

SENATE—Tuesday, February 18, 1969

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

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

O Thou who art from everlasting to everlasting, who didst guide our fathers in every age, make us worthy inheritors of their labor, that their vision be undimmed and their labor undiminished. Equip us in personal life and in common endeavor that we may serve Thy higher kingdom in the perilous and troubled days in which we live. Day by day increase in us a knowledge of Thy will for this Nation and for all peoples; and having discerned Thy will, give us the wisdom and courage to do it. Grant that Thy grace may be sufficient for all our needs, and that we may walk with Thee until at last we hear Thee say, "Well done, good and faithful servant."

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, February 17, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

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

REPORT OF NATIONAL SCIENCE BOARD—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT 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 Labor and Public Welfare:

To the Congress of the United States:

I am pleased to submit to the Congress this first Report of the National Science Board, "Toward a Public Policy for Graduate Education in the Sciences," together with a companion volume, "Graduate Education: Parameters for Public Policy," which contains information and discussion supporting the basic Report. These documents have been prepared in accordance with Section 4(g) of the National Science Foundation Act, as amended by Public Law 90-407.

Graduate education is a critically important element in the educational process and one which is entering a particularly difficult period. As the Board points out, graduate enrollments are expected to double and the costs of graduate programs are expected to quadruple during the next decade. Thus, it is most important that colleges and universities, state and local authorities, and the interested branches of the Federal Government all

re-examine their role with respect to graduate education.

On several occasions, most recently when I increased the expenditure ceiling of the National Science Foundation for the fiscal year 1969, I have emphasized our nation's special debt to its scientists and its special responsibility to maintain an outstanding record in both basic research and technological advance. I emphasize here again that education in general and scientific development in particular will be among the highest priorities in this Administration. One measure of the greatness and vitality of a nation is manifested, I believe, in its readiness to explore the unknown.

The National Science Board has rightly concluded that adequate funding for graduate education and for academic science is only one of the problems we face. Of comparable importance is the need to develop a new strategy for that Federal aid which may be required. I have recently instructed the Secretary of Health, Education, and Welfare to establish an interdepartmental study group to make an overall review of the Federal role in education, including higher education. The Report of the National Science Board will provide a useful resource for that review.

I know that the Congress, like the Executive Branch, will give the Report its careful consideration. I solicit your assistance in developing solutions to the problems which have been identified by this distinguished group of citizens.

RICHARD NIXON.

THE WHITE HOUSE, February 18, 1969.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 110(a), Public Law 90-448, the Speaker had appointed Mr. PATMAN, Mr. BARRETT, Mr. DEL CLAWSON, and Mr. BROWN of Michigan as members of the National Advisory Commission on Low Income Housing, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of 44 United States Code 2701, the Speaker had appointed Mr. STAGGERS and Mr. LUJAN as members of the Federal Records Council, on the part of the House.

The message further informed the Senate that, pursuant to the provisions of section 10(a), Public Law 474, 81st Congress, the Speaker had appointed Mr. HALEY, Mr. UDALL, and Mr. STEIGER of Arizona as members of the Joint Committee on Navajo-Hopi Indian Administration, on the part of the House.

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

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.;

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000; and

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years.

HOUSE BILLS REFERRED

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

H.R. 3689. An act to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.; to the Committee on Labor and Public Welfare.

H.R. 3832. An act to amend title 10, United States Code, to provide the grade of general for the Assistant Commandant of the Marine Corps when the total active duty strength of the Marine Corps exceeds 200,000; to the Committee on Armed Services.

H.R. 4622. An act to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years; to the Committee on Finance.

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 VICE PRESIDENT. Without objection, it is so ordered.

JOHN TATSEY, NEWS COLUMNIST

Mr. MANSFIELD. Mr. President, it has been a long, cold, and damp winter here in Washington, and it has been a long, hard winter in many parts of the Nation. I think it is time for a little humor and the wry wit of one of Montana's best and favorite news columnists, John Tatsey, a modern-day Will Rogers and, perhaps, even better.

My old friend, John Tatsey, is getting up in years, but he continues to write sporadic news columns for several weekly newspapers in western Montana. As Senators may recall, he is a resident of the Blackfoot Indian Reservation and lives in the small community of Heart Butte. John's news columns are less frequent than in the past, but I have four which were taken from issues of the Hungry Horse News in the past year.

Mr. President, I ask unanimous consent to have these news columns, which appeared in the Hungry Horse News and the Glacier Reporter, printed at this point in the RECORD.

There being no objection, the articles

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

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 17, 1968]

AT HEART BUTTE

For the information of new readers, Tatsey columns have included such comments as follows:

Pete Stabs By Mistake and Mose Henault were with the police Sunday at Browning. All they could bring was some grapes. They were so juicy they did not come home dry.

Oliver Marceau was at police headquarters Thursday morning, and said he came home from Conrad, and forgot his wife there, but later she came home with her brother. Oliver was angry because his wife was sound asleep when they brought her.

Last Friday Louie Red Head went out in the field to help the hay crew. Supper time came and he did not show up and his wife was worried about him so she looked for him. She found him in Browning with the wrong women.

Last week Paul Running Crane drove across the lopsided bridge on Big Badger when his car slid off. The front wheels hanging off. He jumped off, and left the women in the car, and now goes around long way.

Stoles Head Carrier was last seen in a pickup last week by Tatsey. He was laying full length and all that could be seen was his head and stomach. He was a little overloaded.

Tatsey was in Browning last week and saw Tom Lane Bear and Joe Tatsey roaming the town. Tom Bear was last seen setting back of Teeple's Store and was sure crying as though someone died. He was only lonesome for his wife who has been gone west some time ago.

Mrs. Lame Bear you are still remembered. Mrs. George Wippert of Heart Butte was telling of the earthquake what happened at her house. When it shook the children said maybe a horse was rubbing against the house. She felt a second one when her big Boxer dog was asleep under the bed when the dog started scratching under the bed.

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 8, 1968]

JOHN TATSEY WRITES AGAIN

(By John Tatsey, Glacier Reporter)

HEART BUTTE.—Hello readers! It has been a long time since there was any news from Heart Butte, the reporter has been in another world for the past six weeks and found out that the people were missing his news.

Mel Ruder from Columbia Falls was around Heart Butte school taking pictures of the school and the students and the teachers.

Mr. Ruder was at the Reporters home Monday to see if Tatsey was alive or sick, took pictures of the old log cabin.

A Mr. Tom from Cardston was at John Tatsey Place looking for Indian relics, he picked up a crow tail which is used by fancy dancers.

The Reporter was down around Wolf Point and Poplar visiting his daughter Mildred, she had the misfortune of breaking her ankle when she slipped on ice and fell but she is up and around with foot in a cast.

The Indian dance at Heart Butte was a good one, a lot of dancers and many visitors from Canada and Browning, everyone really enjoyed themselves, a lot of good coffee and eats, one or two staggered.

While in Poplar a souix indian was talking about guys drinking, he said one fellow was smoking a cigar and push the cigar to one side and stuck the bottle on the other side and drank and I told him what I saw in Browning one evening. I was in a room and a man came in about three sheets in the air and pulled out two bottles from both sleeves, opened them and stuck both bottles in his

mouth and drank from the two at the same time. None ran out of his mouth. All he said was you win.

Old Stoles Head Carrier is really tied up, he has his grandchildren and can not leave his son and daughter in law are in town, the daughter in law is in the hospital.

A letter was received from Robert James Grant who is at McNeil island and was wondering why their was no more news from Heart Butte.

The Reporter was in Cut Bank last week and ran into Jim Murphy an old friend and asked why I was not writing, he said the paper was not any good with no Heart Butte news.

While in Poplar went to a bingo game all indians. They sold lunches, berry soup, pemican. All indian stuff and real good, all these were sold to raise money for this summers celebration, they said what has been collected is around \$2200 and seven head of beef, this will be the last week in July. Good place to go and eat.

Latest on Stoles Head Carrier. On ground hog morning Stoles came out and saw his shadow and stayed home, some one came and gave him a carrot to chew on and some one else came along and gave him a banana and he ate that to.

Tim Morgan VISTA worker from Browning was out on Badger looking for the Reporter to get him to pick short stories of happenings at Heart Butte.

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 22, 1968]

GOPHERS INDICATE SPRING ARRIVAL

(By John Tatsey)

HEART BUTTE.—There has been different animals showed up around that returned from the south. Kildeers and some gophers. Stoles Head Carrier showed up in Browning last week so it sure must be spring.

Joe Running Crane left last week for the hospital at Conrad where he is under treatment.

Aron Racine spent the winter at Heart Butte with his Son Teke and last week his other son from Old Agency came and took him home.

Lanie Red Head has come back to Heart Butte and stepped back into his old shoes.

There was a stick game at Wm. Running Crane home, a large crowd attended. Badger Creek boys meet tuff opponents. Games lasted till 5:00 A.M. Sunday, next day everyone was in sleepy hollow.

Andrew Round Man left last week on a short vacation and came home Monday with a head ache.

Henry Burd has been out on Badger Creek and is staying at the Joe Gallager home till he gets his own house on a foundation.

There isn't too much going on during all the good weather, everyone just laying around with spring fever.

Happening of thirty years ago, Chief Little Plume had a brother who was very near sighted, he goes all over. Little Plume told his brother don't go to the river because the slough is real high with waters and I saw a young woman standing in water up to the waist. So Stretch Out was the brothers name and he goes down toward the river and Little Plume saw him and got ahead of him and got in the water where the brother come in the water, Little Plume dove and pulled Stretch Out under the water and he was calling for help. The brother pushed to shore and went home ahead of Stretch Out and when he came in Little Plume asked him where he had been and he told him what happened. He said what pulled him under the water was half woman and the other half fish. It was first topless dress. This is true. Next week there will be another story between these brothers.

[From the Hungry Horse News and Glacier (Mont.) Reporter, Mar. 29, 1968]

MORE ABOUT LITTLE PLUME, STRETCH OUT

(By John Tatsey, Glacier Reporter)

HEART BUTTE.—Second part of Little Plume and brother Stretch Out. He told him to stay away from the barn because there were some horses in there and they would kick him. Stretch Out went out of there house and was walking around and finally headed to the barn so Little Plume saw him and went ahead of him and stood inside the door, his brother came to the door with his cane saying whoa, by that time Old Little Plume hit him on the chest and down he went and started to call for help. His brother pulled him up told him I told you not to go there or you would get a kick.

SELLS TRAP

The Reporter sold a Bear trap to Milo last week. He said he would set it in the door way and might trap a prowler. Better be careful Milo he might step into it when he comes home at late hour on a weekend.

The weather has been really nice and the people are sunning themselves.

There was a meeting at Heart Butte community building and a few attended. Object of the meeting was to plan a way to spend the money that is coming from the Sweet Grass claim.

There still having stick games on Badger Creek on Saturday and Sunday evenings. Last Saturday night there was a large crowd and some folks came all the way from Ronan, played two nights and went home winner.

BAD BOYS

There was a little trouble last Sunday evening when a young boy beated up on his grandfather. It is getting really bad when boys get that bad.

Mr. and Mrs. Joe Calf Boss Ribs and daughter Gene were at the Tatsey place transferring Indian songs from a tape recorder to a record player.

Joe Running Crane has been home after being in the hospital in Conrad and he is feeling fine.

The seventy to eighty year group are beginning to show up after the weather warm up but they are still under cover.

Stoles Head Carrier got some lease money and went to Great Falls to get a brace for his leg but ran into a friend and forgot it. He got some other kind of brace and came back to the reservation. Now baby sitting.

Tom Lame Bear has been gone for over a month. No one knew where went and finally heard of him being in Great Falls where mooching is good.

One morning Joe was sitting in his house looking around and saw a Guy going house to house looking for opener.

SOLUTION FOR CAMPUS DISTURBANCES

Mr. STENNIS, Mr. President, two noted educators of national reputation have taken hard looks at the turbulent student unrest besieging this Nation and have arrived at conclusions that get right to the heart of the matter.

Hard work and strict law and order—two of the characteristics upon which this Nation was founded—are being mingled with the educational processes to bring about learning in an atmosphere of peaceful dignity.

The educators I refer to are Dr. Lawrence C. Jones, administrator of the Piney Woods Country Life School in Piney Woods, Miss., and Rev. Theodore

M. Hesburgh, president of Notre Dame University.

The students at Piney Woods take pride in the fact that they work hard, and Dr. Jones attributes this to the orderly operations at his school. A rigorous student schedule is a sure answer to student unrest, one that is in effect now and is clearly working.

Reverend Hesburgh has taken an equally practical approach. He has promised to expel on the spot any student or faculty member who disrupts normal campus operations. The Notre Dame president states that the law must be enforced strictly if educational institutions are to remain standing.

I commend the thoughts and actions of both of these men. These are not hit-and-miss statements made to look good in the newspaper the following day. These are practical solutions that are now being used to combat in an effective manner a deeply disturbing situation.

I can appreciate the fact that the large majority of our students are earnestly seeking a serious education.

We must always protect the right of our young people to learn, and as leaders of our States and Nation, we must begin working to see that this privilege is forever preserved.

I urge every local, State, and National leader and officeholder, including the Members of Congress, the Governors of States, and all in the executive branch to take a long, hard look at the approaches of these two men to this disturbing problem.

I judge that the news media have not given a great deal of attention to or sought the advice too frequently of these two outstanding men. But I judge further that if disturbances of any magnitude occur during the day, those creating the disturbances will be, perhaps, on the television screens in the homes of countless millions of people this evening—giving emphasis to the negatives and to the disrupting influences rather than to the constructive, practical approach of these two noted educators.

I ask unanimous consent, Mr. President, to have printed at this point in the RECORD an article published in the Press-Telegram of January 13, 1967, and articles published in the New York Times of February 18, 1969.

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

[From the Long Beach (Calif.) Press-Telegram, Jan. 13, 1967]

PINEY WOODS PUPILS TOO BUSY FOR TROUBLE AND THEY PAY THEIR OWN WAY
(By Jim Nesbitt)

How to control today's turbulent, impetuous youths?

Put 'em in school 12 hours a day, 12 months a year, says a famed educator from the Deep South—Dr. Laurence C. Jones.

And let them pay their own way.

That's how he's been running the Piney Woods Country Life School, Piney Woods, Miss., for the pass 58 years. And, he swears, the kids love it.

But then, Piney Woods is a special place—and Dr. Jones a remarkable man.

He antedated the "war on poverty" by over half a century when, fresh out of Iowa State

University, he traveled south in 1909 as a one-man VISTA corps to see if, with his education, he could be of help to the masses of indigent, illiterate Negro sharecroppers.

Piney Woods, in forested southeast Mississippi, is mediocre cropland, but Jones found fertile ground for his ideas there one day when he sat under a cedar tree and ventured to teach a boy how to read.

The boy brought along a horde of friends for the second day's lesson.

"Nearby was an abandoned log cabin occupied by a flock of sheep," Jones said this week in a talk to Long Beach Rotarians. "We drove out the sheep, moved in, and that was the start of Piney Woods School."

For a while the school survived on eagerness alone. Then Jones revealed a talent for fundraising.

He cajoled friends up North, university acquaintances, bankers. A Piney Woods sawmill operator donated lumber for a new schoolhouse, and Jones and his pupils built it.

The school began acquiring land, at \$10 an acre, for campus and for crops. A herd of Ayrshire cattle was donated.

More buildings went up and were equipped: a machine shop, a woodworking shop, a dairy barn, dormitories, more classrooms. A newspaper, "The Pine Torch," was established.

Southern whites as well as northerners contributed.

When the pupils were not studying they were working—in the shops, in the fields, in the kitchen. And when Jones wasn't teaching he was out looking for more money.

He found a lot of it in 1955 when he appeared on Ralph Edwards' "This Is Your Life" show in Hollywood.

"Edwards made a pitch at the end of the program for every listener to send us \$1," Jones recalled. "I hadn't even left for home when I got a telegram from Piney Woods asking what should be done with the 60 sacks of mail that had arrived.

"Within a couple of weeks we received \$1,017,000. Some of those people were careless—instead of enclosing \$1, they dropped in \$10 or \$20."

The school now has an endowment fund of \$4 million and 1,600 acres of land. Jones has won degrees from three universities and a medal from the Freedoms Foundation.

For the 350 boarding students who are striving for high school and junior college diplomas at Piney Woods, it's a rigorous regimen: up at 5 a.m., breakfast at 6, work or school at 7 (they spend mornings at one endeavor, afternoons at the other), athletics at 4 p.m. and then study, study, study.

"Desire is the only qualification for enrollment," says Jones.

Dropouts? "Hardly any."

Disciplinary problems? "None."

"Everyone's too busy to get into trouble," Jones explained. "Wouldn't it be grand if every school were run this way?"

[From the New York Times, Feb. 18, 1969]

FORCE BY PROTESTERS BARRED

(By John Leo)

SOUTH BEND, IND., February 17.—The president of the University of Notre Dame warned today of on-the-spot expulsion for any student or faculty member who disrupts normal campus operations.

"Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent," said the Rev. Theodore M. Hesburgh, "will be given 15 minutes of meditation to cease and desist."

At that point, he said, demonstrators would be asked for campus identity cards. Those with cards would immediately be suspended and given five minutes more to cease demonstrating before being expelled from the university. Those without cards would be presumed to be nonmembers of the university community and would be subject to arrest as trespassers.

STAND MUST BE MADE

"Without the law," said Father Hesburgh, "the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. Somewhere a stand must be made."

Father Hesburgh's statement came in an eight-page open letter to faculty and students. He said the letter reflected "a clear mandate" from the university community to draw a line between orderly demonstrations and obstructive tactics.

The letter came three months after small groups of students obstructed access to on-campus recruiters from Dow Chemical and the Central Intelligence Agency, and a week after some students forced their way into a campus building to show stag movies that had been withdrawn from a student-sponsored conference on pronography and the law.

"No one wants the forces of law on this or any other campus," Father Hesburgh wrote, "but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay."

"We cannot allow," he said, "a small minority to impose their will on the majority who have spoken regarding the university's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right and proper."

"The last thing a shaken society needs is more shaking," he said. "The last thing a noisy, turbulent and disintegrating community needs is more noise, turbulence and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Complicated social mechanisms, out of joint, are not adjusted with sledge hammers."

"All I tried to say," Father Hesburgh added in an interview, "is that we welcome and protect orderly dissent, but we're not going to let anybody destroy the place."

[From the New York Times, Feb. 18, 1969]

SAN FRANCISCO STATE CALM

SAN FRANCISCO, February 17.—Spring semester classes opened at San Francisco State College today with almost 100 per cent attendance from both faculty and students.

Enrollment was estimated at between 16,000 and 17,000, compared to about 18,000 for the fall semester.

There were few pickets, and these were there to hand out leaflets. Only the unpainted plywood in some windows served to recall that the campus had been the scene of violent clashes since Nov. 6 between hundreds of San Francisco policemen and students. The plywood replaced windows broken in bomb blasts over the weekend.

UNION ISSUES LEAFLETS

The American Federation of Teachers Local 1352, which struck the college Jan. 6, issued leaflets that explained that members would return to their classrooms to meet "the first (and only the first) section of each course."

Students and faculty each must sign class cards to complete registration.

Only one attempt at class disruption was reported. This occurred in a class conducted by John Bunzel, an associate professor of political science who has been a target of criticism from militants since he spoke out against giving Negro students control of a black studies program.

Jonnie Jenkins, a Negro student, stood in Dr. Bunzel's class to read from the sayings of Chairman Mao Tse-tung. The lecturer, equipped with a microphone and sound amplifier, easily overrode the disruption, which lasted for about 20 minutes.

Dr. S. I. Hayakawa, the acting college presi-

dent, vowed at a news conference yesterday afternoon to keep the school open.

At the University of California at Berkeley today, one student was arrested by California highway patrolmen who broke up an unauthorized rally on the steps of Sproul Hall.

Student strikes at both campuses grew out of demands for ethnic studies programs.

OUR CONTINUING COMMITMENT TO LITHUANIAN FREEDOM

Mr. DODD. Mr. President, on February 16, 51 years ago, the Lithuanian people proclaimed their independence from foreign rule and established an independent Lithuanian state. This state was recognized by all of the countries of the free world. Initially, the Bolshevik government which had been established in Moscow refused to recognize it, and sought to crush it militarily. But finally the Soviet Government was compelled to abandon its invasion of Lithuania and to enter into a treaty of peace. In this treaty, it declared that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory."

