for the purpose of an education, but to have integration of the races. We built a new home four years ago,

that took our entire savings, and what we could borrow, in order that our children would be close to school. They walked two blocks to reach school. This morning they were put on a bus and hauled 5½ miles in the country.

When I arrived to register my little fifth grade girl in school, I found in her class of 115, 7 white children. The remaining 108 were unfamiliar faces of colored children.

The entire school has the ratio of 63 whites to 507 colored. This is the only school our children are allowed to attend in the county.

What good does it do, for education or anything else, to haul a little girl 5½ miles from her home when there is a school situated within two blocks of her home that she could attend, merely to mix her and six other little white children in her class with 115 black children?

The letter continues:

If freedom of choice had been allowed, this would not have happened in the same manner. The parents of both races could have sent their children to the school most convenient and best suited to their needs.

I must say a word in behalf of the colored people in our county. They, too, are being hauled all over the county with strange teachers and friends.

Then the writer proceeds further and says:

I realize this letter is too long, but I could go on and on. If you can't help us return to freedom of choice in Warren County, please do all you can to persuade our government to allow people to make their own choices in other counties and States. Don't permit what has happened to our county to happen in any other county or State in the United States.

Now, as I have stated, this kind of situation has been repeated under the tyranny of HEW thousands and thousands of times in every State in the South.

I hold in my hand another letter from a father in Raleigh, N.C. He says that he is the father of two sons of high school age. He states:

We live within four blocks of Broughton High School and my sons could easily walk this distance to school and come home to lunch but being assigned to Enloe as you can see where they are assigned means that they must walk four to four and a half miles to school.

I think it is a shame the children are subjected to such treatment and being forced to be herded around like cattle and shifted like pawns in a chess game.

Mr. President, I am not going to vote for this weasel-worded amendment. I am willing to stand up and say flatly that the Constitution of my country does not require, indeed, does not permit children to be herded around like cattle and shifted about like pawns on a chess board merely to mix the races in the schools.

Mr. President, these complaints do not come only from the white race but they come from members of the colored race, as well. A short time ago we had a school desegregation decree in the U.S. district court for the Charlotte school district. It produced an uproar among the people and resulted in a news dispatch being printed in the Washington Post of August 7, 1969, entitled "North Carolina Blacks Oppose Busing Plan."

Mr. President, I ask unanimous consent that the article may be printed in the RECORD.

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

NORTH CAROLINA BLACKS OPPOSE BUSING PLAN

CHARLOTTE, N.C.—Many Negro parents here are up in arms over a proposal to bus their children to schools in predominantly white suburbs. Negro leaders vow to resist the one-way desegregation plan.

The Board of Education, complying with orders of U.S. District Judge James McMillan, has filed the plan in federal court. A court official said no hearing had been scheduled, but it was "very possible" one would be held soon. The plan call for closing seven all-Negro schools in the inner city and busing about 4,200 black pupils to outlying schools.

Most white parents have voiced no opposition. But a few months ago, when there were reports the plan would bus white pupils to all Negro schools, white parents bombarded the school board with protest petitions.

Charlotte Negroes have responded to the black busing proposal with a protest march, a candle-light vigil near the center of the city and calls for a boycott of white merchants. The Rev. George J. Leake, a Negro who ran third among six candidates for mayor in the city's nonpartisan primary this year, says if one-way busing is approved the Negroes of Charlotte "will resort to massive resistance and civil disobedience."

Negro parents and leaders have fought for more school desegregation. Courts have ordered it and most whites are resigned to it. But busing has fired the anger of black and white.

The white parents argued in their petitions that they had purchased homes within certain areas so their children could walk to and from school.

A white parent who fought busing of white students said, "We have no desire to fight desegregation. We welcome the Negro students. But, my God, why must our children leave the neighborhoods, the kids with whom they have played for years, with the feeling of belonging to an area.

"We don't oppose desegregation, we support it, but not at the sake of taking our children, yes, my children to a school across town, whether it is all white or all Negro."

Some Negro parents said in a public statement that it seemed strange that "black children could adjust to the transition of the school, neighborhood and teachers by submitting to busing while white children were too precious to move."

And, said the Rev. Mr. Leake, "why should the black students forget school tradition, mascots, honor programs, athletic prominence, school pride and self-pride with no assurance that they will receive anything in return."

Mr. ERVIN, Mr. President, the Department of Health, Education, and Welfare went down to Martin County, N.C., where the races were living there in peace and harmony, and it required them to start busing the children and herding them about like cattle and shifting them like pawns in a chess game, merely to produce a mixing of the races in the schools. It produced a boycott which was described in a column by Evans and Novak on March 28, 1969, entitled "Whites, Blacks Attack Finch's Plan to Desegregate North Carolina County's Schools."

Mr. President, I ask unanimous consent to have printed in the RECORD the

article by Evans and Novak to which I have referred.

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

WHITES, BLACKS ATTACK FINCH'S PLAN TO DESEGREGATE NORTH CAROLINA COUNTY'S SCHOOLS

(By Rowland Evans and Robert Novak)

WILLIAMSTON, N.C.—Despite the success of HEW Secretary Robert Finch in persuading the Martin County School Board to adopt an "acceptable" desegregation plan, thus freeing blocked Federal funds, the plan is already under withering fire from militant blacks and whites in this backcountry county seat.

School Board Chairman Leroy Harrison is now organizing an all-out publicity campaign to sell the desegregation plan to parent-teacher groups, civic organizations and white and black leaders. But for Harrison, who believes the economic future of the prosperous County depends on peaceful acceptance of the plan, the going is all uphill.

Moreover, it will be little short of a miracle if a 33.5 million bond issue for two new integrated high schools, up for a vote late this spring, actually passes. Resentment over high real estate tax rates killed the last two school bond issues. The new one now carries the extra burden of racial emotions arising out of the desegregation plan sponsored and approved by Finch's Health, Education and Welfare Department in February. That approval lifted Finch's conditional ban on \$700,000 worth of Federal school aid—a cool 13 per cent of the County's total budget—ordered in his first decision last January in the South's hottest political issue.

The plan seems simple enough. In the 1969-1970 school year, the Board has agreed to assign 25 per cent of the 4000 Negro pupils to classes with the 3200 white pupils and exchange 50 black and white teachers.

Complete desegregation will start in the fall of 1970, with all high school students going into the two new schools to be financed by the bond issue.

But the plan is selling very hard. "Trouble is," one pillar of the community told us, "some of the whites still don't believe this will ever really come about."

White militants have already held secret meetings to explore the private school route as an exit from hated race-mixing. With no possibility of help from the State capital at Raleigh, the private school route poses almost insuperable financial burdens. Nevertheless, pledges of more than \$100,000 have already been made and at least 200 families are said to have expressed solid interest.

If it goes that way, the bond issue cannot win, for the obvious reason that all the private-school families will fight it (the last school-bond issue failed by less than 600 votes).

Worse yet, however, is the cultural and economic split inside the white community that would follow establishment of a private school for well-heeled white families. As a local businessman told us: "That private school idea is just like an eatin' cancer. The rural white families couldn't stand it and it would just build up a whole other class."

But the possibility of a boycott by some of the whites in this tobacco-and-peanut county is no more dangerous to the desegregation plan than the threat of a similar boycott by blacks. The Negroes are furious that the plan involves only one-way traffic—the assignment of Negro pupils to white classrooms, but no white pupils to black classrooms.

Last fall, the School Board abandoned freedom of choice, which simply hadn't worked, because, for so many reasons, Negro

mothers refused to send their kids to distant white schools. So to increase the snail's pace of desegregation, the board assigned 700 Negro pupils to white schools. Result: An immediate black boycott.

With Negro pupil-assignment way up next fall, another black boycott is highly probable. One of the School Board's Negro advisers, Rosalie Hassell, refused to predict what would happen, but she attacked the HEW approved plan as "a bad plan that doesn't represent the Negro point of view," and told us she hadn't even seen it until after HEW's approval.

Against this array of forces, Harrison and the embattled School Board have now started their selling campaign. On their success depends not only the Martin County public school system but the outcome of Finch's first crisis in Southern school desegregation.

Mr. ERVIN. Mr. President, as I stated previously, HEW officials went to Hyde County in North Carolina and under the threat of denying Hyde County Federal funds they coerced the school board of Hyde County into closing two schools which the black children had been attending and required them to journey long distances to a school which was predominantly white. These HEW demands produced a boycott of the schools by the blacks in Hyde County.

I hold in my hand an article from the Charlotte Observer of September 1, 1969, entitled "New School Boycott Looms in Hyde."

I shall read one paragraph from the article:

Last year, Hyde County drew national attention as fewer than 100 of its 800 black pupils attended school. At issue was the proposed closing of two formerly all-black schools. All the county's pupils were to be assigned to a formerly all-white school for 1969-1970.

Mr. President, I ask unanimous consent that this article may be printed in the RECORD.

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

NEW SCHOOL BOYCOTT LOOMS IN HYDE

(By Paul Jablow)

SWAN QUARTER.—Except for three notices from Raleigh tacked among the other messages, the bulletin board at Hyde County Courthouse is pretty much like those in other rural courthouses across North Carolina.

Each of the notices sets a special week of criminal superior court for the county, starting next week.

Normally, three weeks of criminal court would take care of the county's needs for a full year. But some 70 youthful demonstrators arrested in last year's school boycott must be tried as this remote, sparsely populated county continues to be a battle ground for school officials, civil rights organizers and the local residents themselves.

Last year, Hyde County drew national attention as fewer than 100 of its 800 black pupils attended school. At issue was the proposed closing of two formerly all-black schools. All the county's pupils were to be assigned to a formerly all-white school for 1969-1970.

With the Southern Christian Leadership Conference (SCLC) active in Hyde, the boycott was both the first of its kind in North Carolina and a switch in SCLC's tactics from pure integration.

Now, with the schools opening Tuesday, another boycott looms. Black leaders say it will be as large as last year's.

The new school superintendent, Richard Neil Singletary, says that it will be slight: "We should have 90 per cent of the pupils in school."

Most indications are that attendance by black pupils will be up considerably.

Despite a cast of characters virtually unchanged except for Singletary, the Hyde County school situation is different from last year.

There is a new integration plan, increased communication between the races and probably more flexibility by the white leadership. Whether these changes cut deeply into the problem may not be decided until mid-fall.

The county is entering the second year of a three-year desegregation timetable approved by the Department of Health, Education and Welfare (HEW).

Last year, black pupils in grades 1-3 were assigned to Mattamuskeet School in Swan Quarter, as the first part of a plan that was to have permanently closed down two black schools, O. A. Peay in Swan Quarter and Davis in Engelhard.

This "one way" integration caused the boycott, but county officials stuck with it. HEW has also vetoed plans to keep Davis and Peay open on a segregated basis if necessary.

Now, there may be a change, on Nov. 4, the county will vote on a \$500,000 bond issue to add 28 classrooms and additional land and facilities to Mattamuskeet. If it is approved, this would be the county's one school.

Black voters are expected to vote solidly against it.

If the bond issue is rejected, county officials say, all three schools would be kept open with total integration coming in 1970-71. This is what boycott leaders were demanding last year.

But what was demanded in the past is often unimportant in the rapidly changing Hyde County situation.

Outwardly, the county seems a strange location for this sort of struggle. It is one of the five poorest in the state, drawing its living from corn and soybean farming, tourist hunting for waterfowl and deer and a few shrimp and crab packing plants.

The narrow, flat roads are flanked by swampy ditches, with trees sometimes forming dense tunnels over the road, sometimes parting to reveal vast, marshy flatlands alive with the humming of insects.

The resistance to school integration has been no heavier than usual for rural counties with large black populations. The issue of "busing," dynamite in an urban situation, is meaningless here since everyone, black and white, is used to it.

The county was, frankly, chosen as a test case by N.C. representatives of SCLC.

"The people here had an issue but no philosophy," says SCLC's Golden Frinks. "SCLC said, 'let us come and build a philosophy.'"

To officials in Hyde County—and in state government—the issue is simply getting the children back in school.

"I'm just basing my operation on what's right and fair for the children," says Singletary. "Some of these people want to sacrifice their children. If the adults want to demonstrate, that's all right. But this is a crime. These children may never recover from the loss of a year in school."

Singletary promises that the state pupil attendance law—all but ignored last year—will be enforced this year from the first day of school. A black attendance officer has been hired and Singletary says that any parent or guardian not sending a child to school will be served with a warrant.

The maximum penalty is a \$50 fine or 30 days in jail and he plans to have the first warrants served in locations scattered across the county to make an impression.

Although taking a hard line in this area,

Singletary has set up a biracial "better schools committee," placed two blacks on the advisory council for Mattamuskeet and sponsored an integration workshop for all teachers.

The board of education has also decided to start integration with grades 4-6, since black parents felt the burden should not be on the youngest children.

Boycott leaders feel, however, that this is barely a dent in the tradition of white dominance in Hyde County's institutions and the economy.

"I've learned more about white people here in one year than I did in my other 57," says Mrs. Etta Greene, a boycott leader.

At a recent meeting at O. A. Peay School, county blacks questioned Singletary, two HEW representatives and Harold Webb of the N.C. Department of Public Instruction.

The HEW representatives explained that they were unable to let Hyde County keep its black schools open on a segregated basis as a last resort. Webb told them that the state department could do nothing about an integration plan. These men were still able to speak without interruption.

Singletary, on the other hand, was constantly peppered with hoots and screams. "We'll get him out of here yet," said one black after a long series of catcalls.

Frinks then went to the microphone and told Singletary that, "this is what has happened to black people for years. We can't be heard."

Another boycott leader confirmed privately that attempts are being made to discredit Singletary "because he's always fronting for the school board and the white officials."

Part of the problem, white leaders say privately, was an original underestimation of how strongly the blacks felt about one-way integration that closed "their" schools.

When full desegregation became inevitable, it was felt that most whites wanted to close the black schools and just use Mattamuskeet although all three plants are in good shape.

With whites making up some 58 percent of the population and 75 percent of the registered voters, this feeling was quickly translated into the one school plan.

Now, with black resentment clear, the bond issue is seen as an out that will not involve caving into the demonstrations that were held almost daily last year on the streets of Swan Quarter.

Assuming that the blacks will vote against the bond issue, the message to Hyde County whites is clear:

"Do you want to close the black schools badly enough to add 31 cents to the tax rate (now \$1.40) and have your children transported further even if this won't mean any less integration. And do you want this badly enough to vote 2-1 for it to offset the expected black-vote against it?"

The answer, most blacks and whites feel, will be, "no."

In fact, one white leader says that "if Frinks would just shut up, the bond issue wouldn't have a snowball's chance in hell. It could get beat three to one, and the blacks would get what they're demanding. But then, there'd be nothing to agitate for."

If white leaders see the bond issue as a possible out, the militant blacks do not. First, there is a lingering suspicion that if the issue failed, the school board would somehow find a way to close the black schools.

But more important is a desire to see the white leadership voluntarily approve a three-school plan.

"They've got the power to open all three schools," says Mrs. Greefe. "So they should do it." She and other boycott leaders plan to ask the county commissioners Tuesday to drop the bond issue from the November ballot.

"Moral issues shouldn't be decided by bond issues," Frinks says.

There are also indications that Frinks and other SCLC leaders are seeking to broaden the conflict beyond the "three school" issue and aren't particularly interested in seeing that issue settled if it means a loss of momentum for "the movement."

"We are going to take over this county" Frinks claims. "Up until now it's been run by a little political clique. No matter what school plan they adopt, there will still be a movement."

Frinks says that decision was reached last year when two Hyde County girls were killed in an auto accident in Wilson during SCLC's march to Raleigh.

At that point, he said, the movement's goals had to be expanded to maintain Hyde County's interest.

This broadening effort could be clearly seen at the frequently stormy two-and-one-half hour meeting at Peay.

Hyde County blacks most frequently asked questions about the school situation itself, while SCLC officials such as Milton Fitch of Wilson and James Barrow of Washington, N.C., asked broader questions.

Barrow claimed that the board of education had "perpetrated a fraud on the black people of Hyde County" by misrepresenting what would be in the bond issue to gain approval of it from the Local Government Commission in Raleigh. (Singletary said that the board had followed the usual custom of requesting broader authority than it actually would need).

Whether the boycott movement will have as enduring an influence on the county's blacks as last year is still unknown.

Some blacks, including several who kept their children out of school last year, say they will send them back this time.

A petition, signed by some 75 local blacks, has been sent to Gov. Bob Scott asking the state to act against Frinks.

"His corruptive (SIC) influence is detrimental to our people and has had a devastating effect on all other people where he has been," the petition states. "We feel that steps should be taken to eliminate his offensive influence from North Carolina."

The county still has not had any black leadership rise to oppose the boycott. Whites claim that pressure is being used against possible antiboycott leaders while blacks say that white leaders are applying economic pressure to develop "Uncle Toms."

Singletary concedes that one kind of pressure has been used, on black school employees who encourage the boycott. He says that this will continue in addition to the new efforts to enforce the attendance law and thus shift the burden of the movement from children to adults.

Local boycott leaders say that if this happens they are willing to "fill up the jails."

Which, for the past year, has been easier in Hyde County than filling up the schools.

Mr. ERVIN. Mr. President, I am opposed to the weasel words which are sought to be inserted in the bill as an amendment. If we need the words in this statute, then we need those words in every statute. If they must be in this statute, then the words "if it is constitutional for us to do so and in accordance with the law" should be in every statute. Of course, the words are wholly unnecessary. These are words which would be implied because if the provision prohibiting busing, prohibiting closing schools, prohibiting denying children the right to attend schools selected by their parents are unconstitutional, those provisions would be unconstitutional without such language as this amendment proposes.

Mr. President, I oppose these weasel words. It is time for Senators to stand

and say they do not think the Constitution requires or permits children to be herded around like cattle or shifted around like pawns in a chess game.

The case of Green against New Kent County is the only decision of the Supreme Court that has any intimation about freedom of choice plans and I can only say this about the Green case: Its facts are simple. The language of the opinion is ambiguous and murky. The case lays down no fixed rule or workable rule. Still, the case invalidated freedom of choice of New Kent County; it did not permit the choosing of schools on a non-racial basis. There is not a scintilla of justification for the holding. New Kent County adopted a freedom of choice system in which it allowed all of its children of both races to go to whichever of two schools they elected to attend. Could there be a fairer method of determining school attendance?

Well, none of the white children elected to go to the colored school, and only about 15 percent of the colored children elected to go to the white school. The record disclosed that all students both black and white, acted according to their own desires, free from all coercion.

In discussing this case, the editorial writer in the Washington Sunday Star of June 23, 1968, in an editorial entitled "Judges Should Stick to Their Judging," said this:

New Kent is a small rural county with only two schools for its 740 Negro and 550 white pupils—New Kent School on the east side of the county for whites and George W. Watkins School on the west for Negroes. There is no residential segregation in the county.

New Kent, as it had to do, went along for several years after Brown with the Virginia Legislature's various efforts to avoid school desegregation. But three years ago the county adopted a freedom of choice plan. There has been no claim that the plan did not offer a truly free choice or that it was applied in any discriminatory way. No white children transferred to the Watkins school. But in 1967 a total of 115 Negro children applied for and were enrolled in New Kent. This was up from 35 in 1965 and 111 in 1966. To sum it up, no white children have gone to the "colored" school, but slightly more than 15 percent of the Negro children were attending the "white" school at the end of this year's term.

In an ambiguous opinion, Justice Brennan said this was not good enough.

He did not, and indeed he could not, properly say that a bona fide freedom of choice plan, such as New Kent's, is unconstitutional. In fact, he did not cite any specific constitutional basis for holding that the New Kent system wouldn't do.

He said the plan placed a "burden" on children and their parents—the burden of applying for admission to one school or the other if they wanted to switch. He did not stress the point that the parents of 115 Negro children did not find this too burdensome last year. He also suggested that the county should adopt some kind of "zoning" system, although he was very vague about this. And without more ado, he set aside a ruling by the Fourth Circuit which had upheld the New Kent plan.

So much for that. But what is it that New Kent County is supposed to do that will satisfy the learned justices of the Supreme Court when they doff their judicial robes and sit as a local school board? Justice Brennan didn't say. The county authorities are left in the dark. But we have several suggestions. (1) The ruling applies only to states whose schools formerly were segregated by

law, which means the southern and border states. If this is what the law now requires in those states, why is it not required in all states?

Let me interpolate here that this includes New York, which has a statute similar to the provision in the bill—

(2) This decision, although it doesn't spell it out, clearly commands compulsory integration, and this without specifying any constitutional basis for the command. Judge Brennan did cite some language from Brown II, but Brown II is not the Constitution. (3) The court is saying, though not in so many words, that some white children in New Kent County, regardless of their wishes, must be compelled by the local authorities to attend the "colored" school, and that more than 115 Negro children, regardless of their desires, must be compelled to attend the "white" school. Precisely what racial "mix" will be satisfactory? Again, the justices in their infinite wisdom did not say. We suspect they haven't the foggiest notion. We also suspect that what they have done will play hob with New Kent County's public school system and the education of both its black and white children.

Mr. President, I ask unanimous consent to have the entire editorial printed in the RECORD.

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

OUR JUDGES SHOULD STICK TO THEIR JUDGING

Eleven months ago the American Association of School Administrators, with some 17,000 members around the country, strongly urged that an appeal be taken from Judge Skelly Wright's decision in the District school case.

The association said that the decision "usurps the prerogatives of boards of education and school administrators" and, further, that Judge Wright's educational theories are "wrong and dangerous."

Now, a year after the ruling, an appeal will be heard this week by the United States Court of Appeals. What the result will be is, of course, uncertain. But one may at least hope that the appellate judges will return control of the Washington schools to the school authorities, and that Judge Wright will be encouraged to devote himself to his judicial knitting.

Judge Wright has not been the only federal judge to get into the business of running or trying to run public school systems. The Supreme Court and the Fourth Circuit Court of Appeals also got in a few whacks this year.

The case of Brown vs. Board of Education was decided by the Supreme Court in 1954 and an implementing decision, known as Brown II, came down a year later.

The 1954 Brown ruling held that segregated public school systems imposed or required by state or local law were in violation of the Fourteenth Amendment and therefore unconstitutional. Brown II decreed that such segregated systems must be abolished. The court did not say, however, that compulsory segregation must be replaced by compulsory integration.

John J. Parker, then chief judge of the Fourth Circuit, construed the Brown decision in this language: "It (the court) has not decided that the states must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a state may not deny to any person on account of race the right to attend any school that it maintains. . . . Nothing in the Constitution or in the decision of the Supreme Court takes

away from the people the freedom to choose the schools they attend."

Chief Judge Parker was a distinguished jurist, not a man to bypass or undermine Superior Court rulings. A few years before his death in 1958 he was awarded the American Bar Association's gold medal for "conspicuous service to American jurisprudence." But in undertaking to construe Brown, Judge Parker spoke too soon. He couldn't foresee, of course, what the Supreme Court would say in May, 1968, in the case of Virginia's New Kent County, and he would have been horrified to read that opinion.

New Kent is a small rural county with only two schools for its 740 Negro and 550 white pupils—New Kent School on the east side of the county for whites and George W. Watkins School on the west for Negroes. There is no residential segregation in the county.

New Kent, as it had to do, went along for several years after Brown with the Virginia Legislature's various efforts to avoid school desegregation. But three years ago the county adopted a freedom of choice plan. There has been no claim that the plan did not offer a truly free choice or that it was applied in any discriminatory way. No white children transferred to the Watkins school. But in 1967 a total of 115 Negro children applied for and were enrolled in New Kent. This was up from 35 in 1965 and 111 in 1966. To sum it up, no white children have gone to the "colored" school, but slightly more than 15 percent of the Negro children were attending the "white" school at the end of this year's term.

In an ambiguous opinion, Justice Brennan said this was not good enough.

He did not, and indeed he could not, properly say that a bona fide freedom of choice plan, such as New Kent's, is unconstitutional. In fact, he did not cite any specific constitutional basis for holding that the New Kent system wouldn't do.

He said the plan placed a "burden" on children and their parents—the burden of applying for admission to one school or the other if they wanted to switch. He did not stress the point that the parents of 115 Negro children did not find this too burdensome last year. He also suggested that the county should adopt some kind of "zoning" system, although he was very vague about this. And without more ado, he set aside a ruling by the Fourth Circuit which had upheld the New Kent plan.

So much for that. But what is it that New Kent County is supposed to do that will satisfy the learned justices of the Supreme Court when they doff their judicial robes and sit as a local school board? Justice Brennan didn't say. The county authorities are left in the dark. But we have several suggestions. (1) The ruling applies only to states whose schools formerly were segregated by law, which means the southern and border states. If this is what the law now requires in those states, why is it not required in all states? (2) This decision, although it doesn't spell it out, clearly commands compulsory integration, and this without specifying any constitutional basis for the command. Judge Brennan did cite some language from Brown II, but Brown II is not the Constitution. (3) The court is saying, though not in so many words, that some white children in New Kent County, regardless of their wishes, must be compelled by the local authorities to attend the "colored" school, and that more than 115 Negro children, regardless of their desires, must be compelled to attend the "white" school. Precisely what racial "mix" will be satisfactory? Again, the justices in their infinite wisdom did not say. We suspect they haven't the foggiest notion. We also suspect that what they have done will play hob with New Kent County's public school system and the education of both its black and white children.

Another judicial shocker, which reinforces our belief that judges, especially eager-beaver judges, should stay out of the school-room, has just come down from the Fourth Circuit.

The effect of this 5-to-2 ruling in a Norfolk case is to cut down the neighborhood school concept. Again, the court majority uses weasel words. It says that the assignment of pupils to neighborhood schools is a sound concept. But it adds that this is not true if purely private discrimination in housing keeps Negroes out of a given residential area. How does private discrimination, as distinguished from public or state discrimination, offend the Constitution? The majority judges, of course do not say. But we note with interest the dissenting opinion by Judge Albert V. Bryan, who said the court was guilty of "usurpation," and that the majority through its decision "once again acts as a school board and as a trial court, and now is about to act as a city planning commission." This last presumably refers to the problem of how to bus pupils in Norfolk, which has no school bus system.

To sum it up, federal judges have a constitutional duty and the competence to strike down any law which imposes school segregation. They have neither the duty nor the competence to demand compulsory integration and to run the schools by judicial fiat. The sooner the judges recognize this, if they ever recognize it, the better it will be for our system of public education.

Mr. ERVIN. Mr. President, I am willing to stand up on the floor of the Senate and I am willing to say what the Constitution of the United States does or does not require in this field.

All the decisions of the Court have been based upon the equal protection clause of the 14th amendment. The equal protection clause of the 14th amendment is a very simple clause. It says exactly what it means, and it means exactly what it says.

The Supreme Court has declared in many cases that the equal protection clause of the 14th amendment requires that all persons shall be treated alike, under like circumstances and conditions, both in the privileges conferred and in the liability imposed. That is all the equal protection clause of the 14th amendment means.

It means that a State must treat all its people in like condition in like manner. When a State has a freedom-of-choice plan which says to the children of both races, "You may attend whichever school your parents select for you to attend or whichever school you select for yourself," the State is then acting in complete accord with the equal protection clause of the 14th amendment, and oceans of legal sophistry cannot upset that plain fact.

What does the bill do? It prohibits the use of funds to force a school district to take any action involving the busing of students. Instead of being contrary to the provisions of the Constitution, it is in perfect harmony with the equal protection clause of the 14th amendment as it was interpreted by the Supreme Court in the first Brown case. The Court held, in that case, that a State cannot deny to a school child the right to attend any State school that the State maintains solely upon the basis of that child's race. Yet, when the HEW requires schools to bus its children from their neighborhood school to some other

place because either they want to desegregate the neighborhood school or they want to integrate the other school, then, HEW is denying a child the right to attend a school maintained by the State on the basis of that child's race.