For 20 years thereafter the Lithuanian people knew the blessings of peace and freedom.

But then came World War II, and Moscow took advantage of the infamous Hitler-Stalin pact to invade and occupy the three Baltic countries of Latvia, Lithuania, and Estonia.

As one American Senator, I take pride in the fact that our Government has, to this day, refused to recognize the annexation of the Baltic countries by the Soviet Union, and that it underscores its continuing commitment to the freedom of the Baltic peoples by recognizing the pre-World War II embassies of Latvia, Lithuania, and Estonia as the legitimate representatives of their peoples.

I also take pride in the fact that, over the years, Congress, too, has refused to reconcile itself to the enslavement of the Baltic peoples, and that every year at this time Senators and Representatives have taken the floor to renew our commitment to the proposition that the peoples of the Baltic countries and of other captive nations are also entitled to enjoy the benefits of those freedoms which are assured to all peoples by the United Nations Charter.

There are those cynics who say that the gesture is meaningless, and that we must accept the reality of Soviet rule in the Baltic countries today and forever more. I disagree with these cynics.

I believe that no tyranny is permanent. I also believe that the series of uprisings in East Germany in 1954, in Poland and Hungary in 1956, and in Czechoslovakia in 1968, as well as the massive intellectual ferment in the Soviet Union itself, all point to the early demise of Soviet tyranny in the not-too-distant future.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the text of a statement I made before the Lithuanian American Society of Washington on Sunday, February 9.

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

STATEMENT FOR LITHUANIAN AMERICAN SOCIETY OF WASHINGTON BY SENATOR THOMAS J. DODD, FEBRUARY 9, 1969

Mr. Kajeckas, Miss Darlys, Reverend Clergy, Friends,

Although I know that the press of our country is disposed to overlook the observance of Lithuanian Independence Day and the commemorative function that takes place in most of our major cities, I am nevertheless pleased and honored that you have asked me to join you today in this solemn observance of the 51st anniversary of Lithuanian independence.

The fact that this observance will not make headline news is of no concern to me. If a cause is morally right, then it is a matter of simple duty to speak for it and to work for it, despite popular apathy, despite the indifference of the press, despite the lack of official encouragement, and despite the opposition of the appeasers and the cynics.

That is why I consider it my duty to join you in observing the anniversary of the establishment of an independent Lithuanian state.

I join you, too, in calling for the restoration to the Lithuanian people and to all the other captive peoples, of those human freedoms which are supposed to be guaranteed to every people by the United Nations Charter.

And to those who say that such observances are futile and that we must reconcile ourselves to the permanent enslavement of the Baltic peoples and of the other captive nations, my reply is that the defense of freedom is never futile, and that no man who values freedom can reconcile himself to the perpetuation of tyranny.

No man, in my opinion, is truly free unless he is prepared to proclaim with Thomas Jefferson that he has "sworn on the altar of God eternal hostility to every form of tyranny over the mind of man."

If I have sometimes spoken up on behalf of the Lithuanian people and the other captive peoples of Europe, if I have sometimes urged that we seek after more effective ways of promoting their liberation, it has been a simple matter of conscience. I would have been delinquent had I done less.

The history of the Lithuanian people, as I have read it, is an epic story of heroism and suffering and of man's unquenchable will to assert his God-given human rights. It is a story to be told again and again, for free men everywhere have much to learn from it.

I believe the story of Lithuania should be told for another reason. Better than any story I know, it illustrates the nature of the enemy we now confront. It teaches us how much trust can be placed in treaties with the Kremlin, in its pledges of co-existence, in its off-and-on pretenses of friendship. It teaches us how inhuman international Bolshevism is, how utterly without morality or restraint.

When the Lithuanian people, at the close of World War I, established their own government and proclaimed their independence, the Bolsheviks invaded the newly established state. There were many bitter battles but finally the Lithuanian people emerged triumphant. On July 19, 1920, the Soviet government signed a treaty of peace. It declared in this treaty, mark these words well, that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory."

For twenty years Lithuania knew peace and independence. During this period, there was a great renaissance of national literature and culture.

But then came the Hitler-Stalin Pact and the partition of Poland between Germany and the Soviet Union. Almost immediately, the Kremlin demanded permission to place 20,000 troops in Lithuania for the duration of the war. These troops, it was emphasized, would be removed at the end of the war.

Prime Minister Stalin himself stated, and again mark these words well, "we respect the independence of the Lithuanian state. We are disposed to defend its territorial integrity."

History records no blacker or more perfidious lie by the head of a great state.

On October 10, 1939, only two weeks after the original demand was served on Lithuania, the Soviet Union concentrated its armed forces on the Lithuanian frontier. The government of this brave little nation had no alternative but to sign the pact of mutual assistance which the Kremlin placed before it. But at the point of signing, they discovered that the clause stipulating that Soviet bases would be maintained in Lithuania only for the duration of the war had been stricken from the agreement, on the personal instruction of Stalin.

This was only the beginning of the perfidy. Eight months later, on June 14, 1940, the Soviet government demanded that the Lithuanian Minister of the Interior and Director of Security be brought to trial, that a government friendly to the Soviet Union be installed and that the Red Army be granted free entry in force into the territory of Lithuania. There was not even time to reply to this ultimatum. The very next day, on June 15, the Red Army occupied Lithuania and the government was compelled to flee abroad.

The Communists had made their plans carefully, as they always do, and they moved rapidly. They had a quisling regime ready to install. They had their lists of names of Lithuanian patriots who were slated for arrest and execution. They had their plan of action.

On July 7, three weeks after the occupation, the quisling regime ordered the liquidation of all non-Communist parties and the arrest of their leaders. On July 14 and 15, the people were compelled to vote in national elections with only the Communist Party represented.

The story of what happened in Lithuania after the elections of 1940 is a grim tragedy, the facts of which are known to all of you.

There were the mass deportations of intellectuals and political opponents.

Then there was the grim resistance, first, against the Bolshevik occupiers; then against the Nazi occupiers; then, once again, against the Bolsheviks.

There was the long period of total darkness when the Baltic countries were cut off from all contact with the rest of the world because Moscow did not want the world to see the horror that was being perpetrated there.

And today, almost twenty-four years after the adoption of the United Nations Charter, the Lithuanian people still suffer in silent oppression the cruelest tyranny in their long history of experience with tyrants.

But despite everything that has happened, I am confident that freedom will ultimately prevail for the people of Lithuania and for the other captive people of Europe.

The despots of the Kremlin may be efficient, but, like all tyrants, they have a blind spot. They believe that, with enough oppression, they can ultimately destroy the human will to freedom. How wrong they are!

The fact is that neither one generation nor two generations nor ten generations of brainwashing can produce a breed of men that is willing to accept the denial of their God-given human rights as natural and proper. This is proved by the East German uprising of 1954; the Poznan revolt and the Hungarian revolution of 1956; the Czechoslovak revolt for freedom last year and the earlier revolt of the Polish intellectuals; and the continuing resistance of the Lithuanian people and of all the other peoples of the captive nations. Yes, and it is also proved by the massive intellectual ferment which has been sweeping like wildfire through the Soviet Union itself.

I therefore venture to prophecy that, be-

fore I am too old to travel, I will someday have the great pleasure of visiting a free Lithuania; of visiting the ancient capital of Vilnius, which I have so often wanted to see; and of renewing there our pledge to freedom and to enduring friendship between the Lithuanian and American nations.

Mr. DODD. Mr. President, by way of documenting the perfidies practiced by the Soviet Government in its invasion and occupation of the Baltic countries, I also ask unanimous consent to insert in the RECORD a number of items from the study of "Nazi-Soviet Relations, 1939-41," published by the Department of State in 1948. These documents, I should point out, were taken from the archives of the German foreign office.

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

NAZI-SOVIET RELATIONS, 1939-41

(Documents from the Archives of the German Foreign Office, edited by Raymond James Sontag and James Stuart Beddie, Department of State, 1948)

[Frames 182-183, serial F 19]

SECRET ADDITIONAL PROTOCOL

On the occasion of the signature of the Nonaggression Pact between the German Reich and the Union of Socialist Soviet Republics the undersigned plenipotentiaries of each of the two parties discussed in strictly confidential conversations the question of the boundary of their respective spheres of influence in Eastern Europe. These conversations led to the following conclusions:

1. In the event of a territorial and political rearrangement in the areas belonging to the Baltic States (Finland, Estonia, Latvia, Lithuania), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R. In this connection the interest of Lithuania in the Vilna area is recognized by each party.

2. In the event of a territorial and political rearrangement of the areas belonging to the Polish state the spheres of influence of Germany and the U.S.S.R. shall be bounded approximately by the line of the rivers Narew, Vistula, and San.

The question of whether the interests of both parties make desirable the maintenance of an independent Polish state and how such a state should be bounded can only be definitely determined in the course of further political developments.

In any event both Governments will resolve this question by means of a friendly agreement.

3. With regard to Southeastern Europe attention is called by the Soviet side to its interest in Bessarabia. The German side declares its complete political disinterestedness in these areas.¹

4. This protocol shall be treated by both parties as strictly secret.

Moscow, August 23, 1939.

For the Government of the German Reich:
V. RIBBENTROP.

Plenipotentiary of the Government of the U.S.S.R.:

V. MOLOTOV.

¹ The German text of this article of the Protocol is as follows: "Hinsichtlich des Südostens Europas wird von sowjetischer Seite das Interesse an Bessarabien betont. Von deutscher Seite wird das völlige politische Desinteressement an diesen Gebieten erklärt."

For a statement by the Reich Foreign Minister concerning the discussion of these subjects at the time of the conclusion of the Nonaggression Pact, see Ribbentrop's memorandum for Hitler of June 24, 1940, *post*, p. 157.

[Frames 0326-0325, serial F 2]

SECRET SUPPLEMENTARY PROTOCOL

The undersigned Plenipotentiaries declare the agreement of the Government of the German Reich and the Government of the U.S.S.R. upon the following:

The Secret Supplementary Protocol signed on August 23, 1939, shall be amended in item 1 to the effect that the territory of the Lithuanian state falls to the sphere of influence of the U.S.S.R., while, on the other hand, the province of Lublin and parts of the province of Warsaw fall to the sphere of influence of Germany (cf. the map attached to the Boundary and Friendship Treaty signed today). As soon as the Government of the U.S.S.R. shall take special measures on Lithuanian territory to protect its interests, the present German-Lithuanian border, for the purpose of a natural and simple boundary delineation, shall be rectified in such a way that the Lithuanian territory situated to the southwest of the line marked on the attached map should fall to Germany.

Further it is declared that the economic agreements now in force between Germany and Lithuania shall not be affected by the measures of the Soviet Union referred to above.

Moscow, September 28, 1939.

For the Government of the German Reich:
J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:

W. MOLOTOV.

[Frame 0329, serial F 2]

SECRET SUPPLEMENTARY PROTOCOL

The undersigned plenipotentiaries, on concluding the German-Russian Boundary and Friendship Treaty, have declared their agreement upon the following:

Both parties will tolerate in their territories no Polish agitation which affects the territories of the other party. They will suppress in their territories all beginnings of such agitation and inform each other concerning suitable measures for this purpose.

Moscow, September 28, 1939.

For the Government of the German Reich:
J. RIBBENTROP.

By authority of the Government of the U.S.S.R.:

W. MOLOTOV.

The Minister then stated that particularly in view of the known attitude of Germany he had omitted one point in the note, which the other Lithuanian Ministers would include in their notes to the governments to which they were accredited, namely, the request that the incorporation not be recognized. The Minister asked whether he could not at least orally present this request here. I rejected this, whereupon the Minister stated that the request was to be considered as not having been made. Finally, the Minister said that he intended to make known his action by an announcement from the Berlin office of the Elte Agency, since this appeared to him necessary for the assertion of his personal attitude toward events.

I requested the Minister to refrain from this, and he promised to comply.

Transmitted to the Reich Foreign Minister through the State Secretary with the request for instructions whether the note should be retained here. The Latvian and Estonian Ministers may be expected to present similar notes here. The Latvian Minister had already made an appointment with me for 5:30 p.m. today.

WOERMANN.

[Enclosure]

The Lithuanian Minister in Germany (Skirpa) to the Reich Foreign Minister
BERLIN, July 21, 1940.

(3991) **HERR REICH MINISTER:** I have the honor, Excellency, to bring the following to your attention:

As is already known, on June 14, 1940, the Union of Soviet Socialist Republics presented an ultimatum to Lithuania under flimsy and unjustified pretexts, in which it was demanded:

1. that the constitutional government of Lithuania be forced to resign immediately;

2. that the Minister of the Interior and the Chief of the State Security Police be tried without preferring charges based on law, and

3. that free and unlimited entry of Soviet military forces into Lithuania be granted.

On the following day the Russian Red Army, after having attacked the Lithuanian frontier guards, crossed the Lithuanian border and occupied all of Lithuania. Furthermore, a puppet government was forced upon us by a high Soviet official sent from Moscow for this purpose, and the entire administration was put under the control of the Government of the Soviet Socialist Republics.

In order to incorporate Lithuania fully into the Union of Soviet Socialist Republics, elections to the Seim (Parliament) were ordered on July 14, resulting in the greatest falsification of the will of the Lithuanian population.

In order to quell any expression of resistance, even before the elections all Lithuanian clubs and organizations were suppressed, the Lithuanian press was seized and its editors removed by force, and the more or less influential personalities in public life were arrested. People who previously were considered open enemies of the Lithuanian State were appointed to Government offices, particularly in the State Security Police.

The Communist Party was the only political organization which was allowed to function legally. And it then exerted the decisive influence on the scheduled elections. Only one list of candidates was permitted, namely, the one that was agreeable to the Communist Party.

In order to force the necessary participation in the elections anybody who did not wish to vote was threatened with being declared an enemy of the people, and personal attendance was strictly checked.

It was immediately obvious that the Seim, elected under such circumstances, was only a blind tool in the hands of the Communist Party and thereby of the Government of the Soviet Socialist Republics. Today, on July 21, 1940, the Seim adopted a resolution to establish the Soviet system within the country and to incorporate Lithuania into the Union of Soviet Socialist Republics of Russia.

All these measures of the Government of the U.S.S.R. amount to a flagrant violation of all treaties signed between the Republic of Lithuania and the U.S.S.R., in particular however:

1. of the Peace Treaty of July 12, 1920, by which the U.S.S.R. as successor of the former Russian Tsarist Empire recognized unconditionally the independence and autonomy of Lithuania, and by which she renounced forever all rights of sovereignty which Russia previously had over Lithuania (see article 1);

2. of the Nonaggression Pact of September 22, 1926, and of its renewals of May 6, 1931, and of April 4, 1934. In this Pact the U.S.S.R. obligates herself to respect the sovereignty of Lithuania as well as her territorial integrity and inviolability under all circumstances (see article 2) and to refrain from any use of force (article 3);

3. of the Mutual Assistance Pact of October 10, 1939, in which the Government of the U.S.S.R. repeats a solemn assurance to Lithuania not to violate in any way the sovereignty of the Lithuanian State, as well as its internal order.

In view of all these circumstances I feel compelled as the Minister appointed by the constitutional agencies of the Republic of Lithuania and accredited to the German Reich to lodge the most solemn and determined protest against the oppression of my

country and the deprivation of sovereignty and national independence of Lithuania by the Union of Soviet Socialist Republics, and to declare that because the above-mentioned resolution of the Seim was imposed by Russian occupation authorities it amounts to nothing but the most outrageous falsification of the expression of the will of the Lithuanian people and that it is in the sharpest conflict with the constitution and interests of the Lithuanian State, as well as the free right of self-determination of nations, and that, therefore, it cannot be recognized as valid in any way.

I avail myself of the opportunity to renew to Your Excellency the assurance of my highest consideration.

K. SKIRPA.

[Frames 214780-214781, serial 104]

FOREIGN OFFICE MEMORANDUM

BERLIN, July 22, 1940.

The Latvian Minister called on me today and gave me the enclosed letter to the Reich Foreign Minister, in which he as Minister of the "legitimate Government of Latvia" protests against the incorporation of Latvia into the Union of Soviet Socialist Republics. In this connection the Minister remarked that he would not think of creating any difficulties for Germany. None could, in his opinion, result from his entering this protest here.

I told Herr Kreewinsch that I would keep his letter personally for the time being. I would notify him later whether the letter could remain here or not.

In connection with the memorandum of the conversation with the Lithuanian Minister,¹ there is transmitted herewith this report to the Reich Foreign Minister through the State Secretary, with the request for action.

WOERMANN.

[Frame 112966, serial 104]

THE REICH FOREIGN MINISTER TO THE GERMAN AMBASSADOR IN THE SOVIET UNION (SCHULENBURG)

(Telegram—No. 57 Teletype from Fuschl No. 12 of January 10, 11:45 p.m.)

Reference your telegram No. 50 of January 8.²

I request you not to broach the question of increased German troop shipments to Rumania with the Soviet Government. Should you be approached regarding the matter by Herr Molotov or some other influential person in the Soviet Government, please say that according to your information the sending of German troops was exclusively a matter of precautionary military measures against England. The English already had military contingents on Greek soil and it was to be expected that they would further increase those contingents in the immediate future. Germany would not under any circumstances tolerate England's gaining a foothold on Greek soil. Please do not go into greater detail until further notice.

RIBBENTROP.

[Frames 833-834, serial F 15]

SECRET PROTOCOL

The German Ambassador, Count von der Schulenburg, Plenipotentiary of the Government of the German Reich, on the one hand, and the Chairman of the Council of People's Commissars of the U.S.S.R., V. M. Molotov, Plenipotentiary of the Government of the U.S.S.R., on the other hand, have agreed upon the following:

1. The Government of the German Reich renounces its claim to the strip of Lithuanian territory which is mentioned in the Secret Supplementary Protocol of September 28, 1939² and which has been marked on the map attached to this Protocol;

¹ Ante, p. 168.

² Not printed.

³ Ante, p. 107.

2. The Government of the Union of Soviet Socialist Republics is prepared to compensate the Government of the German Reich for the territory mentioned in Point 1 of this Protocol by paying 7,500,000 gold dollars of 31,500,000 Reichsmarks to Germany.

The amount of 31.5 million Reichsmarks will be paid by the Government of the U.S.S.R. in the following manner: one-eighth, that is, 3,937,500 Reichsmarks, in non-ferrous metal deliveries within three months after the signing of this Protocol, the remaining seven-eighths, or 27,562,500 Reichsmarks, in gold by deduction from the German gold payments which Germany is to make by February 11, 1941 in accordance with the correspondence exchanged between the Chairman of the German Economic Delegation, Dr. Schnurre, and the People's Commissar for Foreign Trade of the U.S.S.R., Herr A. I. Mikoyan, in connection with the "Agreement of January 10, 1941 concerning reciprocal deliveries in the second treaty period on the basis of the Economic Agreement between the German Reich and the Union of Soviet Socialist Republics of February 11, 1940."

3. This Protocol has been executed in two originals in the German language and two originals in the Russian language and shall become effective immediately upon signature.

Moscow, January 10, 1941.

By authority of the Government of the U.S.S.R.:

(SEAL) V. MOLOTOV.

For the Government of the German Reich:

(SEAL) SCHULENBURG.

[Frames 112984-112986, serial 104]

THE STATE SECRETARY IN THE GERMAN FOREIGN OFFICE (WEIZSÄCKER) TO THE REICH FOREIGN MINISTER

BERLIN, January 17, 1941.

(Secret)

St. S. Nr. 52.

By wire by fastest means to the Reich Foreign Minister (teletype or telephone). The Russian Ambassador called on me this afternoon. On the basis of a memorandum which he handed me later on, he stated the following:

"According to all reports, German troops in great numbers are in Rumania and are now prepared to march into Bulgaria, having as their goal the occupation of Bulgaria, Greece, and the Straits. There can be no doubt that England will try to forestall the operations of German troops, to occupy the Straits, to start military operations against Bulgaria in alliance with Turkey, and turn Bulgaria into a theater of operations. The Soviet Government has stated repeatedly to the German Government that it considers the territory of Bulgaria and of the Straits as the security zone of the U.S.S.R. and that it cannot be indifferent to events which threaten the security interests of the U.S.S.R. In view of all this the Soviet Government regards * * *

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF ADMINISTRATOR OF VETERANS' AFFAIRS

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Finance.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on policies, procedures, and

practices for determining requirements for military family housing and bachelor officer and enlisted quarters, Department of Defense, dated February 18, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a survey of the cost to design, construct, and equip selected general hospitals in the United States, dated February 18, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Utah; to the Committee on Appropriations:

"S. CON. RES. 3

"A concurrent resolution of the 38th Legislature of the State of Utah, the Governor concurring therein, requesting the Congress, the President, and the Department of the Interior of the United States to make additional funds available for construction on the Bonneville unit of the central Utah project and to accelerate the planning and construction of the central Utah project

"Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:

"Whereas, the capability for growth in the State of Utah is directly related to its ability to provide a water supply to meet its municipal and industrial needs, with the key to progress being Utah's ability to utilize its legal entitlements to Colorado River water, and

"Whereas, to meet the municipal water requirements of the expanding population in Salt Lake and Utah Counties, a need for delivery of Colorado River water through the authorized Bonneville Unit of the Central Utah Project is required and has been programmed by the Central Utah Water Conservancy District for 1972 with water demands to increase thereafter, and

"Whereas, the funds previously appropriated and utilized for construction on this vital water-resource project have not permitted a progressive or economic construction program; and, if continued will result in a delay in meeting essential water needs with a reduction in economic growth to the State of Utah, an increase in the District's repayment obligation to the Federal Government, and

"Whereas, the reimbursable costs of this project, which represents more than 90% of its total costs, will be repaid to the Federal Treasury with funds from the Central Utah Water Conservancy District in compliance with a contract between it and the Federal Government, from power revenues from the Bonneville Unit Power Complex, and from a portion of Utah's share of Colorado River Storage Project power revenues, and

"Whereas, the President's budget recommended only an \$8 million construction program for fiscal year 1970, which is unreasonably low, and represents a reduction from the \$11.444 million construction program recommended for fiscal year 1969, and an \$11.145 million construction program for fiscal year 1968, and

"Whereas, this Legislature, with the Governor concurring, in its 37th session urged the Congress of the United States, the President, and the Department of the Interior to appropriate the necessary funds to accelerate the construction of the Central Utah Project with an amount for construction

of at least \$25 million for the Bonneville Unit for fiscal year 1969, and

"Whereas, the Colorado River Basin Project Act (PL 90-537) directs that the planning report for the Ute Indian Unit of the Central Utah Project shall be completed on or before December 31, 1974, to enable the United States to meet the commitments heretofore made to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation under the agreement dated September 20, 1965.

"Now, therefore, be it resolved, that the 38th Legislature of the State of Utah, the Governor concurring therein, does hereby unanimously request that funds appropriated by the Congress of the United States for construction on the Bonneville Unit of the Central Utah Project for fiscal year 1970 be increased to a minimum of \$15 million.

"Be it further resolved, that the Utah Legislature with the Governor's concurrence, again requests that the Congress of the United States, the President, and the Department of the Interior accelerate the construction of the authorized units of the Central Utah Project so that they may be completed on a realistic, progressive, and economic schedule, and to schedule and provide funds so that the planning report for the Ute Indian Unit be completed in compliance with the Colorado River Basin Project Act (Public Law 90-537).

"Be it further resolved, that the Secretary of the State of Utah be, and he hereby is, directed to transmit copies of this resolution to the President of the United States, to the Secretary of the Interior, to the Director of the Bureau of the Budget, to the Upper Colorado River Commission, and to the Senators and Congressmen representing the State of Utah in Congress.

"Attest:

"_____
"Secretary of the Senate.

"_____
"President of the Senate.

"Attest:

"CLAIR R. HOPKINS,
"Chief Clerk of the House.

"_____
"Speaker of the House.

"Received from the Senate this 7th day of February, 1969. Concurred February 10, 1969.

"CALVIN L. RAMPTON,
"Governor.

"Received from the Governor, and filed in the office of the Secretary of State this 10th day of February 1969.

"CLYDE L. MILLER,
"Secretary of State."

A joint resolution of the Legislature of the State of Montana; to the Committee on Appropriations:

"S.J. RES. 14

"Joint resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States, urging immediate funds be allocated for the enlargement of the Veterans' Administration Hospital at Fort Harrison, Mont.

"Whereas, the veteran population of the state of Montana has increased in excess of ten thousand veterans in the past few years, and

"Whereas, the continual build-up of the Vietnam war indicates further increases in Montana's veteran population, and

"Whereas, the 160-bed hospital facility presently located at Fort Harrison, Montana, is proving woefully inadequate and causing an increasing waiting list and extended periods of time in waiting: Now, therefore, be it

"Resolved by the Senate and House of Representatives of the State of Montana, That the Legislative Assembly of the State of Montana urgently requests the Congress of the United States to provide adequate funds to increase the present facility at Fort Harrison,

Montana, to accommodate a minimum of one hundred (100) additional beds; and be it further

"Resolved, That the Secretary of State is directed to send copies of this resolution to the President of the United States, to each member of Montana's Congressional delegation, and to the Administrator of Veterans Affairs, Washington, D.C.

"I hereby certify that the within Resolution originated in the Senate.

"WALTER H. MARSHALL,
"Secretary of the Senate.

"THOMAS O. JUDGE,
"President of the Senate.

"JAMES R. FELT,
"Speaker of the House."

A resolution adopted by the City Commission of the City of Palatka, Fla., praying for the enactment of legislation to complete the Cross-Florida Barge Canal; to the Committee on Appropriations.

A resolution adopted by the board of trustees of the village of Tinley Park, Ill., praying for the favorable consideration of their application for Federal assistance; to the Committee on Banking and Currency.

Resolution of the Senate, Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolutions urging the President and the Congress of the United States to obtain the immediate release of Lt. Joseph P. Dunn, of Randolph, from Red China

"Whereas, On February 14, 1968, Lt. Joseph P. Dunn of Randolph, a U.S. Navy pilot, was shot down in the China Sea and has been detained by the Red Chinese government, although Peking has acknowledged publicly only the fact of his crashing; and

"Whereas, The unreasonable detention of Lt. Dunn tends to heighten the already tense relationship between Red China and this country while his family and friends attempt to endure the agonizing wait for information as to his well being; now, therefore, be it

"Resolved, That the Massachusetts Senate respectfully urges the President and the Congress of the United States to use all reasonable means to obtain the immediate release of Lt. Joseph P. Dunn from the control of the Peking government; and be it further

"Resolved, That a copy of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

"Senate, adopted, February 5, 1969.

"NORMAN L. PIDGEON,
"Clerk.

"Attest:

"JOHN F. X. DAVOREN,
"Secretary of the Commonwealth."

A resolution of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs:

"BILL No. 3917

"Resolution to recommend changes in the Territorial Submerged Lands Act

"Whereas the Territorial Submerged Lands Act (16 USC 1701 et seq.) asserting the federal government's claim to all submerged lands offshore from the Virgin Islands and other territories, and providing for their administration by the Department of the Interior, has now been federal law for over five years; and

"Whereas the federal claim, embodied in this law, to all filled lands around the Virgin Islands beyond the shoreline as it existed in 1917, the date of transfer of these islands from Denmark to the United States, has worked a severe hardship on many private property owners who have long claimed, actually used and sold title to lands filled before passage of this Act; and

"Whereas this law contains a serious conflict between the federal claim to all lands below the mean high water mark and Virgin

Islands law which has long held private titles to end at mean low water; and

"Whereas this law contains serious ambiguities concerning the status of shoreline changes by accretion and reliction since 1917, and

"Whereas the administration of this law by the Department of the Interior has proved cumbersome and time consuming, resulting in the virtual preclusion of orderly development of our coastlines; and

"Whereas this law is based on the unjust principle that the Virgin Islands be treated in a different manner from the States of the Union, in that development of our offshore resources are reserved to the federal government while the maritime states, pursuant to the Submerged Lands Act of 1953 (43 USC 1301 et seq.), are allowed to extend their boundaries, generally, to the "three mile limit," and,

"Whereas that principle fails to recognize that the Virgin Islands is a highly developed area with a well organized and responsible government; that its government shares with the federal government and the state governments a concern that offshore areas be developed in an orderly fashion with due regard to all conservation considerations, and that that government is as fully capable of, and intent upon, developing offshore resources in as responsible a manner as any state government; Now, Therefore be it

"Resolved by the Legislature of the Virgin Islands:

"1. That the Virgin Islands should be removed from the provisions of the Territorial Submerged Lands Act of 1963, and

"2. That the basic provisions of the Submerged Lands Act of 1953 be extended to the Virgin Islands, to the end that:

"(a) the Virgin Islands be permitted to extend its boundaries, and thus its proprietary ownership of submerged lands, to the "three mile limit," or to the international boundary, whichever is closer, and

"(b) the Virgin Islands be permitted, by law, to equitably adjust private and long established claims to filled lands, and

"(c) the Virgin Islands Government be enabled to administer its offshore resources in a manner which will expeditiously meet the needs of the territory's expanding economy while protecting all conservation needs and observing orderly planning principles, and

"3. That the foregoing steps represent the only just course of action because:

"(a) the Danish Crown, from which the federal government derives its legal claim, held these lands not as private property, but in trust for the people of the Virgin Islands, and

"(b) the Virgin Islands should, whenever feasible, be treated on a basis of parity with the States of the Union, and should be placed on an equal footing with the maritime states with respect to our seaward boundaries.

"4. That copies of this Resolution shall be forwarded to the Secretary of the Interior, the President of the United States, the Speaker of the House of Representatives, and the President of the Senate of the United States, with a request that appropriate legislation be enacted to achieve the goals set forth herein.

"Thus passed by the Legislature of the Virgin Islands on February 3, 1969.

"Witness our Hands and the Seal of the Legislature of the Virgin Islands this 3rd Day of February, A. D., 1969.

"JOHN L. MADURO,
"President.

"A. DAVID PURITZ,
"Legislative Secretary."

A resolution adopted by the City Council of the City of Laguna Beach, Calif., praying for a moratorium on the offshore oil drilling and exploration operations in the Santa Barbara Channel; to the Committee on Interior and Insular Affairs.

A resolution adopted by the city council of the city of Crescent City, Calif., opposing acquisition of wilderness area and endorsing the forest service multiple use program; to the Committee on Interior and Insular Affairs.

Two resolutions adopted by the city council of the city of Hawthorne, Calif., requesting assistance in abating the situations resulting from the oil leaking for a certain offshore oil well, and recommending certain actions in regard to the situations resulting from oil leaking from a certain offshore well, respectively; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Board of Harbor Commissioners, City of Santa Barbara, Calif., remonstrating against drilling in the Santa Barbara Channel; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Santa Barbara County, Calif., Board of Supervisors, praying for the permanent cessation of oil drilling operations in the Federal and State waters of the Santa Barbara Channel; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Gary, Ind. Common Council, praying for the enactment of legislation to declare January 15 an official day of celebration in honor of Dr. Martin Luther King, Jr.; to the Committee on the Judiciary.

A resolution adopted by the city council of the city of Elizabeth, N.J., praying for the enactment of legislation to set aside the day of inauguration of the President as a national holiday; to the Committee on the Judiciary.

A joint memorial of the Legislature of the State of Idaho; to the Committee on Public Works:

"SENATE JOINT MEMORIAL 102

"Joint memorial to the Honorable President of the United States, the Honorable Senators and Representatives representing the State of Idaho, the Honorable Chairman of the Public Works Committee of the House of Representatives, and the Honorable Director of the Bureau of the Budget of the Executive Office of the President of the United States

"We, your Memorialists, the members of the Senate and House of Representatives of the Legislature of the state of Idaho, assembled in the Fortieth Session thereof, do respectfully represent that:

"Whereas, flood control of Willow Creek and Sand Creek in Bonneville County, state of Idaho, is essential to prevent flooding and subsequent property damage and to accomplish that end the Ririe Dam Project was authorized in 1962, and

"Whereas, to date the project has received limited amounts of money for the purpose of studying the circumstances and problem with no actual construction having taken place and a token effort in the amount of \$800,000 having been included in the fiscal budget of 1970, and

"Whereas, if money had been made available previously and the Ririe Dam constructed, a conservative estimate of five times the total cost of construction would have been saved and the efforts of many federal, state, county, municipal and volunteer agencies could have been utilized for other matters with added economic effects, and

"Whereas, if the Ririe Dam were a reality, this year's endeavors by the same governmental agencies and volunteers would not be required to contain and control the present critical flooding situation and the area affected would not again have been inundated, and

"Whereas, the plans for the Ririe Dam on Willow and Sand Creeks are now complete and lack only Congressional appropriation of

moneys for construction of this most vital and necessary disaster control facility: Now, therefore, be it

"Resolved by the 40th Session of the Legislature of the state of Idaho, now in session, the Senate and House of Representatives concurring, That the Congress and its respective committees and sub-committees and the President of the United States and his advisors be respectfully petitioned to give the very earliest consideration, approval and authorization for the appropriation of the funds necessary to commence immediate construction of the Ririe Dam; be it further

"Resolved, That the Secretary of State of the state of Idaho be, and he is hereby, authorized and directed to immediately forward certified copies of this Memorial to the President of the United States, the Senators and Representatives representing the state of Idaho in the Congress, the Chairman of the Public Works Committee of the House of Representatives, and the Director of the Bureau of the Budget of the Executive Office of the President of the United States."

A memorial of the Senate of the State of New Mexico; to the Committee on Public Works:

"SENATE MEMORIAL 6

"Memorial requesting that the Congress of the United States and the U.S. Army Corps of Engineers take the necessary action to provide for channelization of the Gallinas River within the limits of Las Vegas town and city

"Whereas, the control of the Gallinas river is by three separate units: the city of Las Vegas controlling one bank; the county commission controlling the bed of the river; and the town of Las Vegas the other bank; and

"Whereas, lack of money and confusion over control has resulted in serious problems.

"The growth of trees and shrubs and the presence of debris and trash has caused the level of the river bed to rise several feet, creating the possibility of severe flood damage and of potential health hazards; and

"Whereas, the Gallinas river for many years has been the boundary line, almost the barrier, between the city of Las Vegas and the town of Las Vegas; and

"Whereas, the consolidation in 1970 of the city and the town will begin a new era for the people of Las Vegas, and, if the Gallinas river is channelized, it will provide several areas for city parks; and

"Whereas, the soil conservation service is planning the Adelante project to dam the Gallinas river above Montezuma; this project, which will control floods, will not be finished for more than five years: Now, therefore, be it

"Resolved by the Senate of the State of New Mexico, That the Congress of the United States and the United States army corps of engineers take the necessary action to provide for channelization of the Gallinas river within the limits of Las Vegas town and city; and be it further

"Resolved, That copies of this memorial be sent to the President, the New Mexico congressional delegation and to the army corps of engineers.

"Signed and sealed at The Capitol, in the City of Santa Fe.

"E. LEE FRANCIS,

"President, New Mexico Senate.

"JUANITA PINO,

"Chief Clerk, New Mexico Senate."

JOINT RESOLUTION OF MAINE LEGISLATURE

Mrs. SMITH (for herself and Mr. MUSKIE) presented a joint resolution adopted by the Legislature of the State of Maine, which was ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 102

Joint resolution memorializing Secretaries of Commerce, Treasury, Army, and Interior to act on the Maine Port Authority's application to establish general and special purpose foreign trade zones at Portland and Machiasport; and to revise present oil import quota allocations

We, your Memorialists, the Senate and House of Representatives of the State of Maine, in their One Hundred and Fourth Regular Session assembled, most respectfully present and petition The Honorable Maurice H. Stans, Secretary of Commerce; The Honorable David Kennedy, Secretary of the Treasury; The Honorable Stanley R. Resor, Secretary of the Army, in their capacities as Members of the Foreign Trade Zones Board, and The Honorable Walter J. Hickel, Secretary of the Interior, as follows:

Whereas, the citizens of Washington County have been long denied the opportunity to pursue, in their area, employment which not only results in meaningful economic benefits but also in that feeling of pride and well-being which comes from the knowledge that one's work is meaningful as well; and

Whereas, the expanse and the 90-foot depth of the waters of the roadstead off Machiasport in said county lend themselves to the establishment of docking and off-loading facilities for the oil supertankers of the future; and

Whereas, the absence of an oil refinery in the six-state New England region contributes to the inflated cost of home heating oil which is a source of concern to many citizens of New England; and

Whereas, the facilities of the Maine Port Authority at Portland, Maine and the harbor at Portland are under-utilized; and

Whereas, the recent proposal by the Maine Port Authority to establish a general purpose foreign trade zone at Portland and a special purpose foreign trade subzone at Machiasport has captured the imagination of this Legislature and of New England, due to the positive likelihood of substantial economic and other benefits thereby accruing not only to the citizens of Portland and of Washington County in the form of increased trade and employment, but also to the entire New England region as well because of the prospect of lower fuel prices in the region resulting from the establishment in the Machiasport subzone of an oil refinery as more fully appears in a study prepared and published for the Maine Port Authority, January 17, 1969; and

Whereas, action on the application by the Maine Port Authority to establish said zone and subzone has been unreasonably delayed by the predecessor members of the Foreign Trade Zones Board; and

Whereas, a successful refinery operation and the achievement of lower fuel prices for New England in major part depend upon the readjustment or expansion by the Secretary of the Interior of present oil import quota allocations; now, therefore, be it

Resolved, That your memorialists recommend and respectfully urge to the respective Secretaries of Commerce, the Treasury and the Army, sitting as the Foreign Trade Zones Board, to accord to the said application of the Maine Port Authority the highest priority and to render a prompt decision on the merits thereof; and be it further

Resolved, That your memorialists recommend and respectfully urge to the Secretary of the Interior that in the event of approval of the Authority's application by the Foreign Trade Zones Board, an appropriate allocation under the existing oil import quota be made to such oil refinery operators as locate in the Machiasport subzone; or, in the alternative, that the present restrictions on the importation of crude oil be revised or removed to the end that the best interests of

New England and the nation at large be better served; and be it further

Resolved, That a copy of this Resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the Honorable Maurice H. Stans, Secretary of Commerce; to the Honorable David Kennedy, Secretary of the Treasury; to the Honorable Stanley R. Resor, Secretary of the Army, to the Honorable Walter J. Hickel, Secretary of the Interior and to each member of Congress from the New England States; and be it further

Resolved, That each copy of this Resolution so transmitted by the Secretary of State be accompanied by a copy of the study made to the Maine Port Authority and published January 17, 1969.

House of Representatives, Read and Adopted, Sent up for Concurrence, January 30, 1969.

BERTHA W. JOHNSON,
Clerk.

In Senate Chamber, Read and Adopted in Concurrence, February 4, 1969.

JERROLD B. SPEARS,
Secretary.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. DIRKSEN (by request):

S. 1035. A bill for the relief of certain postal employees at the Elmhurst, Ill., Post Office; to the Committee on the Judiciary.

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

S. 1036. A bill to provide for the appointment of an additional district judge for the District of Nebraska; to the Committee on the Judiciary.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 1037. A bill for the relief of Eulalia Silva De Gouveia;

S. 1038. A bill for the relief of Jose Mauricio Ferreira;

S. 1039. A bill for the relief of Carlos Manuel DeMelo;

S. 1040. A bill for the relief of Antonio Matoshinhos;

S. 1041. A bill for the relief of Maria De-Graca;

S. 1042. A bill for the relief of Belmira Lopes; and

S. 1043. A bill for the relief of Edwando Moniz De Melo; to the Committee on the Judiciary.

By Mr. MATHIAS:

S. 1044. A bill for the relief of Dr. Mohammed Hosain Amirgholi; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 1045. A bill to amend the Internal Revenue Code of 1954 to increase the amount of deduction for each personal exemption to \$1,000; to the Committee on Finance.

(See the remarks of Mr. PROUTY when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (for himself and Mr. KENNEDY):

S. 1046. A bill to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. PASTORE when he introduced the above bill, which appear under a separate heading.)

By Mr. STEVENS:

S. 1047. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for

certain funeral expenses; to the Committee on Finance.

(See the remarks of Mr. STEVENS when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 1048. A bill to require that medicine cabinets used in federally assisted housing be equipped with latches designed to prevent young children from gaining access to the contents of such cabinets; to the Committee on Banking and Currency.

(See the remarks of Mr. CASE when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 1049. A bill for the relief of Dr. Angel Solar; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 1050. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Commerce.