So section 408 in this bill is a provision which is in harmony with the interpretation placed upon the equal protection clause of the 14th amendment by the Supreme Court in the Brown case. I am not opposed to it.

What business is it of the Federal Government to tell a State whether it can act through the court or through the HEW and close down a school? It is nothing but a pure usurpation of power.

Mr. President, God gave the little schoolchildren of this country their educational privileges. He did not give them to the bureaucrats in HEW.

The parents of these children are more interested in their education and their upbringing than any other human beings on the face of the earth.

All this bill is attempting to do is to recognize the fact that God gave the children to their parents, not to HEW and to permit the children to attend the schools their parents selected for them to attend. That is fair and just.

I refuse to accept any interpretation of the Constitution which says that school children in America are to be made hapless and helpless pawns or puppets of the HEW, or of the Federal courts.

All this bill tries to do is to give the children the right to attend their neighborhood schools, the right not to be denied that right on account of race, and the right to go to the school that their parents select for them.

I say, Mr. President, it is time for the Senate to repudiate this weasel-worded amendment which is put in here just as a sort of camouflage. It is time for Senators to stand up on the floor of the Senate and say they think our Constitution was intended to make Americans as free as humanly possible, and that our Constitution does not make the school children of America the helpless pawns of HEW bureaucrats.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. EASTLAND. Mr. President, I want to compliment my colleague from Mississippi on the great speech he made tonight.

I am going to discuss conditions as they exist in my State.

This is a national question that needs a national policy, and what exists in my State also exists in the States of Louisiana, Alabama, Arkansas, and other Deep South States.

Mr. President, it is absolutely imperative that sections 408 and 409 of the House bill be retained in their present form. Those two sections simply provide that no part of the funds appropriated by this act shall be used to force busing of students, the abolishment of any school, or the attendance of any student enrolled in an elementary or secondary school at a particular school against the choice of his or her parents or parent. Section 409 provides that none of these conditions may be imposed as a condition precedent to obtaining Federal

funds otherwise available to any State, school district, or school.

These sound provisions would merely prevent forced busing and arbitrary closing of schools, and would permit a child to attend the school of his parents' choice.

What is wrong with that? This is completely consistent with our American traditions of self-determination and local control over school matters.

If we fail to include these provisions in the law, we will permit, sanction, and condone the actions of the Federal courts in unjustifiably treating the public schools of the South differently from the public schools of the other parts of the Nation.

The Federal courts have held that zoning is permissible in the North, East, and West, but that Southern schools must bus children to overcome racial imbalance. This is wrong, and it is discrimination in its worst form. We should no longer countenance such regional and sectional discrimination on the part of the courts.

The courts justify this discriminatory treatment on the basis that racial separation in the Northern, Eastern, and Western schools is a result of residential patterns. They label this "de facto" segregation. On the other hand, they claim that the racial separation in the Southern public schools is a result of State legislation requiring it. They label this "de jure" segregation.

We all know that this is a distinction without a difference. We know that the so-called fortuitous housing patterns of the North, East, and West, are the results of long established customs, habits, and traditions sanctioned or permitted by State and local governments. Indeed, until a few years ago this discrimination was required by agencies of the Federal Government such as the Federal Housing Authority and the Veterans' Administration.

These housing patterns did not just happen. They exist because the law sanctioned or permitted them to exist and grow.

We also know that most States in the North, East, and West had laws which required or permitted racial separation in the public schools. These laws were widespread in the 19th century, and in many of these States existed into the 20th century.

This distinction between "de facto" and "de jure" segregation is meaningless. It should not be used to discriminate against the South.

In the unfortunate opinion of the Supreme Court of the United States in the case of *Brown against Board of Education*, which amended the Constitution of the United States and took away from the States and localities the right to operate the public school system, the Court discussed the impact on colored students of racial separation. The harmful impact on these children, which I believe the Court erroneously found, is the basis for the holding of the case. The Supreme Court stated this harmful impact in the following words:

To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to

their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.

I have never been able to understand how a 10-year-old colored student in a public school in Harlem, Watts, or South Chicago, is expected to look around and see nothing but black faces in his classroom and say to himself: "This kind of racial separation does not hurt me because the State of Illinois does not have a law requiring me to attend all-black schools. I should not feel hurt by this racial separation because it is the result of housing patterns that just accidentally developed."

Perhaps the Federal courts and some of my colleagues will attribute this much wisdom, knowledge, and sophistication to a 10-year-old child, but I cannot.

Mr. President, the recent actions taken by the Supreme Court of the United States and the Fifth Circuit Court of Appeals in the Mississippi school cases have had a terrible effect upon the public school systems in many parts of my State. I am sorry to say that there is every likelihood that these unsound and ill-advised decisions of the Federal courts will in the future have an even more disastrous impact upon our school systems.

My colleague from Mississippi has, over the last few weeks, ably and forthrightly presented to this body the true facts and figures pertaining to the operation of the public schools in several Northern and Eastern States. These facts and figures show beyond dispute that there is a great deal of racial separation in the public school systems of these Northern and Eastern States.

I commend my colleague for bringing these important facts to the attention of the Senate and the Nation. I think that he has rendered a valuable public service in this matter. I join him in the hope that the school systems of the Southern States receive the exact same treatment from the Federal Government as the school systems of the States mentioned by my distinguished colleague.

I would like to discuss today the effect that Federal coercive action calling for total mixing of the races in the public schools of Mississippi is having upon the children, the parents, and the school systems. If we fail to consider the children, who are entitled to receive a quality public school education and the parents of these children, who pay the taxes for the support of these schools, then we will be remiss in our duties and responsibilities.

I have conducted a survey of selected school districts in Mississippi, and have had research made in an effort to find answers to these questions.

I can solemnly report today that the Federal demand for instant total integration is causing, and will continue to cause, severe disruptions and dislocations in the operations of the public systems in most of the areas of our State.

In the most crucial areas of Mississippi, where the ratio of school children is anywhere from 2-to-5 to 1 black, the results will in many areas be the withdrawal of all or a substantial majority of the white children from the public

school systems, with the result that the public schools will be virtually all black, both as to students and teachers—as they are in the District of Columbia, as they are in the city of New York, as they are in every area of this country where those conditions exist.

We have another problem. We have a corporation, one of the biggest in the State, that manufactures tractors and equipment. I was told that two of their chief executives have resigned and are moving to the State of Kentucky because of the chaotic school system that exists in my State.

Why would a pharmacist or a doctor or a lawyer locate in a little town when the environment in the school system was not such that he would want his children to attend that school? You do not have that problem in Illinois. You do not have it in California. You do not have it in other areas of this country.

This is a somber report, but this is what will happen unless substantial changes are made.

The white children and parents of Mississippi and the other Southern States should not be chastised or condemned for reacting to this disaster in this fashion. Their only motivation is to maintain sound and proper social and educational surroundings.

Whether those who hear and read these words like it or not, the plain and simple truth is that these white parents and students in Mississippi and the other Southern States are being asked to endure conditions which more than 95 percent of all of the white parents and students in the United States of America will never voluntarily accept.

It is a well-known and established fact that in all sections of this Nation, North, South, East, and West, when the proportion of colored students in a school system exceeds 10 percent, the vast majority of the white children withdraw from that school, and, consequently, the student body becomes all black or predominantly black. This fact is implicitly recognized by the U.S. Commission on Civil Rights, in its study, "Racial Isolation in the Public Schools," published in 1967. On page 199 of this report of the Civil Rights Commission appears the following finding:

Racial isolation in the public schools has been increasing. Over recent years Negro elementary school enrollment in northern city school systems has increased, as have the number and proportion of Negro elementary students in majority-Negro and nearly all-Negro schools. Most of this increase has been absorbed in schools which are now more than 90 percent Negro, and almost the entire increase in schools which are now majority-Negro. There is evidence to suggest that once a school becomes almost half- or majority-Negro, it tends rapidly to become nearly all-Negro.

Why does a school rapidly become nearly all black once it becomes almost half black?

The only reasonable and logical answer is that the white parents flee the neighborhood in which this school is located and new colored people move into the neighborhood, so that the school becomes virtually all black.

These white people are "voting with their feet."

Mr. President, I would like to give the Senate an illustration, and I think I speak with authority, that forced integration is opposed by the vast majority of Negroes as well as white people. The illustration I am going to give is as follows, and I know personally what I am talking about: I know a white man, a friend of mine, who is engaged in the farming business. You might call him a large farmer. He understood in February that his mechanic was going to resign. He went to that mechanic and he asked him, "Now, what is the trouble?" The mechanic told him, "Why, my daughter, who is in the ninth grade"—and I know what I am talking about—"has been assigned to a seat by a Negro boy." And the father of the Negro was also an employee. This man said, "I don't want you to quit. Put your children in a private school and I will pay their tuition." "All right."

The Negro employee came to him and protested the fact that his son had been put in a school with whites. It was the same boy that had been assigned to sit by the daughter of the mechanic.

I know, in addition to that, that one of his valued employees—and I could give his name, if necessary—a Negro who operates big equipment—and that takes skill and ability—had his son assigned to a white school. This is all in my own neighborhood. He told his employer, "If you can't get my boy out of that white school and get him to go to a school of his color, then I am going to move and work where my son can be in school with his own kind."

I think there is a lot of justice in this amendment. We are faced with facts. There are towns in my State, which I could name, where industries had agreed to go, but, because of the chaotic conditions of the schools, they will not locate in those towns.

The best illustration of how people really feel about this matter is shown by the school situation in Washington, D.C. In the summer of 1966 Joseph Alsop wrote a penetrating series of articles about the school situation in Washington and in several other large cities. In an article appearing in the August 3, 1966, edition of the Washington Post entitled "A Modest Proposal II" Mr. Alsop made the following statement:

Here in Washington, for instance, we have elementary schools that are over 90 percent Negro; we have a city-wide population that is two-thirds Negro; and we have a voting population that is still only about one-half Negro. (These differences appear in all major cities, although other cities' figures are down in the scales as yet.)

But although Washington has already become a predominantly Negro city, the District of Columbia retains a white population of about 250,000. There should, therefore, be a great many tens of thousands of white children of school age in the District. And in reality, there are almost none!

To be precise, Washington had 26,000 white children of elementary school age five years ago. It has lost half that number since then. And of the 13,000 white children of school age still in the District of Columbia, far more than a third attend private schools.

Those figures mean only one thing: That nowadays, white families with children almost automatically emigrate to the suburbs.

That conclusion can be cross-checked, too, in half a dozen ways.

The Southwest redevelopment, for instance, has caused many white people to return to live in the District of Columbia. But of these returners, almost none are families with children.

In a previous article entitled "Some More Hard Facts" which appeared in the June 30, 1966, edition of the Washington Post, Mr. Alsop predicted that many of the great cities of the North and East would soon have the same situation as Washington. He states:

Thus Washington, in a few years, is clearly due to be a city nearly nine-tenths Negro. But the Negro immigration and the white emigration that are jointly producing this result in Washington are not unique District of Columbia phenomena. They are nationwide urban phenomena, which merely appeared a little later in other cities.

In Detroit, Philadelphia, Baltimore, Chicago and Saint Louis, to name five, the racial mix in the elementary schools has already passed the half-and-half point which Washington reached in 1947.

Chicago, with an elementary school population containing only 52.3 per cent of Negro children, is nearest to Washington 19 years ago. The other cities listed are well down the road, with 66 per cent of Negroes in the St. Louis elementary schools, for instance.

Mr. Alsop has previously stated in his articles that as of 1966 there were an estimated 250,000 white people and 550,000 black people living in Washington.

These remarkable figures bear out what is general knowledge, which is that most of the white persons in the District of Columbia are "empty nesters." They are either single people, young married people without school-age children, or old people whose children have finished school. A number of those who do have school age children are wealthy, because as Mr. Alsop pointed out, more than one-third of the white school-age children in the District of Columbia attended private schools in 1966. As a result of these factors, 91 percent of students attending the Washington elementary schools in 1966 were black. Of course, all of these percentages and ratios have since gotten much worse.

I agree with Mr. Alsop that it is ridiculous to talk about integration in such a situation. For all practical purposes, the public school system is all-black.

The white parents and children who used to live in Washington simply decided they would not put up with an intolerable situation, so they left Washington. Many now live in the "safe" areas of Virginia and Maryland where they can condescendingly comment on the efforts of white Southerners to avoid this horrible fate.

But, my friends of the North, and East, and West, do not patronize us any longer. Your people feel the same way about this as I and my people. Your people do not want it and will not have it. We only ask the same privilege.

Let us look at what has happened in the Hollandale Consolidated School District, which is located in Washington County, Miss. Prior to this school year this school district had operated under a "freedom of choice" plan. This plan

achieved some degree of desegregation. Under the "freedom of choice" plan, each parent selects the school his child shall attend. In the school year 1968-69, 390 white children and 13 colored children attended the Hollandale Attendance Center.

During that school year there were approximately 2,000 Negro children and 400 white children attending the public schools of that district.

Prior to the beginning of the current school year, the Federal court ordered the Hollandale Consolidated School District to adopt a "pairing plan" for integration. Under this plan students in the affected grades are arbitrarily assigned to various schools so that the attendance in each school will generally reflect the racial ratio of children in the entire school system. The Federal court plan directed that grades 1 to 3 be "paired" during the current school year; that grades 4 to 8 be "paired" in the 1970-71 school year; and that grades 8 to 12 be "paired" in the 1971-72 school year, at which time the integration would be total and complete.

The Federal court order also directed the school district to arbitrarily assign teachers at the beginning of the current school year so as to achieve actual teacher integration in every school in the system.

How has this court-ordered plan worked? What has been its impact on the people of the school district? The enrollment of white students in the public schools has dropped from 390 in the preceding school year to 167 in the present school year. This represents a loss of 56 percent of the white student enrollment.

Every white child in the affected grades of 1 to 3 withdrew from the public school system. Approximately half of the other white children, who were not in the affected grades, also withdrew.

At the present time, there are 1,577 students enrolled at the Simmons Attendance Center. All of these students are Negroes. There are 437 black students and no white students enrolled at the Arcola Attendance Center. At the Hollandale Attendance Center, which had included grades 1 to 12, the first three grades are not taught this year because of the student withdrawal. In grades 4 to 12 at that attendance center, there are now enrolled 167 white and 11 black students.

There is no more integration in the public schools this year than there was last year, and 56 percent of the white students have been driven out. Is this progress? God save us from any more such progress.

At the direction of the Federal court, the school board transferred three white teachers to teach in the formerly all-black schools of Simmons and Arcola.

I think that is wrong, because when a teacher signs a contract to teach in a school, I do not think the courts have the power to overrule it. These teachers, along with seven other white teachers in the school system, resigned their jobs. At the Hollandale Attendance Center there are now 11 white and two black teachers. There are no white teachers in the predominantly black schools.

The Federal court ordered the school district to make an active effort to recruit white teachers to teach in the predominantly black schools. Pursuant to this demand, the Hollandale Consolidated School District purchased advertisements in newspapers published in Jackson, Miss., Memphis, Tenn., and New Orleans, La. The advertisements specified that the school district wanted to employ white teachers. There have been no responses to these advertisements.

This absurd request shows how far the Federal courts will go in order to promote integration at any cost. The ironic part is that in ordering the Hollandale school authorities to act in such a manner, the Federal court created a possible conflict with one of the many civil rights laws enacted by Congress recently. I refer, of course, to section 704(b) of the Civil Rights Act of 1964, which makes it an unlawful employment practice for an employer to print or publish or cause to be printed or published any notice or advertisement relating to employment indicating any preference, limitation, specification, or discrimination based on race or color.

I am advised that the Memphis Commercial Appeal initially declined to publish this advertisement because it did not want to be a party to what it considered to be an unlawful employment practice, but that after the advertisement was redrafted it agreed to publish it. Apparently there are those who think it is all right to discriminate in the name of civil rights.

What has happened to the Hollandale School District is a disgrace, and those responsible for forcing these conditions on the people should be ashamed.

The situation is equally bad in the Sunflower County School District. This district is in my home county of Sunflower, where I live. It encompasses a rural area of approximately 450 square miles and includes all of the county except for those areas included in the Indianola Municipal Separate School District and the Drew Municipal Separate School District.

Let me say something about that Drew Separate School District. It is near my home. I know that one street there are three vacant houses, because people have moved since September to escape integration in the public schools.

The Sunflower County School District was brought under court order in 1966. The court approved a "freedom of choice" plan. The operation of this plan achieved some degree of integration, and in the 1968-69 school year three of the eight schools in the system were integrated and five were attended solely by colored students. During that year there were a total of 5,119 students in the system, of whom 4,100 were black and 1,019 were white.

Prior to the opening of school in September 1969, the Federal court ordered the school district to assign students to the schools on the basis of tests to be administered to the students. The court ordered that the assignments be made on this basis for grades 1-4, inclusive, for the present school year. Children of both

racers, totaling 1,635, in the affected grades were administered these tests. Those who scored in the top one-fourth were assigned to formerly white schools, and those who scored in the lower three-fourths were assigned to formerly all-black schools. The tests resulted in 177 black students being assigned to predominantly white schools and 79 white students being assigned to the school formerly attended by black students.

The results of the operation of this plan were that none of the 79 white students assigned to the formerly black school are attending the public schools of the district. They withdrew from the public schools. Of the 177 colored students in grades 1 to 4 assigned to the predominantly white school, only 121 enrolled to attend any of the public schools of the district, and a number of these 121 have since withdrawn from school.

Of the 1,019 white students who had attended the public schools of the district in the preceding school year, only 460 enrolled for attendance in September of this year. This is a decrease of almost 55 percent.

One of the most tragic consequences of what has happened in the Sunflower County School District is the closing of the Inverness High School. Despite its name, this school taught grades 1 to 12. During last year approximately 300 white students and no colored students attended this school. As a result of the "test" plan, 24 colored students were assigned to attend the Inverness school this year. Every one of the white students withdrew from the school, which has now been closed as an economy measure. The 24 colored students assigned to that school are being bused to other schools in the district.

At the Moorhead Elementary School, which includes grades 1 to 8, 125 students were in attendance last year. As a result of the "testing" 76 Negro students were assigned to grades 1 to 4 of the school this year. No white students enrolled to attend the Moorhead school. They all withdrew from the public school system.

How far will the intellectual screwballs go in disrupting our educational system? They have already gone too far. They must be stopped, and stopped now.

Similar disastrous consequences have resulted in the Carroll County school system. Until this year the Carroll County schools were operated under a "freedom of choice" plan. Prior to the beginning of this school year the Federal court ordered the school district to "pair" all of the first six grades of the school system. As a result, the great majority of the affected white students have withdrawn from the public school system. At the Vaiden School, there are currently enrolled 218 black elementary students and 15 white elementary students. At the North Vaiden School the figures are 218 black and 19 white students. At the J. Z. George School, there are enrolled 241 black students and 44 white students. And, at the Marshall school there are 254 colored students and 50 white students enrolled. The totals for the entire country school system of students en-

rolled in the first six grades are 931 blacks and 128 whites.

Does anyone really want his child to attend school under such circumstances? If they do, then they should certainly vote against the Whitten amendment. In fact, if freedom of choice is not enacted, public education will be destroyed in many areas of the South.

In Carroll County, too, this disruption in the public school system has tragically resulted in the closing of a school. In order to better achieve the goal of integration, the Federal court ordered the Carroll County School Board to close the school at Blackhawk. This school was located in a Negro community and had been attended by colored students. These students are now being bused to other schools in the county. I am told that the colored citizens of that area are very upset about the closing of this school, because they feel that such action has destroyed their community. They are very much opposed to this.

To make this matter even worse, the taxpayers of Carroll County had just recently spent approximately \$42,000 in the construction and equipping of a new cafeteria to serve the students and faculty of Blackhawk School. That cafeteria is now useless.

Integration, what crimes are committed in thy name.

The situation in the Bolivar County schools unfortunately follows the same pattern. There are five school districts in Bolivar County. Each of these districts was compelled by court order, prior to the beginning of this school year, to abandon their "freedom of choice" plans and adopt more stringent plans to achieve integration.

The most informative article concerning the Bolivar County schools was published in the Delta Democrat-Times, Greenville, Miss., on October 27, 1969. The article is entitled "Bolivar Students Refuse To Comply With Court Order."

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

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

BOLIVAR STUDENTS REFUSE TO COMPLY WITH COURT ORDER
(By Bill Rose)

CLEVELAND.—Exact racial breakdowns of attendance in Bolivar County public schools, made public for the first time last week, indicate a stubborn refusal of many whites and some blacks to comply with accelerated desegregation plans ordered for five of the county's six school districts in July by U.S. District Judge W. C. Keady.

The figures, contained in progress reports filed in the U.S. District Court clerk's office in Clarksdale Oct. 15 on orders of Judge Keady, reveal that only a minute percentage of whites assigned to predominantly black schools this fall are actually enrolled there. Also, some whites who had a substantial number of blacks assigned to their school or grade have withdrawn from that school.

Only 124 of the total white public-school enrollment of about 3,185 are attending formerly all-black schools, while 484 blacks out of the approximate total black enrollment of 9,504 are attending once all-white schools.

Before the fall term began there were published estimations that school attendance in

Bolivar County would be approximately 3,815 whites and 11,084 blacks.

If pre-school projections and the figures on file in Clarksdale are accurate, public school attendance is noticeably down, apparently due to an increased white exodus from desegregated public schools to one of the county's segregated private schools at Skene (Bayou Academy), Duncan, Benoit or Shaw. No one seems to know exactly where the missing blacks are, though, unless they are simply staying home.

Perhaps nowhere is the readiness of whites to desert public schools when faced with substantial integration more graphically displayed than at Benoit School in District Two. District Two's court-approved desegregation plan utilized for the first time this fall called for students in grades one through four scoring in the upper 30 per cent of those taking mental achievement tests to be assigned to once all-white Benoit School. The other students were to be assigned to all-black Nugent Center.

As a result of the test scores, 28 whites and 438 blacks were assigned to the first four grades at Nugent Center. None of the whites assigned to Nugent Center are attending there.

Seventy-three whites and 48 blacks were assigned to the first four elementary grades at Benoit School, but only seven whites and 25 blacks are actually enrolled there, according to the district's report.

None of the 13 whites and just three of the 17 blacks assigned to the first grade at Benoit School are attending classes there. None of the 15 whites and only 11 of the 15 blacks assigned to the second grade are attending that grade.

Because of the smaller number of pupils in the first two grades, they have had to be consolidated, school sources said.

The same sources said many of the whites who left Benoit School's elementary grades in the face of increased integration have enrolled in a recently established four-grade private school here.

The intelligence testing plan will be expanded to encompass the school's other eight grades over the next two years, although some informed school sources in Benoit say the exodus of whites from that school will probably increase if the test scores call for more integration.

The most desegregation has apparently been attained in District One (Rosedale).

District One's report was not in the files at Clarksdale Thursday, although it had been filed by the Oct. 15 deadline. However, district superintendent Joe Barnes revealed his district's racial makeup by schools to the DD-T in a telephone conversation.

At once all-white Rosedale School, the enrollment is composed of 384 whites and 246 blacks. In the first four grades—those affected this fall by the district's intelligence testing plan—the enrollment is 104 whites and 199 blacks, according to Barnes.

Under District One's testing plan, similar to the one used in District Two, 21 whites and 1,133 blacks are attending classes at once all-black West Bolivar County Training School (Rosedale), 15 whites and 344 blacks are attending once all-black Pace Elementary, and 12 whites and 493 blacks are attending once all-black Bob Woods Elementary (Gunnison).

In the county's most heavily populated school district, District Four (Cleveland), students are assigned to one of the city's five elementary schools on the basis of the court-approved zone they live in. The zoning plan will be broadened to include formerly all-white Cleveland High School and Margaret Green Junior High and all-black East Side High School for the 1970-71 school term.

Enrollments by schools in District Four are: 948 blacks and eight whites at once all-black Nailor Elementary, 309 blacks and 31

whites at once all-black Hayes-Cooper Elementary (Merigold), 364 blacks and one white at once all-black Bell Elementary, 76 blacks and 410 whites at once all-white Pearman Elementary, 49 blacks and 461 whites at once all-white Margaret Green Junior High, 1,150 blacks and no whites at traditionally all-black East Side High School, and two blacks and 437 whites at once all-white Cleveland High School.

In District Three (Shelby), the only other district to assign pupils by intelligence test scores, some substantial desegregation of Shelby School, the district's only predominantly white school, was revealed in the progress reports.

Shelby's enrollment includes 250 whites and 85 blacks. Enrollment at formerly all-black Broad Street School (Shelby) is two whites and 1,054 blacks, and enrollment at once all-black Brooks Elementary (Duncan) is three whites and 496 blacks.

In District Five (Shaw), as in the other five districts which filed reports this week, there are a number of blacks going to a once all-white school but very few whites attending a formerly all-black school.

There are 93 blacks and 304 whites attending the nine grades (four through 12) being offered at once all-white Shaw School. All but 11 of the blacks at Shaw and 28 whites are enrolled in the ninth grade. Shaw is the only school in District Five containing a ninth grade under terms of the district's pairing plan being used for the first time this fall.

Thirty whites and 1,339 blacks are enrolled at once all-black McEvans School. All the whites at McEvans are enrolled in grades one through three. McEvans is the only school in District Five offering grades one through three this fall.

Included in the stack of papers inside the folder containing the districts' progress reports at Clarksdale was a motion filed by Cleveland attorney Alfred Levingston asking Judge Keady to free District Six (Mound Bayou) from a previous order requiring all Bolivar County districts to report the number of black and white students enrolled.

The motion stated that such a report from District Six would be elementary school in the district and both have all-black enrollments.

The motion was granted by Judge Keady.

DISTRICT ONE

District One's (Rosedale) desegregation plan approved by U.S. District Judge W. C. Keady calls for students to be assigned on the basis of their scores on court-approved mental achievement tests. Students scoring in approximately the top 25 per cent of those tested are assigned to Rosedale School, a predominantly white school, while the other students are assigned to one of three predominantly black schools—West Bolivar Training School (Rosedale), Pace Elementary, or Bob Woods Elementary (Gunnison). Grades 1-4 are included in the plan this year. Grades 5-8 will be included in 1971-72, and grades 9-12 in 1971-72.

Students not covered by the testing assignment plan for the first two years of its implementation may choose the school they wish to attend under the old "freedom of choice" method under which all Bolivar County's school districts formerly operated.

DISTRICT TWO

District Two (Benoit) is also operating under a desegregation plan calling for pupil assignment to schools by their scores on mental achievement tests. Grades one through four were covered by the plan for this school term, but it will be broadened to cover grades five through eight for the 1970-71 term and grades nine through twelve for the 1971-72 term.

Students scoring in approximately the upper 30 per cent of those tested are assigned to predominantly white Benoit School, with the remainder of the students assigned to

all-black Nugent Center (Benoit). School officials must also assure that 20 per cent of students in the eleventh and twelfth grades at Benoit School are black. During the first two years of the plan, those students not covered by it may choose a school under the "freedom of choice" method.

DISTRICT THREE

District Three (Shelby) is the third Bolivar County school district operating under a desegregation plan calling for pupil assignment to schools on the basis of students' scores on mental achievement tests. Students scoring in the upper 20 per cent of those tested in grades one through four this fall were assigned to predominantly white Shelby School. The rest were assigned to one of the district's predominantly black schools at Broad Street School (Shelby) or Brooks Elementary (Duncan).

The plan will expand to cover grades five through eight for the 1970-71 term. District school officials must also attempt to insure that 20 per cent of the students in grades 11 and 12 at Shelby High School are black. Students not covered by the testing plan during its first two years may choose the school they want to go to under the "freedom of choice" method.

DISTRICT FOUR

District Four (Cleveland) is operating under a zoning plan which calls for students to attend the school located in the court-approved zone in which they live. The district has been divided into five elementary school zones which apply to students in grades one through six in the district this year.

The plan will expand to cover all high school (grades seven through 12) students in the district for the 1970-71 school term. At that time, all students living west of the Illinois Central Railroad tracks which run north and south through the center of downtown Cleveland will be assigned to predominantly white Cleveland High School. Students living east of the tracks will be assigned to all-black East Side High School. Students in grades seven through 12 were allowed to choose the school they wished to attend under the "freedom of choice" system.

DISTRICT FIVE

District Five (Shaw) is operating under a pairing desegregation plan which will be instituted over a three-year period. This year, all students in the district in grades one through three were assigned to predominantly black McEvans School (Shaw). Also, all students in the district in the ninth grade were assigned to predominantly white Shaw High School.

For the 1970-71 school term, all students in grades one through six will be assigned to McEvans and all students in grades seven through 12 will be assigned to Shaw. For the 1971-72 term, all students in grades one through eight will be assigned to McEvans and all students in grades nine through 12 will be assigned to Shaw. During the three years required to complete the plan, those students not covered by the pairing system may choose the school they want to attend under the old "freedom of choice" system.

Mr. EASTLAND. This article points out that only a minute percentage of whites assigned to predominantly black schools this fall are actually enrolled there. A number of whites, who had a substantial number of blacks assigned to their school, or grade, have withdrawn from that school. A reading of this article also makes it plain that many colored children and parents are opposed to arbitrary assignment of students to obtain integration. A significant number of colored students who were assigned to

predominantly white schools and not permitted to attend the schools to which they had been attending, rejected or declined to actually enroll in their new schools. In other words they just dropped out of school completely. For instance, the article stated that 73 whites and 48 blacks were assigned to the first four elementary grades at Benoit School, but only seven whites and 25 blacks were actually enrolled there.

Mr. President, this is a deplorable situation for the children and parents of all races.

The situation in the Holmes County schools has received attention from the Wall Street Journal. An article entitled "Integration Irony" which appears in the November 12, 1969, issue, deals exhaustively with the terrible impact this problem is having on that community. The thrust of the article is that when the final blow falls in Holmes County there will be very few children left in the public schools. I ask unanimous consent that this article be printed in the RECORD at this point.

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

INTEGRATION IRONY: SUPREME COURT RULING MAY SPUR SEGREGATION OF SOME DIXIE SCHOOLS—WHITES BUILD OWN ACADEMIES IN HEAVILY BLACK COUNTIES, ABANDONING PUBLIC SYSTEM—SCRAPING UP TUITION MONEY

(By Neil Maxwell)

DURANT, Miss.—The Supreme Court's order to end all school segregation immediately seems destined to have a dramatic—but ironic—impact here.

Both whites and Negroes here in Holmes County, where the suit leading to the High Court order originated, agree that the ruling will lead to less, not more, integration. They say it could even result in a completely segregated school system.

This outlook reflects the fact that Holmes County is more than 70% black. The outnumbered whites have grudgingly gone along with integration until now, but with the Federal Government trying to effect widespread integration, the prospect of white children attending predominantly black schools arises. And few here doubt the outcome: The whites will withdraw into an already flourishing private school system, abandoning the public schools to the blacks.

THE PROBLEM DISTRICTS

That may well be the initial result in many of the 250 or so Southern school districts where Negroes outnumber whites, both white and black observers agree. Holmes County forms one of these districts. But civil rights advocates, heartened by the Supreme Court ruling, say it should hasten integration in many of the more than 1,300 Southern districts where Negroes are in the minority.

"I think over the long haul we're going to get substantial gains from the ruling," says one veteran Southern civil rights worker. In time, this observer adds, "there's no reason the all-Negro schools in the hard-core districts can't be made into quality schools, and if that happens eventually the white children will come back to them."

Holmes County has presented special difficulties all along. In fact, the Fifth Circuit Court of Appeals ruled last week that instead of ending segregation by Dec. 31, as most of the 32 other Mississippi school districts named in the Supreme Court ruling must do, Holmes County may do it in two steps, with the final one coming next September.

But when integration day comes to Durant, "the white students won't be there," Mayor C. H. Blanton Jr. says flatly. "A unitary system just won't work here. Would you send your children?" Such threats have been made before, of course—and not always carried out.

But many whites insist they're dead serious about avoiding real integration at all costs. Take John Henry Guess, a worker at a plastics plant here. "I ain't sending my kids to that nigger school; I'll keep them home," he says, standing on the front porch of his cramped, shabby home in a largely Negro neighborhood.

Mr. Guess may keep his three boys and two girls at home if he chooses, because the far-sighted Mississippi legislature abolished the state compulsory attendance law after the Supreme Court outlawed segregated school systems in 1954. But sending the children to private schools would be a real problem, because tuition would run about \$400 a year apiece, and Mr. Guess earns less than \$5,000 a year.

WHITE COUNTERMEASURES

Mississippi is trying to help people like Mr. Guess avoid integration. A few weeks ago the state legislature passed a law providing money for tuition payments. However, a Federal court knocked down an earlier tuition grant law several months ago, and this law is under legal attack.

There is a strong feeling here that Durant's two public schools, as well as all the others in Holmes County, will be all black before long. A total white exodus already has produced this situation in the western half of the county, which is cotton-growing delta land with a high concentration of Negroes. The Department of Health, Education, and Welfare has abandoned any hope of integrating the western part of the county; its plan assumes public schools there will remain all black.

White leaders here have laid plans to open a private school—the fourth in the county—with only the timing still undetermined. "I figure it will only take us a couple of months to get started," Mayor Blanton says. "We've got a building lined up and teachers lined up who are ready to leave the public schools when we need them."

Racial consciousness is obvious throughout Holmes County. The only cafe in Cruger, a hamlet of less than 500 in the western part of the county, still has six-inch-high "White" and "Colored" signs on the restroom doors, and Negroes are seldom seen at the lunch counters. The county phone book still identifies "colored" funeral homes. When integration first came to Holmes County four years ago, nearly half the white students fled to the instantly organized private schools, leaving behind a public school enrollment that is now 85% black.

ANTICIPATING FAILURE

Both public schools in Durant now contain grades one through twelve. Under Durant's present system of limited integration, 160 Negroes have joined the 190 whites at the formerly all-white school; the second school remains all-black. Under the HEW plan for total integration next fall, the all-black school would be used for grades one through six; theoretically, it would have an enrollment of about 500 Negroes and 200 whites. The currently integrated school would be used for the remaining six grades and would have about 450 Negroes and 140 whites.

The projected white enrollment figures, however, assume the complete cooperation of all white parents in this district, even those who have already withdrawn their children from the public school system. In reality, public school officials expect almost no white parents to cooperate.

Pairing of the two schools and other drastic steps to eliminate the dual system don't have to be taken until September, but the interim steps less than two months away

don't promise to be easy. In stage one, the seventh and eighth grades at the Negro school are to move en masse to the integrated one, resulting in heavy concentrations of Negroes in those classes. Other county schools have a difficult path to follow in coming weeks, too. At Pickens, for example, roughly 40 white students of the enrollment of 100 whites must shift to a Negro school with 400 students. School officials predict all 40 of the whites will shift to private schools instead or drop out of school entirely.

Whites here have adapted surprisingly well to the integration of the formerly all-white school, but the idea of sending their children to the Negro school is something else. A white farmer who scrapes by raising soybeans says: "I'll keep my children in school so long as they can stay with their friends, but if they send them, to the colored school, I'm pulling them out. I've got them in the third, fifth and eighth grades, and they can get by with that much education if they have to."

With other whites, too, the objections grow as the Negro percentage increases. Paul Tardy, editor of the Holmes County Herald, a weekly newspaper started a few years back by the white Citizens Council, sends his son to 10th grade at Lexington, Miss., high school which is about 25% black. But if that level rises drastically, Mr. Tardy is convinced that teaching quality will drop, and he vows he'll pull his son out.

To insure that the son will be able to get into the nearest private high school, about 20 miles away, "I'm trying to get \$100 ahead right now so I can go on and start paying his tuition," Mr. Tardy says. He plans to keep his son in public school until there is an overwhelming influx of Negroes, then shift to the private one.

There is wide agreement among local whites that the quality of teaching in the public schools will drop as the Negro pupils come in. For one thing, it already has been well-established here that when white students leave for the private schools, so do their teachers. When integration came to the white Lexington elementary school, all but three of the 13 teachers there left for the new private schools, along with all the white pupils.

LOSING PUBLIC SUPPORT

With the prospect of massive integration, "the white students will undoubtedly come out, the faculty will come out and public support will immediately be withdrawn," says a white leader. This does not mean whites could cut off school funds, since most of them come from the state on the basis of enrollment, but it does mean there might be solid white opposition to bond issue proposals.

Says Robert G. Clark of Holmes County, the only Negro to be elected to the state legislature since Reconstruction: "I think it's very likely we'll have an all-black system, and that will be bad as long as the whites control it. I expect they will try to make the system as rotten as they can."

It is difficult to judge the quality of the segregated private schools, although their backers insist that quality education is the reason for their existence. Many of the schools still lack adequate libraries, laboratory equipment and audio-visual aids. On the other hand, few seem to be suffering from a lack of qualified teachers; the teachers are coming from the public schools or out of retirement, if necessary.

The largest Holmes County private school, the Cruger-Tchula Academy, is housed in an abandoned public school building and in some new prefabricated buildings. Its classrooms are in good shape, and it offers a broad range of courses. Besides home economics and business, for example, advanced courses are offered in mathematics, science and languages.

The school also has a lighted football field where the Colonels meet their opponents in the Academy Conference. A fleet of buses transports students.

HELP FROM THE POVERTY PROGRAM

Another private school, Central Holmes Academy in Lexington, is housed in a shiny new metal-sided building that, according to an internal Office of Economic Opportunity memo, got a helping hand from the Federal poverty program. An OEO investigator visiting the county in 1966 to check on irregularities in the program wrote his boss: "... The most glaring discrepancy is this: Many of these men (in a training program to teach them to be auto mechanics) have been working on the white Citizens Council's private school. In other words, Federal funds are building the white Citizens Council school. How about that?" (Both the president and the principal of Central Holmes Academy declined to be interviewed on any aspect of their school.)

There is little doubt that in some instances private schools are a legal, workable haven from integration. However, a suit currently in the courts seeks to knock out the tax deductibility the Internal Revenue Service now grants to contributions to such schools. Another suit is planned to try to make the state of Mississippi stop supplying textbooks to private schools.

Clearly, the popularity of private schools has risen dramatically in the South. The Southern Regional Council, which works to promote better race relations, estimates that 300,000 white students are attending what it calls "segregation academies" this year—perhaps 10 times more than there were five years ago.

Mr. EASTLAND. Mr. President, most of my remarks today have been confined to school districts in north Mississippi. I have talked with many people in the school districts of south Mississippi. They are going to very shortly be affected by the recent decisions of the Supreme Court and the Fifth Circuit Court of Appeals, to bring about total integration by January 1, 1970. In those southern districts, where the ratio of black to white students is high, responsible and informed persons have expressed to me the gravest concern as to the future of public education in those areas. Specifically, it is felt that where the ratio is intolerable, the white students and teachers will withdraw from the public school system.

The Fifth Circuit Court of Appeals in entering its order of November 7, 1969, which implemented the recent Supreme Court decision, specifically took note of the enormous problems faced by some of these school districts as follows:

The scope of the problem of converting from dual to unitary school systems in these districts may be seen from the following tables which reflect racial composition.

System	White students	Negro students
Amite.....	1,461	2,582
Anguilla-Line.....	214	906
Canton Mun.....	1,326	3,672
Hinds.....	6,438	7,489
Holly Bluff.....	240	483
Holmes.....	913	5,355
Kemper.....	793	2,060
Madison.....	1,238	3,376
Natchez-Adams.....	4,494	5,927
Noxubee Co.....	872	3,573
Sharkey-Issaquena.....	630	2,002
South Pike.....	1,135	2,156
Wilkinson.....	779	2,757
Yazoo Co.....	1,071	2,495

These figures speak for themselves.

We must do something to alleviate this terrible situation. The adoption of the Whitten amendment by the Senate will be the first step. The great majority of both races oppose the abolition of the dual school system.

As I have previously stated, the white parents and students will not tolerate this terrible situation.

An immediate result of this unwarranted interference in the operation of the public schools of Mississippi has been the tremendous and spectacular growth of private schools in the State.

I am advised that as of 3 weeks ago there were a total of 84 private schools operating in Mississippi; 35 of these have been started since September 1969. All of them as a result of integration there are now being organized more than 200 additional private schools.

Pillow Academy, at Greenwood, Miss., had 200 students enrolled last year; there are 1,200 students enrolled there this year. There are three council schools in Jackson which had an enrollment of 500 students on October 29, 1969; there are now 1,500 students enrolled. They are now building several additional private schools to the citizens council. I am told that there have been 200 requests from over the South in the last 10 days on how to organize private schools. In addition, requests have been received from the States of Maryland, New Jersey, Pennsylvania, Utah, Idaho, and Washington.

Mr. President, I believe that these circumstances prove beyond a shadow of a doubt that the greatest enemies of public education today are the self-styled "liberals" and many judges of our Federal courts. These are the same people who beat their breasts and proclaim their concern for public education. Yet, they are blindly and foolishly pursuing and enforcing policies which are resulting, and will result, in the ruin of public education in many areas. They will prevent many children both black and white from securing an education.

Mr. President, this deplorable public school situation is having a terrible impact upon our social and economic development.

New and expanded industries will not come into a community where the public school situation is as I have outlined above. In one of the communities most crucially affected by these court orders a substantial industry had planned to locate a plant prior to September 1969. When the owners of the company learned of the school situation in that town this fall they changed their mind and decided not to locate in that community. They gave as their reason the fact that their workers and employees would have to be assured that their children could attend public schools in acceptable circumstances. Since this assurance could not be given, they decided to go elsewhere. This new industry would have produced jobs and income for this community. This situation can be multiplied many times to get a true picture of what is happening.

When the public school situation becomes so unbearable, people who can make a living elsewhere tend to consider moving to another town. This results in the loss of the most skilled and talented members of the community. What a terrible price to pay for integration.

I know of one small town in the delta section of Mississippi which has a population of 200 or 300. Between September 1 and October 15 of this year, no less than 19 families have moved from this town. The only reason for these moves was that the parents insisted on their children having a decent educational environment. I know of another small town where there are now three vacant houses on one street. These vacancies occurred for the same reason.

The cry is now being heard, and let me say I am opposed, that we must reduce the money spent on the public school system. In the long run, against my opposition, this will happen in many areas. The Supreme Court is following a course which will mean inferior schools and the lack of education. I know that none of my colleagues would want such terrible tragedies to occur in your respective States. I know that none of you would think or expect that Mississippi and other Southern States should be dealt with differently and more harshly than his own State.

In light of these facts I trust that each of you, my fellow Members of the Senate, will join in this effort to restore some sanity in the operation of our public schools.

RECESS UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in recess, rather than in adjournment, until 9 o'clock tomorrow morning.

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

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the prayer tomorrow, there be a time limitation of 3 hours on the pending amendment, the time to be equally divided between the distinguished Republican leader, the Senator from Pennsylvania (Mr. SCOTT), and the distinguished Senator from Mississippi (Mr. STENNIS), and that at the conclusion of that time period, the vote take place on the pending amendment.

Mr. SCOTT. Mr. President, reserving the right to object—and I have no objection—I would simply add, if the majority leader will accept it, that sometime during that period, if the majority leader so elects, we may go to the Executive Calendar for the purpose of considering a nomination.

Mr. MANSFIELD. I was going to make another suggestion about that.

Mr. SCOTT. That is satisfactory.

Mr. STENNIS. Mr. President, reserving the right to object—and I do not intend to object—I think the leader has made a

good suggestion. We have several Senators who want to speak on the matter. There is no disposition on the part of anyone to try to delay the vote. It is a vital matter. There are several more Senators who want to speak on the merits.

I think it would be better to start fresh in the morning. We could have a live quorum after the prayer and then go right into one and a half hours of debate on each side and finish it.

Mr. DOMINICK. Mr. President, reserving the right to object—and I will not object—what about amendments to the amendment or substitute amendments? Would they be included? I am not at the moment planning any. However, I understand that some Senators have suggested some.

Mr. MANSFIELD. I understood the issue was pretty clearcut; and I was making the request on that basis.

Mr. DOMINICK. But would the form of the unanimous-consent request cut off such amendments?

Mr. MANSFIELD. That is a matter which I think the Senator ought to discuss with the distinguished Republican leader.

Mr. SCOTT. Mr. President, I would have no objection to including in the unanimous-consent request the right to offer substitutes or amendments to the amendment, provided that all debate would end at the end of 3 hours and we could have a vote at that time.

The PRESIDING OFFICER. Is there objection to the fact that there will be 3 hours of debate tomorrow commencing after the prayer, and that at the end of the 3 hours there be a vote?

Mr. MANSFIELD. Exclusive of a live quorum at the beginning.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the termination of the vote on the pending amendment, there be a time limitation of 30 minutes on the amendment to be offered by the distinguished Senator from Alabama (Mr. ALLEN), the time to be equally divided between the author of the amendment, the distinguished Senator from Alabama, and the manager of the bill, the distinguished Senator from Washington (Mr. MAGNUSON).

Mr. JAVITS. Mr. President, could we know what the amendment is before we have a ruling?

Mr. ALLEN. It is amendment No. 142.

Mr. JAVITS. What does it relate to?

Mr. ALLEN. It relates to the public policy on freedom of choice.

Mr. JAVITS. The same general idea.

Mr. ALLEN. The Senator is correct.

Mr. JAVITS. I have no objection.

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

The unanimous consent agreement, later reduced to writing, is as follows:

Ordered. That following the prayer and a live quorum on Wednesday, December 17, 1969, further debate on the pending amendment offered by the Senator from Pennsylvania (Mr. SCOTT), to the bill, H.R. 13111, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes,

be limited to three hours to be equally divided and controlled, respectively, by the Senators from Pennsylvania and Mississippi (Mr. SCOTT and Mr. STENNIS). Following the vote on this amendment, debate on an amendment (No. 142) to be offered by the Senator from Alabama (Mr. ALLEN) will be limited to 30 minutes to be equally divided and controlled by the Senator from Alabama and the Senator from Washington (Mr. MAGNUSON).

Ordered further. That on all other amendments, except amendments to Sections 407, 408 and 409, and one by Senator Javits to be limited to 1½ hours, debate be limited to one hour, to be equally divided and controlled by the moved of the amendment and the Senator from Washington (Mr. MAGNUSON).

Mr. MANSFIELD. Mr. President, I ask unanimous consent, the Senate concurring, that at the conclusion of the speech by the Senator from Mississippi—

Mr. EASTLAND. Mr. President, I want to finish the speech in the morning. We can go out now.

Mr. MANSFIELD. No. Is the Senator through now?

Mr. EASTLAND. I want to finish this.

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

Mr. EASTLAND. I yield.

Mr. MANSFIELD. Mr. President, I am very sorry and apologize to the Senator from New Hampshire who has had his share of sorrow today, but I think I should inform the Senate that it is the intention of the leadership if it is necessary and appears important, to call the Senate into session on Sunday. I do not intend to put the Senate in a position where it has not completed its business by Christmas and it will thereby be subject to a call by the President of the United States to come back into session. So, the Senate is on notice.

Mr. SCOTT. Mr. President, will the Senator from Mississippi yield so that I may try to clarify a matter?

Mr. EASTLAND. I yield.

Mr. SCOTT. Mr. President, may I inquire whether at the conclusion of the remarks of the Senator from Mississippi tonight, with the understanding that he continue tomorrow, there is a possibility—

Mr. EASTLAND. I do not have more than 10 minutes. If the Senate wishes to vote on the Cotton amendment tonight, it will suit me fine. If not, I will finish this on tomorrow.

Mr. SCOTT. Mr. President, may I suggest that at the conclusion of the remarks of the Senator from Mississippi tonight, the Senator from New Hampshire be recognized to offer his amendment.

Mr. COTTON. Mr. President, I am not offering the amendment. The Senator from New York is offering the amendment.

Mr. JAVITS. I am offering it.

Mr. COTTON. I am the defendant. Mine is contained in the bill.

Mr. SCOTT. Mr. President, I suggest that the Senator from New York be authorized to offer his amendment, and if the distinguished majority leader has no objection, we can agree on a time limitation of 30 minutes.

Mr. JAVITS. When?

Mr. SCOTT. Tonight.

Mr. JAVITS. Not tonight.

Mr. MANSFIELD. Why not tonight? This body has been waiting here tonight and showing an interest.

Mr. JAVITS. The Senate has not been waiting on me. This is putting me in a box for no reason. I am here like the Senator from New Hampshire.

Mr. MANSFIELD. I did not even know who was going to offer the amendment.

Mr. JAVITS. I am here like the Senator from New Hampshire.

Mr. COTTON. Not like me.

Mr. SCOTT. Mr. President, I do not know how I got in the middle.

Mr. JAVITS. Mr. President, I have the amendment. I am willing to proceed with the amendment, but to take it up in the shank of the evening—I would not dream of it.

Mr. MANSFIELD. The Senator is entitled to his opinion, as usual.

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

Mr. MANSFIELD. I yield.

Mr. ALLOTT. Mr. President, I send to the desk an amendment and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. ALLOTT. Mr. President, for the sake of explanation, the amendment would restore the remaining 10 percent of the impact area funds in the bill. I will call it up at any convenient time, even if it is 10 o'clock tonight. Or I will call it up at 7 o'clock in the morning.

Mr. MANSFIELD. Mr. President, why does not the Senator call it up right now? I understand that the Senator from Mississippi has concluded his remarks.

Mr. EASTLAND. The majority leader is correct.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending amendment be laid aside temporarily for the purpose of allowing the Senator from Colorado to offer his amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from Colorado.

Mr. ALLOTT. Mr. President, without losing my right to the floor, I yield to the Senator from Texas.

The PRESIDING OFFICER. Will the Senator suspend?

The Senate will be in order.

Mr. MANSFIELD. Mr. President, I suggest that the Chair ask all Senators to take their seats and to stay in them.

The PRESIDING OFFICER. It is so ordered.

Mr. TOWER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. ALLOTT. Mr. President, I yield to the distinguished Senator from Texas, with the understanding that I will not lose my right to the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. TOWER. Mr. President, I recognize the need for a great degree of dispatch in the expedition of our business between now and Christmas. But I should like to respectfully suggest that this is hardly a proper climate in which to legislate. We have been legislating

intensively here for several days—indeed, weeks. I am not sure that we are really all ourselves. As a matter of fact, I think the later the hours grow, the more tired the Members of this body get, probably the less responsible they get. After all, we are all human beings; we are not superhuman.

I recall something that the great Alben Barkley once said:

The first year you are in the Senate, you sit there in great awe of all these great men and wonder how you got there. The second year you are in the Senate, you wonder how they got there.

This is something Alben Barkley said.

I should like to suggest that this is not a proper hour, a proper climate, a proper environment for responsible legislation. Even though we are in a rush to finish and we want to conclude by Christmas, I think that we, as the world's greatest deliberative body, cannot try to enact far-reaching and significant legislation in this kind of climate.

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

Mr. TOWER. I yield.

Mr. MANSFIELD. Mr. President, sometimes I am not at all certain that we are the world's greatest deliberative body. We have been on the job only 12 hours today. I feel as fresh as a daisy. I want to get on with the work, because I want to take a vacation as soon as possible. I know what is going on. My mind is not dulled. I am aware of the amendments. I can still read a page legibly, and I can still understand what my colleagues say.

So I would hope that we work together, as we have been, and try to bring to a head these appropriation bills, which are the only factors in the way of a sine die adjournment.

Mr. TOWER. I suggest there is a question between speed and deliberation.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

The clerk will read the amendment offered by the Senator from Colorado.

The assistant legislative clerk read as follows:

On page 31, line 19, strike out "\$600,167,000" and insert in lieu thereof "\$665,167,000".

On page 31, line 19, strike out "\$585,000,000" and insert in lieu thereof "\$650,000,000".

The PRESIDING OFFICER. Does the Senator wish the amendments to be considered en bloc?

Mr. ALLOTT. I ask unanimous consent that they be considered en bloc.

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

Mr. ALLOTT. Mr. President, I thank the distinguished Senator from Texas for his comments on the present situation. For 2 or 3 months I have been speaking about the same problem, in that I thought the Senate would get to a situation in which the Members were all so fatigued that they would not be able to deal with these matters.

I do not criticize the majority leader. He has great responsibilities, and he is trying to accomplish what I am sure is the purpose of all of us here—to get out the appropriation bills so that the Senate may finish its work and salvage a

sense of self-respect out of our work for the year. Unless we dispose of these appropriation bills, I do not think we can do that.

I am completely aware of the concerns which the distinguished Senator from Texas has just mentioned, and which I share. Nevertheless, we are here. We are dealing with amendments. We are dealing with critical amendments. The one which has been laid aside contains some of the most narrow nuances of the law and of judgment that anybody can imagine. I hope that the limitation we have placed on this particular question for tomorrow will give me an opportunity to express myself on that.

Tonight, I have offered an amendment. Because of the hurry, I was not aware, until after the HEW bill had been marked up this morning, that we had not funded the impacted areas funds to the full entitlement.

As all Senators know, the distinguished senior Senator from South Dakota for many years has carried these amendments, when the administration sought to cut these funds and at the same time emphasize title I of the bill. I do not want to put in my remarks tonight any particular weight as between title I and the impacted area funds, because title I also has its virtues, and all of us have voted for those funds in one way or another.

On the other hand, since World War II, we have had the impacted area funds, and they have constituted a major portion of the support of many school districts in this country.

I do not want to convey the impression—and I say this frankly—that I am offering this amendment at the instigation of the senior Senator from South Dakota (Mr. MUNDT), who, unfortunately, is hospitalized at the moment; but, rather, that I am doing it on my own, as one who has supported historically his efforts I have supported these efforts because I believe that the Public Law 874 program is a solid, substantial, and logical way to support our local schools.

Mr. President, there is a difference between the impacted area funds and the title I funds, for example, which require matching funds. The title I funds, praiseworthy though they may be, often actually drain our school districts of resources in order to match Federal programs that are not necessarily required in those particular districts. On the other hand, the impacted area funds go to the school districts without limitation, and these are the areas where we have Federal employees, Federal installations, and children attending schools. All of these factors put a burden on the school district which the school district cannot possibly meet under its own system of taxation.

This is not a situation particular to my own State. It is a situation that is equally peculiar or individual to Virginia or West Virginia or Massachusetts or almost any other State in the Union, for that matter.

What this amendment does, in very simple form, is to add \$65 million on page 31, line 19—I will read it:

For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$665,167,000, of which \$650,000,000 shall be for payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and \$15,167,000 which shall remain available until expended.

Mr. President, the proposal would add \$65 million to this provision to implement the impacted area fund, not to 90 percent, as the bill would do, but to implement the impacted area fund to the extent of 100 percent of entitlement.

Mr. President, I should make one further brief comment and then I shall have completed my remarks. On such short notice, I can only speak with reference to how it would affect my own State. However, I think Senators will find that it affects all States in the same way. Representatives of our school districts in my State are dependent, to a large extent, upon this program for their fiscal existence. The extent to which they would benefit from increasing this provision in the bill by \$65 million would be, for example, in Aurora, Colo., it would add \$112,000; in Boulder, Colo., \$70,000; in Denver, \$214,000; in Harrison, \$49,000; in Fountain, approximately \$82,000; in Colorado Springs, \$201,000; at the Air Force Academy, where we have some 5,000 employees including enlisted men, approximately \$102,000; in Pueblo, \$64,000.

Therefore, where Colorado has a 6-percent limitation on the amount of school aid which can be increased during a school year after appropriations have been made for a fiscal year, this is very important.