By Mr. BIBLE:

S. 1051. A bill to amend the Water Resources Research Act of 1964; to the Committee on Interior and Insular Affairs.

By Mr. PROXMIER:

S. 1052. A bill to amend the Bank Holding Company Act of 1956 and to provide for a comprehensive study of banking laws and regulations by a National Commission on Banking; to the Committee on Banking and Currency.

(See the remarks of Mr. PROXMIER when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 1053. A bill to amend title 10 of the United States Code to provide that nationals of the United States and citizens of the Trust Territory of the Pacific Islands may be enlisted in the Armed Forces; to the Committee on Armed Services.

By Mr. MONTOYA:

S. 1054. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,000; to the Committee on Finance.

(See the remarks of Mr. MONTOYA when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1055. A bill for the relief of Maggiorina Magnante; and

S. 1056. A bill for the relief of Dr. and Mrs. Rogelio Roncal; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1057. A bill for the relief of Yin Ting Wong; to the Committee on the Judiciary.

By Mr. McCLELLAN (for himself, Mr. JACKSON, Mr. GRIFFIN, Mr. METCALF, Mr. MUNDT, Mr. PERCY, Mr. RIBICOFF, and Mr. STEVENS):

S. 1058. A bill to extend the period within which the President may transmit to the Congress plans for the reorganization of agencies of the executive branch of the Government; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1059. A bill for the relief of Nasralla Aziz Barber (also known as Badry Barbar);

S. 1060. A bill for the relief of Ibrahim Zakour Eskaf;

S. 1061. A bill for the relief of Lourdes Santiago Aquino; and

S. 1062. A bill for the relief of Alessandro La Rocca, his wife, Maria Vittoria La Rocca, and their two daughters, Daniela and Gianluca La Rocca; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 1063. A bill to temporarily suspend the recent increases in fees for grazing of livestock on public land; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MONTOYA when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 1064. A bill to provide for the extension of the term of certain patents of persons who served in the military forces of the United States; and

S. 1065. A bill to provide for the continuance of certain compensation under the War Claims Act of 1948 and for an increase in the amount of such compensation; to the Committee on the Judiciary.

(See the remarks of Mr. BAYH when he introduced the above bills, which appear under separate headings.)

By Mr. BIBLE (by request):

S. 1066. A bill to provide counsel in the juvenile court of the District of Columbia; to provide for representation in the juvenile court proceedings of the community by the Corporation Counsel; to limit the period for which juveniles may be detained without a hearing; and to prohibit unauthorized mixing of dependents and delinquents in juvenile institutions, and for other purposes;

S. 1067. A bill to establish in the District of Columbia a unified court system in order to provide increased attention to family problems, and for other purposes; and

S. 1068. A bill to define and regulate the practice of psychology in the District of Columbia; to the Committee on the District of Columbia.

By Mr. JAVITS:

S. 1069. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Finance.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. BROOKE (for himself, Mr. ALLOTT, Mr. ANDERSON, Mr. BAYH, Mr. BELLMON, Mr. BENNETT, Mr. BIBLE, Mr. CASE, Mr. COOK, Mr. DODD, Mr. DOLE, Mr. DOMINICK, Mr. GOODSELL, Mr. HATFIELD, Mr. HART, Mr. HUGHES, Mr. INOUYE, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. MCINTYRE, Mr. MONTOYA, Mr. MURPHY, Mr. SCOTT, Mr. STEVENS, Mr. SCHWEIKER, Mr. YARBOROUGH, Mr. FANNIN, and Mr. GOLDWATER):

S. 1070. A bill to establish a commission to be known as the Commission on Air Traffic Control; to the Committee on Commerce.

(See the remarks of Mr. BROOKE when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY (for himself, Mr. HART and Mr. TYDINGS):

S. 1071. A bill to amend the Federal Power Act to further promote the reliability, abundance, economy and efficiency of bulk electric power supplies through regional and inter-regional coordination; to encourage the installation and use of improved extra-high-voltage facilities; to preserve the environment and conserve natural resources; to establish the National Council on the Environment; and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. COOPER, Mr. AIKEN, Mr. ALLEN, Mr. BAKER, Mr. BAYH, Mr. BELLMON, Mr. BURDICK, Mr. BIBLE, Mr. BOGGS, Mr. BROOKE, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. COOK, Mr. CRANSTON, Mr. DODD, Mr. EAGLETON, Mr. EASTLAND, Mr. ERVIN, Mr. FULBRIGHT, Mr. GOODSELL, Mr. GORE, Mr. GRAVEL, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HOLLINGS, Mr. HUGHES, Mr. INOUYE, Mr. JAVITS, Mr. JORDAN of North Carolina, Mr. KENNEDY, Mr. MANSFIELD, Mr. MATHIAS, Mr. Mc-

CARTHY, Mr. McCLELLAN, Mr. McGEE, Mr. McGOVERN, Mr. MCINTYRE, Mr. MONDALE, Mr. MONTGOMERY, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PASTORE, Mr. PELL, Mr. PROUTY, Mr. RIBICOFF, Mr. SAXBE, Mr. SCHWEIKER, Mr. SCOTT, Mr. SPARKMAN, Mr. SPONG, Mr. STENNIS, Mr. SYMINGTON, Mr. TALMADGE, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, Mr. YOUNG of North Dakota, and Mr. YOUNG of Ohio):

S. 1072. A bill to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965 as amended and Title V of the Public Works and Economic Development Act of 1965 as amended; to the Committee on Public Works.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK (for himself, Mr. METCALF and Mr. MOSS):

S. 1073. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Finance.

By Mr. BURDICK (for himself and Mr. YOUNG of North Dakota):

S. 1074. A bill for the relief of Mr. and Mrs. Arvel Glinz; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. STEVENS):

S. 1075. A bill to authorize the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nations' ecological systems, natural resources, and environmental quality, and to establish a Council on Environmental Quality; and

S. 1076. A bill to establish in the Departments of the Interior and Agriculture, Youth Conservation Corps, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bills, which appear under separate headings.)

By Mr. BURDICK (for himself, Mr. JACKSON, Mr. FONG, Mr. INOUE, Mr. MANSFIELD and Mr. HATFIELD):

S.J. Res. 49. Joint resolution regarding the status of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

S. 1036—INTRODUCTION OF BILL RELATING TO APPOINTMENT OF AN ADDITIONAL DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA

Mr. HRUSKA. Mr. President, on behalf of myself and my colleague (Mr. CURTIS), I introduce, for appropriate reference, a bill to provide for the creation of one additional judgeship position for the district of Nebraska.

The Eighth Circuit Judicial Council has approved the request for one additional judgeship for the district of Nebraska. Due to a lack of time, the Judicial Conference of the United States was not notified of the eighth circuit approval in time to act upon the request at its September meeting and the district, therefore, was not included in its recommendations.

The district of Nebraska, which now has two full-time judges, has not had an increase in the numbers of its judgeships since 1907. However, in the last 20 years alone the number of cases filed in the district has increased by 77 percent, and 22 percent of this increase has occurred

in the last 5 years. Correspondingly, the increase in the number of cases pending in the district is nearly 100 percent in the last 20 years, 77 percent in 10 years, and 35 percent in the last 5 years.

Statistical information prepared by the Administrative Office of the U.S. Courts shows that in 1968 the median time interval from issue to trial was 19 months in the district of Nebraska as compared with the national median of 12 months.

My colleague Senator CURTIS and I hope that the Congress will act quickly and favorably on this needed measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1036) to provide for the appointment of an additional district judge for the District of Nebraska, introduced by Mr. HRUSKA (for himself and Mr. CURTIS), was received, read twice by its title, and referred to the Committee on the Judiciary.

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

Mr. HRUSKA. I yield.

Mr. CURTIS. I commend my distinguished colleague for introducing the measure which he has just sent to the desk. I join him in the statement that the workload justifies an additional judgeship for the District of Nebraska, and refer to the well-known adage that delayed justice is oftentimes defeated justice. For better service to the public, the bill should be enacted.

S. 1045—INTRODUCTION OF BILL TO INCREASE PERSONAL EXEMPTION DEDUCTIONS UNDER THE INTERNAL REVENUE CODE OF 1954

Mr. PROUTY. Mr. President, I introduce a bill to amend the Internal Revenue Code of 1954 by increasing personal exemptions allowable from \$600 to \$1,000. I request that it be appropriately referred, and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 1.)

Mr. PROUTY. Mr. President, the time for increasing personal exemptions for Federal income tax purposes is long overdue. Enactment of this proposal will be of great assistance to those in the lower income brackets in providing minimum standards of living for themselves and their families. It will also provide an effective weapon for the masses of our people in middle income groups in combating the effects of inflation which we have experienced for many years and which will probably continue in the foreseeable future.

I think that most of us agree that the personal exemption should bear some relationship to the income level necessary to provide minimum standards of living. There are those who argue against this premise and would determine tax policies, including the amount of the personal exemption, on the basis of economic and fiscal situations at a given point in time without considering the living standards factor in establishing such tax policies.

I submit, however, that these individuals are ignoring the tide of history and the compassionate dedication of a vast majority of our citizens to assist families living in poverty to obtain decent minimum living standards through their own efforts.

In addition, Mr. President, this measure will provide needed tax relief, as distinguished from tax avoidance, to the untold numbers of middle income "forgotten men" struggling today to provide for their families while at the same time retaining their independence and their self-respect. These are the individuals who are the backbone of our Nation. Yet their income is too high to qualify for the vast array of assistance programs we have enacted during the last few years, while at the same time it is too little to permit them to provide for and educate their families without extreme personal hardship, often reflected in long-term bank loans, loans on life insurance, or mortgage of the family residence.

Mr. President, if we accept, as I think we do, the concept that payment of Federal income taxes should be geared to an individual's or a family's ability to pay, then we can no longer overlook the effect that inflation has made in the cost of living since 1948—1948 was the year that the last change was made in personal exemptions, raising them from \$500 to \$600—a far cry from a return to pre-war levels. I believe we are all aware of the impossibility of maintaining a wife, parent, or child on \$600 a year. Inflation, however, has destroyed almost 50 percent of the value of this exemption during the last 21 years. For example, about \$860 was required in 1967 to provide the same purchasing power as \$600 in 1948.

In 1966, a study conducted by the Social Security Administration reported that \$3,335 constituted the poverty line for a nonfarm family of four.

A major argument made against increasing personal exemptions at this time is the amount of Federal revenue which would be lost during a period when we are engaged in a major war. In my opinion, however, this country is strong enough and rich enough economically to make up this loss of revenue in ways which will not be oppressive to taxpayers who are presently below or slightly over the poverty level. Committees in both Houses are presently planning to study tax reforms which would more equitably distribute Federal taxes upon those able to pay with the least hardship.

Although this bill does not so provide, I believe that its enactment would justify a return to a 20 percent tax rate for the first bracket of taxable personal income rather than the present 14 percent, if this was deemed desirable to offset losses in revenue.

In addition, Mr. President, I point out that the individuals and families who would have more spendable income if this bill is enacted are not those who can afford to bank it or invest it, but rather and predominantly this money will flow back into the economy to purchase consumer products necessary for day-to-day living.

Some of the lost revenue will be recovered as a result of the multitude of

hidden State and Federal taxes imposed on most consumer products, while additional tax revenues will result from business and service establishments whose taxable income will be greater as a result of this additional consumer spending for necessities.

Mr. President, a study made by the Treasury Department in 1968 estimated that approximately 8 million tax returns now being filed would be eliminated if personal exemptions were increased to \$1,000. Almost 6 million of the returns which would be eliminated would be those with adjusted gross incomes of \$5,000 or less, while only 7,000 returns would be eliminated where adjusted gross income amounted to \$15,000 or more.

Mr. President, when Federal income taxes were first put into effect in 1913, they were regarded as providing a supplemental rather than a primary source of Federal revenue. While this is no longer true, I submit that the premise that large numbers of low-income families should not be required to pay Federal income taxes and that middle-income taxpayers should not be required to pay a disproportionate share of their income in Federal income taxes, is just as valid and justifiable today as it was in 1913.

The bill (S. 1045) to amend the Internal Revenue Code of 1954 to increase the amount of deduction for each personal exemption to \$1,000, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on Finance.

EXHIBIT 1
S. 1045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the following provisions of the Internal Revenue Code of 1954 are amended by striking out "\$600" wherever appearing therein and inserting in lieu thereof "\$1,000":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deduction for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

(b) The following provisions of such Code are amended by striking out "\$1,200" wherever appearing therein and inserting in lieu thereof "2,000":

(1) Section 6012(a)(1) (relating to persons required to make returns of income); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

Sec. 2. (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than \$5,000) is amended by adding at the end thereof the following new subsection:

"(c) Taxable Years Beginning After December 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than \$5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the

taxable income were computed by taking either the 10-percent standard deduction or the minimum standard deduction."

(b) Section 3(b) of such Code is amended by inserting after "December 31, 1964" each place it appears ", and before January 1, 1969".

(c) Section 4(a) of such Code is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(d) Paragraphs (2) and (3) of section 4(c) of such Code are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 10-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction, except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 10-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) of such Code is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(f) The last sentence of section 6014(a) of such Code is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

Sec. 3. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

<i>"Percentage method withholding table</i>	
<i>"Payroll period:</i>	<i>Amount of one withholding exemption</i>
Weekly -----	\$21.20
Biweekly -----	42.30
Semi-monthly -----	45.80
Monthly -----	91.70
Quarterly -----	275.00
Semi-annual -----	550.00
Annual -----	1,100.00
Daily or miscellaneous (per day of such period) -----	3.00."

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1) (A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various

wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):"

Sec. 4. The amendments made by the first two sections of this Act shall apply to taxable years beginning after December 31, 1968. The amendments made by section 3 of this Act shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

S. 1046—INTRODUCTION OF A BILL TO PROTECT THOSE WHO DEAL IN GOLD AND SILVER PRODUCTS

Mr. PASTORE. Mr. President, I introduce, for myself and the Senator from Massachusetts (Mr. KENNEDY), a bill (S. 1046) to protect those who deal in gold and silver products, including housewives, jewelry manufacturers and their trade associations, from fraudulent misstatements of the rare metal content of merchandise.

The bill is practically identical to S. 3885 which I introduced late in the second session of the 90th Congress.

I have made two technical changes to the bill which are, I understand, acceptable to the Justice Department. The term "jewelry trade association" is now clearly defined and the conditions under which such an association may institute suit are spelled out.

The need for this legislation is even greater today than it was then. The bill would amend the 1906 law regulating quality marking of gold and silver to allow interested parties, consumers and manufacturers alike, to institute civil action in Federal district court to obtain an injunction against violators of the act.

The sole mission of the amendment is to make the basic law regarding the marking of gold and silver products workable.

Under this bill consumers and members of the trade may recover their actual damages from a violator of the Marking Act, together with costs of the suit and attorney's fees. But the real remedy, of course, is an injunction by the court stopping violations. Anyone who brings a court action under this amendment and fails to prove a violation by the defendant will be liable to the defendant for costs and attorney fees.

State and Federal law enforcement has not been adequate to control the false marking that existed in 1906, when the original act was passed and which continues today. False marking situations known to the industry, though not to consumers, have existed over long periods of time to the utter frustration of the industry. No solution available up to now has been truly effective.

For instance, in June 1962, it became known that a relatively new manufacturer with annual sales of approximately \$1 million was falsely marking base metal "14 karat gold," "sterling," and "gold filled." Industry sources brought this to

the attention of the U.S. attorney and the Justice Department, hoping that these substantial and willful violations could be quickly dealt with under the criminal provisions of the act that my bill would amend.

By February 1963 the U.S. attorney had made little progress, but the Federal Trade Commission began an investigation at that time under its general authority over "unfair and deceptive acts and practices."

In January 1965, 2½ years after the matter was first brought to his attention, the U.S. attorney advised there would be no prosecution by that office.

In April 1965 the Federal Trade Commission issued a formal complaint. Its initial decision appeared in December 1965 and its final order to cease and desist was delayed until November 1967. Five years and four months had elapsed. The action taken even then was not under this act but under the general authority of the Federal Trade Commission.

There has not been a single reported case of enforcement of this act by the U.S. attorneys or the Justice Department since it was passed in 1906. This is not the result of some evil conspiracy. It is just that enforcement of this act has received such low priority that the only hope for improvement is to allow civil cases to be brought by those who have a direct and substantial interest in enforcement—those manufacturers and members of the trade who are injured by false competition and those who are defrauded by having purchased falsely marked merchandise.

On enactment in 1906 this act was hailed as a first move by the Federal Government to bring honesty into the marketplace. This act, which the jewelers of Rhode Island were instrumental in helping to formulate and enact, was expected to bring a new era. But what has happened for the past 63 years? The vast majority of the industry, the established old firms and the honest new entrants, have complied with the act. But lack of enforcement has left the door open to fraudulent enterprisers who prey on honest competitors and on consumers who cannot know what they are buying no matter how alert they are.

The author of the act declared as it was signed into law by President Theodore Roosevelt:

There is no machinery provided for in the bill that costs the Government anything.

But the cost to the industry, and the consumer has been high.

In one low-income neighborhood of a very large city, early in 1967 a Pinkerton detective and a young girl who is a jewelry expert purchased one pair of cheap earrings marked "14K" in each of nine stores. Eight of the earrings assayed less than 10 karats, substantially below the quality marked.

In another working-class neighborhood, in the summer of 1967, purchases were made at random in nine stores. Of 15 items purchased, 10 were found to be falsely marked as to either gold or silver content.

The results of these two 1967 investigations were turned over to Federal enforcement authorities, but 2 years later

there is no indication that any action will be taken within the foreseeable future. These are only two recent examples of many that could be cited. The industry has lost faith in the capacity or the will of the Government to protect themselves and consumers of their products from false marking.

Almost one-third of the jewelry-silverware manufacturing industry is located in the State of Rhode Island. Over 20,000 of my constituents are employed in this industry. In fact, it is the largest single employer in the City of Providence and the second-largest industry in the State. Over \$2 million worth of jewelry and silverware products are manufactured in Rhode Island each year and sold in all parts of this Nation and the world.

A large and important part of the industry is located also in Massachusetts and the senior Senator from Massachusetts (Mr. KENNEDY) is a cosponsor of this legislation.

I think that it is essential to the industry and the consumers it serves that we provide an enforceable method of proving the quality of jewelry and silverware. The consumer has a right to rely on the veracity of the markings on these products.

When the bill I have introduced is enacted into law a method of effective enforcement will be created at last, and at no cost to the government. The expense of implementation and the responsibility for initiating litigation will be borne by the interested parties, the industry and the consumer.

The law has lain dormant for over six decades. Too much time has elapsed without adequate protection of the consumer. I urge speedy action on this bill by the Senate Commerce Committee to insure continued confidence in the quality of products manufactured by the jewelry and silverware industry.

I ask unanimous consent that the contents of this bill be printed in the RECORD at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1046) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes, introduced by Mr. PASTORE (for himself and Mr. KENNEDY), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1046

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act forbidding the importation, exportation, or carriage in interstate commerce of falsely stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260), as amended October 4, 1961 (75 Stat. 776; 15 U.S.C. 294 et seq.), is amended by—

(a) Inserting immediately after the section number "Sec. 5." the subsection designation "(a)".

(b) Adding at the end of the newly designated subsection "Sec. 5. (a)" the following new subsections:

"(b) Any competitor, customer, or competitor of a customer of any person in violation of sections 1, 2, 3, or 4 of this Act, or any subsequent purchaser of an article of merchandise which has been the subject of a violation of section 1, 2, 3, or 4 of this Act, shall be entitled to injunctive relief restraining further violation of this Act and may sue therefor in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and shall recover damages and the cost of suit, including a reasonable attorney's fee.

"(c) Any duly organized and existing jewelry trade association shall be entitled to injunctive relief restraining any person in violation of section 1, 2, 3, or 4 of this Act from further violation of this Act and may sue therefor as the real party in interest in any district court of the United States in the district in which the defendant resides or has an Agent, without respect to the amount in controversy, and if successful shall recover the cost of suit, including a reasonable attorney's fee.

"(d) Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act.

"(e) The district courts shall have exclusive original jurisdiction of any civil action arising under the provisions of this Act."

(c) Inserting immediately after the section number "Sec. 6." the subsection designation "(a)".

(d) Adding at the end of the newly designated subsection "Sec. 6. (a)" the following new subsections:

"(b) The term 'person' means an individual, partnership, corporation, or any other form of business enterprise, capable of being in violation of this Act.