I shall conclude my remarks and then I will be happy to yield. The basic and essential point about the particular amendment is that federally impacted funds go to the bone, blood, and muscle of school districts. If this is cut, we are going to place thousands of our school districts in this country in a financial bind which they cannot meet. Unless my amendment is adopted these school districts will be forced either to cut the number of their classes or increase the number of students, and thereby decrease the quality of education.

This is one area where we can help the schools. This is one area where we can help the local boards which know best what their districts need to sustain their schools and carry them through the school year.

I yield to the Senator from New Mexico.

Mr. MONTOYA. Mr. President, I ask unanimous consent that I may be permitted to join the Senator from Colorado as a cosponsor of the amendment.

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

Mr. MONTOYA. Mr. President, first of all I want to say that the committee, in approving this particular item, was very generous.

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

Mr. MONTROYA. The Senator from Colorado yielded to me.

Mr. ALLOTT. Mr. President, how much time do I have remaining on the amendment?

The PRESIDING OFFICER. The Senator has 20 minutes remaining.

Mr. ALLOTT. Mr. President, I yield 5 minutes to the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. MONTROYA. Mr. President, I do not think that the Senator from Colorado, nor I, intends to impute any criticism to the committee for what it has done in providing \$600,167,000, which is the same sum provided by the House. Somehow the \$600 million represented in the bill is not the full entitlement to which the school districts in these areas are entitled. The Senator from Colorado is trying to bring this to 100-percent entitlement as I understand it.

This is one of the most popular fundings that we provide in Congress because it affects every State in the Union. It affects many of the school districts in our States. It is a funding from the Federal Government which is depended upon by the school districts in trying to work out their budgets and their expenditures for the ensuing year.

During the last 2 years the school districts in America have been impeded by lack of assurance that this money was forthcoming. I think the action of this Congress, even though it is at this late stage, brings encouragement to many of these districts which have children that are Federally connected. I think this money will be well spent and I think if we give assurances through this increase in this appropriation that we will be able to bring about better facilities through administration and operation in all these school districts throughout the country.

Mr. President, all the school superintendents met in Washington about 2 months ago. I am sure all the school officials who are concerned with this type funding have contacted all Senators here in the Chamber pleading with their Senators to come forth with 100-percent entitlement.

I think this is an investment in the future of America. I think this is an investment in the human resources of tomorrow. That is why I wanted to join my good friend from Colorado. I think this is, indeed, a very worthy amendment, and I urge its adoption.

Mr. ALLOTT. Mr. President, I thank the senior Senator from New Mexico very much for his support on this particular amendment.

I must apologize and I do so publicly. I became so involved in my own statement—I have been wrapped up in this matter for many, many years—that I did not realize the senior Senator from New Hampshire was seeking the floor.

Mr. President, I yield the floor now in order that the senior Senator from New Hampshire may speak.

Mr. COTTON. Mr. President, what is the time limitation?

The PRESIDING OFFICER. The manager of the bill has 30 minutes.

Mr. COTTON. Mr. President, I am speaking for the committee in opposition.

The PRESIDING OFFICER. The manager of the bill has 30 minutes.

Mr. COTTON. Mr. President, I yield myself 5 minutes and I will try not to take any more than that.

Mr. President, I think I am speaking for the chairman of our subcommittee. I hope I am speaking for the committee.

I discovered today, in something that really bothered me, that my own administration had not seen fit to take me into their confidence about what they wanted on the OEO. They told everybody except the senior ranking Republican on the Committee on Appropriations. I apologize—not to my administration, but to my fellow Senators. I will have an opportunity sometime, when they will wish they had let me know.

Mr. President, I wish that the committee were in a position to accept this amendment.

I am not going to stamp and roar strenuously and make the welkin ring. I suppose, actually, it adds up not to \$50 million—although the distinguished Senator from Colorado had sincerely figured it so—but the total will add up to \$65 million. I do not suppose that is much when one considers that, so far today, in this Chamber, we have added to the bill \$478.2 million; so perhaps \$65 million more as a burden on the bill will not be significant.

But the facts are as follows:

In fiscal 1969, we appropriated on a 90 percent basis for the impacted area funds.

Two administrations have tried, vainly, radically to reduce or remove the funds.

Congress does not stand for that, and I am entirely sympathetic with the position of Congress.

The funds have reached the point that school districts depend upon them. They are among the few funds which have no Federal strings attached, so the school districts can use them for the purposes they most need. They are not earmarked, and a particular district can use them for buildings, teachers' salaries, equipment, or whatever is most needed.

I do not blame the school districts, the school authorities, the teachers, or the superintendents for wanting these funds. I am all for restoring them in the bill.

But in fiscal 1969 we restored them on a 90-percent basis of estimated full funding, and we appropriated \$520,861,000—that is, not quite \$521 million.

This year the committee decided to do the same thing.

It is an estimate as to what is absolute, complete, full funding, but it is an estimate of what the 90 percent would be.

We have already provided in the bill the \$600,167,000, which is an advance over fiscal 1969 of \$79,306,000.

Mr. President, I submit, on behalf of the committee, that we have been fair and reasonably generous, because we cannot calculate to the last dollar or the last cent what 100-percent funding

will be, with all of the other items in this vast bill of \$21 billion which we are blowing up every half hour, or every hour on the hour.

I think that if we restore, and are sure that we are restoring, the 90 percent, which is practically \$81 million more than was appropriated in fiscal 1969, that is a fair approach.

That is the reason why I feel that the committee cannot accept the amendment and that we are compelled to oppose it, much as I should like to accept it, and much as I sympathize with the feelings of my good friend from Colorado, who truly represents the thinking all over the country on the subject of impacted funds. We feel that we have been consistent and fair in computing the 90-percent estimate, which may be more than the 90 percent, but is \$80 million more than they had last year.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. COTTON. I yield.

Mr. MURPHY. This is not a part of the amendment, but I think that a short colloquy might properly be injected here, if the Senator from Colorado has no objection.

Mr. President, since coming to the Senate, I have been a strong supporter of the impacted aid and I am pleased to cosponsor the Allott amendment.

Now, if I could have the attention of the manager of H.R. 13111, the distinguished Senator from Washington, Mr. MAGNUSON, or one who can clarify a matter with respect to sections 2 and 4 of Public Law 874 which deal with impacted aid. This does not directly involve in the pending amendment, but it is an important matter.

Section 2 deals with Federal acquisition of real property and section 4 deals with those instances where there has been a sudden substantial increase in school attendance resulting from the activities of the United States. Yet, the House through a serious oversight omitted those sections.

It is my understanding that these sections have always been funded in the past, and I am particularly concerned with the section 2 provision which is so important to so many school districts in my State. Under section 2 of Public Law 874 entitlements are allocated to those school districts throughout the United States who have lost a substantial portion—and this must be 10 percent or more—of their assessed evaluation through Federal acquisition of real property. In addition, the districts are required to show a continuing financial burden throughout the year in order to receive these funds. Section 2, then, is a method, and an equitable one, of reimbursing school districts for Federal impact and loss of school property.

I have a table showing the adverse effect this would have on school districts in my State, and I ask unanimous consent that it be printed in the RECORD.

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

IMPACTED-AID TO CALIFORNIA—PUBLIC LAW
874—SECTION 2, 1967-68

School district and county:	Amount
Hueneme, Ventura.....	\$52,951
Deluz, San Diego.....	7,250
Fallbrook Union, San Diego..	154,220
Fallbrook Union (elementary), San Diego.....	205,200
Oceanside, San Diego.....	702,450
San Miguel, San Luis Obispo..	1,770
Vallelindo, Los Angeles.....	58,030
Washington Union, Monterey..	1,911
San Antonio, Monterey.....	1,974
Los Alamitos, Orange.....	131,729
French Gulch Whiskey, Shasta..	8,159
Total	1,325,644

Mr. MURPHY. Mr. President, the case of Fallbrook Union School District, Fallbrook, Calif., illustrates how important these funds are to these California school districts. The loss of funds from section 2, I am advised by Fallbrook Assistant Superintendent Robert Murphy, would force the closure of the school district before the end of the school year since it represents more than 10 percent of the school district's budget.

There is a great need in these districts for these impacted funds. They have always been funded in the past, and the example I have just cited illustrates there is a need for a continuation of this needed Federal assistance.

The question I have for the Senator is: Does the bill as reported by the committee cover sections 2 and 4 of Public Law 874?

Mr. COTTON. Let me say, in reply, that this is a very important and good point raised by the Senator from California. Those two items are important, and the House language in the bill probably did exactly what the Senator from California is apprehensive about; namely, it eradicated or diluted them. The Senate committee, recognizing that, has restored it in the bill now before us. The language used in fiscal year 1969, in last year's appropriations, puts them back.

Mr. MURPHY. I thank my distinguished colleague from New Hampshire.

Mr. COTTON. I think that I can assure the Senator from California that our language takes care of the two items, which are important and about which I share his concern.

Mr. MURPHY. I thank the distinguished Senator from New Hampshire for his concern. I thank the distinguished Senator from Colorado for his courtesy in allowing me to inject this colloquy during his remarks.

Mr. PASTORE. Mr. President, will the Senator from Colorado yield me 2 or 3 minutes?

Mr. ALLOTT. I am glad to yield 3 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, the question of whether we should fund the full entitlement is an old chapter. We have gone through this time and time again. It was my happy privilege to serve with former Senator Lister Hill on his committee; and then I remember that once or twice, when I was the manager of the supplemental appropriation bill, this item would come up as a deficiency item from time to time.

If we are going to break this program, we should do it in a reasonable way. We ought to notify the school districts in advance that at some point we are going to bring the program to an end. Until that time, I think it is very unfair to those districts that rely on Federal funding. They rely on these funds when they constitute their own school budgets. They have every reason to rely on the commitments made by the U.S. Government.

The idea that we have voted 90 percent or 80 percent is all wrong. Either we ought to vote the full entitlement or not vote any funds at all. If we have reached the point where we are no longer going to finance the program, we ought to do it properly. We ought to notify the districts long in advance.

I remember distinctly that the previous administration—the Johnson administration—took the position that when we passed the legislation on aid for elementary and secondary education, that was to be a substitution for this program. Indeed, there is no connection whatsoever—absolutely none.

I remember when Mr. Gardner, who formerly was Secretary of Health, Education, and Welfare, came before our committee. He took the position that this program should come to an end because of what we were doing under the other program. He took the position at that time, as I am taking today, that if ever we wanted to discontinue that program, we should not do it by eliminating funding after the school year had started, but that we should give the districts notice in advance.

I hope that this evening—I am sorry; I have lost track of the time—that tonight we will grant the full entitlement, and that if the time should come when we are no longer going to grant it, we will give the districts advance notice, so that they can provide for themselves.

Mr. BIBLE. Mr. President, will the Senator from Colorado yield me 2 minutes, so that I may ask a question of the Senator from Rhode Island?

Mr. ALLOTT. I yield 2 minutes to the Senator from Nevada.

Mr. BIBLE. The point I wish to make, as the Senator from Rhode Island has so correctly said, is that we have had the question of underfunding before us year after year, just as we have tonight.

I am a member of the Committee on Appropriations and of the Subcommittee on Labor, and Health, Education, and Welfare. What constantly bothers me is that even though this program should be funded 100 percent tonight, when the item comes before us in a supplemental appropriation bill it will be considered again. Is that not correct?

Mr. PASTORE. I do not want to say that that is true as a fact; but it has happened several times. We have called the Commissioner of Education, and he has told us time and again that if we provide the full entitlement, the money can be used; that it is money that they need.

Mr. BIBLE. I think the RECORD should indicate that year after year, if the program is not funded at the full entitlement under the law, we go to the sup-

plemental appropriation and the districts receive funds under the supplementals. I think the RECORD will show that.

But additionally, it should be said that both the Democratic and Republican administrations make a differential between A and B class students in this area. That does not conform with the law, because the law makes no such distinction. Yet the administration constantly tries to do this indirectly rather than through the legislative process.

I think the program should be funded as the Senator from Colorado has indicated.

Mr. ALLOTT. I thank the distinguished Senator from Nevada. We all understand perfectly well what is involved.

Mr. CANNON. Mr. President, will the Senator from Colorado yield me 1 minute?

Mr. ALLOTT. I yield 1 minute to the distinguished Senator from Nevada.

Mr. CANNON. Mr. President, I completely support the amendment to raise these figures to the full entitlement. I think it is a tragedy that each year we are confronted with an attempt to cut back the funds to provide for only category A children. I think it is also a tragedy that we find ourselves, at the end of the year, trying to fund for schoolchildren when school has been going on for 6 months. The budgets have been prepared for 8 or 9 months, or perhaps 12 months, ahead of this time, and they still do not know whether they are going to get the money, except for a continuing resolution.

I wish this administration, as well as others, would take heed from Congress that we are not going to discontinue this program unless the proper approach is made, and that we are not going to limit it to category A students until Congress makes such a determination.

I support the Senator's amendment for the full funding of this particular program.

Mr. ALLOTT. Mr. President, I thank both Senators from Nevada for their contribution, because they have pointed out what has been said over and over again on the floor, that if there is a change made in the program, it should be made by the legislative committee, and it should be done in advance.

Mr. President, I ask unanimous consent that the Senator from South Carolina (Mr. THURMOND) and the Senator from Alabama (Mr. ALLEN) may be joined as cosponsors of the amendment.

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

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

Mr. ALLOTT. I yield.

Mr. MURPHY. Mr. President, I ask unanimous consent to be joined as a cosponsor.

Mr. ALLOTT. And also the Senator from California.

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

Mr. ALLOTT. And the junior Senator from Wyoming (Mr. HANSEN).

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

Mr. CANNON. Mr. President, I ask to have my name added as a cosponsor.

Mr. ALLOTT. And the junior Senator from Nevada.

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

Mr. ALLOTT. Mr. President, I yield to the Senator from South Carolina (Mr. THURMOND).

Mr. THURMOND. Mr. President, I am strongly in favor of this amendment. I am in favor of it because the law provides that the districts will receive the money. I think they ought to receive the money until we repeal the law. They have relied on it, and we should fulfill the trust they have placed in our Federal Government.

I am strongly in favor of this amendment because the program has the least Federal control of any Federal program I know of. I believe the distinguished Senator from New Hampshire brought out the point that in many programs there is strong Federal control. Here there is practically no control. I think that is a very important factor.

I hope the amendment will be adopted.

Mr. COTTON. Mr. President, I yield myself 1 minute simply to say, although the distinguished chairman of the subcommittee is now on the floor, that I felt it my duty as a member of the committee to call attention to what we were doing.

I yield myself 2 additional minutes.

I just want to add that we still are not absolutely sure whether it is 90 or 95 percent that the committee gave. We do not know exactly what the full funding is. But, speaking for myself, unless my chairman feels differently, I think the feeling of the Senate in this matter is perfectly obvious. We want to get on with the business of the Senate. Subject to the feeling of my chairman, just as soon as I yield for a question, I am going to suggest that the committee be permitted to ask for a division.

Mr. PASTORE. Mr. President, what is the suggestion?

Mr. COTTON. That the committee, or at least that I, be permitted to ask for a division vote.

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

Mr. COTTON. I yield.

Mr. PASTORE. I think we ought to have a yea-and-nay vote as notice to the administration that if this program is going to be repealed, let us repeal the law, and as long as the law stands, we should live up to our commitment. I think we can vote "yea" and give resounding notice to the administration.

Mr. COTTON. So those of us who have to carry on for the committee will have our feet put to the fire.

Mr. AIKEN and Mr. MAGNUSON addressed the Chair.

Mr. COTTON. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has about 20 minutes remaining.

Mr. COTTON. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I am seeking information. Does a Federal installation with Federal employees in a State have any bearing upon allocations of any other Federal funds for that State which may be based partly on population? For instance, would the fact that

there is a Federal installation with 2,000 employees and their families—if there is such a case—influence the allocation of other funds to the States which are based partly on population?

Mr. COTTON. Oh, yes; it would.

Mr. AIKEN. I am wondering if that would make up the difference between what the committee holds is right and what the amendment seeks.

Mr. MAGNUSON. Mr. President, the Senate committee was very generous on impacted areas; \$600,167,000 is provided in the bill. The House increased it from the administration proposal, and we agreed with the House increase. Two kinds of students are classed as making up an impacted area. One is the class A students, which we have taken care of wholly. The other is the larger amount of class B students.

HEW, when it set up the budget, frankly admitted that we should take care of the class A amount, and not give anything to class B students. It used the continuing resolution in cutting down the money as an excuse. If we are going to have impacted areas, I guess we should take care of them all.

I think the Senator from New Hampshire will agree with me on this. I thought all the money amendments were offered earlier. I asked about it five times this afternoon.

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

Mr. MAGNUSON. I yield.

Mr. ALLOTT. I have been on the floor almost all afternoon, and it was not asked while I was here.

Mr. MAGNUSON. No. I am not criticizing the Senator.

As long as we have the distinction of class B in the law, this impacted area definition of eligibility has to be looked at by the legislative committee, one of these days; because if you work in a Federal establishment and you have children and send them to school, they are impacted. We have, as the extreme example, a Federal judge who works in a Federal courthouse and has a family, and his children live in the area where he is a Federal judge, they are impacted. All the children of employees of civil service who work in a Government building and have children are impacted.

I think it is time that we review what is an impacted area.

We took care—and I will say to the Senator his figures are correct—as far as we could find out from all the people that came to testify from the impacted areas, all the class A students and 90 percent or more of the class B, on the theory that the committee might look at this. That brought the figure up to \$600,167,000. So 10 percent of that would be close to the \$65 million the Senator is talking about. Our figure is \$80 million more than they had last year.

I have no objection to this personally, but it is the law. I surely would recommend to the legislative committee that they take another look at what children should be classified as class B in an impacted area.

I do not think we meant Federal employees who live in a town and work in a Federal building, who are permanent

residents of the town, when we passed the law.

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

Mr. MAGNUSON. I yield.

Mr. PASTORE. I quite agree with everything the Senator says, but until they do review the matter, does not the Senator feel we have a commitment?

I remember very vividly—this is only several years ago—when John Gardner was Secretary of Health, Education, and Welfare—the same man who made a speech down here at the Press Club last week—when he said everyone was out of step but him.

Mr. MAGNUSON. That is right.

Mr. PASTORE. That Congress was in a state of lethargy, and the administration was not living up to its responsibility. Yet he came before our committee, and when I asked him categorically, "Why did you not ask for any of this money for impacted areas," he said, "Because I do not think it is a good program."

Who is he, after Congress has passed a bill and it has been approved by the President of the United States, and becomes the law of this land, that it is up to him to say whether it is a good program or not, so that he can ask or not ask for the money?

That is what we have been up against. I agree with the chairman; if it is to be reviewed, let us review it. But you do not do that by cutting down the funding.

Mr. MAGNUSON. Let me suggest that that is some token. We have \$600,167,000 for the total program. That includes some construction.

Mr. ALLOTT. Mr. President, will the Senator yield on that point?

Mr. MAGNUSON. I yield.

Mr. ALLOTT. I would like to point out that by line 22 of the bill, it is reduced by \$15,167,000 for facilities and grants to educational agencies. So that the full \$600 million in the bill is reduced by the subsequent lines by \$15,167,000.

Mr. MAGNUSON. That is for construction. Now, for the maintenance and operation, the cost per student of impacted areas is adequately covered by the \$585 million, according to all the figures we received. In total, the construction, and there is a small amount, makes over \$600 million for this program. We are talking about, roughly, in round figures, 90 percent. I would hope that the Senator would modify his amendment. The request is how much?

Mr. ALLOTT. It is \$665,167,000.

Mr. MAGNUSON. So the increase would be—

Mr. COTTON. It is \$65 million.

Mr. MAGNUSON. It is \$65 million more. We would be more responsible if the Senator would submit to the Senate a reduced amount of \$60 million.

Mr. ALLOTT. Mr. President, first of all, I should like to say to the distinguished Senator that the difference is a very small amount, and it may be that his figures are correct. As nearly as we could get the figures, it would require the full \$665 million to fully finance this program. However, I am willing to modify my amendment to read \$660 million, in accordance with the Senator's suggestion, and I so request.

Mr. MAGNUSON. I appreciate that. The PRESIDING OFFICER. The amendment is so modified. Who yields time?

Several Senators address the Chair. Mr. ALLOTT. Mr. President, before yielding, I request that the names of the Senator from California (Mr. CRANSTON), the Senator from Idaho (Mr. JORDAN), the Senator from Tennessee (Mr. BAKER), the Senator from Kansas (Mr. DOLE), the Senator from Alaska (Mr. STEVENS), the Senator from Wyoming (Mr. HANSEN), and the Senator from Oregon (Mr. HATFIELD) be added as cosponsors of the amendment.

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

Mr. ALLOTT. Mr. President, may I make just one further statement?

I think that the statements that have been made in behalf of this bill by the Senator from Rhode Island, the Senators from Nevada, and others, are completely and wholly correct. I compliment my distinguished colleague from New Hampshire, who has tried valiantly and has done such an able job in upholding the

hand of the committee on this matter. I talked with him several hours ago about this amendment. I was not able to talk with the distinguished chairman, because I could not find him. So I feel that as much notice as I could give was given.

I ask unanimous consent that the name of my colleague (Mr. DOMINICK) and the name of the distinguished Senator from Idaho (Mr. CHURCH) be added as cosponsors.

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

Mr. MAGNUSON. Mr. President, may I put in the RECORD tomorrow some figures, so everyone will know what we are doing?

Mr. ALLOTT. On the Senator's own time.

Mr. MAGNUSON. We have a list of States and what they received in 1969, what the revised budget would provide, and what the House and Senate allowance is per State, so everyone in every State will know what they will be getting.

Mr. MAGNUSON subsequently said, on December 17: Mr. President, if the Senator will permit me, I would like to make

a correction, first. The information we have from HEW is that of the 25,000 school districts, give or take, that there were 300. I said 400. I misread my notes. There are 300 that they consider under their rules.

Mr. President, because of the lateness of the hour last night, when we discussed the impacted areas funding, I did not insist that this table be included in the RECORD because it would have delayed the printing of our debate.

I should like to point out to the Senate that this table sets forth the allocations to States under Public Law 874, and was prepared by the Department on the basis of the House allowances, for our subcommittee. The final figures, which total \$585,000,000 show just what we approved in the subcommittee and full Appropriations Committee. Any additional funds would be distributed accordingly. I ask unanimous consent to have the table printed in the RECORD.

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

ALLOCATIONS TO STATES FOR OPERATIONS AND MAINTENANCE UNDER PUBLIC LAW 874

	1969 appropriation	1970 revised estimate ¹	House allowance		1969 appropriation	1970 revised estimate ¹	House allowance
Total.....	\$505,900,000	\$187,000,000	\$585,000,000	Nevada.....	\$3,457,000	\$1,426,000	\$4,130,000
Alabama.....	9,530,000	2,362,000	11,075,000	New Hampshire.....	2,138,000	904,000	2,474,000
Alaska.....	13,379,000	13,935,000	15,917,000	New Jersey.....	11,933,000	4,251,000	13,835,000
Arizona.....	9,059,000	6,526,000	10,825,000	New Mexico.....	10,127,000	6,147,000	11,299,000
Arkansas.....	2,696,000	958,000	3,071,000	New York.....	17,641,000	6,027,000	20,504,000
California.....	78,042,000	25,225,000	88,431,000	North Carolina.....	11,198,000	6,864,000	12,621,000
Colorado.....	13,291,000	3,109,000	15,522,000	North Dakota.....	2,501,000	2,664,000	2,886,000
Connecticut.....	3,429,000	1,503,000	3,974,000	Ohio.....	10,561,000	1,182,000	12,384,000
Delaware.....	1,922,000	1,388,000	2,212,000	Oklahoma.....	12,140,000	3,695,000	13,952,000
Florida.....	17,351,000	5,013,000	20,056,000	Oregon.....	2,535,000	791,000	3,076,000
Georgia.....	16,421,000	5,749,000	18,978,000	Pennsylvania.....	8,953,000	856,000	10,184,000
Hawaii.....	9,117,000	5,741,000	10,735,000	Rhode Island.....	3,578,000	1,585,000	4,084,000
Idaho.....	2,656,000	1,044,000	3,225,000	South Carolina.....	8,446,000	3,589,000	9,872,000
Illinois.....	12,724,000	4,280,000	14,805,000	South Dakota.....	3,587,600	2,697,000	4,216,000
Indiana.....	4,391,000	982,000	4,974,000	Tennessee.....	6,566,000	705,000	7,703,000
Iowa.....	2,605,000	310,000	3,033,000	Texas.....	29,659,000	7,709,000	34,617,000
Kansas.....	8,534,000	3,302,000	9,836,000	Utah.....	6,901,000	1,055,000	8,067,000
Kentucky.....	8,731,000	5,604,000	9,801,000	Vermont.....	119,000	4,000	138,000
Louisiana.....	3,431,000	770,000	3,960,000	Virginia.....	34,531,000	7,442,000	39,552,000
Maine.....	3,049,000	2,213,000	3,593,000	Washington.....	12,938,000	4,852,000	15,097,000
Maryland.....	24,846,000	3,387,000	29,362,000	West Virginia.....	413,000	18,000	490,000
Massachusetts.....	15,743,000	5,971,000	18,514,000	Wisconsin.....	2,252,000	571,000	2,660,000
Michigan.....	4,574,000	2,852,000	5,211,000	Wyoming.....	1,600,000	1,275,000	1,910,000
Minnesota.....	2,923,000	846,000	3,367,000	District of Columbia.....	5,984,400	374,000	6,744,000
Mississippi.....	2,615,000	1,115,000	3,048,000	Guam.....	1,735,000	1,247,000	2,032,000
Missouri.....	8,386,000	2,176,000	9,617,000	Puerto Rico.....	5,764,000	6,067,000	6,124,000
Montana.....	4,444,000	3,960,000	5,453,000	Virgin Islands.....	43,000	0	60,000
Nebraska.....	4,429,000	2,286,000	5,298,000	Wake Island.....	281,000	396,000	396,000

¹ Estimate based on latest data (1968) and assumes existing formula but only funding children who live on Federal property with parents who are employed on Federal property and "section 6" children whose education is arranged for by the Commissioner of Education.

Mr. ALLOTT. Mr. President, I promised the distinguished Senator from Texas that before I concluded I would yield to him. How much time do I have remaining?

The PRESIDING OFFICER. Six minutes.

Mr. ALLOTT. How much time does the Senator need?

Mr. YARBOROUGH. One and one-half minutes.

Mr. ALLOTT. I yield the Senator 1½ minutes.

Mr. YARBOROUGH. Mr. President, I support the amendment of the distinguished Senator from Colorado, but I call the attention of my colleagues not only to the language on line 19, page 31, that he is amending, but to lines 22 and 23 on that page, where the appropriation is for only \$15,167,000 under Public Law 815,

for construction. The sentence the Senator is amending is for funds under Public Law 874, for maintenance and operation of schools. In the committee, I offered an amendment to raise the figure of \$15,167,000 to \$50 million. There is a backlog since 1967 for construction of school buildings under Public Law 815, the impacted education law. There has been very little money put in there. I believe there is a backlog now of \$226 million.

The PRESIDING OFFICER. The Senator will be in order.

Mr. YARBOROUGH. I think there is a backlog of \$226 million for construction. I offered an amendment to provide \$50 million; but it lost in committee. The amount of money that the distinguished Senator from Colorado is putting in the bill for maintenance and operation will

relieve some of the pressure on those districts so that they can use some of their maintenance and operation funds for building. That is what they have done in the past; they have had to spend their own money out of maintenance and operations and put it into construction, to build buildings, because the Federal Government would not live up to its obligations.

I think this money is badly needed for maintenance and operation but funds are needed for construction also, because the school districts have been forced to put their own money into the building fund for the classrooms that the Federal Government would not provide the funds to build.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I am

ready to yield back the remainder of my time, but there are Senators who have indicated they want a rollcall on this matter.

Mr. COTTON. Mr. President, before we have the yeas and nays, I yield myself 1 minute to say that the Senator from Colorado did give seasonal notice to me. We all understand the situation of the chairman as to why he had to be away from the floor today.

The Senator from Colorado did go over the matter with me. We knew this was to be offered. We knew that the Senator wanted this and felt it was the just thing to do.

I know that there will be a rollcall vote. I envy all those who can get on record on a rollcall vote and go home and tell the folks they voted for the impacted area funds. Two or three of us because of our burden will have to vote with the committee.

Mr. PASTORE. Mr. President, because of the very, very plaintive plea made by the Senator from New Hampshire, I hope that we will not have to have a rollcall vote.

Mr. COTTON. No. We will have a rollcall vote.

The PRESIDING OFFICER. Who yields time?

Mr. YOUNG of North Dakota. Mr. President, I wish to say a word along the line of what the Senator from Rhode Island spoke about a few minutes ago. There is a lot of injustice in the law. For example, I have employees who live in Maryland and Virginia. They own houses and pay taxes as everyone else does. But the Federal Government pays them impacted area school funds.

There is something wrong with the law. I can understand why the Bureau of the Budget under the present administration and under the previous administration would reduce the funds to try to force Congress to enact a better law.

I admire the fight put up by the Senator from New Hampshire, even though he will not get more than a half dozen votes.

Mr. MAGNUSON. Mr. President, the two highest impacted areas in the country are California and Texas. They have the most military installations. Then we have Maryland; because the parents work on Federal property.

I am not so sure that the Senators who have children could not have them impacted because we work in a Federal building under the ruling.

That is the sort of thing I think we have to take a good hard look at.

Virginia gets \$39 million. Texas only \$34 million. North Dakota gets \$2 million.

Mr. YOUNG of North Dakota. We have two big airbases.

Mr. MAGNUSON. New Hampshire gets \$2.4 million. Perhaps California gets more. California is the Abou Ben Adhem. They get \$88 million.

Mr. PASTORE. That was the Styles Bridges amendment for the Portsmouth Navy Yard. They have employees in Maine and New Hampshire. In order to take care of that situation, both Maryland and Virginia fell into the slot. And that is how that came about. That ought to be looked into.

Mr. COTTON. Mr. President, let me say in 2 minutes' time that the Senator from Rhode Island has made my day complete.

When we have these fund drives, these community fund drives, we have a big thermometer and show how near we get to the top. I want to make the announcement that the amendment, which I know will be agreed to and which I wish I could vote for, with what we have added on the floor today has pushed the bill over the half-billion-dollar mark. We have added \$538.2 million since lunch.

Mr. MAGNUSON. Mr. President in view of that announcement, the Senator from New Hampshire and I will accept the amendment and take it to conference. Let us get on with the next amendment.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the names of Senators STEVENS, YARBOROUGH, SPONG, and DOLE be added as cosponsors.

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

Mr. ALLOTT. Mr. President, I thought I could do this in 5 minutes. I say to my distinguished friends on the other side of the aisle particularly, and particularly to the Senator from Rhode Island with whom I have worked for so many years, that I think the sentiment of the Senate is pretty well known. It is getting very late. I hope that we can dispose of this matter with a division.

Mr. MONTOYA. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second, and the yeas and nays are ordered.

Mr. ALLOTT. Mr. President, if the other side is ready to yield back their time, I yield back the remainder of my time.

IMPACT FUNDS

Mr. TOWER. Mr. President, I was pleased to note that the committee has provided very nearly full funding for the Public Law 874 program of aid to federally affected areas. I support this funding wholeheartedly and do not feel that we can responsibly do less. This money represents the taxes owed to the localities where there is a substantial Federal presence. In areas where there is heavy Government activity, such as military installations, the local tax base is narrowed by expansive Federal ownership of lands and facilities which cannot be taxed. At the same time there is a large population of persons drawn to the area to work at the Federal installation, many of whom also live on Federal property but whose children attend the public schools. Many fine words were pronounced during the course of the tax reform debate recently concluded about the closing of loopholes and insuring that all citizens pull their share of the load; it is now incumbent upon us to insure that the Federal Government pays its taxes as well.

There has been some discussion over the 20-year history of Public Law 874 as to the payment for category 3(b) children. These are the children whose parents are employed on Federal property but do not reside there. The argu-

ment usually is to the effect that since such persons live in taxable dwellings on taxable property they are paying their share of the burden.

The fact is that if it were not for the Federal presence, many of these people would be elsewhere, or would be working for non-Government, hence taxable, enterprises. It is not unreasonable then to pay for category 3(b) children 50 percent of the amount for category 3(a) children, whose parents both live and work on Federal property. In any event, the distinguished committee members are in the right when they indicate that the appropriations bill is not the proper vehicle through which to amend Public Law 874 by striking all funds for category 3(b).

At many points in the bill there is evidence that the gentlemen of the committee were touched by the Christmas spirit, that they yielded to an impulse to play Santa Claus. However, I believe that their action on impact aid is sound and responsible, and I endorse it unhesitatingly.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

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

Mr. MANSFIELD. Mr. President, with the distinguished Senator from New York on the floor, I would like to propound a unanimous-consent request.

I ask unanimous consent that there be a time limitation on the Javits amendment, which will follow the other two amendments, of 1½ hours, the time to be equally divided between the Senator from New York (Mr. JAVITS), and the manager of the bill, the Senator from Washington (Mr. MAGNUSON).

Mr. STENNIS. Mr. President, this will not displace the other matter?

Mr. MANSFIELD. No.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I would like to call to the attention of the Senate the agreement which has been made, that immediately after the prayer tomorrow morning, there will be a live quorum call before the time limitation begins to run.

I do not know whether we can finish this week or not. We have three appropriation bills after the pending bill has been disposed of. However, I do want to put the Senate on notice that if those bills are not completed and in conference, the Senate will meet on Sunday morning next.

Mr. President, there will be no further rollcall votes tonight.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Colorado. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Mississippi (Mr. EASTLAND), the Senator from Massachusetts (Mr. KENNEDY), the

Senator from Minnesota (Mr. McCARTHY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Ohio (Mr. YOUNG) are necessarily absent.

I also announce that the Senator from Washington (Mr. JACKSON) is absent because of a death in his family.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON), and the Senator from Massachusetts (Mr. KENNEDY) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Kentucky (Mr. COOPER) is absent because of illness in his family.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from New Jersey (Mr. CASE), the Senator from Arizona (Mr. GOLDWATER), the Senator from New York (Mr. GOODELL), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) are detained on official business.

On this vote, the Senator from Texas (Mr. TOWER) is paired with the Senator from New York (Mr. GOODELL). If present and voting, the Senator from Texas would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 73, nays 9, as follows:

[No. 245 Leg.]

YEAS—73

Allen	Gravel	Murphy
Allott	Griffin	Muskie
Baker	Gurney	Nelson
Bayh	Hansen	Packwood
Bellmon	Harris	Pastore
Bennett	Hart	Pearson
Bible	Hartke	Percy
Boggs	Hatfield	Perry
Brooke	Holland	Prouty
Burdick	Hollings	Ribicoff
Byrd, Va.	Hruska	Schweiker
Cannon	Inouye	Scott
Church	Javits	Smith, Maine
Cook	Jordan, N.C.	Sparkman
Cranston	Jordan, Idaho	Spong
Curtis	Long	Stennis
Dodd	Magnuson	Stevens
Dole	Mansfield	Talmadge
Dominick	Mathias	Thurmond
Eagleton	McClellan	Tydings
Ervin	McGee	Williams, N.J.
Fannin	Miller	Yarborough
Fong	Mondale	Young, N. Dak.
Fulbright	Montoya	
Gore	Mose	

NAYS—9

Aiken	Ellender	Proxmire
Byrd, W. Va.	Hughes	Randolph
Cotton	Metcalfe	Williams, Del.

NOT VOTING—18

Anderson	Jackson	Russell
Case	Kennedy	Saxbe
Cooper	McCarthy	Smith, Ill.
Eastland	McGovern	Symington
Goldwater	McIntyre	Tower
Goodell	Mundt	Young, Ohio

So Mr. ALLOTT's amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Pennsylvania.

Mr. BYRD of West Virginia. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senator from West Virginia is advised that the pending business is the amendment offered by the distinguished Senator from Pennsylvania.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL COSPONSORS OF A BILL

S. 3181

Mr. PROXMIER. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Massachusetts (Mr. KENNEDY) be added as a cosponsor of S. 3181, the Regional Water Quality Act of 1970.

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

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1970—AMENDMENTS

AMENDMENT NO. 431

Mr. SCOTT (for himself, Mr. PASTORE, Mr. CASE, Mr. PEARSON, and Mr. JAVITS) proposed an amendment to the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to be printed.

AMENDMENT NO. 432

Mr. JAVITS (for himself and Mr. HART) submitted an amendment, intended to be proposed by them, jointly, to H.R. 13111, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 433

Mr. TYDINGS submitted an amendment, intended to be proposed by him, to H.R. 13111, supra, which was ordered to lie on the table and to be printed.

RECESS UNTIL 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 10 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, December 17, 1969, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate December 16, 1969:

IN THE NAVY

Vice Adm. Allen M. Shinn, U.S. Navy, for appointment to the grade of vice admiral, when retired, in accordance with the provisions of title 10, United States Code, section 5233.

Having designated Rear Adm. Frederic A. Bardshar, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line subject to qualification therefor as provided by law:

Aanerud, Kenneth Dean
 Abel, Arthur Philip
 Abston, J. B.
 Ackerman, David William
 Ackley, Ralph William, Jr.
 Adams, John Bricker
 Adams, Robert Bruce, Jr.
 Adkins, Freeman Frederick
 Aeschleman, Vance Ellsworth, Jr.
 Aiken, Edwin Wilmer
 Aker, Robert Emil, Jr.
 Albright, David Lewis
 Alcon, Charles Arthur
 Alexander, Dennis Jay
 Alf, Donald Lee
 Allen, Layton Southerland, Jr.
 Alley, Stephen David
 Amber, Richard Owen
 Ameal, Frederick Donald
 Andersen, Harold
 Anderson, Gene George
 Anderson, Lane Schofield, III
 Anderson, Stanley Ivar
 Andrade, John Robert
 Andrews, Michael Wesley
 Andrews, Roger Marshall
 Andruchow, Paul
 Angleton, John Marshall
 Annable, Ross McDonald
 Apple, Thomas Michael
 Applegate, Barry Alan
 Abbot, Charles Stevenson
 Abraham, Michael, III
 Acker, James Everett
 Ackerson, Jeffrey Townsend
 Adams, Edgar William
 Adams, Merchant Stewart
 Adams, Russel Mark
 Aeilts, Fred Lee
 Affeld, Richard Lorman
 Airlie, Jack Gibson, Jr.
 Akst, H. Gordon
 Albright, John Richard
 Aldrich, James Hunter, Jr.
 Alexander, Samuel John
 Alleman, Alfred Dennis
 Allen, Robert Paul
 Almon, John Sterling
 Ambrose, Isaiah Hammack, III
 Amerine, David Bruce
 Anderson, Frank Andrew
 Anderson, Howard Brent
 Anderson, Richard Alan
 Andersook, Walter
 Andres, Stephen Michael
 Andrews, Richard Lee
 Andrix, Frank Thomas
 Angelina, Peter Gerald
 Angstead, Donald Eugene
 Antle, William Smoot, III
 Applegate, William Gould, III
 Appling, Bobby Cecile
 Aracic, Nicholas Matthew
 Arbogast, John Elbert
 Arendt, Steven Maurice
 Arje, Andrew Coulter
 Armstrong, Frank Hough, III
 Armstrong, Robert John
 Armitage, Richard Lee
 Arnold, John Kevin
 Arthur, James Charles
 Ash, Richard Winslow
 Atkins, John Wesley, III
 Aubrey, Richard Crandell
 Aunchman, Leman John, Jr.
 Auten, Neil Eugene
 Aranyos, John Richard

Arendas, Wayne George
 Arey, Sheldon Craig
 Arkwright, Gale Thomas
 Armstrong, Roland John
 Armentrout, Charles Edward
 Arnold, Gavin Dykes
 Arrington, Farlin Wesley
 Artley, Donald Kenneth
 Ashworth, David Bliss
 Atwill, James Richards, Jr.
 Auerbach, Jerome Martin
 Austin, Julian Leon
 Bagby, Joseph Tyler
 Bahn, Theodore Inman
 Bailing, Timothy Dodds
 Baker, Dennis
 Bakkila, Roger Leonard
 Balestra, Louis Joseph, Jr.
 Ballew, Jackie Charles
 Balukonis, Vincent John James
 Banwarth, Cletus Stephen, Jr.
 Baranowski, William
 Barber, Robert Lawrence
 Barbour, Henry Hamilton
 Bardsley, David John
 Barker, Joseph Henry, III
 Barkhurst, Ross Perry
 Barnes, John Winthrop, Jr.
 Badger, Richard Lee
 Bagully, Ross Stephan
 Bailey, John Gregory
 Baird, Leo James Michael
 Baker, Richard Frederick
 Bald, Reynald Alfred
 Ballantine, William Thomas, Jr.
 Balsam, Carl Edward
 Bandy, Robert Frank
 Bartz, William George, Jr.
 Barausky, Kenneth Peter
 Barbero, Frank, Jr.
 Barchi, Richard Henry
 Bardsley, George Paul
 Barker, Michael Don
 Barnes, George Wallace, III
 Barnett, Peter Anthony
 Barr, Richard Conklin, Jr.
 Barre, David Arnold
 Barry, Thomas Joseph
 Barton, Jon Hasell
 Bates, George Macnider
 Bauer, Russell Carl
 Baum, Scott Robert
 Baumhardt, Robert James
 Beachy, John Scott
 Beal, Robert Everett
 Beard, Timothy Robert
 Beauvier, Jerome Eugene
 Beavers, Ashley Jerome
 Beck, Robert Lee
 Beckett, Robert Sampson
 Beeby, Gered Howard
 Beers, Charles Joseph, Jr.
 Beers, Steven Curtis
 Beldler, Roderick Keith
 Beinbrink, Jeffrey Robert
 Belangia, William Ray
 Belding, William Merritt, Jr.
 Belisle, Kenneth Charles
 Bell, Roy Morrow Roy
 Bellew, Patrick Harry
 Bellman, Terry Richard
 Benedict, Crawford Lee
 Bennett, Sterling Norman
 Benton, Robert Reid, Jr.
 Berck, Henry Fred, Jr.
 Berg, Steven Kent
 Berkebile, Donald Freeman
 Bernard, Gilbert Cress, Jr.
 Bernier, Thomas Rodney
 Berryman, James Charles
 Betts, Craig Robert
 Barnett, Burnice Edward, Jr.
 Barnette, Richard Thomas
 Barr, William Siau
 Barrett, James Wilson
 Bartel, Edward Donald
 Bastian, Gary Bradley
 Bates, John C., Jr.
 Baum, Richard Allan
 Baumberger, Harold Eckel, Jr.
 Beattie, David John
 Beakes, John Herbert, Jr.
 Beall, William Lawrence
 Beasley, Marvin Ernest
 Beaver, Bradley Kearne
 Beck, Andrew Conrad II
 Becker, George Lester
 Bedford, Thomas Jackson, Jr.
 Beede, William Patrick
 Beers, Lawrence Stanley
 Beesley, James Bruce
 Bell, Adolf Henry
 Belth, William Roderick
 Belden, William Ellsworth, Jr.
 Belw, David Halliburton
 Bell, David Earl
 Bellas, Robert Caldwell, Jr.
 Bellinoff, Alan Eliot
 Benator, Barry Ivan
 Bennett, Michael Ray
 Benson, Frank Alexander
 Benzin, Robert William
 Bereza, Richard Allen
 Bergen, Laurence Michael, Jr.
 Berklene, Kelly Ray
 Bernier, Joseph Peter
 Berry, Robert Louis
 Beskind, Jay Peter
 Bezdek, Donald Joseph
 Bickel, Roger Bruce
 Bier, Gary Lanar
 Bill, David Spencer III
 Birchfield, Robert Boyd
 Birkmaier, William Bradford, Jr.
 Bishop, John Whitney, Jr.
 Bitten, Ernest John
 Bixler, Paul Woodruff
 Black, Kenneth Lee
 Blair, Dana Ray
 Blair, Thomas James
 Blanchard, Frank Medford, Jr.
 Bledsoe, Samuel
 Blinn, Gary Robert
 Blocksom, Roland Daly, Jr.
 Boaz, Lowell David
 Bockhold, George, Jr.
 Bogert, Gary Michael
 Bohling, Peter Herman
 Bolier, Michael Ronald
 Bone, Robert Eugene
 Bonnell, William Spencer
 Booher, Donald Chester
 Booth, Gregory Seely
 Borden, Ronald Duane
 Bortell, Charles Kelly, Jr.
 Boudreaux, Numa Augustine III
 Bouldin, Donald Wayne
 Bowden, Gurnie Gobel
 Bowler, Roland Tomlin Evans III
 Bowser, Rex Jansen
 Boyd, Cecil Archibald Kapil II
 Boyette, James Robert
 Boyle, David William
 Bozzelli, Phillip Anthony
 Brabeneck, John Joseph III
 Brady, Michael Francis
 Brady, Terrence James
 Bielecki, Dennis James
 Biery, George Monroe II
 Bina, William Frank III
 Birchmier, Charles Orlando
 Bishop, Ernest Frank
 Bisti, Joseph Carl
 Bixler, Michael Balfour
 Black, Evans J.
 Blackwood, Edward Barron
 Blair, Foster John II
 Blakeney, James Houston
 Blanchard, Mark Webster
 Bleckicki, Walter Carroll
 Bliss, Ronald Joseph
 Blount, Thomas Edward, Jr.
 Bock, Thomas Herbert
 Bodie, Jeffrey George
 Boggio, John Martin
 Bokesch, William Michael
 Bona, Richard Albert
 Bone, Theron Carl
 Bonnyville, Lawrence Russell
 Boone, Victor Frank
 Borak, David Edward
 Borsh, Richard Martin, Jr.
 Bouck, David William
 Boughner, Thomas Kemp
 Bourne, Robert Edward, Jr.
 Bowenkamp, Robert Donald
 Bowman, Frank Lee
 Boyce, Brian Francis
 Boyd, Thomas Arthur
 Boyhan, Thomas Cary
 Boynton, Robert William, Jr.
 Braswell, Willis Caldwell, Jr.
 Braden, James Dion
 Brady, Patrick Bernard, Jr.
 Brake, Gary Franklin
 Brandt, Wesley Robert
 Brant, William Clarke
 Branum, Richard Cline
 Breagy, Thomas Joseph
 Brennan, Neil Maxwell
 Brett, Gerard Joseph
 Brew, William Earle
 Brice, Robert Grant
 Brino, Ronald Thomas
 Brittenham, John Charles
 Broadhurst, William Thomas
 Broderick, Thomas Powell
 Brookman, John Edward
 Brooks, Robert Andrew
 Broomall, Anthony Wayne
 Brosee, Manfred Neil
 Broussard, Curtis Wayne
 Brown, James Robert
 Brown, Michael Eugene
 Brown, Richard Eugene
 Browning, David Louis
 Brudno, Robert Joseph
 Brunk, Thomas Eugene
 Bruun, James Louis
 Bryant, David Alan
 Bryant, Lee Wayne
 Bubeck, Richard Bailey
 Buchanan, William James
 Buckingham, James Robert
 Buckley, Victor Patrick
 Bugelski, Michael Thaddeus
 Bulger, Ian
 Bunch, Gerald Douglas
 Burbank, David Cheney
 Burger, James Franklin
 Burggren, Peter Charles
 Burke, Joseph James
 Burke, Robert Dan
 Burkhart, Alan Douglas
 Burkhart, James Richard, II
 Burkholder, James Brooke, Jr.
 Burnett, William Howard
 Burns, Barry Edward
 Burns, Joseph Michael
 Burns, William Robert, Jr.
 Burrill, David Reid
 Burton, Kenneth Lewis
 Buttinger, James David
 Buyert, Arlin John
 Byron, Roger Walter
 Brady, Thomas Michael
 Branco, Robert John
 Brannan, Lee Roy, Jr.
 Brantigan, Richard Thomas
 Bray, Malvin Lawson
 Bream, Charles Clifford, III
 Brereton, John Robert
 Breuer, David Paul
 Brewer, Charles William
 Brilliant, Irwin Joel
 Brinser, John Robert
 Brix, Christian William, Jr.
 Brockman, Robert Joseph
 Bronaugh, Welbourne Frederick, Jr.
 Brooks, Nicholas George
 Brooks, William Charles
 Broome, Norval Lagler
 Broughton, Thomas Gary
 Brown, Charles Edmond
 Brown, Michael Irwin
 Brown, Patrick Joseph
 Brown, Ronald Nelson
 Brownley, Lawrence Leroy
 Bruggeman, Alan Robert
 Brunson, Burlie Allen
 Bryan, George Raymond, III
 Bryant, Franklin Simons
 Brydges, Richard Ross
 Buchanan, Charles Cecil, Jr.
 Bucher, Lawrence Charles
 Buckley, Gerard Francis

Buege, Paul Stephen
 Buletza, Peter George
 Bumann, Timothy Perry
 Bunge, Thomas Edward
 Burch, John Charles
 Burger, James Carl
 Burke, Bryan James
 Burke, James Garry
 Burke, Robert Gifford
 Burkhart, Harold Jean
 Burkhead, Franklin, Jr.
 Burnett, Roger Allan
 Burnham, Eugene Courtney
 Burns, Franklin Jeffrey
 Burns, Thomas Francis, Jr.
 Burrill, Clair Glenn, Jr.
 Burton, Gary Lynn
 Burton, Thomas Gardner
 Butvilas, George John, Jr.
 Byard, Larry Frederick
 Calazza, Albert William
 Caldwell, Ellis Alton
 Calhoun, William McBrayer
 Callahan, Patrick Anthony
 Calvert, Eric Scott
 Campbell, Horace Julian
 Canaday, Brent Arnold
 Cannady, Charles Robert
 Cannon, Thomas Markwood
 Capshaw, Roy Don
 Caraway, John Benjamin III
 Carlberg, Richard Francis
 Carlson, Edward James
 Carlson, Richard Eric
 Carr, Paul Nelson
 Carroll, David Leigh
 Carroll, Laurence Bradner III
 Carson, Ross Henry
 Carter, Jesse Samuel
 Carter, William Campbell
 Case, Steven Lee
 Cassell, Robert Wayne Jr.
 Castoro, Joseph John
 Cathcart, William Clifford
 Cable, Robert Lewis
 Caldwell, Dwight Burnett
 Caldwell, Leonard Augustus
 Callaghan, James Michael
 Calnan, Gary Stephen
 Campbell, Bruce Wilson
 Campbell, Robert Boon
 Candler, David William
 Cannon, Richard Alan
 Capper, Dean Robert
 Capute, Joseph Robert
 Carbone, Nicholas Daniel
 Carloni, Guido Joseph
 Carlson, Martin Walter Jr.
 Carlson, Russell Craig
 Carriker, Eric Berkeley
 Carroll, James Norman
 Carroll, Thomas Vincent
 Carter, Ira Banks III
 Carter, Rodger Besley
 Carver, William Earnest Jr.
 Casey, Martin Michael
 Castle, William Kenneth Jr.
 Catello, George Michael
 Caudill, Garland Wayne
 Ceruzzi, Michael Leonard
 Chadwick, James Lawrence
 Chamberlain, Donald Edward
 Chandler, Michael Stewart
 Chapman, Michael Robert
 Charles, John Robert
 Chehansky, John Charles
 Chesterman, Alan George
 Chicoline, Rene Joseph
 Chmura, John Albert, Jr.
 Christopher, Thomas Aloysius
 Church, Donald Wesley
 Churchill, James Eugene
 Claxton, James Thomas
 Claffee, James Robert
 Clark, Bartlett Lee
 Clark, Jack C.
 Clark, John Maclean, Jr.
 Clark, Richard Owen
 Clark, Thomas Arthur
 Clarridge, Brian Reed
 Clary, Ronald Bee
 Clegg, Marshall Cardon
 Clemens, Archie Ray
 Clifford, Robert Lee
 Cline, John Hendrix
 Clinton, John William
 Clymer, Roy Emerson III
 Coers, Mardis Malcolm
 Coffin, Charles Edward III
 Cole, Otis Robert III
 Colley, Donald Vernon
 Collins, Richard James
 Colomb, Herbert Palfrey, Jr.
 Combs, Robert Meredith
 Catron, Arnold Edward
 Cazenave, Frederick Frank, Jr.
 Cetta, Nicholas John
 Chalke, George Payne, Jr.
 Chandler, Carder Denis
 Chapman, Gary Conrad
 Chappell, Eugene Watson, Jr.
 Cheever, Robert James, Jr.
 Chessman, Gary Albert
 Chew, Chett Thornton
 Childs, Stephen Robert
 Christianson, Robert Andrew
 Church, David Earl
 Churchill, Edwin Terry
 Ciccarelli, Chester Anthony
 Clayton, William Bailey, III
 Clancy, James Patrick
 Clark, Guinn Gerrie
 Clark, James Robert
 Clark, John Meredith
 Clark, Thomas Francis, Jr.
 Clarke, Joseph Dallas, IV
 Clary, Donald Lee
 Claude, David Louis
 Clement, Marc Andre
 Clevenger, William John
 Cline, Gary Keith
 Cline, Joseph Martin
 Clothier, Thomas John
 Cochran, Deford Eugene
 Coffey, Matthew Joseph, Jr.
 Cohane, Timothy Michael, Jr.
 Coley, Stephen Craig
 Collins, Martin Kevin
 Collins, Wendell Roy
 Coltrane, Glenn Gray
 Compton, James Emmett
 Conery, George Franklin, Jr.
 Conn, George Richard Werner
 Connell, William Lawrence
 Connor, Dennis Ray
 Constans, John Northrop
 Cook, Curtis Blackman
 Cook, Jon Leslie
 Coon, James Maynard
 Coonrad, Douglas Vanvazandt
 Cooper, Douglas Louis
 Cooper, Patrick Emanuel
 Copenbarger, Paul David
 Cordell, Jeryl William
 Corry, Vincent Henry
 Costello, John Joseph
 Cotter, Paul Stephen
 Cotton, John Bruce
 Courtney, Lucien Wendell
 Cover, Martin Luther, III
 Cowardin, James Henry
 Cox, Mariner Garnett
 Cox, Thomas Joseph
 Crabtree, Carlton Pierce
 Cragg, Eugene Earl, Jr.
 Craighill, John St. Clair
 Cramer, Charles Robert
 Creutz, Alan
 Creed, Barton Sheldon
 Crenshaw, William Robins, Jr.
 Cress, James Thomas, Jr.
 Crisp, Howard Leon
 Crockett, Alan Keith
 Crockett, Robert Joseph
 Cronyn, Brian Sullivan
 Crosby, Dennis Allen
 Cross, Lawrence Allan, Jr.
 Crouch, William Hugh, Jr.
 Crow, Joseph Melvin
 Cruse, Charles Howard
 Coneway, Clinton James
 Conn, James Loren
 Connolly, John Michael
 Conroy, Frederick William
 Conway, James Patrick
 Cook, James Ballou, II
 Cook, Robert Allyn
 Coonan, John Joseph, Jr.
 Cooper, Clark Russell
 Cooper, Marshall Geoffrey
 Copeland, Larry Mack
 Corcoran, Gerald John
 Corder, Henry Robert, Jr.
 Costello, Dennis Brian
 Costello, Terrence William, III
 Cottingham, James Lynn
 Couch, Hugh Richard
 Courts, David Paul
 Covey, Charles Clayton
 Cowgill, Curtis James, III
 Cox, Milford Chantwin, Jr.
 Crable, Paul Alan
 Crabtree, David Montgomery, III
 Crahan, Gary Michael
 Crain, Richard Noel
 Cray, William Cornelius
 Creasser, William Nial, Jr.
 Creighton, John Oliver
 Cress, Donald Myron
 Cripe, Paul Lynn
 Crociata, Joseph Philip
 Crockett, James Oren
 Cronan, Charles Edward, Jr.
 Crooks, Russell Wallace, Jr.
 Crosby, George Robert
 Cross, William V., II
 Crouse, John C.
 Crowe, Bruce Robert
 Crusier, Peter Jesse
 Cuddington, Michael Eugene
 Culp, William George
 Curran, John Patrick
 Currie, Michael Patteson
 Curtis, Stephen Edward
 Cutter, Robert Michael
 Cuciti, Richard Bruce
 Cullen, Timothy Edward
 Cummings, David Lee
 Current, Max Christian
 Curtin, James Edward
 Cutler, Sidney Scott
 Dabbieri, Peter Vincent, Jr.
 Dahlinger, Frank William III
 Dall, James Allen
 Daley, Michael Jon
 Dalporto, William Fred
 Daly, John Charles
 Daniels, Harold Edward, Jr.
 Darden, Arthur Cohen, Jr.
 Darnell, Donald Lee
 Dautel, William Alan
 David, Marshall John, Jr.
 Davis, Clay Savelle, Jr.
 Davis, Edwin Sawyer, Jr.
 Davis, John Stark
 Davis, Robert Willard
 Davison, John Warner
 Dawe, George Forrest, Jr.
 Day, Gerald Walter
 Dearth, Lawrence Charles
 Dech, C. Michael
 Deda, Donald James
 Degeorge, Bernard Joseph, Jr.
 Degruy, Charles Monrose
 Delehaunty, James Francis
 Delesie, Stephen Douglas
 Demarest Lee Williams
 Denegre, Thomas Bayne III
 Denney, David Conklin
 Denton, Richard Jackson
 Depoy, Jimmy George
 Deryke, Edwin
 Detter, Gary Lee
 Devine, James Dennis
 Devries, Leonard Lyle
 Dadd, Alan Melvin
 Dahlstrom, John Reeves
 Daines, Gary Lee
 Dallmeyer, Richard Louis
 Daly, Beverly Anthony
 Daniels, Gerald Everett
 Darby, Roy Otto III
 Darden, Welborn Orr, Jr.