"(c) The term 'jewelry trade association' means an organization, consisting primarily of persons actively engaged in the jewelry or a related business, the purposes and activities of which are primarily directed to the improvement of business conditions in the jewelry or related businesses."

(e) Changing paragraph (A), subsection (b), of section 4 to read as follows:

"(A) Apply or cause to be applied to that article a trademark of such person, which has been duly registered or applied for registration under the laws of the United States within thirty days after an article bearing the trademark is placed in commerce or imported into the United States, or the name of such person; and"

SEC. 3. If any provision of this Act or any amendment made thereby, or the application thereof to any person, as that term is herein defined, is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or amendment to any person shall not be affected thereby.

SEC. 3. The provisions of this Act and amendments made thereby shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States.

SEC. 4. This Act shall take effect three months after enactment.

Mr. KENNEDY. Mr. President, I am pleased to join today with the senior Senator from Rhode Island (Mr. PASTORE) in sponsoring a bill to protect gold and silver manufacturers from fraudulent misstatement of the rare metal content of the merchandise. This bill amends the 65-year-old National Stamping Act, the basic Federal legislation governing the marking and stamping of products containing gold and silver.

This bill would, for the first time in history, make this law workable and capable of enforcement by placing the right to bring suits against violators in the hands of the industry and the public.

It would provide customers and competitors the means to stop quality marking violators.

The stamps which indicate gold and silver content are important to purchasers of these products, as well as to the companies who make and sell them. They are often the reason the consumer who wants intrinsic value will pay several times more for jewelry products, such as rings, when these stamping marks indicate that the product is of gold rather than inferior metal.

Since well before Boston silversmith Paul Revere distinguished himself, jewelry and tableware of gold and silver had a rich heritage in New England, and particularly in Massachusetts.

The jewelry industry, largely centered in southeast Massachusetts, in the area of Attleboro, employs over 12,000 workers in its plants.

These plants produce nearly \$60,000,000 of jewelry and silverware products each year. Most of these carry marks indicating the presence of gold and silver.

It is imperative that the consuming public have assurance that when it buys such products, the quality marks are true, and that the value one obtains is in accordance with these marks.

It is equally important to those who make and distribute these products that these marks be fair and honest. This is why the jewelry and silverware industry support and urge passage of this bill.

This bill would put teeth into the National Stamping Act, and would allow users, distributors and fabricators of products containing gold and silver the means to forestall unfair practices such as the misuse of quality marks.

S. 1047—INTRODUCTION OF BILL RELATING TO DEDUCTION OF FUNERAL EXPENSES FOR INCOME TAX PURPOSES

Mr. STEVENS. Mr. President, I introduce, for appropriate reference, a bill to provide that funeral and burial expenses may be allowed as a deduction for income tax purposes.

The bill I propose would include amounts paid for, or directly related to, the costs of funeral, interment and disposition of the body within the provision of tax law which provides that all medical and dental expenses over 3 percent of adjusted gross incomes shall be considered as deductible expenses. These expenses shall be deductible upon the death of a spouse or a dependent of a taxpayer. In the case of the death of a taxpayer himself, the expenses paid from his estate will also be deductible. Such expenses up to \$2,500 may be deducted although the costs of cemetery lots and memorials may not.

The costs of illness go up and up. The costs of major catastrophic illness are truly staggering.

These costs are deductible and rightly so. In spite of this, a family may find itself faced with bills for thousands of

dollars in the case of a major terminal illness. When the costs of interment and funeral expenses are added to these bills, the burden becomes even more intolerable. It would seem reasonable, and my bill today so proposes, that these last, sad expenses may also be treated as deductible in the manner of medical expenses.

Today the House Ways and Means Committee under the leadership of Chairman WILBUR MILLS will begin a much needed long term serious review of our tax laws. I am hopeful that the committee in its review will give its serious consideration to the proposal I make today.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1047) to amend the Internal Revenue Code of 1954 to allow a deduction for certain funeral expenses, introduced by Mr. STEVENS, was received, read twice by its title, and referred to the Committee on Finance.

S. 1048—INTRODUCTION OF BILL TO REQUIRE CHILD-PROTECTIVE LATCHES ON MEDICINE CABINETS USED IN FEDERALLY ASSISTED HOUSING

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill which would amend eight different Federal programs to require that medicine cabinets used in federally assisted housing must be equipped with latches designed to prevent young children from opening the cabinets.

This is the same bill I have introduced in the past. The need for the bill has increased steadily since I first introduced it in 1966.

The National Center for Health Statistics in the Department of Health, Education, and Welfare reports there were at least 384,000 cases of accidental poisonings among children 5 years of age and younger during 1967, the most recent year for which figures are available. Death resulted in 375 of those cases.

Manufacturers of medicines have recognized the dangers of children getting at medicine and they voluntarily agreed to bottle their products in containers with safety caps which are difficult for children to remove. This is a commendable step. But it has not halted the upward trend of child poisonings.

The bill I am introducing today could reverse the trend. It could save the lives of hundreds of children. I strongly urge consideration of the bill early in this Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1048) to require that medicine cabinets used in federally assisted housing be equipped with latches designed to prevent young children from gaining access to the contents of such cabinets, introduced by Mr. CASE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

ORDER OF BUSINESS

The VICE PRESIDENT. What is the will of the Senate?

Mr. PROXMIRE. Mr. President, is the Senate still in the morning hour?

The VICE PRESIDENT. The Senate is in the period designated for the transaction of routine morning business.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to be permitted to proceed for 25 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PROXMIRE. I thank the Vice President.

S. 1052—INTRODUCTION OF BILL RELATING TO ONE-BANK HOLDING COMPANIES

Mr. PROXMIRE. Mr. President, the recent proliferation of one-bank holding companies raises anew the question as to whether these institutions ought to be subject to the safeguards of the Bank Holding Company Act. During the hearings on the 1966 amendments to the Bank Holding Company Act, the Senate Committee on Banking and Currency gave the issue careful consideration and concluded "there was no substantial evidence of abuses occurring in one-bank holding companies." That was a few short years ago—1966.

At that time, there were over 600 one-bank holding companies with deposits of \$15.1 billion. Since then the number of one-bank holding companies has increased to 810, with deposits of \$134.6 billion as of February 13, 1969. This is more than 40 percent of all bank deposits under the control of one-bank holding companies compared to only 4 percent in 1965. Clearly, the situation has changed drastically from the time when Congress last considered the subject.

The significance of one-bank holding companies lies in the fact that they are exempt from the Bank Holding Company Act. The Bank Holding Company Act prohibits a holding company which owns 25 percent or more of the stock of two or more banks from engaging in activities not closely related to banking. However, a one-bank holding company is free to engage in almost any nonbanking activity including manufacturing, retailing, transportation, mining, and even agriculture. In fact, a House Banking and Currency Committee staff study revealed one-bank holding companies engaging in 20 different financial activities and 99 different nonfinancial activities.

By using the bank holding company device, any bank is free to expand without limit into nonfinancial activities. It simply can form a holding company to hold the stock of the bank and operate the nonfinancial activities as subsidiaries of the holding company. Thus, the statutory provisions which prohibit banks from entering nonbanking activities are virtually meaningless. A bank can do indirectly through the holding company device what it cannot do directly.

The existence of the holding company loophole makes a congressional review imperative. It is anomalous for Congress to forbid banks from entering nonbanking activities if this prohibition can be circumvented through the holding company form of ownership. Either the statutory definition of banking needs to be changed, the one-bank holding com-

pany loophole eliminated, or some combination of the two enacted.

In order to obtain a better picture of one-bank holding companies, it is useful to divide them into three groups:

First. Small one-bank holding companies: For the purpose of this statement, small one-bank holding companies are arbitrarily defined as those holding companies controlling banks with deposits of less than \$100 million. The selection of \$100 million as the dividing line was due to ease of data assembly and no policy implications should be drawn. For the most part, the smaller one-bank holding companies tend to be owned by a relatively few individuals, although some are owned by larger outside corporations or organizations. They engage in a variety of activities, many of which seem to be closely related to banking and allied financial services but nonfinancial activities are also well represented. The tax advantages of holding-company ownership is one of the prime motives in adopting this form of control. As of February 13, 1969, there were 701 small one-bank holding companies in 48 States with deposits of \$10.8 billion. This represents 87 percent of the total number of one-bank holding companies, but only 8 percent of total deposits controlled by one-bank holding companies.

Second. Conglomerates: For the purpose of this statement, a conglomerate one-bank holding company is defined as a bank with deposits of more than \$100 million controlled by an outside corporation or organization engaged principally in nonbanking activities. The reasons why nonbanking corporations wish to own banks are many. The desire to diversify is one. Also, insurance companies find banks to be good sources of business, particularly for credit life insurance. The kinds of business firms which own banks range from insurance and finance companies to manufacturing concerns and even labor unions. As of February 13, 1969, there were 27 conglomerates either formed or announced with total deposits of \$9.5 billion. This represents 3 percent of the number of one-bank holding companies and 7 percent of deposits under one-bank holding company control.

Third. Congeneric: A new term has been coined by the financial press to refer to bank dominated one-bank holding companies desiring to expand their range of financial services. For purposes of this statement, a congeneric is defined as a one-bank holding company principally in the banking business and which controls a bank with deposits exceeding \$100 million. While congenerics are theoretically free to acquire almost any nonbanking activity, most of them have not done so in anticipation of potential action by the Congress. Most of the recent growth of one-bank holding companies is accounted for by the congenerics. As of February 13, 1969, there were 82 congenerics either formed or announced with total deposits of \$114.3 billion. This represents only 10 percent of the number of one-bank holding companies, but 85 percent of one-bank holding company deposits.

Mr. President, I ask unanimous consent that a table recapitulating these figures be inserted in the Record at this point.

There being no objection, the tabula-

tion was ordered to be printed in the Record, as follows:

SIZE OF HOLDING COMPANY INDUSTRY		
[Dollar amounts in millions]		
	Number of banks as of Feb. 13, 1969	Total deposits as of Aug. 30, 1968
1-bank holding companies:		
Small: Under \$100,000,000 in deposits.....	701	\$10,775
Conglomerate: Over \$100,000,000 in deposits.....	27	9,533
Congeneric: Over \$100,000,000 in deposits.....	82	114,252
Total, 1-bank holding companies.....	810	134,560

Mr. PROXMIRE. Mr. President, I ask unanimous consent that a list of conglomerate and congeneric holding companies be printed in the Record at the close of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.
(See exhibit 1.)

LEGISLATIVE HISTORY

Mr. PROXMIRE. Mr. President, Congress held extensive hearings on bank holding companies in the early 1950's, culminating in the Bank Holding Company Act of 1956. A primary objective of this legislation was to prevent undue concentration of bank ownership through the holding company device. This was accomplished by giving the Federal Reserve Board the authority to approve mergers and acquisitions of additional banks by holding companies. Under the 1966 amendments to the Holding Company Act, the Board cannot approve an acquisition, merger, or consolidation by a bank holding company "whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner could be in restraint of trade, unless it finds that the anticompetitive effects are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community."

A second objective was to guard against a conflict of interest between banking and nonbanking activity. This was accomplished by preventing bank holding companies from engaging in nonbank activities with certain specified exceptions. The most important of these exceptions was contained under section 4(c)(8) of the act which permits activities "of a financial, fiduciary, or insurance nature and which the Board after due notice and hearing, and on the basis of the record made at such hearing, by order has determined to be so closely related to the business of banking or of managing or controlling banks as to be a proper incident thereto." This provision permits a somewhat broader range of financial activities through the holding company device than banks could carry on directly.

For example, under the seventh paragraph of title 12, United States Code, section 24, national banks are empowered to perform "all such incidental powers as shall be necessary to carry on the business of banking." Just what is "the business of banking" has been interpreted by

the courts in numerous decisions. The legal effect of these decisions has been to constrain the types of activities which could be directly performed by banks. For example, a Federal court in Georgia has recently denied the right of a national bank to sell insurance. Other activities have come under legal attack such as travel services, computer services, underwriting revenue bonds, and managing commingled trust accounts.

PUBLIC POLICY CONSIDERATIONS

Mr. President, in an analysis of the one-bank holding company problem prepared by the Treasury, it is suggested that large conglomerate companies "pose the most serious economic threat" while the congeneric type holding company structure was termed as "unquestionably an efficient and flexible format which should continue to remain available."

I would suggest that the public policy impact of one-bank holding companies is just the reverse of the Treasury analysis. It is the congenerics which represent a serious threat to economic competition while the problem of conglomerates, though serious, is less so due to the safeguards included in existing law.

If conglomerates are viewed as a threat to the safety of the subsidiary bank, it must be pointed out that there already are a number of existing legal safeguards designed to prevent the kind of self-dealing activity inimical to bank safety. Section 23A of the Federal Reserve Act prevents a bank from loaning more than 10 percent of its capital and surplus to any single holding company affiliate and from loaning more than 20 percent to all affiliates. Moreover, the Financial Institutions Supervisory Act of 1966 gave the bank supervisory agencies extensive new controls over commercial banking including the power to issue cease and desist orders preventing unsafe or unsound practices. The financial agencies can also prevent payments of dividends to the holding company so as not to weaken the capital position of the bank. Unless it can be shown that the banks under conglomerate control represent a unique supervisory problem, it can hardly be argued that bank safety considerations require additional legislation. To my knowledge, no one has been able to make such a demonstration.

It might also be argued that conglomerates in general represent an unhealthy economic trend and that their future growth should be curbed. This might very well be true—and I am inclined to believe it is—but prohibiting conglomerates from owning banks, however desirable that may be, would seem to be an extremely clumsy and backhanded method for attacking the spread of conglomerate mergers. Banks are now merely one of thousands of potential businesses which can come under the control of conglomerate combines. A prohibition of bank ownership by conglomerates will not appreciably retard the trend toward industrial concentration and could even divert attention from the wholesale reexamination of our antitrust statutes which is so badly needed. The appropriate forum for dealing with conglomerates is through antitrust policy and not through banking legislation.

While the Treasury has focused on the conglomerate problem, it has un-

duly minimized the problems of congenerics. One might well ask: Why should banks be confined strictly to banking and related financial activities? What public policy objectives are furthered by such a prohibition?

I would suggest the most essential reason for proscribing the nonbanking activities of commercial banks is to maintain free and open competition in those activities. Banks have a powerful economic lever in supplying bank credit, the total supply of which is ultimately limited by the Federal Reserve Board. Moreover, entry into banking is severely restricted, thus furthering the inherent monopoly existing banks have in the supply of bank credit.

The artificial scarcity of bank credit which is supported and maintained by Government policy gives commercial banks considerable influence over their customers, particularly those customers without effective alternative sources of credit. Commercial banks can use this leverage to further their nonbanking activities, thus unfairly competing with the nonbanking firms engaged in the same nonbanking activities.

I do not mean to suggest that banks should always be confined to strictly banking activities. Each activity must be considered on its own merits and the competitive impact of bank entry must be carefully assessed. In some cases, bank entry can increase rather than reduce competition.

For example, I sponsored legislation approved by the Senate in the last Congress to permit banks to underwrite State and local revenue bonds. The weight of the evidence indicated banks would increase competition and lower borrowing costs to municipalities. Moreover, it did not seem reasonable that a bank could use its control over bank credit to coerce State or local governments into using the bank's underwriting services. State and local governments have many borrowing options and are not highly dependent upon banks for their credit needs. If anything, banks are more dependent upon State and local governments as a source of deposits.

Thus, the test as to whether a bank should be allowed to engage in a nonbanking activity should not be based only on a legalistic analysis as to whether the activity is "closely related" or "a proper incident thereto." Rather, in addition to the question of whether the funds of its depositors are properly safeguarded, public policy should focus on the probable competitive effects of bank entry into nonbanking activities. Under this criteria, nonbanking activities not closely related to banking may turn out to be procompetitive while closely related activities might be anticompetitive.

However, this discussion of the proper criteria for judging bank expansion into nonbanking fields is somewhat academic since under the bank holding company loophole, no public review is necessary. If the criteria is to be shifted to an analysis of the competitive impact of bank entry, two things must be done:

First, the bank holding company loophole must be closed to regain public control over banks expanding into nonbanking activities; and

Second, a new institutional framework for assessing competitive effects must be developed since the existing banking agencies are poorly equipped to make these judgments.

WHY HOLDING COMPANIES?

Mr. President, one might well ask, Why are banks so eager to expand beyond the traditional field of banking? To some extent, the answer is due to our changing economy and the response of the banking industry to meet the ever changing needs of their customers. In such cases, an expansion of services is merely an attempt to redefine the business of banking to accord with modern day reality.

But another reason I believe banks are seeking to expand into other activities is that they are constrained in their own field of banking. Commercial banks are subject to numerous restrictions on their banking activities imposed by law, by administrative practice, and by regulatory procedure. While many of these restrictions were initiated in the 1930's to protect the safety of bank depositors, in today's economy the so-called safeguards frequently operate to stifle competition within the banking industry.

For example, there are restrictions on bank entry which tend to protect existing banks from effective competition by new potential entrants. Restrictions on branching frequently have the same effect. Restrictions on investment authorities and overly conservative examination procedures penalize the more aggressive banks and promote a lax, non-competitive attitude. Unrealistically high capital requirements retard the attraction of new capital and also lead to holding company formations as a method for channeling excess capital into more productive ventures. Restrictions on the payment of interest on deposits further tends to promote noncompetitive behavior.

I do not mean to imply that all of these restrictions should be repealed. But I do suggest that many can be liberalized without jeopardizing depositor safety, particularly in view of the protection already provided depositors through Federal deposit insurance. Moreover, if such a liberalization were effected, I believe the pressure by banks to enter nonbanking fields would be correspondingly diminished.

In fact, I believe it is correct to say that the phenomenon of one-bank holding companies is like the tip of the iceberg and is symptomatic of far more basic problems in our entire banking structure. If this is correct, then one does not achieve an adequate solution by merely tinkering with the Bank Holding Company Act. A far more comprehensive reform of our entire banking code is needed if we are to find a lasting solution. Moreover, a solution to the problem of restrictions on nonbanking activities should not be reached until an appropriate solution is found to the problem of restrictions on banking activities. The two issues are interdependent, and cannot be artificially separated.

The extent to which restrictions on nonbanking activities should be tightened depends upon the extent to which restrictions on banking are liberalized.

One can envision a whole range of policy mixes in which restrictions on nonbanking activities are traded off for easing restrictions on banking.

PROPOSED LEGISLATION

In order to implement these ideas, I am introducing a bill to place a temporary freeze in the acquisition of nonbanking activities by one-bank holding companies pending a thorough review of the role of banks in our economy by a high-level Presidential commission. This would be accomplished by making one-bank holding companies subject to the provisions of the Bank Holding Company Act. The existing definition of permissible nonbanking activities contained in the Bank Holding Company Act would be left intact pending the report of the Commission. However, unrelated activities acquired prior to January 1, 1969, would be permitted to continue although future acquisitions would be prohibited.

In addition, my bill would close several additional loopholes in the Bank Holding Company Act. First of all, the Federal Reserve Board would be able to determine a bank was subject to holding company control even if the holding company owned less than 25 percent of the stock of the bank. There are many situations in which effective control can be exercised with less than 25 percent stock ownership, and the Board would be empowered to recognize these situations. A similar provision already exists in the Savings and Loan Holding Company Act.

Second, the partnership exemption from the Holding Company Act would be deleted. Partnerships which controlled a bank or banks would come under the Holding Company Act the same as if the partnership were a corporation.

Under my proposal, the administration of the One-Bank Holding Company Act would be left with the Federal Reserve Board in contrast to a reported Treasury bill which would disperse control among the three bank regulatory agencies.

A blue ribbon commission to examine the role of banks in our economy has been long over due. Although some of the issues were examined in the late 1950's and early 1960's by the Commission on Money and Credit, vast changes have occurred in our economy and the banking industry since that time. The one-bank holding company problem affords an excellent opportunity to undertake this critical review of our banking code of our bank regulatory system.

I realize, of course, that bank reform legislation is a highly controversial subject which tends to produce heated attitudes. The mere mention of changes in the branching law or in the centralization of Federal bank regulatory responsibilities raises difficult and complex questions about the scope and purpose of our dual banking system. But I am convinced that if we are to have a dynamic and competitive banking industry responsive to our present economy and our needs in the 1970's and 1980's, we must remove some of the shackles on banking which prevent banks from competing in their own field of banking. We need to open up the field of banking to permit the entry of new people with new ideas.

The Treasury proposal, in focusing on conglomerates, seeks to prevent other business firms from invading banking but gives banks relatively greater freedom to invade other businesses. The proposal has the stagnant type of economic vision characteristic of a European customs union. While there is a problem of conglomerates controlling banks, what we really need to study is how the banking industry itself can become more competitive. The mere fact that nonbanking firms wish to acquire banks provides some evidence of stagnation and inefficiency in bank management. Before we rush to prohibit conglomerates as a first order of business, we need to reexamine the banking industry to see if it is operating at peak efficiency.

A Presidential Commission on Banking can be a highly useful device for this examination. Moreover, ample precedent exists for such a Commission. The basic features of the Federal Reserve Act, one of the most significant pieces of banking legislation, were first developed by a high-level Presidential commission.

The bill I have introduced would establish a National Commission on Banking consisting of 15 members appointed by the President. Six members shall be from banking and not more than three

shall be Federal officials. The Commission would be required to complete its report to the President and the Congress by June 30, 1971.

The Commission would be charged with appraising the role of banking in the national economy with a view to determining whether existing State and Federal statutes, regulations, and bank examination procedures promote vigorous competition in the banking industry and in the economy consistent with reasonable safety of depositors' funds. The study would include such topics as "Restrictions on Bank Entry"; "Restrictions on the Payment of Interest on Bank Deposits"; "Restrictions on the Investment Powers of Banks"; "Reserve Requirements of Banks"; "Merger Policies Affecting Banks"; "Restrictions on Banks Engaging in Nonbanking Activities"; "Restrictions on Holding Companies"; and "The Desirability of Consolidating Federal Bank Supervisory Functions Into One Agency."

Mr. President, I believe my proposal offers the hope for a much more comprehensive and far-reaching solution to the bank holding company problem. Second, by leaving the present definitions of related activities in the Bank Holding Company Act intact, we pre-

serve our future options and avoid a protracted lobbying contest between banks and their nonbank competitors. Third, by providing a "grandfather clause" for existing unrelated activities, we avoid any undue disruption within the one-bank holding company industry. And fourth, by prohibiting the future acquisition of unrelated activities, we put a temporary halt to a potentially harmful trend until we obtain more information.

I am hopeful that this proposal can be given serious considerations by the Committee on Banking and Currency along with the other proposals on one-bank holding companies. As the chairman of the Subcommittee on Financial Institutions, I have a keen interest in the problems of our banking structure, and I know of no single issue more important to banking today.

Mr. President, I introduce the bill and ask that it be appropriately referred; and I ask unanimous consent to have the text of the bill printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 2.)

EXHIBIT 1

CONGLOMERATE 1-BANK HOLDING COMPANIES FORMED OR ANNOUNCED AS OF FEB. 13, 1969

[In millions of dollars]

Name of nonbank institution	Name of bank	City and State	Deposits, June 30, 1968	Name of nonbank institution	Name of bank	City and State	Deposits, June 30, 1968
Signal Oil & Gas Co.	Arizona Bank	Phoenix, Ariz.	292	GAS Corp.	Hudson County National Bank	Jersey City, N.J.	144
World Airways, Inc.	First Western Bank & Trust	Los Angeles, Calif.	761	Wilshire Oil Co.	Trust Co. of New Jersey	do.	152
Sperry & Hutchinson	State National Bank of Connecticut	Bridgeport, Conn.	292	CIT Financial Corp.	National Bank of North America	New York, N.Y.	1318
D. H. Baldwin Co.	Central Bank & Trust Co.	Denver, Colo.	187	Standard Prudential Corp.	Sterling National Bank	do.	244
United Mineworkers	National Bank of Washington	Washington, D.C.	498	Banks Life & Casualty Co.	Royal National Bank	do.	209
Jim Walter Corp.	First National Bank	St. Petersburg, Fla.	133	Amalgamated Clothing Workers	Amalgamated Bank	do.	161
First Railroad & Banking Co. of Georgia	Georgia Railroad Bank & Trust	Augusta, Ga.	120	May-Fran Manufacturing Co.	Union Commerce Bank	Cleveland, Ohio	513
General American Transportation Corp.	LaSalle National Bank	Chicago, Ill.	374	Ritter Finance Co.	Central-Penn National Bank	Philadelphia, Pa.	386
National Lead Co.	Lake View Trust	do.	283	Liberty Corp.	South Carolina National Bank	Charleston, S.C.	393
Montgomery Ward	Pioneer Trust & Savings Bank	do.	189	NLT Corp.	Third National Bank	Nashville, Tenn.	443
Bankers Life & Casualty	Citizens Bank & Trust	Parkridge, Ill.	131	American General Insurance Co.	Texas National Bank of Commerce	Houston, Tex.	795
Gulf & Western Industries	First Bank & Trust Co.	South Bend, Ind.	130	Tenneco Corp.	Houston National Bank	do.	220
St. Louis Union Trust Co.	First National Bank	St. Louis, Mo.	794				
Camden Investment Co.	Camden Trust Co.	Camden, N.J.	239	Total			9,533
Kinney National Service, Inc.	Hackensack Trust Company, N.A.	Hackensack, N.J.	132				

Note: Number of banks, 27.

CONGENERIC 1-BANK HOLDING COMPANIES FORMED OR ANNOUNCED AS OF FEB. 13, 1969

[In millions of dollars]

Name of bank	City and State	Deposits as of June 30, 1968	Name of bank	City and State	Deposits as of June 30, 1968
Birmingham Trust National Bank	Birmingham, Ala.	276	American Fletcher National Bank & Trust Co.	Indianapolis, Ind.	801
Worthen Bank & Trust Co.	Little Rock, Ark.	152	Indiana National Bank	do.	853
Union Bank	Los Angeles, Calif.	1,213	Bankers Trust Co.	Des Moines, Iowa	116
City National Bank	Beverly Hills, Calif.	306	Central National Bank & Trust	do.	183
Southern California First National Bank	San Diego, Calif.	429	Whitney National Bank	New Orleans, La.	568
Crocker-Citizens National Bank	San Francisco, Calif.	3,743	Maryland National Bank	Baltimore, Md.	824
Bank of America	do.	15,881	Boston Safe Deposit & Trust Co.	Boston, Mass.	100
Wells Fargo Bank N.A.	do.	4,151	South Shore National Bank	Quincy, Mass.	128
Sunitomo Bank	do.	180	Worcester County National Bank	Worcester, Mass.	252
Hartford National Bank	Hartford, Conn.	789	American National Bank & Trust Co.	St. Paul, Minn.	139
Delaware Trust Co.	Wilmington, Del.	141	Deposit Guaranty National Bank	Jackson, Miss.	331
First National Bank of Atlanta	Atlanta, Ga.	688	First National Bank	do.	287
Fulton National Bank	do.	365	St. Louis County National Bank	Clayton, Mo.	136
Continental Illinois National Bank & Trust Co.	Chicago, Ill.	4,250	National Bank of Commerce Trust & Savings Association	Lincoln, Nebr.	115
First National Bank of Chicago	do.	5,700	First National Bank of Omaha	Omaha, Nebr.	161
American National Bank & Trust Co.	do.	656	Omaha National Bank	do.	303
Chicago City Bank & Trust	do.	120	First Jersey National Bank	Jersey City, N.J.	345
Central National Bank in Chicago	do.	380	Albuquerque National Bank	Albuquerque, N. Mex.	185
National Boulevard Bank	do.	175	National Commercial Bank & Trust	Albany, N.Y.	712
State National Bank of Evanston	Evanston, Ill.	134	First National City Bank	New York, N.Y.	11,856
Illinois National Bank & Trust Co.	Rockford, Ill.	109	Manufacturers Hanover Trust	do.	7,432
Lincoln National Bank & Trust Co.	Fort Wayne, Ind.	211			

CONGENERIC 1-BANK HOLDING COMPANIES FORMED OR ANNOUNCED AS OF FEB. 13, 1969—Continued

Name of bank	City and State	Deposits as of June 30, 1968	Name of bank	City and State	Deposits as of June 30, 1968
Chemical Bank New York Trust Co.	New York, N.Y.	6,583	First Pennsylvania Banking and Trust Co.	Philadelphia, Pa.	1,805
Morgan Guaranty Trust	do.	5,723	Pittsburgh National Bank	Pittsburgh, Pa.	1,336
Schroder Trust Co.	do.	114	Girard Trust Bank	do.	1,227
Chase Manhattan	do.	15,600	Western Pennsylvania National Bank	do.	702
Kings County Lafayette Trust Co.	Brooklyn, N.Y.	179	Bank of Pennsylvania	Reading, Pa.	178
American Bank & Trust Co.	New York, N.Y.	158	Industrial National Bank	Providence, R.I.	762
First Union National Bank	Charlotte, N.C.	706	State Bank & Trust	Greenwood, S.C.	113
North Carolina National Bank	do.	930	Citizens and Southern National Bank	Charleston, S.C.	212
Southern National Bank of North Carolina	Lumberton, N.C.	115	First National Bank of South Carolina	Columbia, S.C.	178
Planters National Bank & Trust	Rocky Mount, N.C.	102	First American National Bank of Nashville	Nashville, Tenn.	453
Wachovia Bank & Trust Co.	Winston-Salem, N.C.	1,126	First National Bank of Memphis	Memphis, Tenn.	574
Provident Bank	Cincinnati, Ohio	212	First Security National Bank of Beaumont	Beaumont, Tex.	117
First National Bank of Canton	Canton, Ohio	121	Republic National Bank	Dallas, Tex.	1,600
Fidelity National Bank & Trust	Oklahoma City, Okla.	116	Zions First National Bank	Salt Lake City, Utah	196
First National Bank & Trust Co.	do.	387	Central National Bank	Richmond, Va.	182
Liberty National Bank & Trust	do.	319	First & Merchants National Bank	do.	633
National Bank of Tulsa	Tulsa, Okla.	312	National Bank of Commerce	Seattle, Wash.	936
U.S. National Bank of Oregon	Portland, Oreg.	1,353	American City Bank & Trust	Milwaukee, Wis.	101
First National Bank & Trust	Bethlehem, Pa.	110			
Fidelity Bank	Philadelphia, Pa.	1,076	Total		114,252
Philadelphia National Bank	do.	1,723			

Note: Number of banks, 22.

The bill (S. 1052) to amend the Bank Holding Company Act of 1956 and to provide for a comprehensive study of banking laws and regulations by a National Commission on Banking, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD.

EXHIBIT 2

S. 1052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Bank Holding Company Act Amendments of 1969".

AMENDMENTS TO BANK HOLDING COMPANY ACT OF 1956

SEC. 2. (a) Section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)) is amended by striking out "each of two", wherever such words appear, and inserting in lieu thereof "one".

(b) Section 2(b) is amended (A) by striking "(1)" and (B) by striking ", or (2) any partnership".

(c) Section 2(d) is amended to read:

"(d) (1) Any given company is a subsidiary of any person having control over it.

"(2) Any given person has control over a company

"(A) if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, has power to vote 25 per centum or more of any class of voting securities of the company; or

"(B) if the person controls in any manner the election of a majority of the directors of the company; or

"(C) if the Board determines, after notice and opportunity for hearing, that the person directly or indirectly exercises a controlling influence over the management or policies of the company."

(2) Section 4(a) of such Act (12 U.S.C. 1843(a)) is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this subsection, any company which becomes a bank holding company solely as the result of the enactment of the Bank Holding Company Act Amendments of 1969 may retain the ownership or control of the voting shares of any company which is not a bank or a bank holding company, if such shares were acquired by such bank holding company prior to January 1, 1969, and may engage in any business in which it was engaged on January 1, 1969."

NATIONAL COMMISSION ON BANKING

SEC. 3. (a) (1) There is hereby established a National Commission on Banking (hereinafter referred to as the "Commission").

(2) The Commission shall consist of fifteen members to be appointed by the President as follows:

(A) Six shall be from private life and representative of the banking industry; and

(B) Nine shall be representative of the public interest and may be appointed from private or public life, including persons serving on State or Federal bank supervisory agencies.

Not more than three persons appointed to the Commission shall be, at the time of their appointments, employed in a full-time capacity by the United States.

(3) The President shall designate one of the persons appointed to the Commission to serve as Chairman.

(4) A vacancy in the Commission shall not affect its powers and may be filled in the same manner as the original appointment.

(5) Eight members of the Commission shall constitute a quorum.

(b) (1) The Commission shall study and appraise the role of banking in the national economy with a view to determining whether existing State and Federal statutes, regulations, and bank examination procedures promote vigorous competition in the banking industry and in the economy consistent with reasonable safety of depositors' funds. Such study and appraisal shall include but not be limited to—

(A) restrictions on bank entry;

(B) restrictions on the formation of branches of banks;

(C) restrictions on the investment powers of banks;

(D) restrictions on the payment of interest on bank deposits;

(E) reserve requirements of banks;

(F) merger policies affecting banks;

(G) restrictions on banks engaging in non-banking activities;

(H) restrictions on bank holding companies; and

(I) the desirability of consolidating Federal bank supervisory functions into one agency.

(2) The Commission shall report its findings, together with such recommendations for legislative and administrative action as it deems advisable, to the President and to the Congress not later than June 30, 1971.

(c) (1) The Commission, or any three members thereof as authorized by the Commission, may conduct hearings anywhere in the United States or otherwise secure data and expressions of opinion pertinent to the

study. In connection therewith the Commission is authorized by majority vote—

(A) to administer oaths,

(B) to require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties,

(C) in the case of disobedience to a subpoena issued under this subsection to invoke the aid of any district court of the United States in requiring compliance with such subpoena,

(D) in any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths, and in such instances to compel testimony and the production of evidence in the same manner as authorized under subparagraphs (B) and (C) above, and

(E) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(2) Any district court of the United States within the jurisdiction of which an inquiry is carried on may, in case of refusal to obey a subpoena of the Commission issued under paragraph (1) of this subsection, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(R) The Commission may require directly from the head of any Federal executive department or independent agency available information which the Commission deems useful in the discharge of its duties. All departments and independent agencies of the Government shall cooperate with the Commission and furnish all information requested by the Commission to the extent permitted by law.

(4) The Commission may enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(5) The Commission may delegate any of its functions to individual members of the Commission or to designated individuals on its staff and to make such rules and regulations as are necessary for the conduct of its business, except as otherwise provided in this section.

(d) Members of the Commission who are appointed from the Government shall not receive additional compensation by reason of their service on the Commission, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested

in the Commission. Other members of the Commission shall receive compensation at a rate of \$100 for each day engaged in the business of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

(e) (1) The Commission may, without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or to classification and General Schedule pay rates, appoint and fix the compensation of an executive director. The executive director, with the approval of the Commission shall employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed may receive compensation in excess of the rate authorized for GS-18 under the General Schedule.

(2) The executive director, with the approval of the Commission may obtain services in accordance with section 3109 of title 5 of the United States Code, but at rates for individuals not to exceed \$100 per diem.

(3) The head of any executive department or independent agency of the Federal Government may detail, on a reimbursable basis, any of its personnel to assist the Commission in carrying out its work.

(4) Financial and administrative services (including those related to budgeting and accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services. The regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of that Administration for the administrative control of funds apply to appropriations of the Commission.

(5) Ninety days after submission of its final report the Commission shall cease to exist.

(f) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. Any money so appropriated shall remain available to the Commission until the date of its expiration, as fixed by subsection (e) (5).

S. 1054—INTRODUCTION OF INCOME TAX REFORM LEGISLATION—INCREASING EXEMPTION FROM \$600 TO \$1,000

Mr. MONTROYA. Mr. President, today I am introducing a bill, which I have proposed before, to amend the Internal Revenue Code of 1954 to increase the personal exemption from \$600 to \$1,000. Action on the long overdue reform of our income tax structure appears on the immediate horizon, and my proposal is an integral part. The chorus of cries from taxpayers and tax experts alike that our tax system makes little sense from the standpoint of equity or economics is being heeded at last. Hearings by the House Ways and Means Committee into a number of areas of existing inequities began February 18 and can be expected to last for many months. Initial emphasis, according to the schedule appears to be directed toward closing those loopholes enabling wealthy taxpayers to avoid their fair share of taxes, and this is of the utmost importance.

However, the low- and middle-income taxpayer cannot wait for the conclusions of these hearings and the final enactment of the legislation which will undoubtedly result. He needs relief today. In 1968 he witnessed the highest annual increase in his cost of living in 17 years. In general, he is not concerned with capital gains or stock options. Unless he owns a house or has high medical deductions, he is almost certain to take the standard deduction and list but one source of income. The chief tax factors affecting him are the level of personal exemption and the tax rate applying to his taxable income.

Today's personal exemption is \$600 for each taxpayer and each of his dependents. The last time this figure was revised was in 1948. It has not been increased with the rising level of prices. In fact, since 1948 the consumer price index has risen by 44.6 percent—based on average levels of the index in 1948 and 1968—so that the \$600 figure would have to be raised to \$868 merely to equal the purchasing power of the \$600 exemption over 20 years ago.

What we consider a reasonable standard of living has changed in these last two decades also. Certain aspects of living once considered attainable only by a few have come within the reach of many and are accepted as part of the American way of life. In the autumn of 1966 the Department of Labor conducted a survey of urban areas in the United States to determine the annual cost of living at a moderate standard for a family of four—husband 38, wife not employed outside home, boy 13, and girl 8. A "moderate standard of living" was defined as providing "for the maintenance of health and social well-being, the nurture of children, and participation in community activities." This standard was translated into representative goods and services which could be priced. The estimated annual cost of this moderate standard of living averaged \$9,191.

This budget is in no sense a luxury budget, including practically nothing for expenses of higher education, for example. The personal exemptions for a family of four today should certainly comprise a greater percentage of this total than the present \$2,400. Certainly exemptions totaling \$4,000 which my bill will provide would be far more equitable.

The most frequently heard argument against increasing the personal exemption is the revenue that would be lost to the Government. But we can regain this revenue by enacting strong measures of tax reform to close the yawning loopholes through which some \$10 to \$15 billion escape the Treasury each year.

We must reexamine our tax structure as it relates to wealthy individuals so that they too pay their fair share of the cost of the services which they share in receiving. We must look into the corporate income tax structure. Tax policies with respect to tax-exempt organizations and estate and gift taxes bear looking into as does the practice of business enterprises splitting into a number of separate parts in order to take advantage of the surtax exemption.

These are only some of the more fre-

quently mentioned tax provisions in need of reform. I will have more to say on these and other needed reforms as the session progresses.

We must recognize that there is a limit to what the taxpayer can bear. We must make the tax system as equitable as possible if we are to maintain the confidence of the taxpayer. I believe my proposal is a major step toward eliminating a serious inequity in our tax structure. Prompt action to achieve this goal must be taken now.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1054) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,000, introduced by Mr. MONTROYA, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1054

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the following provisions of the Internal Revenue Code of 1954 are amended by striking out "\$600" wherever appearing therein and inserting in lieu thereof "\$1,000":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

(b) The following provisions of such Code are amended by striking out "\$1,200" wherever appearing therein and inserting in lieu thereof "\$2,000":

(1) Section 6012(a)(1) (relating to persons required to make returns of income); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

Sec. 2. (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than \$5,000) is amended by adding at the end thereof the following new subsection:

"(c) Taxable Years Beginning After December 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than \$5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 10-percent standard deduction or the minimum standard deduction."

(b) Section 3(b) of such Code is amended by inserting after "December 31, 1964" each place it appears, and before January 1, 1969:

(c) Section 4 (a) of such Code is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(d) Paragraphs (2) and (3) of section 4(c) of such Code are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 10-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction, except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 10-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) of such Code is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(f) The last sentence of section 6014(a) of such Code is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

SEC. 3. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

Percentage method withholding table

<i>Payroll period:</i>	<i>Amount of one withholding exemption</i>
Weekly	\$21.20
Biweekly	42.30
Semimonthly	45.80
Monthly	91.70
Quarterly	275.00
Semiannual	550.00
Annual	1,100.00
Daily or miscellaneous (per day of such period)	3.00."

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1)(A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the

following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):"

SEC. 4. The amendments made by the first two sections of this Act shall apply to taxable years beginning after December 31, 1968. The amendments made by section 3 of this Act shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

S. 1058—INTRODUCTION OF BILL EXTENDING REORGANIZATION AUTHORITY

Mr. McCLELLAN. Mr. President, on January 30, 1969, the President of the United States transmitted a message to the Congress requesting an extension for at least 2 years of the President's authority to submit reorganization plans pursuant to chapter 9 of title 5 of the United States Code, formerly referred to as the Reorganization Act of 1949, as amended.