Daughtry, Joseph Sutton, Jr.
 Davel, Samuel Allan
 Davidson, Thomas Richard
 Davis, David William III
 Davis, Herman Evan
 Davis, Richard Rice
 Davison, Craig Scott
 Davison, Joseph Walter
 Day, Franklin Jerome
 Deal, Leonard Joseph, Jr.
 Deatley, Rudolph James
 Decker, Thomas Richard
 Deegan, Michael Edward
 Degraffenreid, Kenneth Ernie
 Delbalzo, Francis Anthony, Jr.
 Delello, Nicholas Joseph
 Demarest, Harold Raymond, Jr.
 Dempsey, John Richard
 Denmark, Allen Dennett
 Dennis, Patrick Joseph
 Depompei, Daniel Albert
 Derocher, Paul Joseph, Jr.
 Desantis, Victor Anthony
 Deuter, Richard Carl
 Devoss, Gary Gordon
 Devylder, Edgar Paul, Jr.
 Dewar, Dorel James Jr.
 Diel, Harry Allen
 Difilippo, William James
 Dillon, Geoffrey Arnold
 Dilorenzo, Leonard Anthony
 Dinger, Keith Herbert
 Dirienzo, Louis Ralph
 Dittmann, Harry Gardiner
 Doane, Robert K.
 Dobson, Carl Leroy
 Dodson, Warren Bradford
 Dollar, Stephen Edward
 Donaldson, David Brian
 Donley, Michael John
 Donnelly, Robert Jennings
 Donnelly, William Michael
 Doran, Walter Francis
 Dornstetter, John Michael
 Doryland, Adrian Tracy
 Doub, Mark Eugene Jr.
 Dove, Curtis Ray Jr.
 Dowgwilla, Frank Michael Jr.
 Downton, Charles Edward III
 Doyle, Edward Thomas
 Doyle, Hugh Joseph
 Dozier, Frank Slade
 Draper, John Joseph III
 Drinan, Alan Howard
 Driver, Roy Kenneth
 Drummond, Dennis Gene
 Dubbs, William Martin Jr.
 DuBois, Wayne Daniel
 Duffy, John Francis
 Duke, William Cecil Jr.
 Dulin, James Evans
 Dickerson, Barry Sinclair
 Diesing, John Dillon Jr.
 Dill, Richard Evan
 Dillow, Gary Eugene
 Dimmig, Gary Lee
 Dinwiddie, David Odell
 Dishman, David Reese
 Ditzler, Kirk James
 Dobscha, Frank John Jr.
 Dodge, Marvin Michael
 Dolan, Paul Thomas
 Dolson, Paul Thomas
 Dolson, Richard Charles
 Donaldson, Paul Howard
 Donnley, Michael Patrick
 Donnelly, Walter Patrick Jr.
 Dooley, John Joseph Jr.
 Dornisfe, William Paul
 Dorsett, Hubert G.
 Dose, Curtis Richard
 Douglass, Gene Arlen
 Dowdy, William Leroy III
 Downing, Donald Allen
 Doyle, Dennis Michael
 Doyle, Gerard Francis
 Doyle, Thomas Vincent
 Drake, John Bryan
 Dreyer, Gregory Frank
 Driscoll, Robert George
 Druist, George Frank
 Drummond, Jack Donald III
 DuBois, Kenneth John
 Dudley, Scott Bruce
 Dufresne, William Francis
 Dukiet, Walter William Jr.
 Dunn, Peter Haines
 Durst, Robert Stevenson II
 Duwe, Henry Charles
 Durick, Robert Edward Jr.
 Duserick, Frank Galvin
 Dybdal, James Richard
 Dye, Gary Thomas
 Dyer, Bruce Peter
 Eargle, Terry Paul
 Earle, John Pennock
 Eckel, Peter Bartlett
 Edelman, Richard Allan
 Edmondson, Gary Duane
 Edwards, James Edward
 Edwards, Robert Christopher
 Egan, James Edward
 Egnotovich, Michael M.
 Eiland, Leonard Marshall Jr.
 Eisenhauer, Peter Roderick
 Elliott, Larry Roscoe
 Ellis, John Raymond
 Ellis, Robert Lee Jr.
 Ellis, Thomas Christopher
 Ellison, Thomas Henry
 Elwell, Robert Gwynne
 Emerson, George Allen Jr.
 Emmons, Donald Grant
 Engelken, James Karl
 Ensfield, Arnold Edwin
 Epstein, Steven William
 Erckmann, William James Jr.
 Erickson, David Milton
 Ericson, Keith George
 Eshleman, Donald Eugene
 Etherton, David Carroll
 Evans, Howard Charles
 Evans, Leslie Floyd
 Evans, Samuel Hall
 Everly, James Richard
 Eagan, William Richard Jr.
 Earhart, John Dudley Jr.
 Eckstorm, David Edward
 Eddinger, Thomas James Jr.
 Eden, Charles Gregory Hubert
 Edwards, David Eugene
 Edwards, James Michael
 Edwards, Robert Bruce
 Eger, Laszlo John Jr.
 Eicens, Imants Dzintars
 Eisenhardt, William Baldwin
 Ellinwood, Stanley Carroll Lee
 Elliott, Walter Michael
 Ellis, Michael Alden
 Ellis, Thomas Henry
 Ellison, James Ellsworth
 Elsesser, James Richard Jr.
 Elwing, Daniel Thomas
 Emery, Robert Hugh
 Engstrom, John Timothy
 English, Robert Hugh
 Ensign, Donald Eugene
 Erb, Bernard Eugene Jr.
 Erdelen, Alan Francis
 Erickson, Paul Robert
 Ernst, Larry Lee
 Esty, Harvey Logan
 Eubanks, Thomas Irvin
 Evans, Kirk Eden
 Evans, Robert Michael
 Evans, William Ashley IV
 Ewan, Joel Eugene
 Ewbank, Frank Arthur
 Ewing, Glenn Everette
 Eyer, Jon Troyer
 Eysenbach, Karl
 Faber, Douglas Everett
 Fagan, Patrick Michael
 Fairchild, Lawrence Vernon
 Fallon, William Joseph
 Farlow, Michael James
 Farmer, Michael James
 Farrell, Richard Kenneth
 Faulds, Dennis John
 Fauth, Herbert Carl
 Fears, John Aaron
 Feeherry, Edward Joseph, Jr.
 Feher, David Terry
 Felty, Joseph William Rowland
 Felling, Charles Donald
 Felton, Lewis Allen
 Fenstermaker, Roy Edward, Jr.
 Ferenchick, Paul Thomas
 Ferguson, Timothy Jay
 Ferreira, David Melvin
 Field, Michael Edward
 Fiene, Robert Walter
 Filose, John
 Findley, Kenneth Walter
 Finn, Daniel Francis
 Finta, Thomas William
 Fish, Lawrence Edwin
 Fisher, Robert Burns, Jr.
 Fiske, Gary William
 Fitzgerald, Donald James
 Fitzgibbons, Thomas Arthur
 Flanagan, Robert Lawrence
 Flanders, Graeme Linwood
 Flatley, Brian Anthony Joseph
 Flatley, Brian Anthony Joseph
 Flora, Brian Gregory
 Flowers, Orville Allen
 Flynn, Thomas James
 Fontaine, Jay Donald
 Foote, Morris Cooper
 Fadden, William Nelson
 Fagan, Steven Joseph
 Falerni, Richard Charles
 Fantauzzo, Richard Alan
 Farmer, Clinton Jefferson
 Farr, Leroy Allen
 Farver, Richard Kevin
 Faulk, Bruce Gregory
 Fawkes, Delany
 Feehan, John Joseph, Jr.
 Feeney, James William
 Fehrenbacher, Michael Robert
 Felger, Thomas Robert
 Fellows, Richard Hudson
 Fenstermacher, William Pendlet
 Ferdon, Frank Charles
 Ferguson, Robert Patrick
 Ferree, William Maurice
 Flebig, Edward Rolland, Jr.
 Field, Richard Johns
 Fifer, Richard Michael
 Finch, David Charles
 Fink, Dale Allen
 Finney, David Haley
 Fischl, Robert Dixon
 Fisher, Dwight Douglas
 Fisk, Alan Elbert
 Fitch, David Atwood
 Fitzgerald, Justin Walter
 Flaherty, Timothy Joseph
 Flandermeyer, Merle Edward
 Flannery, Michael
 Fletcher, Bennie Lyle, III
 Flowers, Gerald Ectils
 Flude, John William, Jr.
 Font, William Francis, Jr.
 Foote, Jerry Lynn
 Forrester, Joseph George II
 Foster, Jesse Ralph
 Fox, David Degruchy
 France, Robert Timothy
 Francis, David Leo
 Franklin, Ronald Edward
 Frantz, James Joseph
 Franzitta, Anthony Michael
 Frawley, Larry William Jr.
 Freaner, Claud Whitman
 Fredrickson, John Allen
 Freiband, James Michael
 French, John Roy
 Frerking, Roland Franklin Jr.
 Fritz, Michael Alan
 Frick, Kenneth Edwin
 Friedel, Leonard George
 Friedman, Richard Wallace
 Frikker, Peter Michael
 Fritschner, Walter Joseph
 Fry, Donald Edward
 Fuchs, Ronald William
 Fuerst, Richard George Jr.
 Fullerton, William Ross
 Gabber, Wilhelm Martin

Gaffney, Neil John
 Gaffney, William Alan
 Gaines, Alan Lee
 Gale, Philroy Clifton III
 Galinsky, James Michael
 Gallagher, William James Jr.
 Galvin, James Joseph
 Garcia, Larkin Enos
 Garrick, Barney Foreman Jr.
 Garrison, Wayne Terry
 Gary, Michael Anthony
 Gaston, Tommy Eugene
 Gatlin, Carl Earl Jr.
 Gautier, William Kirten
 Gay, William Wilson III
 Forsythe, John Riston
 Fortney, Ray Arnold
 Fowler, Edward Marlon
 Fox, James Frederick
 Francis, Burt Raymond Jr.
 Frandsen, Curtis William
 Franson, William Eric Jr.
 Franz, John Peter
 Fraser, Donald Ross
 Frazier, James Maxwell
 Frederiksen, John Thomas
 Freese, Robert Stanley
 Freise, Roger William
 French, Timothy Allen
 Frey, Michael Leslie
 Fritsch, Curtis Paul III
 Frostad, Larry Allan
 Fryar, Bruce Carlton
 Fuentes, Raymond Marques
 Fuller, Philip Burleigh
 Futch, Edward Ivey
 Gadberry, Raymond Everett Jr.
 Gagnon, Thomas Arthur
 Galbraith, Donald Edward II
 Galindo, Carlos E.
 Gallagher, Michael Joseph
 Gallo, Robert Michael
 Gammill, Jerry Vandyke
 Garner, David Alan
 Garrison, Mark Chapin
 Gartley, Markham Ligon
 Gaskin, Peter Joseph II
 Gates, Christopher Gleason
 Gatto, Carl Eugene
 Gaw, Donald Stephen
 Gelb, William Robert
 Gelman, Jack Kenneth
 Germond, Stanley Phillip
 Gibbons, Francis William
 Giblin, James Francis Jr.
 Gibson, Terrell Allen
 Gibson, William Scott
 Giffin, Delbert Warren
 Gifford, James Roy
 Gilbert, Richard Joseph
 Giles, Donald Allen
 Gillard, James Henry
 Gillespie, Thomas Francis
 Gilluly, Christopher William
 Ginsburg, Peter Arthur
 Givens, Gomer Todd Jr.
 Glenn, Robert Charles
 Glor, Peter John
 Glover, William Stewart, Jr.
 Gnerlich, Charles Henry
 Godwin, Ronald Howard
 Goehring, Robert William, Jr.
 Goldberg, Ronald Michael
 Goldfried, Robert Michael
 Gompert, David Charles
 Gonzalez, Pedro
 Gooding, Leroy Alvert
 Goodwin, Kenneth Alan
 Gordon, Richard Joseph
 Gorman, Joseph Daniel
 Gosline, Robert Bradley, Jr.
 Gouk, Ritchie William
 Govers, Richard Adie
 Grable, Gary Richard
 Graff, Robert John
 Gebeaux, Robert Joseph
 Geismar, Donald David Jr.
 Gentile, David Louis
 Gex, John Michael
 Gibbs, Raymond William

Gibson, Ethan John
 Gibson, Thomas Leslie
 Giddings, Lawrence Douglas
 Giffin, Henry Collins, III
 Gilbert, Arthur James
 Gilder, Jerry Quinton
 Gill, Robert Pearson
 Gillease, Dennis Bernard
 Gillogly, Harold James, Jr.
 Gingrich, Thomas J.
 Giordano, Gerald Kenneth
 Glasow, Richard Dwight
 Glerum, Michel Dennis
 Glover, James Redd, Jr.
 Gluck, Frederick George
 Godfrey, William Bret
 Goedjen, Russell Clarence, Jr.
 Gold, Rex Craig
 Golden, Robert Thomas
 Goldschmidt, John Walter
 Goding, Robert Lee
 Goodglon, Gilbert
 Goodrich, William Angier
 Gordon, Ian Scott
 Gorman, James Radcliff
 Goryanec, George Thomas, III
 Gottschalk, William Douglas
 Gouslin, William Adelbert
 Goy, Richard James
 Grace, Donald Nelson
 Graham, John Mark
 Grant, Harold Eric
 Gravelle, Paul John
 Graves, James Clements
 Gray, Gary Robert
 Gray, Stephen Vern
 Green, Maurice Dale, Jr.
 Greenamyer, Richard Doyle
 Greengard, Howard Hart
 Greenoe, Bartis Edwin
 Gregg, Frederick Marion II
 Gregory, William Thomas III
 Grieve, David James
 Griffin, John Mark
 Grim, Thomas Harold
 Grofcsik, Garry Victor
 Grossbeck, Martin Lester
 Growney, Richard James
 Gruber, Larry Everett
 Guch, Steve Jr.
 Guis, William Blair
 Gurgel, David Lee
 Gustafson, William John
 Gutelius, Edward Warner Jr.
 Gramer, Robert Lawrence
 Gravatt, Brent Leigh
 Graves, David Michael
 Graves, Larry Allen
 Gray, Michael Edward
 Gray, Will Phelps
 Green, William George
 Greene, Jonathan Michael
 Greenleaf, Joseph Gales
 Greer, Charles Frederick
 Gregg, John Shelton
 Griswold, Robert Edward
 Griffin, Gerald Laurens Jr.
 Griffin, William David
 Grostick, John Larsen
 Groncznack, Robert Patrick
 Grothe, George Warren
 Grutzius, Charles Robert
 Grunge, Lance Carter
 Guibert, John Clarenorris III
 Gunkel, William Aloys
 Gurley, Ronald Kenneth
 Gustafson, William Russell
 Haberzette, James Duane
 Hack, William Fendrich
 Hagen, James Burgess
 Haggerty, Daniel Benedict, Jr.
 Haimes, William Stephen
 Haley, Dennis Francis
 Haley, Mark Christopher
 Hall, David Parkin
 Hall, Kenneth Arnold
 Hall, Stephen Michael
 Hall, William Latimer
 Hallinan, Thomas Joseph
 Hamann, Errol Dean
 Hamilton, Robert Lee, Jr.

Hamm, Edward Roger
 Hammert, Carl Henry
 Hamrick, Henry Vandyke
 Hancock, William Charles
 Hanley, Wayne Richard
 Hansborough, Lash Devous
 Hansen, Donnel Eldon
 Hansen, George Robert, Jr.
 Hansen, Leo Emil, Jr.
 Hanson, Peter Hale
 Harbeson, Richard Finucan
 Harding, Stanley Louis
 Hardy, Donald Fowler, II
 Hardy, Thomas George
 Harmon, Danny Raymond
 Harris, Wilding Green, Jr.
 Harsanyi, William Stewart
 Hart, Joseph Edward, Jr.
 Hartnett, James Thomas
 Hartsfield, David Lee
 Harvey, Daniel George, Jr.
 Harvey, John Christopher
 Haskins, Michael Donald
 Hasson, Joseph John, Jr.
 Hattan, Robert Leland
 Hawthorne, Robert Earle, Jr.
 Hayes, Francis Martin, Jr.
 Hayzlett, Dennis Clark
 Healy, Martin Joseph
 Hebdon, Frederick James
 Heffernan, Michael Morley
 Helman, Jerome Raymond
 Heinemann, Alfred George, III
 Helm, Richard Eugene
 Hempey, Richard John
 Henderson, Harry Gene
 Hendrickson, James
 Henry, Gary Roy
 Hack, Theodore Walter
 Hackathorn, Dennis George
 Haggerson, George William
 Hahn, Robert Christopher
 Halberstadt, Paul Edward, Jr.
 Haley, James Richard
 Haley, Willard James
 Hall, David Thomson
 Hall, Richard Benfield, II
 Hall, Steven Chandler
 Halley, Elmer John, Jr.
 Halupa, Stephen Michael
 Hamilton, John Wesley, III
 Hamilton, William Howard, Jr.
 Hammer, Douglas Lloyd
 Hammond, Reginald George
 Hanchuck, Michael Robert
 Hanley, Gerald Stephen
 Hannon, John Neal
 Hansen, Charles Arthur
 Hansen, Frederick Douglas
 Hansen, Kenneth Paul
 Hanson, J. Patrick
 Hartzell, Cleon Leonidas, Jr.
 Hardin, Michael Gheens
 Hardy, Charles Thomas
 Hardy, Randall Webster
 Harmon, Daniel James, Jr.
 Harrington, Daniel Joseph, IV
 Harrison, Thomas Glenn
 Hart, Jeff Roderick
 Hart, William Gerald
 Hartnett, Timothy Joseph
 Hartzell, Ray Kaufman Murphy
 Harvey, Douglas Neal
 Harvey, Phillip Ivan
 Haslett, Donald Bruce
 Hastreiter, John Rolland
 Haughney, Charles Joseph
 Hayden, Dale Robert
 Hayes, Jesse Michael
 Head, Charles Richard
 Heaton, Joel Brion
 Hedderson, Thomas Michael
 Hefkin, Donald Clark
 Heimer, James Alan
 Heisig, Alan Louis
 Helmsin, Francis Kenneth, Jr.
 Hendershot, Alan Rhys
 Henderson, Samuel Judson, III
 Henny, David Coleman
 Henry, Wayne Odell
 Henson, Lovell Kent

Hern, Lawrence Richard
 Herr, William Millard Jr.
 Herring, Edward Leslie
 Hertel, Michael Monroe
 Hess, George Duke
 Hester, Loris Edward Jr.
 Hewitt, Frank Floyd
 Hickman, Harold William Jr.
 Hicks, James Grayson
 Hicks, Wayne Earl
 Hierl, David John
 Higgins, Walter Muncaster III
 Hight, Jimmy Frank
 Hill, Raymond Kent
 Hill, William McDowell Jr.
 Hiltabidle, John Harries
 Hintz, Donald Carl
 Hitt, Roy Elton Jr.
 Hobbs, Richard Rawlings
 Hochhalter, Melvin Edward
 Hoddy, John Robert
 Hodges, William Clark
 Hoff, Kenneth Lincoln Jr.
 Hoffman, Joel Jeffrey
 Hoffmeyer, James Arland
 Holty, Robert Michael
 Holbrook, Robert Scott
 Holland, Michael Ray
 Holler, Eugene Joseph Jr.
 Holloman, John Thomas
 Holma, Richard Kenneth
 Holmes, Michael Harry
 Holst, Robert Weigel
 Hontz, Edward Brigham
 Honse, Robert Wayne
 Horn, Noel Paul
 Horne, Robert Jackson
 Horrell, James Earl
 Hosp, Steven Paul
 Hough, James Arthur
 House, Thomas Everett
 Howard, Stephen Thomas
 Howe, Richard Parlin Jr.
 Howick, James Francis
 Hoxie, Stephen Sanders
 Henry, George Michael
 Hensley, James Maurice
 Henzi, Robert Michael
 Hernlund, Richard Thomas Jr.
 Herrera, Henry Francis
 Herscher, Carl David
 Heschl, William Charles
 Hess, Paul David
 Heustis, Robert Leroy
 Hiatt, Douglas Grant
 Hickok, John Howard
 Hicks, Ricky Lynn
 Hiduk, George Allen
 Higdon, James Noel
 Higgs, Thomas Larry
 Hill, Billy John
 Hill, Roger Benton
 Hills, Norman Anthony
 Himchak, David Peter
 Hintz, Kenneth James
 Hobbs, John Kendall
 Hoch, Christopher Michael
 Hodak, Gary Wayne
 Hodge, Jerome Brownlee
 Hoepfner, Karl Thomas
 Hoffer, Charles Albert
 Hoffmann, Timothy Joseph
 Hogg, Andrew Logan Jr.
 Holbert, William Harold
 Holl, Stephen Trygve
 Hollings, Peter Fernhout
 Holm, Stanley Robert Jr.
 Holmes, Gordon Lloyd
 Holmes, Ronald Edward
 Holzapfel, Jon David
 Honour, Walter Whitaker Jr.
 Hood, Robert Scott
 Horn, William Allen
 Horner, Timothy Francis
 Hoskins, Robert Anthony
 Hosteny, Joseph Nevi III
 Hougland, Erik Somers
 Howard, Arthur Francis
 Howe, Kenneth Gene
 Howell, Buford Fredrick
 Howton, Harry Marshall
 Huber, Paul Mikel
 Hudak, Andrew John
 Hudson, Warren Putman
 Hufty, Jack Gordon, Jr.
 Hughes, Dwight Sturtevant
 Hughes, Herschel, Jr.
 Hughes, Kirby Edmondson, II
 Hughes, Robert Garfield
 Hulse, Richard Louis
 Hulsing, Russell Donald, II
 Humphrey, Alan Whitney
 Hunt, Charles Allan
 Hunter, William Carol, Jr.
 Hurlock, Ronald Joseph
 Hutchinson, Jimmy Richard
 Hubert, Richard Gengembre
 Hudson, John Barrows, Jr.
 Huey, Calvin Windell
 Huffman, Thomas Bartlett
 Hughes, Frank Cutler
 Hughes, John Samuel
 Hughes, Richard Keith
 Hull, Robert Cody
 Hulsey, William Jamie
 Hume, Richard Langdon
 Hunt, Andrew William, Jr.
 Hunter, Kem Gregory
 Hura, Myron
 Huston, John Oliver, III
 Huyler, John Seys, Jr.
 Ickes, Robert William
 Ing, James Douglas Keauhou
 Ingraham, Duncan Nathaniel
 Inlow, Rush Osborne
 Inman, John Phillip
 Iselin, Robert Arthur
 Israel, Stephen Seabrook
 Iwasko, George Walter, Jr.
 Iafraite, Francis
 Idsinga, William
 Ingersoll, Vernon Laforge, Jr.
 Ingraham, William Hall
 Inlow, William Raymond
 Irish, Phillip Jermain
 Ishley, David Joseph
 Iverson, Curtis Lee
 Jackson, John Dwight
 Jacobi, Benjamin Rippe
 Jacobson, Stephen Eric
 James, Dennis Patrick
 James, Wiley France, III
 Jack, Robert E.
 Jackson, Thomas Ronald
 Jacobs, Gerald Keith
 Jakucyk, John
 James, Harrison Wynne, III
 Jaros, Joseph Michael
 Jenkins, Charles Eric
 Jensen, Paul Edward
 Jeremiah, William Lewis
 Jezlery, Thomas Joseph
 Johnson, Charles Edmund
 Johnson, Daniel Eugene
 Johnson, Eric Harold
 Johnson, Hiram Jackson, Jr.
 Johnson, Jeffrey Bruce
 Johnson, Paul Anthony
 Johnson, Pierce Jarvis
 Johnson, William Dale
 Johnston, Thomas David
 Jones, Arthur Dewayne III
 Jones, Charles Ray
 Jones, James Rheinhardt, Jr.
 Jones, Kenneth Lee
 Jones, Thomas Richard
 Jordan, Gerald Henry
 Jordan, Michael Francis
 Jordan, Ronald Robert
 Joslyn, Robert Andrew
 Judelson, Alan W.
 Jullihn, Lawrence Sumner
 Junker, Allan Ernest
 Janes, Marc, Jr.
 Jefferies, Charles Herndon II
 Jenks, Frank Wright III
 Jensen, William Lee
 Jessico, Charles Michael, Jr.
 Johnson, Bruce Harold
 Johnson, Curtiss Dean
 Johnson, Donald Monroe
 Johnson, George King III
 Johnson, James Herbert, Jr.
 Johnson, Laurence Everett
 Johnson, Paul Niels Thornton
 Johnson, Robert Frederick
 Johnston, Richard Howard III
 Jones, Allan Charles
 Jones, Charles Ernest III
 Jones, Francis Terrell
 Jones, James Arthur III
 Jones, Ronald Warren
 Jones, Timothy Goodrich
 Jordan, Jerry Cecil
 Jordan, Robert Lucius
 Josl, Roy Walter
 Joy, Ernest Harriman II
 Julian, Benjamin Eugene
 Junek, John Filip
 Kaefel, Christian Emil
 Kakol, Dennis Joseph
 Kalosis, Stephen Frederick
 Kamp, Gary Richard
 Kane, John Edward
 Kane, Raymond William
 Kanive, Paul Edward
 Kappa, John Robert
 Kappes, James Robert
 Kauffman, Horace Clayton, Jr.
 Kaufhold, Francis Frederick
 Kaye, George Thomas
 Kealy, Arthur Philip
 Keating, Raymond Marcus
 Keegan, Lawrence Thomas
 Keiler, Alan Charles
 Keiper, James Turney
 Keith, Larry Brian
 Kelley, James Joseph, Jr.
 Kelly, Dennis Paul
 Kelly, Howard Kolger
 Kelly, Michael Clyde
 Kelly, Robert Bolling, Jr.
 Kemlein, Donald Fleetwood, Jr.
 Kennerly, John Charles
 Kent, Thomas Richard
 Kerins, Edward Anthony, II
 Kerr, Gerald Lee, III
 Kerstein, David Louis
 Keyes, Jesse Hamilton, III
 Kleley, John Joseph, III
 Kilgo, Martin Douglas
 Killen, David Andrew
 Kinard, David Michael
 King, Rodger Bryan
 King, Willis Thomas, Jr.
 Kinslow, James Lee
 Kircher, David Robert
 Kirtley, Richard Wayne
 Kitchen, Gary David
 Klein, George Adam, III
 Kline, Edward Marvin, Jr.
 Klostermann, Kenneth Ederhard
 Kluckhohn, Harold Burdette, Jr.
 Knigge, Charles Frederick
 Knott, Gerald Wayne
 Knudson, Thomas Clifford
 Kobylk, Nickolai Slate
 Kohut, Gary William
 Kaczorski, James Peter
 Kain, Joseph Edward, Jr.
 Kalman, Jack Keva
 Kammer, Robert Arthur, Jr.
 Kamrath, Robert Allan
 Kane, Leonard K., II
 Kane, Thomas John
 Kanive, Robert Frank Rolland
 Kappel, Leslie George
 Kardell, David Duane
 Kauffman, Carl Francis
 Kavanagh, John Denis
 Kazlauskas, Walter Vytautas
 Kearney, Michael Erwin
 Keefe, George Edwin, Jr.
 Keeley, Robert Martin
 Keller, Stuart John
 Keiser, Ronald Lee
 Kelleher, Richard Charles
 Kelley, Michael Bernard
 Kelly, Down Kevin
 Kelly, James Peter
 Kelly, Monroe, III
 Kelsey, Robert Joe