In accordance with the President's request, on behalf of myself and seven other members of the Committee on Government Operations (Mr. JACKSON, Mr. GRIFFIN, Mr. METCALF, Mr. MUNDT, Mr. PERCY, Mr. RIBICOFF, and Mr. STEVENS), I introduce, for appropriate reference, a bill to extend until April 1, 1971, the authority of the President to submit plans for the reorganization of agencies of the executive branch of the Government.

Similar authority has been made available to past Presidents, with few lapses, since 1932; however, it expired on December 31, 1968. This bill would merely extend this authority for an additional period of approximately 2 years. No other change in existing law is proposed.

I ask unanimous consent that the President's message be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the President's message will be printed in the RECORD.

The bill (S. 1058) to extend the period within which the President may transmit to the Congress plans for the reorganization of agencies of the executive branch of the Government, introduced by Mr. McCLELLAN, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Government Operations.

The Presidential message, presented by Mr. McCLELLAN, is as follows:

EXTENDING REORGANIZATION AUTHORITY

To the Congress of the United States:

New times call for new ideas and fresh approaches. To meet the needs of today and tomorrow, and to achieve a new level of efficiency, the Executive Branch requires flexibility in its organization.

Government organization is created to serve, not to exist; as functions change, the organization must be ready to adapt itself to those changes.

Ever since the Economy Act of 1932, the Congress has recognized the need of the President to modernize the Federal Government continually. During most of that time, the Congress has provided the President the authority to reorganize the Executive Branch.

The current reorganization statute—Chapter 9 of Title 5 of the United States Code—is derived from the Reorganization Act of 1949. That law places upon the President a permanent responsibility "from time to time

to examine the organization of all agencies" and "to determine what changes therein are necessary" to accomplish the purposes of the statute. Those purposes include promoting the better execution of the laws, cutting expenditures, increasing efficiency in Government operations, abolishing unnecessary agencies and eliminating duplication of effort. The law also authorizes the President to transmit reorganization plans to the Congress to make the changes he considers necessary.

Unfortunately, the authority to transmit such plans expired on December 31, 1968. The President cannot, therefore, now fulfill his reorganization responsibilities. He is severely limited in his ability to organize and manage the Executive Branch in a manner responsive to new needs.

I, therefore, urge that the Congress promptly enact legislation to extend for at least two years the President's authority to transmit reorganization plans.

This time-tested reorganization procedure is not only a means for curtailing ineffective and uneconomical Government operations, but it also provides a climate that enables good managers to manage well.

Under the procedure, reorganization plans are sent to the Congress by the President and generally take effect after 60 days unless either House passes a resolution of disapproval during that time. In this way the President may initiate improvements, and the Congress retains the power of review.

This cooperative executive-legislative approach to reorganization has shown itself to be sensible and effective for more than three decades, regardless of party alignments. It is more efficient than the alternative of passing specific legislation to achieve each organizational change. The cooperative approach is tested; it is responsive; it works.

Reorganization authority is the tool a President needs to shape his Administration to meet the new needs of the times, and I urgently request its extension.

RICHARD NIXON.

THE WHITE HOUSE, January 30, 1969.

S. 1063—INTRODUCTION OF BILL TO REPEAL AND REVIEW PROPOSED INCREASES IN GRAZING FEES ON PUBLIC LANDS

Mr. MONTROYA. Mr. President, today I introduce a bill to temporarily suspend the recent increase in fees for grazing of livestock on public lands jointly promulgated by the Department of Agriculture and the Department of the Interior.

Mr. President, on November 14, 1968, the Secretaries of Agriculture and Interior jointly announced proposed changes in current methods of determining fees for livestock grazing on national forests and public lands under their administration. This action, they announced, was in accordance with the instructions contained in the Bureau of the Budget's Circular No. A-25 of September 23, 1959, which established general governmental policy for all Federal activities. The circular called for "fair market value" to be obtained for all services and resources provided the public through the establishment of a system of reasonable fee charges.

I do not object—and neither do those affected object—to permittees paying whatever sum is fair. But the decision arrived at should be closely examined to determine if the sum is in fact "fair" in this case, all considerations taken into account.

In announcing the proposed increases, the two Secretaries indicated that inter-

ested parties would have 45 days in which to make comments before a final decision was made. A final decision has now been made and it does not vary substantially from the originally proposed increases.

Mr. President, I protested vigorously to the two Secretaries in December of last year and left no mistake in their minds that I felt that an increase of the magnitude which they were proposing and a loss in permit value could well be disastrous to many small producers. I pointed out that the increases would result in an immediate increase in costs to all permittees without compensating returns, thus leaving the permittees in a very weak financial position.

The increases which I speak of, Mr. President, are in the proportion of from 33 cents per animal unit month, which is the current grazing fee on the public lands, to \$1.23 per animal unit month. National forest permits will also be increased on a sliding scale. While the increases will take effect over a period of 10 years and will thus presumably permit the ranchers and others affected to adjust to the increases gradually, the fact remains that the increases will be put into effect, there will be a loss of permit value, and it will just be a matter of time before all permittees will feel the pinch. Some will be destroyed immediately; others will die a slower financial death, with only the stronger and, possibly larger permittees, surviving.

I was very disturbed over the final decision to institute these changes almost as if in complete disregard of all the testimony which was presented to the two Departments, and also as if in complete disregard of recommendations made by the Secretary of Agriculture's own Advisory Committee on Multiple Use of the National Forests.

Mr. President, there are many considerations which must be taken into account besides just the straight, cold "fair market value" statistics which are all that apparently were considered by the two Departments. We are dealing with the very means of livelihood for many of the smaller producers. I do not mean to sound like an alarmist, but we are tampering very unsympathetically with the lives of many. We could well be leading ourselves into bigger financial losses to the Federal revenue and disastrous consequences to the permittees and others if we do not approach this matter on a more realistic basis. As I have stated, there is far more to this matter than just consideration of a cold and hard statistic referred to as "fair market value." Other matters were apparently looked into by the Departments, but it seems that the overriding consideration was "fair market value" arguments.

To illustrate what I refer to, Mr. President, I quote directly from the U.S. Department of Agriculture report on the grazing fee increases, dated November 12, 1968, and entitled "Studies, Alternatives, and Recommendations on the Forest Service Grazing Fee Issue."

The report states:

The initial impact of a fee increase would be an immediate rise in the permittees' cost of production. The amount would be directly proportional to the number of AUM's (Ani-

mal unit per month) permitted. The increased expense would lead to an equal decrease in net income, since ranchers' gross income would not change materially. The reduced net income would be reflected in lower ranchers' expenditures in the local community. The size of the impact would be magnified by the multiplied effect of these expenditures.

The report goes on to state:

A fee increase plus the loss of the permit value would affect the rancher and the lending institution in two ways. First, the increased costs without compensating returns would leave the permittee in a much weaker position to pay off his mortgage. Secondly, the loss of permit value would remove an asset previously used as collateral. In either case the permittee would experience difficulty in obtaining future mortgages. A loss of permit value now would leave many permittees with an outstanding debt for an asset that would no longer exist.

The report makes interesting reading indeed, for one cannot help but wonder how a decision to increase grazing fees coupled with the loss of permit value, was arrived at with the number of arguments against this action presented within the report itself.

The report also refers to the fact that an increase in grazing fees will probably cause a decline in cooperative work. As it states, there are presently, Forest Service range permittees contributing about \$1.3 million a year in the installation, construction and maintenance of federally owned range improvements, and it concludes:

If cooperative work declines, the Federal Government will bear the burden in some combination of the following ways: (1) increased appropriations for necessary range improvement construction and maintenance; (2) value of federally owned land will decline due to deteriorating rangeland and watersheds; and (3) declining or lowering rates of increase in fee collections due to decreases in capacity and use.

Thus the losses to the Federal Treasury could well be several million dollars indeed if the measures go into effect as planned now.

What were the considerations on the other side? The main consideration seemed to be that "If fees are not raised, the Treasury stands to lose about \$6 million annually, that is, the difference between the current fee level and the estimated level at full market value." Is this a just consideration when so many other economic and social problems exist? I think not. And I have called upon Senator JACKSON, chairman of the Senate Interior and Insular Affairs Committee to investigate this matter. In answer to my request—and, I am sure, in answer to the request on the part of other Senators as well as his own personal concern, Senator JACKSON and Senator CHURCH, chairman of the Subcommittee on Public Lands, have arranged from Senator CHURCH's subcommittee to hold informal public hearings later this month on the proposal.

Mr. President, it seems to me that sufficient doubt has been raised about the wisdom of this proposed action that Congress should undertake a full investigation of the matter. I have also requested Senator ELLENDER, chairman of the Senate Agriculture and Forestry

Committee, as well as Congressman ASPINALL, chairman of the House Interior and Insular Affairs Committee, to review closely these proposed increases. All have expressed interest and concern in the matter.

In addition, I called upon Congressman ASPINALL, as chairman of the Public Land Law Review Commission, for his review of the proposal.

As you know, Mr. President, in 1964, Congress established the Public Land Law Review Commission—PLLRC—and directed it to study existing statutes, to review the policies and practices of agencies administering public lands, to compile data to determine present and future demands on public lands, and to recommend such modifications in laws and policies as to provide the maximum benefit for the public. The PLLRC is nearing completion of their study and should be submitting their report to Congress sometime in the foreseeable future. It would seem extremely unwise and foolish to adopt a regulation of the magnitude of the proposed grazing fee changes that would have such an effect on the Federal Government's policies with respect to administering the public lands without having at least the benefit of preliminary reports or recommendations from the PLLRC.

Therefore, Mr. President, I introduce my bill today to rescind for at least 2 years the proposed increases. This would give Congress sufficient time to fully review the equities and the problems involved in this complex matter and would also provide time for the PLLRC to report to Congress on changes necessary to properly administer our public lands to the best advantage of all concerned. It may well be that the end decision will be the same. If so, we will have done our best and can rest comfortably in the knowledge that the decision was the right one. The most that we could lose would be a few dollars to the Federal Treasury.

The stakes are so high I do not think we can afford to gamble. I do not mean this to be a delaying tactic. There are serious problems that need resolving. There are serious questions that remain unanswered.

Mr. President, there is a second provision in my bill which would provide that in the future, notice of any proposed increases in the grazing fees must be given to both the Senate and House Committees on Interior and Insular Affairs not less than 90 days prior to the date on which such proposed increases are to become effective. It is only right that those of us here in Congress, vitally interested in the welfare of this Nation's agricultural producers as well as in the proper administration of public lands, be notified in advance of any actions that will have an effect on them. I do not believe that this is too much to ask for.

In closing, Mr. President, I would like to state that I have written to both Secretary of Agriculture Hardin and Secretary of the Interior Hickel, urging that the regulations promulgating the grazing fee increases be administratively suspended and reviewed carefully by their respective Departments. I have pointed out to them the many unanswered questions and dangers which I have discussed

here today. But I do not feel we can afford to sit around and wait to see what the administration might do. We, too, have a vital interest in this matter.

I urge that this body act promptly on the bill which I introduce today. It is incumbent that if we are to find the right solution to this vital problem that we have sufficient time to investigate the matter without the fear hanging over us that while we deliberate, the permittees are nonetheless having to pay the increased grazing fees and suffering the loss of permit value. We will lose little, if any, revenue by suspending the increases temporarily; however, the losses to our agricultural producers, to the business community dependent upon their trade, and to our society in general, if we do not suspend them and review them carefully could be disastrous. It seems an easy choice that is ours to make. Let us move forward and make that choice.

Mr. President, I ask unanimous consent that the letter to Secretary of the Interior Hickel and the text of my bill be printed at this point in the RECORD.

The letter presented by Mr. MONTROYA, is as follows:

U.S. SENATE,

Washington, D.C., February 13, 1969.

HON. WALTER J. HICKEL,
Secretary, U.S. Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: As you are well aware, considerable controversy has arisen over the recent increase in fees for grazing livestock on public lands—which was announced jointly by the Departments of Agriculture and Interior a few weeks back. The final regulations were published in the Federal Register on January 14.

When the increases were first proposed in November 1968, I protested vigorously to then Secretaries Orville Freeman and Stewart Udall relative to the magnitude of the increases. I have since had additional opportunity to more thoroughly study the issues involved and am more convinced than ever that the previous action requires additional consideration. As I have stated before, I agree that permittees should pay equitable fees for the permits. However, I am disturbed that the decision to increase the fees appears to have been made arbitrarily, based on an unrealistic appraisal of "fair market value."

Although comments from all interested parties were solicited and received on the proposed increases by both Departments, the final decision on the increases was virtually identical to the original proposal. In view of the resulting controversy, this suggests that the comments received were not properly considered and would not have justified such a decision. The question is also raised as to whether the entire record is sufficient to support the increases.

There are many socio-economic factors which must be given equal consideration with the purely dollar value of grazing land. I trust that you can appreciate the importance of these factors. For example, it has been called to my attention that Forest Service range permittees contribute some \$1.3 million a year toward the installation, construction, and maintenance of federally-owned range improvements. This burden might otherwise have to be shouldered by the Federal Treasury, if the increases are permitted to stand. This, in turn, might well initiate a decline in the value of Federal land, due to deterioration of rangeland and watersheds. Further, there could be a resulting reduction in fee collections due to decreases in capacity and usage.

In addition to these considerations, I firmly believe that further thought must be given to whether fees should be established

at a level which permits smaller producers to participate, and thereby continue in agriculture, or whether fees will be raised to such a level that small producers will be forced out of business. The latter could only lead to further erosion of the family farm concept . . . a swelling of our welfare rolls . . . a breakdown of those financial institutions which have supported producers . . . and a general decline in our already suffering rural economy.

The Senate Subcommittee on Public Lands has scheduled informal public hearings on the increase in fees for later this month. In addition, we in Congress are still anxiously awaiting completion of the Congressionally-ordered study by the Public Land Law Review Commission into existing Federal policies dealing with public lands. The Commission will make recommendations to the Congress sometime soon, hopefully, on changes that are needed to best administer our public lands.

While I recognize that your department has its statutory obligations to implement policy established by Congress, using your best judgment, I am confident that you share my concern that a just and equitable decision be made relative to this matter. Thus, I respectfully urge that you join with Secretary of Agriculture Hardin in temporarily rescinding the increase in grazing fees until Congress and you, personally, have had further opportunity to more closely study the implications of this action.

Your every consideration of my request on behalf of the ranchers of this country will be greatly appreciated. I am making a similar appeal to Secretary Hardin.

With kind regards, I am

Sincerely,

JOSEPH M. MONTROYA,
U.S. Senator.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and bill will be printed in the RECORD.

The bill (S. 1063) to temporarily suspend the recent increases in fees for grazing of livestock on public land, introduced by Mr. MONTROYA, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to give the Congress sufficient time to determine whether the recent increases in fees announced jointly by the Secretary of Agriculture and the Secretary of the Interior for the grazing of livestock on lands under the control of the Forest Service of the Department of Agriculture and on lands within officially designated grazing districts under the control of the Bureau of Land Management of the Department of the Interior should be permanently rescinded or modified by legislation, and to determine whether or not new or additional standards should be prescribed by the Congress for establishing the amount of such fees, the increase in fees for the grazing livestock on such lands announced by the Secretary of Agriculture and the Secretary of the Interior on January 14, 1969 (Federal Register, Volume 34, Number 9, pages 504-507), are hereby rescinded effective January 14, 1969, and no increase in fees for the grazing of livestock on such lands shall be announced or effected prior to January 1, 1971.

SEC. 2. Whenever on or after January 1, 1971, the Secretary of Agriculture proposes to increase the fees for grazing livestock on National Forest System lands and other lands under the control of the Forest Service, or the Secretary of the Interior proposes to in-

crease the fees for grazing livestock on public lands within officially designated grazing districts, notice in writing of such proposed increases shall be given by the Secretary of Agriculture or the Secretary of the Interior, as the case may be, to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate not less than 90 days prior to the date on which such proposed increases are to become effective.

S. 1064—INTRODUCTION OF BILL EXTENDING PATENT TERM FOR VETERANS

Mr. BAYH. Mr. President, I am today reintroducing, for appropriate reference, a bill to provide for the extension of the patent terms for certain persons who have served honorably in the Armed Forces of the United States.

The purpose of this bill is not at all unique; throughout the Nation's history we have made special exceptions and provisions for veterans in order to compensate them partially for sacrifices they have made in serving their country. It would merely give to veterans the privilege of being allowed extensions of time for patents they have not been able to exploit because of military service. It would give veterans no more advantage than is now enjoyed by patent holders who do not serve in the Armed Forces of their country.

There are other precedents for legislation of this type. Congress enacted laws after both World War I and World War II providing veterans with this same privilege. There seems to be no good reason why this privilege should not be made available once again.

The bill does not propose a giveaway or handout. To be eligible, any veteran would have to be honorably discharged. In addition, he would have to prove, to the satisfaction of the Commissioner on Patents, that his military service had indeed "substantially reduced" any benefits he might have been able otherwise to receive from his patent.

Let me emphasize also that such extensions would only be authorized and not granted automatically. The ultimate burden of proof in the matter rests on the veteran himself, and there would be no cost whatsoever to the Government.

In addition to authorizing patent extensions to eligible veterans, my bill includes two new provisions. Unlike previous similar laws, its application would not be limited to those who served during specific years. All veterans who have not yet benefited from earlier legislation would be eligible in the future.

A second new feature would permit a veteran, for the purpose of this bill, to count as active service all time which elapsed between his initial induction into the armed services and his final honorable discharge. This change would extend coverage to those unfortunate veterans who, because of erroneous charges and action taken against them, have been forced to live under the shadow of a less than honorable discharge until able later to have such judgment reversed and their honor restored.

Mr. President, Congress and the Na-

tion recognizes that there is a special obligation to attempt to compensate those who have served in our Armed Forces for their many sacrifices and the lengthy interruptions to their normal lives and careers. This bill seeks only in a small way to remove a disadvantage now encountered by those comparatively few veterans who may have been awarded patents on their inventions but were not able, because of military service, to pursue fully their patent rights. I hope that this bill will receive every consideration and ask unanimous consent that it be printed in full at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1064) to provide for the extension of the term of certain patents of persons who served in the military forces of the United States, introduced by Mr. BAYH, was received, read twice, by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1064

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II," approved June 30, 1950 (64 Stat. 316), as amended, is amended to read as follows:

"Any person who is the inventor or discoverer of an invention or discovery for which a patent was granted to him during his performance of active service in the military or naval forces of the United States resulting in an honorable discharge and who has not received a patent extension under any previous Act, and who during such service was not receiving income from said patent or patented invention or discovery, or whose income therefrom was substantially reduced as a result of his said service, may obtain an extension of his patent for the term specified herein, upon application to the Commissioner of Patents within one year after the enactment of this Act or within one year after the termination of such service, whichever is later, and upon complying with the provisions of this Act. The period of extension of such patent shall be a further term from the expiration of the original term thereof equaling the length of the said service during which his patent was in force, but in no event shall exceed a period equal to the term of the original patent. Any period of time required following said service to obtain recognition of the right of such a person to an honorable discharge shall be considered part of such service."

Section 5 of said Act is amended by striking out "(a) No" and by striking out subsection (b).

S. 1065—INTRODUCTION OF BILL PROVIDING COMPENSATION UNDER THE WAR CLAIMS ACT OF 1948

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to provide for the continuance of certain compensation under the War Claims Act of 1948 and for an increase in the amount of such compensation. This bill is identical with S. 2291 which I submitted on

August 14, 1967. It would apply to a very limited number of U.S. citizens who suffered from the enemy in the Far East during World War II and whose compensation payments have ceased because they have reached the present statutory maximum.

A number of civilians, many of whom were employees of the U.S. Government, were captured by the Japanese in the early months of World War II and interned in prison camps. During confinement, many of these individuals suffered great hardship, contracted serious diseases and incurred physical injuries. Congress recognized the contributions and sacrifices made by these people in the War Claims Act of 1948 and subsequent amendments in 1954 and 1962.