Kenty, Jay William
 Kenny, John Francis, Jr.
 Kenyon, Richard Moir
 Kern, Donald Sargent
 Kerr, John Edwin
 Kerwick, Raymond James
 Kidd, Robert Bourland
 Kildebeck, Thomas Craig
 Kilgore, Sidney Johnson, III
 Kimmel, Thomas Kinkaid, Jr.
 Kincaid, James Edward
 King, Roland Edward, Jr.
 Kingsley, Oliver Dowling, Jr.
 Kirchberg, Jerome Michael, Jr.
 Kirkland, Kris Arnold
 Kish, John David
 Klahr, Owen Allen
 Klimchak, Andrew John, Jr.
 Klinkhamer, David Joseph
 Kluck, David Allen
 Kluessendorf, Fred Kenneth
 Knobloch, Earle William
 Knox, James Dennis
 Koberlein, Frederick Laurence
 Kochanski, Joseph John
 Komorowski, Richard Joseph
 Kopp, John Ward, Jr.
 Korab, Darlan Patrick
 Kosnick, Edward Francis
 Kowalchik, Sergei Michael
 Kowalski, Donald Morris
 Kraker, Donald Lawrence
 Kramer, Steven Barker
 Krause, John David
 Krekel, Thomas William
 Kress, Michael Martin
 Krol, Joseph John, Jr.
 Krum, Stephen Gurnee
 Kuechle, John Daniel, Jr.
 Kuhn, Richard Charles
 Kunkel, James Edward
 Kurth, Robert Paul
 Kokoruda, David Joseph
 Konetzni, Albert Henry, Jr.
 Koppin, John Fredrick
 Korbet, Michael Thomas
 Kostar, William Lee
 Kowalick, Stephen Joseph, Jr.
 Kozuch, Bernard Stanley
 Kramer, John Alan
 Krapohl, Richard Francis
 Krejci, Emil James
 Kreps, Dennis Alan
 Krienke, Loren, Tavernier
 Krol, Robert Alphonse
 Kruse, Donald Marcus, Jr.
 Kuehn, Rodney, Edwin
 Kumer, Richard Lawrence, Jr.
 Kupka, Stephen Gregory
 Kyper, James Robert
 Labow, Joel Clayton
 Lachance, Robert Augustus Arm Jr.
 Lah, Raymond Glenn Michael
 Lakefield, Bruce Richard
 Lamason, Robert Barry
 Lambert, Richard John
 Land, Stephen Ross
 Lange, Jerome Barry
 Lareau, Jerome Phillip
 Larson, David Leroy
 Lasswell, John Deane
 Lassiter, Ronald Lawrence
 Latta, Donald George Jr.
 Lautenschlager, Karl Biery
 Law, Douglas Edward
 Lawlor, John Conrad Jr.
 Lawson, Peter Gray II
 Lay, John Paul
 Leach, Jerry Wamble
 Leber, George Martin Jr.
 Lee, Donald Arthur
 Lehman, Henry Clay
 Leiser, Thomas Charles
 Lemon, Harvey Brace
 Leo, John Alexander III
 Leonard, Fred Parker III
 Leonard, Raymond Douglas Jr.
 Leonard, William Joseph Jr.
 Lепley, James Barris Jr.
 Leroy, Dennis Keith
 Letter, Thomas Mertins

Lewis, Donald Frank
 Lewis, Robert Harold
 Libbey, Miles Augustus III
 Lichtermann, Richard David II
 Lightstone, Robert Martin
 Lynch, William Divine Jr.
 Lindquist, Douglas Wayne
 Lindstrom, Jon Edward
 Ling, John Harvey
 Linnander, Robert James
 Lipa, Helm
 Lipscomb, Warren Neilson Jr.
 Llewellyn, Adam Karl
 Loch, Alan Arthur
 Lockwood, Ernest Reese
 Lohse, James Richard
 Lonesk, Marc Antoine
 Long, James Alexander III
 Long, Steven Kenneth
 Loome, James Michael
 Lopez, Manuel Raynor
 Lorren, Lonnie Dwight
 Lothrop, Peter Scott
 Lovelady, David Eugene
 Lowell, Robert Leroy Jr.
 Lucas, Dennis Charles
 Lueneburg, Raymond Lee
 Labrecque, Robert Joseph
 Lacroix, Francis William
 Laino, William Peter
 Lakin, Charles Richard
 Lambert, Richard Harry
 Lange, Thomas Paul
 Lang, Robert Earle
 Langill, Frank Stewart
 Larkins, James Marion Jr.
 Larson, Robn Cameron
 Laskowski, Edward John
 Lathen, Donald Frank
 Lattin, Terrance Lee
 Lauzon, Gilbert Paul
 Lawless, John Martin
 Laws, James Morgan
 Lawver, Allen Eugene
 Lazorik, Michael Raymond
 Lear, George Barrett Jr.
 Lechner, Bruce Edward
 Lee, Earl Cunningham II
 Leidecker, Gary Frank
 Lemaster, Donald Burton
 Lemons, James Robert
 Leon, Peter Fiske
 Leonard, John Wallis
 Leonard, Robert Emory
 Leonard, William Nicholas Jr.
 Leroy, David Charles
 Lester, William James
 Levinson, James Richard
 Lewis, James Crawford
 Lewis, Thomas MacArthur
 Liberto, Robert Vincent
 Lienhard, John Bernard
 Lightstone, William Henry
 Lindfors, Bo Gottfrid
 Lindsay, William Terry
 Lines, Richard Alden
 Lingo, Michael Wood
 Linton, Parker Seeley III
 Lipfert, Ralph Hall
 Lisle, John Thomas
 Lloyd, Robert Lee Jr.
 Lockwood, Bruce William
 Logan, Peter Thomas
 Lomacchio, Thomas Dominick Jr.
 Long, Edward Charles III
 Long, Peter Avard Chipman
 Lonsdale, Frederick
 Lopacinski, James Michael
 Lorden, John Joseph Jr.
 Losquadro, John Louis
 Love, James Edwards
 Low, James Reiter
 Lubenow, Richard John
 Ludwig, Bruce Birney
 Lundberg, William Dennis
 Lutz, Frederick Ray
 Lyon, Douglas Vernon
 Luther, Walter Willis Jr.
 Lynch, John Douglas
 Lyons, Joseph Eugene Jr.
 MacDonald, Richard Ross

Mack, Jonathan Tobias
 Maconkey, Thomas, James Jr.
 Madden, Jerome Patrick
 Magner, Rodney Edward
 Magruder, Samuel Hay Savage
 Mahlstedt, Paul Williams
 Maixner, Harold Vincent Jr.
 Malavar, Frank Matthew
 Mallini, Joseph Jerome Jr.
 Mandel, Eric
 Mandich, Joseph
 Manes, Michael Randolph
 Maniscalco, James Andrew
 Maras, John Wallin
 Mergeson, Walter Leverene Jr.
 Markley, William Clyde III.
 Marks, Norman Alfred
 Maroon, Jerry Wayne
 Marsh, William Roy
 Marshall, Gregory Sarver
 Marshall, Lee Blair
 Martin, Charles Franklin II.
 Martin, John Richard
 Martin, Peter Michael
 Martin, Ricard Ward
 Martin, Tim Donald
 Martinek, Charles Allen
 Marzano, Richard Michael
 MacConnell, John Logan
 MacIdull, John Charles
 MacKenzie, Donald Kenneth
 MacPherson, George William
 Madden, Lewis Dot
 Magnuson, Ronald Roy
 Maher, Jerome Thomas Jr.
 Maitland, James Ellis
 Makela, Bruce George
 Mallett, Carl Victor
 Maloney, Elbert Sevier Jr.
 Mandeville, Donald Ernest
 Mandolia, Charles Edward
 Mangimeli, James Willard
 Manskar, Dennis Ray
 Marfiak, Thomas Fletcher
 Markley, Thomas Craig
 Markowski, Frank Joseph Jr.
 Marks, William Leon
 Marsh, Walter Crask
 Marsh, William Thomas Jr.
 Marshall, John Kendrick II.
 Martin, Allen Walker Jr.
 Martin, Charlie Ray
 Martin, Michael Dean
 Martin, Port Robert
 Martin, Thomas Gordon
 Martineau, Paul William Jr.
 Marx, William Conroy
 Marzetta, Dante Rudolph II.
 Mason, Charles Perry, III
 Mason, John Herbert
 Massicot, William Harvey
 Masterson, Frederick James
 Mathers, David Ronald
 Mathis, Troy Eddie, Jr.
 Matthews, Jan David
 Matthews, Thomas Francis
 Mattis, David William
 Matz, Wilbert John, Jr.
 Mauney, Fleming
 Maxwell, John Scott
 Maxwell, William Haskey
 May, Walter Richard, Jr.
 Mayes, Gary Leo
 Mayhue, Richard Lee
 Maynard, Terrence Quill
 Mazurczak, Michael, II
 McAdams, Glenn Edward
 McAuley, James William, Jr.
 McCaffrey, John Paul
 McCallie, Spencer Wyatt
 McCarthy, William Joseph, IV
 McCarty, John Bruce
 McClelland, Thomas Lee
 McComas, Jon Phillip
 McCoy, Robert Byron
 McCrary, Michael Shannon
 McCroskey, Dennis Lee
 McCullough, Carl Preston
 McCumber, Ralph Ray, Jr.
 McDermott, Michael Francis
 McDonald, Richard Dale

McDowell, Elmer Jay
 McFadden, Owen Chester, Jr.
 McGann, William Henry, III
 McGee, James Charles, III
 McGee, Webster Russell
 McGehee, Robert Burton
 McGinity, Richard Charles
 McGinn, James Edward
 McGoldrick, John Daniel, Jr.
 Maskiell, Frank Harold, Jr.
 Mason, James Wallace
 Massey, James Buckner, III
 Masters, Quentin Steward
 Materna, David Alan
 Mathers, William Martin
 Matthews, Douglas Gray
 Matthews, John Lee
 Mattloda, Ronald Lee
 Mattson, Kenneth Stuart
 Maule, Francis Eugene, III
 Maupin, David Owen
 Maxwell, Ronald Lennig
 May, Douglas Edward
 Mayer, Conrad Joseph
 Mayhood, David Ross
 Maynard, James Devere
 Mazach, John James
 McAdams, Gayle Russell
 McArthur, Lawrence Boyce, Jr.
 McBride, Walter Gary
 McCague, James Daniel
 McCarthy, Dana Garrett
 McCartney, Jeffery John
 McCleery, Robert Alan
 McCluskey, William Taylor
 McConnell, William Spear
 McCracken, William Lowell
 McCray, Stephen Scott
 McCullen, Clarence Herman
 McCullough, Van Lee
 McDermond, William Joseph, Jr.
 McDonald, Raymond Arthur
 McDonnell, Gordon Rutherford
 McEvelin, David Burr
 McFarland, Robert Parker
 McGarry, Charles Nicholas
 McGee, Terry Randall
 McGee, William Earl
 McGibbon, Charles Andrew
 McGinn, Dennis Vincent
 McGlothlin, Alfred Lynn
 McGonigle, Paul Wood
 McIntosh, Clarence Vernon Jr.
 McKee, Jerome Storm
 McKenna, Patrick Joseph
 McKenzie, Brian Douglas
 McKinney, James Aloysius II
 McKlveen, John William
 McLean, Roland MacKewn
 McMenamin, William Joseph
 McMinn, John Finley
 McNamara, Robert Hugh
 McRae, Charles Robert
 McTyre, Harry Edward Jr.
 Mears, Michael Lawson
 Meinhold, Arthur John
 Meintzer, Robert Ellis
 Meloney, Michael Bruce
 Mercer, William Edward
 Mero, Kenneth
 Messina, Edward Frederick
 Metro, Joseph Paul Jr.
 Meyer, Lawrence Walter
 Michel, Albert John Jr.
 Mies, Richard Willard
 Mihok, Andrew Thomas
 Miller, Bruce Martin
 Miller, Gary Wayne
 Miller, Nicholas Patrick
 Miller, Stephen Allen
 Mills, Robert Chricton
 Mintun, Tom Lee
 Minton, Joseph Kelly
 Mistaszek, Peter Edward
 Mitchell, Charles Scott IV
 Mitchell, Ralph Melvin Jr.
 Mixon, James Paul
 McGraw, Bennette Dean
 McKaig, Albert Stuart III
 McKendrick, John DeMille Jr.
 McKenney, Edward Anthony
 McKie, David Earl
 McKinney, Ronald Lewis
 McLean, Martin John
 McLeod, Robert Stirling
 McMenimen, Lawrence LeRoy
 McNally, William John III
 McNeal, Richard Mabbott
 McSherry, William John Jr.
 Meade, Richard James
 Meek, Calvin Leland
 Meintzer, Edward DeLore
 Melnyk, George Raymond
 Mendenhall, Corwin Guy III
 Merickel, Michael Rellly
 Merry, William James Jr.
 Metcalf, Douglas Cragg
 Meyer, Kenneth Joseph
 Michaux, Richard Lofton
 Mielnik, Michael Joseph
 Miess, Samuel Allen
 Millard, Warren James
 Miller, Charles Quentin
 Miller, James Edwin
 Miller, Robert John
 Miller, Wayne Marshall
 Milton, Sanfrid James
 Minarick, Joseph William II
 Mistaszek, Joseph John Jr.
 Mitchell, Anthony Edward
 Mitchell, John Malcolm
 Mittendorf, Gerald Ernest
 Mock, Floyd Lester Jr.
 Moffett, Billy Ray
 Mohsberg, Sidney Augustus, III.
 Moller, Arnold Raymond
 Mollet, Robert Edward
 Monaco, Anthony Victor
 Monell, Gilbert Finley, Jr.
 Montano, William Butterworth
 Montgomery, Michael Fon
 Moore, Billy Gene
 Moore, George Daniel
 Moore, Richard Warren
 Moore, Timothy Blair
 Morehead, Robert George
 Morgan, Edward Earle
 Morgan, Roy Spear
 Morgan, Warren Eugene, Jr.
 Moroney, Thomas John
 Morris, Larry Lemoyne
 Morrow, Gary Robert
 Morton, John III
 Moser, Thomas Scott
 Moses, Donald Albert
 Moss, Dennis Ray
 Muller, Frank Albert, Jr.
 Mulligan, Daniel Brian
 Munn, Joe Albert
 Murphy, Andrew Marshall
 Murphy, Dennis Edward
 Murphy, James Leroy, III
 Murphy, Thomas Ernest
 Murray, James Ray
 Murrell, Douglas Monroe
 Mushen, Robert Linton, II
 Mutty, John Edwin
 Mynett, Harold Jerome
 Naber, Michael Edmund
 Nanos, George Peter, Jr.
 Naye, John Rowland
 Nead, Robert Norman
 Mobley, Joseph Scott
 Moeller, Robert Lewis
 Mohan, James Francis
 Moldenhauer, Ernest William, Jr.
 Moller, Mikkel
 Molloy, Clifford Francis, Jr.
 Mondul, Donald David
 Monson, Randall Charles
 Montgomery, George Wynn
 Moomy, David Howard
 Moore, George Malcolm
 Moore, Paul Donald
 Moore, Thomas Weller
 Moosally, Fred Peter, Jr.
 Morey, David Nelson, III
 Morgan, James Frederick, Jr.
 Morgan, Vernon Mohny
 Morgen, Marty Paul
 Morrill, Philip John
 Morris, Ralph Richard
 Morse, David William
 Mosby, William Richard, IV
 Moses, Dale Hopkins
 Mosler, David Willis, Jr.
 Muldoon, Patrick Michael
 Mulhall, Robert Burke
 Munger, Edmund Colby
 Munson, Michael Jullius
 Murphy, Daniel John, Jr.
 Murphy, James Keane, Jr.
 Murphy, Robert Joseph
 Murphy, Timothy Aloysius
 Murray, Robert Edward
 Murrian, Robert Phillip
 Mussig, Ronald Charles
 Myers, Henry Benjamin, Jr.
 Myslivy, Guy Edward
 Nalie, Thomas Clinton
 Natter, Robert Joseph
 Naylor, Harold Douglas
 Neal, Basil Edward, Jr.
 Nekomoto David Seiji
 Nelson, Harold Everett, Jr.
 Nelson, Robert Mitchell, Jr.
 Neuman, Kermit William, Jr.
 Neumeister, John Edward III
 Newcomb, Richard Dashiell
 Newell, Thomas Robert
 Newman, Vernon Lane
 Nichols, John William III
 Nicholson, Samuel Thorne
 Niehaus Christopher Alan
 Nilsen, Alan Lawrence
 Nolta, Franklin Lyman
 Noonan, Patrick, Joseph
 Nordling, Glenn Edward
 Norman, Phillip James
 Norton, David Howel
 Nosco, Robert Gene
 Nuessle, Francis Edward, Jr.
 Nuzzo, John Octavius
 Nygard, Howard Thomas
 Nearing, Robert Willard
 Nelson, Dennis Gordon
 Nelson, Kenneth Stanley
 Nesbit, Thomas Burns
 Neumann, Kenneth Edward
 Neville, William Joseph, Jr.
 Newell, James Kirk III
 Newman, Donald Eugene
 Newton, Walter Hughes, Jr.
 Nichols, Loring Buttrick
 Nicks, Harold Troy
 Nielsen, David Joseph
 Nisbet, John Malcolm, Jr.
 Nolte, Michael Anthony
 Nordland, Gerald Lawrence
 Norman, Donald Stuart
 Norris, William Leland
 Norton, John Edward
 Novak, William Stanley
 Nutwell, Robert Michael
 Nydegger, David Lee
 Obenchain, Richard Forrest, Jr.
 O'Brien, Thomas Edward
 O'Connor, Thomas Joseph
 O'Dwyer, William
 Ogar, Walter Thomas III
 Ogden, Richard William
 O'Hare, Robert Edward
 Ohelm, Henry Vernon, Jr.
 Ohman, Earl Rudolph, Jr.
 O'Keefe, Thomas Stephen, Jr.
 Olden, Irvin Leon
 Oliver, Daniel Trantham
 Olsen, Richard Allen
 Olsen, William Edward
 Olson, Carl John
 Olson, Stephen Robert
 Oman, Robert Gordon
 O'Neil, Haines Andrews
 Opladen, Thomas
 O'Reilly, Dennis Patrick
 Orlandi, Victor Pratt
 Orvis, James Worthington
 O'Shea, Michael Glen
 Osiecki, Arthur Eugene
 Othic, Francis Eugene
 Ott, Marvin Mack

Owens, Gregg Ouray
 Oxford, Thomas Paul
 O'Brien, Gerard Michael
 O'Connell, Blaine John
 O'Donovan, Alfred John III
 Offutt, James Hucorn III
 Ogden, Douglass Clifford
 OHara, Justin Joseph
 OHearn, Michael Steven
 Ohlert, Edward James
 O'Keefe, Richard Bernard
 Olbert, Donald Ernest
 Oldfield, Douglas Alan
 Olsen, Curtis Wayne
 Olsen, Wayne Lewis
 Olshinski, James Albert
 Olson, Richard Carl Leroy
 OMalley, John Francis
 O'Mohundro, Michael Joseph
 O'Neill, John Ellis
 Orcutt, John Arthur
 Orkins, James Ewers
 Orser, William Stanley
 Osani, Joseph Richard
 Oshiro, Neal Hazen
 Osterhoudt, Robert Russell
 Ott, Christopher Stephen
 Overton, Wesley George
 Owens, James Thomas III
 Paine, Robert Gordon III
 Palmer, David Frederick
 Pankratz, Dennis Earl
 Paradis, Roger
 Parish, Philip Walter
 Parker, Leonard Alden Jr.
 Parker, Robert Butcher III
 Parsonault, Jerald Leslie
 Pasquini, Leonard Anthony
 Patch, David Alan
 Patton, Bob Riley Jr.
 Paulk, Michael Ethridge
 Payne, John Scott
 Peabody, Edward Lewis
 Pederson, Gordon Dean
 Pedersen, Gordon Dean
 Peel, Doyle Douglas
 Pelensky, Mark
 Pelletier, Dennis Richard
 Pence, Daniel McFedries
 Pennington, Charles William
 Pepper, John Edward
 Percival, Robert Clayton
 Pergler, Robert Armstead
 Perkins, Robert Evans
 Perley, James Michael
 Page, Loren Howard
 Palazzo, Anthony John Jr.
 Palmer, Donald Arthur
 Paryz, Lawrence Edward
 Parisen, Richard Lawrence
 Parker, Henry Seabury III
 Parker Richard Ernest
 Parry, Howell John Jr.
 Parsons, Frederick Curry II
 Passmore, Leonard Harrison
 Patterson, Christopher Willard
 Paul, Thomas Walder
 Paulsen, William Gary
 Payne, Tommy Everett
 Peck, Jeffrey Austin
 Pedersen, Jack Lee
 Pedrick, John Leonard Jr.
 Pelszynski, Richard Henry
 Pellegrin, Myrden Joseph Jr.
 Pelot, Russell Edward Jr.
 Pender, Orland James Jr.
 Penque, Charles Westervelt Jr.
 Perakis, James Allen
 Peresich, Dan Lee
 Perkins, David Richard III
 Perkins, Thomas William
 Perry, Frank Richard
 Pettus, Gordon Leonard
 Peters, Dennis Lee
 Peters, William Frank, Jr.
 Peterson, John Ross
 Peterson, William Clinton
 Petrucka, Paul Martin
 Pfaff, John Francis
 Pfeiffer, John Francis

Phelps, Jean Price, Jr.
 Phillips, George Stanley, Jr.
 Phillips, Stephen Anthony
 Phillips, William Thomas, III
 Piazza, Frank Peter, Jr.
 Pickett, Robert David, Jr.
 Pierce, Peter Wood
 Pigeon, Lawrence Richard
 Pinegar, Franklin Anderson, Jr.
 Piper, Harry Lee
 Pitman, Edgar Leroy, II
 Plante, Robert John
 Ploeger, Robert Bowers
 Plummer, Ronald Earl
 Poencot, Glenn Paul
 Polk, Philip John
 Polsenski, Martin Joseph, Jr.
 Poole, Richard Douglas
 Porter, John Collier
 Porter, Thomas John
 Posoli, John Bernard
 Postle, Douglas Campbell
 Potter, John Everett, II
 Potter, Stephen Conrad
 Powell, Harry Charles, Jr.
 Powell, Jerome Lee
 Power, Oliver Kenneth, III
 Pratt, Richard Allen
 Preis, Michael Joseph
 Pribula, Stephen Matthew
 Prickett, David Clinton, Jr.
 Priest, Charles Randall
 Principi, Antonio Joseph
 Prouty, Charles Sanford
 Prusaitis, Gerald Joseph
 Puffer, James Whitney
 Puppe, Russell Arthur
 Pursley, Robert Earl, III
 Pyetzki, Charles Melvin
 Perry, Albert Kevin
 Perry, William Stanwood
 Petering, George Wilfred
 Peters, James Stephen
 Peterson, Alan Thomas
 Peterson, Michael Douglass
 Petillo, James Thomas
 Pezold, Robert Kenneth
 Pfeifer, Charles Gregory
 Phelan, Joseph Francis
 Phillips, Dale Richard
 Phillips, Larry Wilson
 Phillips, William Lawrence, Jr.
 Phipps, John William
 Picken, Joseph Clarke, III
 Pierce, Paul Gregory
 Pierce, Richard Bryce, Jr.
 Pilecek, Kenneth Clyde
 Pinz, Bradley Adkins
 Pisz, Robert John
 Planitzer, Russell Edward
 Plis, Kenneth Jerome
 Plotkin, Richard Alan
 Poggi, Steven Neil
 Polanski, Charles Michael
 Pollara, Barry
 Pomeroy, John Stuart
 Pope, David Lawless
 Porter, Lincoln Yates
 Posenecker, William Warren
 Pospisil, John Michael
 Pothler, Robert Bernard
 Potter, Judson Wendell
 Potts, James Stanley
 Powell, James Milton, Jr.
 Powell, William Peter
 Prah, Charles Scott
 Predtechenski, Leonids
 Prep, Victor Michael
 Price, Leland Herbert
 Pride, Robert Henry
 Priest, Don Gaylen
 Pritchett, Thomas Noel
 Prout, James Gregory, III
 Puckett, Don Shannon
 Pulsifer, Edward Kelly
 Purnell, Richard Hawes
 Putiri, Vincent Salvatore, Jr.
 Quigley, Michael Dennis
 Quinlan, Eugene Michael

Quinn, Neal Albert Jr.
 Quirk, David John
 Quigley, Stephen Timothy, Jr.
 Quinlan, John Hugh
 Quinton, Mark Shannon
 Raaz, Richard Dean
 Racely, Bernard Bruce
 Ragland, Thomas Cleveland
 Raleigh, Richard Eugene
 Randall, Jeffrey Wayne
 Rankin, Robert Eugene
 Rasmussen, John Ole
 Rawson, Warren Addison, Jr.
 Reass, Richard Martin
 Reddington, Christopher Michael
 Reeb, John Earl
 Reeder, Terry Lynn
 Regnier, James Michael
 Reidelberger, William Henry
 Reinauer, James Richard
 Reinhart, Frederick Markley
 Rempt, Rodney Peter
 Renwick, John Carl
 Revenaugh, John Timothy
 Reynolds, Richard Byron
 Rhamy, Thomas Lee
 Ribble, William Martin
 Rice, Paul Donavon
 Richard, Jeffrey Luke
 Rabel, Charles Russell
 Radcliffe, William Michael, Jr.
 Rainey, Daniel Lawrence, Jr.
 Ramsay, Robert Lee III
 Randolph, Robert Gene
 Rasmussen, George Arthur
 Rauch, Kenneth Norbert
 Razzetti, Eugene Anthony
 Redd, John Scott
 Redington, Michael Patrick
 Reed, Myron Clyde
 Regmund, William Charles Jr.
 Reid, Gary Harper
 Relly, James Thomas
 Reinhardt, James Franklin
 Remer, Bryan Eugene
 Rendine, Paul
 Renzi, Howard Russell
 Reynolds, Felix Michael
 Reynolds, Tom Hunter, Jr.
 Rhoads, Donald James
 Rice, John Albert
 Rice, Theodore Lee
 Richards, John Russell
 Richardson, Peter Bruce
 Richardson, Jeffrey Randa
 Richman, John Phillip
 Riggio, Michael Vincent
 Rinehart, Michael Lee
 Rist, Austin Michael
 Ritter, Douglas Benjamin
 Rivers, Almon Duncan
 Robbins, Thomas Farnsworth
 Roberts, Charles Raymond
 Roberts, Kenneth Larry
 Robertson, Hulan Pledger
 Robertson, Kenneth Charles
 Robertson, Stephen Ray
 Robinson, Charles Leon
 Robison, Frances Dean
 Rodgers, Robert Lynn
 Roe, Jack Willholt Jr.
 Roessig, Allen William Jr.
 Rogers, Dennis Gregory
 Rogers, George Charles Jr.
 Rohrkemper, Stephen Frederick
 Rollen, Claude Terence
 Rollins, Richard Edward
 Romans, Calvin Hubert
 Roodhouse, Alan Michael
 Rooney, Thomas Edward
 Rosiak, James Allen
 Rosselle, Charles John
 Roth, Milton Dudley Jr.
 Rowland, Thomas John
 Royal, Gilbert Vansant Jr.
 Rudell, Frederick Lawrence
 Ruehl, Victor Eugene III
 Rump, Richard Bryan Jr.
 Runquist, Ulf Wilhelm
 Ruppert, Roger Gene
 Russell, David Leroy

Russell, Jerold
 Russell, Robert David
 Russo, John Anthony
 Ruys, Ronald Ernst
 Ryan, James Jonathon
 Ryan, Michael Robert
 Ryan, Robert Raphael Jr.
 Ryan, Terrence Patrick
 Richards, Francis Gerald
 Richardson, David Wilson
 Richardson, Robert Lamar
 Richbourg, William Sharon Jr.
 Ries, Kenneth Lee
 Rigstad, Dennis Allan
 Rinne, Larry Wayne
 Ritchey, Stephen Lloyd
 Rivamonte, Lorenzo Andre
 Robb, Warren Alan
 Roberson, Raymond Mumford Jr.
 Roberts, Franklin Wallace
 Robertson, Gary Lynn
 Robertson, John Edmond
 Robertson, Michael Darnell
 Robertson, Terry Gene
 Robinson, William Preston
 Rockwell, John Hobart III
 Rodriguez, Antonio Jose
 Roesch, Donald Richard
 Rogers, David Earl
 Rogers, Frank William III
 Rogers, Ross Frederick III
 Roland, John Rogers Jr.
 Roller, Charles Lee
 Romano, Louis Jr.
 Ronchetto, John Robert Jr.
 Rooney, Daniel James
 Rorick, Jay Thompson Jr.
 Ross, Paul Davidson Jr.
 Rossing, Bruce William
 Rowe, Donald
 Rowney, John Victor
 Rubright, David Gerald
 Rudolphi, William Adolph
 Ruff, Richard Kurt
 Runkle, Thomas Cecil
 Ruppel, Jack Clyde Louis
 Russ, Stephen James
 Russell, James Michael
 Russell, Paul
 Russell, William Thomas
 Ryan, Carl Joseph Jr.
 Ryan, John Roy
 Ryan, Norbert Robert Jr.
 Ryan, Scott William
 Sabatini, Joseph Francis
 Sage, David Morlan, Jr.
 Sager, Harlan Raymond
 Salmon, Richard Charles
 Sams, Bonum Barnwell, Jr.
 Sanders, James Clifford
 Sanders, Marvin Lanier
 Sandlin, John Jarrette
 Sandquist, Fred Cooper
 Santiago, Michael Antonio
 Saponara, David Arthur
 Sarich, Ace John
 Sarnecky, Joseph Michael
 Savage, John Dennis
 Sawyer, Thomas Daniel
 Scalzo, John Carmine
 Schaede, Harry Robert
 Scheber, Thomas Keith
 Schemmel, Ronald Joseph
 Schierman, Eldon Carl
 Schissler, Paul Frederick, Jr.
 Schlegel, Merrill Edward, II
 Schleuser, Charles Henry
 Schmidt, Clifford Lee
 Schmidt, John Eugene
 Schmitt, Joseph Bernard
 Schodowski, Thomas Michael
 Schoeppner, Leonard John
 Sabaitis, Eugene Joseph
 Sadauskas, Leonard
 Sage, Fred Walter, III
 Sallinas, Daniel, II
 Samide, Michael Richard
 Samuels, Michael William
 Sanders, James Thomas
 Sanders, Robert Tracy
 Sandlin, Robert Odie, Jr.

Sands, James Kendall
 Santoro, David John
 Sapp, Vincent David
 Sarlscak, Joseph Charles
 Saunders, Richard Everett
 Savage, Wayne Franklin
 Scalcucci, Francis Stephen
 Scarbrough, Robert Royce
 Schear, James Paul
 Scheerer, Raymond Henry
 Scheu, David Robert
 Schilhabel, Larry Alan
 Schleeter, David Charles
 Schlegel, Rowland Frederick, Jr.
 Schlein, Paul Barron
 Schmidt, Gary Earl
 Schmidt, William Wallace
 Schoch, William Leon
 Schoen, Gary William
 Scholz, Ronald Walter
 Schrank, Lee William
 Schrimper, Charles Robert
 Schukis, Francis Joseph
 Schultz, Dale Edward
 Schwanebeck, Joseph Thomas
 Schwartz, Jay Barry
 Schwering, Richard Joseph
 Scott, Donald Eugene
 Scott, Murrel Clifton, Jr.
 Scott, Robert Peter
 Scott, Robert Ferguson
 Searcy, Kinchen James
 Sears, Scott Lowrie
 Seery, Stephen Dana
 Selmer, John Richard
 Seward, Lachlan Wheeler
 Sexton, Noah Preston II
 Shannon, James Okey
 Sharp, Harry Grady III
 Shaw, Robert Earl
 Shearer, Richard Paul
 Sheedy, Patrick James, Jr.
 Sheeley, Royal Edwin
 Shelar, Eugene, Jr.
 Sheldrick, Ralph Carroll
 Shelton, Leonard George, Jr.
 Sherer, Wesley Michael
 Sherman, Marshall Robert
 Shields, Robert John III
 Shipe, Edwin Evan III
 Shook, Raymond Randolph
 Shown, Ted Gillett
 Shubert, William Moses, Jr.
 Shy Jka, Frank
 Sidney, Richard William
 Sigler, John Fleet
 Silloway, Richard Frank
 Simmons, William Alfred
 Simms, Larry Lee
 Simonsen, Bernard Lee
 Simonson, Robert Lemp
 Sinisi, Jon Michael
 Sinness, Kenneth Robert
 Skelly, James Malachy
 Skjel, Sidney Minard, Jr.,
 Sladek, James Albert
 Slear, David Garver III
 Sloat, Gordon Richard
 Smisek, Thomas Joseph
 Smith, Cordell Claude
 Smith, David Peter
 Smith, Donald Lloyd, Jr.
 Smith, Edward Walter III
 Smith, Frank Leo
 Smith, Joseph Francis, Jr.
 Smith, James Lawrence
 Smith, Kenneth Alexander
 Smith, Nathan Weeks
 Smith, Raymond Charles, Jr.
 Smith, Richard Charles
 Smith, Thomas Joseph
 Smolen, Robert Clifford
 Snader, Richard Paul
 Snider, Douglas Shannon
 Snouffer, Richard Kent
 Snyder, Luther William, Jr.
 Snyder, William Thomas Daniel
 Sommers, Thomas Andrew
 Sorensen, William Harold
 Soule, George Harold, Jr.
 Southworth, Thomas Wyndham

Spayd, Steven Howard
 Spears, Oliver Kelly, III
 Speight, James Earl
 Schofield, Paul Lunn
 Schoolfield, Ernest Lynn
 Schranz, Peter Allen
 Schuder, Danny Earl
 Schuler, Paul George
 Schuster, Michael Anthony
 Schwarting, Stephen Arthur
 Schwartz, Norbert Valentine, Jr.
 Scott, David Craig, Jr.
 Scott, Johnstone Moore
 Scott, Richard Tazewell, Jr.
 Scott, Robert John
 Scrivener, Orlin Robert
 Sears, Jay Allen
 Seelinger, James Leonard
 Seiden, Steven Samuel Sutton
 Semple, Allen William, Jr.
 Seward, Theodore Clark, Jr.
 Seymour, Terry Ivan
 Shapiro, Alan Jay
 Shaw, Charles Park
 Shea, John Patrick, III
 Shedlosky, John Thomas Jose
 Sheehan, Daniel Brace, Jr.
 Sheffield, Robert Carlton
 Sheldon, John Trevor
 Shelton, John Robert
 Shepard, Peter Atwood
 Sherm, John Michael, Jr.
 Shields, Paul Albert
 Shields, Scott Jenkins
 Shoffner, Barron Dean
 Shower, William Arnold, Jr.
 Shrawder, Steven David
 Shumaker, Karl Charles
 Sibold, Brian Branch
 Siems, Norman Edward Jr.
 Sigler, Titus Severn
 Simmons, Robert Thomas
 Simms, Donald Lee
 Simonpietri, Andre Christop Jr.
 Simonsen, Charles Michael
 Singleton, Michael Robert
 Slnkovec, John Arthur
 Siwinski, Edmund Louis
 Skinner, Robert Lee
 Skrotsky, Robert Walter
 Slaughter, James Taylor II
 Sloan, Andrew Keith
 Smedley, Grant William III
 Smith, Billy Joe
 Smith, David Arthur Jr.
 Smith, David Bertus
 Smith, Donald Stephen
 Smith, Edward Jefferson Jr.
 Smith, Gary Webb
 Smith, James Harvey
 Smith, Kenneth Cooper Jr.
 Smith, Michael John
 Smith, Norman Austin
 Smith, Richard William
 Smith, Ronald Ernest
 Smith, Wickham Gregory
 Smullen, Peter Frank
 Sneller, Milton L.
 Snook, Sidney Eastwood
 Snyder, John William Jr.
 Snyder, Warren Ben
 Sollenberger, Robert Travis
 Soper, Wesley Richard
 Sosnicky, Andrew Peter
 Southerland, Mark James
 Spangler, Dennis Eugene
 Spayde, Roger Corwen
 Specht, H. Frederick Jr.
 Spencer, David James
 Spicer, Tadd Edward
 Spisso, David Joseph
 Sproul, Alden Lewis
 Stabb, John Albin
 Staehell, Patrick George
 Stahl, Robert Alan
 Stanek, Francis Jerome
 Stankowski, Robert John Jr.
 Stanley, Jonathan William
 Starr, Duane Martin
 Staudte, Paul Vincent
 Steckley, Paul William

Steel, James Robert Jr.
 Steenburgh, Charles Joseph
 Stein, David Alan
 Stelberg, Edward Charles
 Stephens, Melville Lynn
 Stevens, David Ray
 Stevens, Richard Gregory
 Stevens, Terrell Everett
 Stevenson, Ernest Howe
 Stewart, Alford Marshall Jr.
 Stewart, Jamie B., Jr.
 Stewart, John Douglas
 Stewart, Lawrence L.
 Stieglitz, Richard Gwydir
 Stinnett, Jack Frothingham
 Stone, John Christopher
 Storan, Robert John
 Stott, Laurence Richard
 Stratis, George Konstantine
 Strausbaugh, Thomas Ligore
 Strickland, Henry Wilson
 Stright, Robert Leonard
 Strohaker, John Guy
 Strouse, James Leslie
 Stuart, Jay Clyde
 Stumm, Albert Francis Jr.
 Sugnet, William Robert
 Suifaro, John James
 Sullivan, John Gerald
 Sullivan, John
 Sullivan, Timothy John
 Summa, Angelo John
 Surpless, Donn Curtis
 Sutton, Mahlon Robert II
 Svendsen, Michael Roy
 Swain, Charles Loren
 Swank, Jeffrey Lee
 Swanson, John Frederick
 Sweeney, James Daniel
 Swientek, Francis Martin
 Swingle, Robert Dennis
 Spelbring, Daryl Carlton
 Spencer, Robert William
 Spikes, Clayton Henry
 Springman, Paul Jacob
 Sproul, William Dallas
 Stacker, Patrick Clay
 Staglin, Garen Kent
 Standley, Cecil Edmond
 Stanko, Theodore Richard Jr.
 Stanley, Harold Gene
 Starostecki, Richard Waclaw
 Starr, Ronald Wayne
 Stearns, Theodore Henry Jr.
 Stedfield, William Coleman
 Steen, David Stewart
 Steffen, Nicholas John
 Steinman, Larry Wayne
 Stephan, George Maurice
 Sterling, Stoughton III
 Stevens, Lawrence Wright
 Stevens, Ronald Frank Jr.
 Stevens, Thomas Richard
 Stevenson, Robert William
 Stewart, Blair Walker Jr.
 Stewart, Joseph Christopher
 Stewart, Joseph Stanley II
 Stieber, Michael Alex
 Stillabower, Michael E
 Stiteler, Fred Zwald
 Stoneberg, Lawrence Charles
 Storck, Donald George Jr.
 Strand, Ivar Ernest Jr.
 Stratton, Charles Lynn
 Strayhorn, Robert Everett
 Strickland, Richard Alan
 Strobel, William Holcomb Jr.
 Strother, John Wayne
 Struble, Arthur Dewey III
 Stuckey, James Godfrey
 Sturm, William Phillip
 Sugrue, Paul Kevin
 Sullivan, James Vincent Jr.
 Sullivan, Robert Allen
 Sullivan, William Alfred Jr.
 Surdyk, Michael Gene
 Sutika, Joseph Edward
 Svalya, Phillip Gordon
 Svoboda, William Arthur
 Swanberg, Roy John Stewart
 Swanson, Douglas Webster Jr.
 Swartwood, James Michael

Sweeney, Michael James
 Swinger, Alan William
 Tackney, David Talbott
 Tamplin, James Arthur, Jr.
 Tappan, Benpamin, III
 Tarro, Arthur Steven
 Tate, James Knox, IV
 Tattersall, Alan Peter
 Taylor, Bill Byron
 Taylor, Hugh Michael
 Taylor, Richard Howard
 Taylor, Rufus Lackland, III
 Taylor, William Launay
 Teitsworth, Carroll Gamble
 Tercek, Robert Lee
 Tersteeg, Douglas John
 Thiele, John Carl
 Thole, Michael John
 Thomas, Orville Gordon, Jr.
 Thompson, Douglas Edwin
 Thompson, George Harold
 Thompson, Jesse Bright, Jr.
 Thompson, John Ralph
 Thompson, Patrick Clark
 Tabbert, Gary Donald
 Tadych, Russell James
 Tanber Terry Neal
 Tarr, Robert Joseph, Jr.
 Tate, David John
 Tate William Henry
 Taylor, Allen Eugene
 Taylor, Guerry Kermit
 Taylor, James Maynard
 Taylor, Royce Donald
 Taylor, William Edward, Jr.
 Teed, Richard Burden
 Temme, Robert Lee, Jr.
 Terrill, Thomas Joseph
 Thaete, Harry August, III
 Thielen, Bruce Edward
 Thomas, James Ellison
 Thomas Richard Stanley
 Thompson, Edward Claude
 Thompson, Jesse Luke
 Thompson, Joseph Robert
 Thompson, Norman Ralph
 Thompson, Robert Daniel
 Thornton, Alan Robert
 Thumb, Stephen Lynn
 Till, John Earl
 Tisdale, John Hampton
 Titus, Dale Noel
 Toedter, Wendel Walter
 Tomasko, John Anthony III
 Tonkin, Russell Joseph
 Torgerson, Larry Peter
 Torres, Robert Paul Jr.
 Totushek, John Benjamin
 Townsend, John Wallace
 Trautman, Kurt MacGregor
 Trahan, Michael Lee
 Traub, Warren Edward Jr.
 Treis, Robert Enlow
 Treter, Douglas Earl
 Trodahl, Howard Fredric
 Truesdell, William Clare Jr.
 Tucker, Richard King
 Tulloch, Allan Wiley
 Tummonds, Paul Allen
 Turner, William Edmund
 Tuzzolo, Patrick Anthony
 Tzomes, Chancellor Alfonso
 Thompson, Ronald Melvin
 Thompson, William Elmore Jr.
 Thorstad, Arthur Allen
 Thurlow, Robert Sheridan
 Tischer, Edward Sheridan
 Titcomb, Robert Edward
 Todd, David Morris
 Tolotti, Richard Lindo
 Tomlinson, William Joseph
 Toporowski, Thomas Anthony
 Toriello, Andrew Norman Jr.
 Toth, Michael Andrew
 Touve, Bruce Norman
 Tozer, Elliot Franklin III
 Tracey, Michael Thomas
 Transue, Michael John
 Treadway, Edward Randall
 Trenholme, James Harvey

Trimby, Ross Landen
 Trueman, Larry Dean
 Trujillo, Jose Eduardo Rodrigu
 Tuley, Michael Templeton
 Tully, Webb William
 Turner, Bruce Lee
 Tuttle, Kenneth Lewis
 Tyler, John Thomas Jr.
 Uhrie, Richard James Jr.
 Unks, Robert Stephen
 Urbik, Lawrence Walter
 Ustick, Perry Wheeler Jr.
 Uhrin, John Joseph III
 Upp, Robert Rexford
 Urli, Richard Blair
 Utter, James Henry
 Vance, Henry John
 Vangilder, George Terrence
 Vannatta, John George II
 Vansickle, Garth Allan
 Vanzanten, Barend Lee
 Vasey, William Charles
 Vennard, David Leigh
 Verdi, James Rudolph
 Verratti, Robert Nazarene
 Vincent, George Adelbret III
 Vinson, John Charles
 Vivian, William Charles
 Volkman, George Charles II
 Voorheis, Garry Martin
 Votava, Charles Frank III
 Valley, Bruce Leon
 Vandivort, Walter Derris
 Vanloy, Alan Eric
 Vansant, James Royal
 Vanteslaar, Paul Stanley
 Varasano, Frank Andrew
 Vellines, Harry Felton
 Verdery, Edward Hutchinson
 Vernallis, Jeffrey Theodore
 Vidosic, Richard Paul
 Vincent, Robert Allen
 Vitek, Michael Frank
 Voight, Thomas Charles
 Volland, Kary Ferdinand Jr.
 Vorwald, William John
 Waddell, Ronald Dallas
 Waggoner, David Thomas
 Waid, Donald Perry
 Waite, Robert Clark
 Waltz, Alfred Jacob
 Walker, Charles Harrison
 Walker, David Mathieson
 Walker, Thomas Henry, Jr.
 Walker, William Harley
 Wallace, William T., Jr.
 Walls, Thomas Lee
 Walsh, David Francis
 Walsh, Emmet Michael
 Walsh, Richard James
 Walter, Steven G.
 Waits, Charles Richard
 Ward, Christopher Hart
 Ward, Lewis Albert
 Warden, Irving Darris, Jr.
 Warrington, Robert Earle
 Wasowski, Walter Michael
 Waterman, Charles Edwin
 Waters, Robert Starrett
 Watkins, Paul Vernon, Jr.
 Watt, Thomas Edward
 Waylett, William James, Jr.
 Webb, Pierre Charles
 Weber, Craig Stanley
 Webster, Kirwin Shedd
 Weigand, Karl Russell, Jr.
 Wadsworth, Donald Andrew
 Wagenseil, Lawrence Lee
 Wagner, Bernard Daniel
 Wainwright, Stanley Dean, Jr.
 Wakeman, James Gaylord
 Walberg, Peter Elon
 Walker, David Raymond
 Walker, Harold Anthony
 Walker, Weymouth Dove, Jr.
 Wallace, Reuben Houston, Jr.
 Waller, Thomas James
 Walls, William Hammond
 Walsh, Edward Michael, Jr.
 Walsh, John Patrick, Jr.

Walsh, Thomas Joseph
 Walton, Peter Rust
 Ward, Chester Douglas
 Ward, Douglas Earl
 Ward, Paul Charles
 Waring, Thomas
 Waschbusch, John Frank
 Wasson, Gary Clinton
 Waters, Daskin Davon
 Waters, William Allen
 Watson, David
 Watts, Bruce Randall
 Wayne Anthony
 Webber, Abbott Milton, Jr.
 Weber, Steven David
 Weeks, Robert Allen
 Weil, Donald
 Weinzappel, Kenneth Henry
 Weiselberg, Stuart
 Welch, Daniel Francis
 Welch, Keefer Dee
 Wells, Cyril Franklin
 Wells, Linton II
 Wendel, William Hall, Jr.
 West, David Joe
 West, William David
 Weston, Frank Howard, Jr.
 Wetzel, Kenneth Robert
 Wharton, Roger Lee
 Wheeler, David Larry
 Wheeler, William Richard
 Whitcomb, Giles Macnair
 White, Charles Theodore
 White, Joseph Roger
 White, Peter Leroy
 White, Robert Paul
 Whittemore, Frank Case
 Wickes, James Richard
 Widener, Douglas Gene
 Wier, Joel Alexander, III
 Wiggers, Francis Earl, Jr.
 Wigginton, Don Billy, Jr.
 Wiles, Marvin Benjamin Christo
 Wilkinson, Alfred Justus, Jr.
 Willever, Kent Arlington
 Williams, David Michael
 Williams, Gregory Bruce
 Williams, Kenneth Roger
 Williams, Ronald David
 Williams, Thomas Patrick
 Williamson, John Charles
 Williamson, Robert Charles, Jr.
 Willis, Gerald David
 Wilson, Donald Lewis
 Wilson, John Franklin
 Wilson, Peter Ray
 Winczewski, Laramie Martin
 Wingfield, Thomas Julian, III
 Winters, Timothy Paul
 Wise, Bobby Gene
 Wisniewski, John Leslie
 Witt, Ronald Charles
 Wittenberg, Robert Ralph
 Wojtkowiak, Daniel Leonard
 Wolf, Robert William
 Wolsoncroft, Thomas Ray

Wong, Danny
 Wonicker, William Curtis
 Wood, James Alan, II
 Wood, Kenneth Arthur, Jr.
 Woodall, Stephen Russell
 Woodfin, Richard Henry Jr.
 Woodward, Harlan Wilferd
 Woolsey, Wiley George, Jr.
 Wortham, Thomas Robert, Jr.
 Worthy, Charles Donald, Jr.
 Wozniak, John Frederick
 Wright, David Earl
 Wright, James Earl
 Wright, Peter Warren
 Wyman, Bruce Dana
 Welkel, William Shaw
 Weller, Herold James III
 Weir, Marshall Ray
 Weissner, William Wells
 Welch, James Taylor
 Welch, Raymond Vincent, Jr.
 Wells, Jack Lawrence
 Welsch, James Edward
 Wendt, Terrill Jay
 West, William Robert
 Westfall, John Charles
 Weston, Stephen Frederic
 Whalen, John Francis III
 Wheary, Eugene Patrick
 Wheeler, Mary Wayne
 Whittle, Thomas Joseph
 White, Allen Hardin, Jr.
 White, Craig Cameron Lynn
 White, James Wilbur
 White, Robert Dale
 Whitley, Robert Benjamin
 Whittemore, Michael Alan Nye
 Wicks, Samuel Clayton
 Wiczorek, Stephen George
 Wiese, Clifford Allen
 Wiggins, Joseph Lambert, Jr.
 Wilcock, John Lester, Jr.
 Wilkening, Walter Lawrence
 Willard, Robert Bruce
 Willhite, Allen Leroy
 Williams, Frank Laverne
 Williams, Jack Bercau, Jr.
 Williams, Robert Eldon, Jr.
 Williams, Thomas Johns, Jr.
 Williams, Thomas Ryland
 Williamson, Francis Thomas, Jr.
 Willis, Barry Smartt
 Wilmarth, Lance Alan
 Wilson, Eldon Stephen
 Wilson, Martin Bernard
 Wilson, Wayne Bruce
 Windle, Ralph Edward
 Winners, Donald Lincoln
 Wise, Billy Butch
 Wise, William Allen III
 Witherspoon, James Bradley, Jr.
 Witt, Theodore Carl William
 Woerner, James Paul, Jr.
 Wolcott, Hugh Dixon
 Wolford, Norman Henry
 Womack, Jack Edward, Jr.

Wong, Peter Weikong
 Wood, Gordon Leo, Jr.
 Wood, John Robert, Jr.
 Wood, William Allison
 Wooden, Harry Holmes, Jr.
 Woodson, Walter Browne III
 Woolrich, Raymond Dudley
 Wooten, Jonathán Wayne
 Worthington, Jack C.
 Woxland, Daniel Allan
 Wright, Clinton Ernest
 Wright, Gary Edward
 Wright, John Thomas
 Wright, Vernon Eugene
 Yankoupe, George William
 York, Richard John
 Young, Donald Michael
 Young, Jeffrey Alan
 Young, Terry Alan
 Young, Walter Gregory
 Yates, Cornelius Harrington III
 Young, Brian Walter
 Young, John Jeffrey
 Young, Peter Adams
 Young, Thomas Robert
 Zaiser, Gene Henry
 Zando, Paul Joseph
 Zemansky, Gilbert Marek
 Ziegler, Phillip Eugene
 Zimny, Eric Brian
 Zallnick, Anthony Francis, Jr.
 Zebal, Bradley Howard
 Zemetra, Michael Brundage
 Zientek, Steve Michael
 Zinkand, Thomas Martin
 Zondorak, William Martin
 Zuga, Leonard Francis
 Zumsteg, Howard Oliver, Jr.
 Zveare, Dennis Leeth
 Zino, Richard Charles
 Zucker, Clayton George
 Zuhr, Kenneth Christian
 Zvacek, Robert Dale
 Bankert, Harlan R., Jr.
 Oyler, Joe R., II
 Valenty, John T.
 Hughes, Gary M.
 Rusling, Ward P.

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the Medical Corps subject to qualification therefor as provide by law:

Phillips, William.
 Wagner, William J.
 Lt. Comdr. John F. Clymer, Medical Corps, U.S. Navy, for temporary promotion to the grade of commander in the Medical Corps, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the line subject to qualification therefor as provided by law:
 Daniels, Richard F.
 Froelich, Jacob C.
 Kicker, Charles K.

HOUSE OF REPRESENTATIVES—Tuesday, December 16, 1969

The House met at 12 o'clock noon.

The Reverend Nelson C. Pierce, associate director of development, Alice Lloyd College, Pippa Passes, Ky., and president of the National Council of Community Churches, offered the following prayer:

Our Father, Thou hast been our dwelling place in all generations. From the beginning of time to its end, Thou art God. In these days of strife and turmoil and change we find stability in Thee and we are grateful.

We thank Thee for the life which Thou hast given us and for the purpose to which daily Thou dost call us. Grant that

each of us may fulfill our appointed purpose this day. Speed us to our work with a sense of the urgency of each moment.

May Thy rich blessing be with the Congress, the courts, the President of the United States, and upon all who are absent from home in the service of our Nation. And O speed the day of peace on earth and good will among all men, for Thy name's sake. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 11711. An act to amend section 510 of the International Claims Settlement Act of 1949 to extend the time within which the Foreign Claims Settlement Commission is required to complete its affairs in connection with the settlement of claims against the Government of Cuba.

The message also announced that the Senate had passed with amendments in