The amount of compensation paid to these civilian internees has not been large. In addition to assistance with medical and hospital costs, disability payments have been made to those former civilian employees of the Government who suffered permanent injuries while in prison camps. Disability payments, which are administered by the Bureau of Employees' Compensation in the Department of Labor, were based on the assumption that the average weekly wage of the recipient was equal to \$37.50. An internee who was totally and permanently disabled from a physical standpoint was entitled to receive a maximum compensation of \$25 per week, and one who suffered less injury received smaller amounts in proportion to degree of disability.

Those who incurred partial disability can receive under the law no more than a total of \$7,500 in payments. As a consequence, many of the former internees can no longer receive benefits, despite continuing disabilities. This maximum limitation does not apply, however, to internees who incurred 100-percent disability. It seems to me that the maximum allocation for partial disability should be removed and the amount of benefit these former employees receive should be somewhat increased.

Available information indicates that less than 5,000 persons ever sought compensation for injury or disability under section 5(f) of the War Claims Act of 1948. The great bulk of the cases has already been closed, and only a few more than 100 are still actively drawing benefits. The average benefit paid for disability has been about \$21 monthly. My bill would make it possible for a small number of former employees, many of whom have reached retirement age and suffer from various infirmities, to continue to receive assistance after their total payments have reached \$7,500, and for a number of others whose payments expired some time in the past because of this limit, to be entitled to have them resumed in the future. The bill would not, however, retroactively reimburse these persons for any period of time during which they have not been eligible for payments. To the contrary, compensation payments would not start again until at least 1 month after the bill is enacted.

In addition to removing the \$7,500 maximum limitation, my proposal would increase the monthly disability payments

to 125 percent of the amount otherwise provided under the law. In view of the marked rise during the last two decades in the cost of living as well as in both governmental and private compensation programs, an increase of one-fourth in benefits would be very modest. For instance, a person with a disability determination entitling him to receive \$20 per month at present would be allocated only \$5 more, or \$25 per month.

There has been some indication that the balance remaining in the War Claims Fund may not be sufficient to pay in full all of the awards which have been certified as proper under the War Claims Act. If this be true, of course, other sources would have to be provided from which the payments contemplated by this bill could be made, and it should be amended accordingly. In any case, the limited number and the advanced age of most of those eligible, coupled with the low level of benefits, means that the total cost of the program would be minimal.

Even though this measure would affect the welfare of a comparatively small number of people, to each individual involved it could mean much in the remaining years of life. Those employees who were middle-aged at the time of their imprisonment are either approaching retirement or have already retired. Because of their disabilities, few have been able to work on a regular, full-time basis. One example which has come to my attention is that of a man who was a civilian employee of the Navy in the Philippines at the time of his capture and internment by the Japanese. Because he sustained multiple injuries, he was declared later to be eligible for compensation and he also received medical care at government expense. An injury to his spine and other related illnesses greatly limited his ability to work and he has been hospitalized on numerous occasions. Now at age 78, unable to work, and having several years ago reached the maximum aggregate limit of \$7,500 in compensation which the law provides, he is in need of continued financial assistance.

Mr. President, it is time that the plight of these persons who were disabled through internment during World War II should be relieved. The present maximum \$7,500 limitation on total payments for those who were partially disabled should be removed, and the amount of compensation should be increased to a more realistic figure. Failure to change the act previously might be due to oversight because of the small number of persons directly involved. In view of the fact that many of the former Government employees covered by the act are near or have attained retirement age, and their number is growing less with each passing year, I urge that this measure be given prompt and sympathetic consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1065) to provide for the continuance of certain compensation under the War Claims Act of 1948 and for an increase in the amount of such compensation, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1069—INTRODUCTION OF A BILL FOR TAX DEDUCTION FOR THE HANDICAPPED

Mr. JAVITS. Mr. President, I introduce a bill to provide the disabled an income tax deduction of up to \$600 to cover transportation to and from work, and to allow them the same additional \$600 income tax deduction as is now given the blind.

This measure is a companion bill to H.R. 424 introduced on January 3 by the distinguished chairman of the Ways and Means Committee of the House of Representatives, Hon. WILBUR MILLS, and it is a successor of the legislation I first introduced in February 1950 in the 81st Congress, as a Member then of the House.

It is estimated that some 300,000 disabled persons would qualify under this legislation, at a maximum cost to the Government of about \$130 each or \$40,000,000 per year. This cost seems small when we consider the average cost of from \$479 to \$544 per year to rehabilitate each disabled individual. What we will be doing through this legislation is helping these people to help themselves and aiding them to achieve some personal independence from institutions, from overburdened families, and from local and State governments.

Our handicapped citizens are capable of being productive workers, contributing to the Nation's economy instead of being dependent upon it. But their disabilities impose upon them additional expenses in pursuit of their livelihoods which are not fully tax deductible, such as special orthopedic devices; extra travel costs because they are unable to utilize routine methods of transportation; expensive additions to office, shop, or home to facilitate their movements; special prosthetic devices; higher insurance costs, and the costs of hiring help to perform the simple tasks which the nonhandicapped perform for themselves. In addition, rising costs are particularly burdensome. For example, the prices of some special orthopedic shoes needed by the disabled have doubled in the past year.

Under this bill, the disabled taxpayer, in order to qualify for the additional \$600 exemption, must suffer from a loss of one or more extremities or 40 or more loss of ability as defined under the Schedule for Rating Disabilities of the Veterans' Administration. In addition, both the blind and the disabled would qualify for the tax deduction of up to \$600 for expenses of going to and from work.

The prospects for this bill seem especially bright now. Hundreds of thousands of Americans have endeavored valiantly to transform their physical handicaps from stumbling blocks to building blocks. They wish to use their crutches to move on, not to lean on. This legislation will help them do just that. It is as practical in economic terms as it is humanitarian. It is, in effect, a practical bill to benefit those who have no alternative but to be practical.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1069) to provide for a deduction for income tax purposes, in the case of a disabled individual, for ex-

penses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Finance.

S. 1070—INTRODUCTION OF BILL TO ESTABLISH A COMMISSION ON AIR TRAFFIC CONTROL

Mr. BROOKE. Mr. President, every time we take off or land in an airplane, our lives are literally in the hands of two human beings; the pilot in the cockpit and the controller in the tower. We are aware of the care with which pilots are selected and trained; each airline is responsible for its own personnel, and its safety record is a matter of frequent public pronouncement. But air traffic controllers, as Government employees, come under different standards of recruitment and training.

While the pilot may be at the manual controls of the plane, some of the most vital decisions are made by the man in the control tower. The controller tells the pilot when to take off and to land, how much distance to keep between planes, where to circle the airport and for how long, the approach to take for a landing, and the pattern to follow after takeoff. The control of the flow of traffic at all of our airports is largely in the hands of the controllers, and they must be well trained.

But air traffic in the United States is rapidly approaching a critical stage; in some areas of high-density traffic, crises already exist. In many areas the system is handicapped by a lack of sufficient competent personnel to operate essential positions and direct aircraft movement. Many controllers are working mandatory overtime hours, and their resources are being so overtaxed that their efficiency necessarily suffers. It is becoming increasingly difficult to attract new men of high caliber who possess the skill and stamina necessary to function in this delicate and essential occupation.

Besides the drain on human resources, physical facilities are often not adequate to the job at hand. Because of insufficient runways and electronic landing systems, some airports now operating are actually unable to handle the present traffic and still maintain minimum safety standards. In many facilities the radar necessary for positive control is obsolete and inadequate; in many other facilities there is no radar at all. Among its other deficiencies our air traffic control system has no means of limiting or even forecasting the number of airplanes which schedule arrivals and departures at any single airport at a given time. At major airports, delays are commonplace. As these occur, spacing between aircraft is often shortened to the point where safety is undermined.

Our annual increase in air traffic has been very substantial during the past 5 years. It promises to continue without abatement for the foreseeable future. If the American people are to have air transportation that is reasonably dependable and at the same time meets proper safety standards the country

must, without further delay, develop the facilities and the manpower which will make it possible to manage safely and efficiently our rapidly accelerating air traffic flow.

Earlier this month I was joined by 21 of my colleagues in sending a letter to the Secretary of Transportation, John A. Volpe, urging his prompt and vigorous attention to these critical problems. In particular the letter cites the personnel problems in the air traffic control field and calls upon him to increase the number of air traffic controllers and to upgrade the standards and conditions of their employment. We are looking forward to the Secretary's reply.

After I introduced a bill in the second session of the 90th Congress to establish a commission to study the central issues of air traffic control personnel and operations, the Secretary of Transportation set up a committee to review this urgent situation. It is notable, however, that this committee contained no representatives of the operating personnel themselves and that it has brought about no substantial changes in the conditions of their employment. Even though Congress provided for the exemption of air traffic controllers from the provisions of the Revenue and Expenditure Control Act of 1968, thus eliminating any freeze on the acquisition of additional personnel, the manpower shortage has not improved, partly because it takes years to qualify a controller. Little headway has been made in establishing methods for improving the training and recruiting of more controllers. While negotiations drag on between the FAA and the Civil Service Commission, controllers continue to bear these increasingly oppressive working conditions.

In short, Mr. President, the same problems seem steadily to deteriorate and the need for a comprehensive and thorough remedy continues to grow. In order to produce the concrete conditions necessary for change, I send to the desk a bill to establish a commission to be known as the Commission on Air Traffic Control. The Commission shall be responsible for making a full and comprehensive study of air traffic control and the duties and responsibilities of air traffic controllers. It will serve in an advisory capacity to the Secretary of Transportation, and will submit a comprehensive report of its findings to the President and the Congress within 1 year.

I am pleased to have as cosponsors of this measure Mr. ALLOTT, Mr. ANDERSON, Mr. BAYH, Mr. BELLMON, Mr. BENNETT, Mr. BIBLE, Mr. CASE, Mr. COOK, Mr. DODD, Mr. DOLE, Mr. DOMINICK, Mr. GOODELL, Mr. HATFIELD, Mr. HART, Mr. HUGHES, Mr. INOUE, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. MCINTYRE, Mr. MONTROYA, Mr. MURPHY, Mr. SCOTT, Mr. STEVENS, Mr. SCHWEIKER, Mr. YARBOROUGH, Mr. FANNIN, and Mr. GOLDWATER.

Mr. President, I introduce this bill and ask unanimous consent that it be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1070) to establish a commission to be known as the Commission on Air Traffic Control, introduced by Mr. BROOKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1070

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of (1) the ever increasing workload and stress on air traffic controllers, particularly at certain airports in the Nation, and (2) the fact that, with very large aircraft carrying many more passengers soon to become operational, the performance of such controllers will become even more important, there is hereby established a commission to be known as the Advisory Commission on Air Traffic Control (hereinafter referred to as the "Commission").

SEC. 2. (a) The Commission shall make a full and comprehensive study of air traffic control and the duties and responsibilities of air traffic controllers in order to determine what policies are necessary to assure that such controllers are of the highest caliber attainable and work under such rules as will best insure the safety of the public. Such study shall include—

(1) an examination and determination of the best methods for defining the "work loads" of air traffic controllers and "high density" airport facilities, taking due account of other relevant surveys and studies;

(2) a thorough review and recommendations concerning air traffic control personnel standards and practices, including problems of recruitment, education and training, personnel qualification, licensing and classification, periodic proficiency and medical examinations, compensation, retirement, and leave policies.

(3) a consideration of the desirability and feasibility of establishing an academy to conduct specialized education and training for air traffic control personnel;

(4) any other matter which the Commission deems necessary to carry out its responsibilities under this Act.

(b) The Commission shall submit a comprehensive report of its study, including such recommendations for legislation as it deems appropriate, to the President and the Congress within one year after the date of enactment of this Act. The Commission shall cease to exist ninety days after the submission of such report.

SEC. 3. (a) The Commission shall be composed of fifteen members appointed by the Secretary of Transportation. The composition of the Commission shall be as follows:

(1) four members appointed from private life;

(2) four members who are active air traffic controllers appointed from recommendations submitted by the Professional Air Traffic Controllers Organization, the Air Traffic Control Association and the National Association of Government Employees;

(3) one member appointed from recommendations submitted by the Air Traffic Transport Association of America;

(4) one member appointed from recommendations submitted by the Airline Pilots Association and the Allied Pilots Association;

(5) one member appointed from recommendations submitted by the Airline Owners and Pilots Association;

(6) one member appointed from recommendations submitted by the National Business Aircraft Association;

(7) one member appointed from the Civil Service Commission or its employees;

(8) one member appointed from the Federal Aviation Agency;

(9) one member who is an expert in the

field of air traffic control, and who shall serve as chairman.

(b) Vacancies shall be filled in the same manner in which the original appointments were made. Any vacancy in the Commission shall not affect its powers, and six members of the Commission shall constitute a quorum.

(c) Each member of the Commission who is appointed from private life shall receive \$100 per diem for each day (including travel time) during which he is engaged in the actual performance of his duties as a member of the Commission. A member of the Commission who is in the legislative, executive, or judicial branch of the United States Government shall serve without additional compensation. All members of the Commission shall be reimbursed for travel, subsistence and other necessary expenses incurred by them in the performance of such duties.

SEC. 4. (a) The Commission is authorized to appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Such appointments shall be without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such compensation shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall receive compensation in excess of the rate prescribed for GS-18 in the General Schedule under section 5332 of title 5, United States Code.

(b) The Commission is authorized to obtain 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 \$100 per diem.

(c) The Commission is authorized to accept and utilize the services of voluntary uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code.

SEC. 5. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpoenas may be issued under the signature of the chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such chairman or member. The provisions of section 102 to 104, inclusive, of the Revised Statutes (2 U.S.C. secs. 192-194), shall apply in the case of failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure directly from any department, agency, or instrumentality of the United States information, studies, surveys, and reports to carry out the purposes of this Act. Each such department, agency, or instrumentality is authorized and directed to furnish such information, studies, surveys, and reports directly to the Commission, upon request made by the chairman, unless the President determines that it is in the best interests of the security of the United States that such information, studies, surveys, and reports not be furnished.

SEC. 6. To carry out the provisions of this Act, the Commission shall have the authority—

(1) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(2) to obtain, upon a reimbursable basis,

from any department, agency, or instrumentality of the United States, with the consent of the head thereof, such facilities, services, and supplies as the Commission deems necessary to carry out its duties;

(3) to enter into contracts or other arrangements, or modifications thereof, with State and local governments, and institutions and individuals in the United States, to conduct studies the Commission deems necessary to carry out the purposes of this Act, and such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(4) to make advance, progress, and other payments which the Commission deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(5) to make any other expenditures necessary to carry into effect the purposes of this Act.

S. 1071—INTRODUCTION OF ELECTRIC POWER RELIABILITY ACT OF 1969

Mr. KENNEDY. Mr. President, I introduce today the Electric Power Reliability Act of 1969. The primary purpose of the bill is to develop reliability in our electric power systems in order to eliminate the large-scale power blackouts which have plagued the American public with increasing frequency over the last several years. The other major purpose is to develop safeguards to assure that construction of large new generating and transmission facilities will not violate this Nation's irreplaceable environmental, scenic, and historic assets.

Mr. President, it has been more than 3 years since the massive northeast blackout of November 1965, left over 30 million people in the northeastern United States without electricity for up to 12 hours and more. It has been over a year and a half since the blackout in the Middle Atlantic States left 13 million people without power and convinced Americans that blackouts are definitely not freak occurrences.

Indeed, since the great northeast blackout the hazards of unreliable electric service have been further dramatized in scores of additional major power failures, many of them cascading failures in which two or more generating plants went off the line successively.

Only a few weeks ago, on January 28, over half of the State of Florida was hit by a large power failure.

My own State of Massachusetts has been plagued in recent years by several major power failures and smaller blackouts. Not once but twice, during the height of the summer season in 1967, the power went out on Cape Cod.

Twice in the last 2 months, outages in the Boston area have dramatically underscored for the citizens of Massachusetts the hazards of power loss. These particular blackouts, affecting hundreds of thousands of people, were local breakdowns caused when snow and ice storms battered down distribution wires. While they therefore could not be directly prevented by the overall coordination sought in my proposed bill, they have once again emphasized the inconvenience of power failures, the danger to health and public

safety, and the need to prevent or minimize all blackouts, large and small.

Federal Power Commission figures indicate that blackouts are occurring with increasing frequency. In the Commission's words:

The growing complexity of equipment and the increasing use of electric power make power blackouts more possible all the time.

These failures are not isolated and rare events. They are, rather, a common fact of modern-day life.

And they are common not because they are unavoidable. They are common because the utility industry views itself as a composite of individual, local units, a view contrary to reality and to common sense.

REGIONAL PLANNING TO PREVENT BLACKOUTS

Blackouts must be, and can be, prevented. And experts agree on the approach: coordinated, regional planning by all segments and systems in the electric power industry.

Lee White, Chairman of the Federal Power Commission, stressed in his 1967 testimony to the Senate Committee on Commerce on an earlier reliability bill:

Massive power failures have dramatized for the Nation the scale of operation of the electric utility industry today. Inadequate planning, as these power failures [Northeast Blackout and Middle States Blackout] plainly demonstrate, can lead to disruptions of electric service on a massive scale, to serious economic injuries, and, potentially, to human and community tragedy . . .

At the present time, plans are made by the industry, some early, some late, coordinated or uncoordinated, adequate and inadequate, and are rarely presented for any public scrutiny until it is almost too late to do anything about it . . . The emphasis must be on a timely and adequate planning procedure and exposure of plans to the public and regulatory agencies.

The report on "Electric Utility Industry and the Environment," prepared by a task force of the Citizens Advisory Committee on Recreation and Natural Beauty and released a few months ago, notes:

There is a growing need for additional power, and for interconnections between systems, which must be met, and delays can be dangerous . . . The need for stronger inter-company and inter-system transmission tie lines has been increased greatly in recent years as a result of new reliability problems growing out of the use of larger generating units.

The need for planning is also strongly documented by the recent report prepared by the energy policy staff of the Office of Science and Technology entitled "Considerations Affecting Steam Power Plant Site Selection":

Power system engineers attest to the absolute necessity of adequate system design, including judicious location and arrangements of generating sources and transmission connections to produce a reliable power supply. The proper balance among power systems loads, generation, and transmission facilities is of primary importance, and errors in these and other aspects of system planning and design cannot be overcome in operation regardless of how well the operating functions are carried out.

The reliability problem is compounded by the soaring increase in demand for electricity and in the need to construct

new facilities to meet that demand. Our total population continues to grow, and individuals and companies are relying on electricity for an ever-expanding number of functions. Latest estimates indicate that demand for electric power is doubling every 10 years.

The supply of electricity has been able to meet increasing demand, and has the potential to meet future needs, primarily because of technological advances leading to large-scale generating and transmission facilities. For example, 30 years ago the largest generating unit was only about 200 megawatts in capacity. Today generating units of 1,300 megawatts capacity are going into operation. Similarly, transmission lines have doubled and tripled in capacity.

ENVIRONMENTAL PROTECTION

The rapid growth in electric power facilities, and the fact that larger and larger units are dictated by economics of scale, contribute to a further threat which concerns me greatly: The harmful effect which extra-high voltage electric power facilities can have on our Nation's environmental, scenic and historic assets.

At the present time, electric utilities are a steady polluter of air and water. Transmission lines mar the countryside, from the Pacific to the Atlantic. Utility plants themselves can destroy scenic or historic areas.

Let me cite a few specific examples:

The Storm King controversy raged for years. Would Con Edison be permitted to build a generating plant at Storm King Mountain, and thus forever destroy its value as an unspoiled recreation area?

A second battle of Antietam flared up two summers ago over whether the Potomac Edison Co. would be allowed to construct transmission towers 11 stories tall alongside Antietam battlefield, John Brown's farm, and the Chesapeake & Ohio Canal near Sharpsburg.

The Commonwealth of Massachusetts brought suit against a power company seeking to construct a pumped storage generating plant on the Connecticut River, to prevent thermal pollution of the river.

A number of small towns outside Boston—Sudbury, Wayland, Concord, Framingham, among others—have been battling the power companies for 8 years over whether transmission lines should be buried as they pass through the Sudbury River Valley, with its homes and buildings dating to the Revolutionary War. The towns insist that the lines be put underground; the utility companies insist on overhead wires. The dispute is still raging, and has led to extensive litigation going all the way to the State supreme court.

From Chesapeake Bay and Long Island Sound in the East to Columbia River in the West, citizens are alarmed at possible thermal pollution and other adverse effects from large electric powerplants. And disputes are erupting all over the United States over proposed transmission lines and their impact on areas of natural and historic interest or scenic and recreational value.

Thermal pollution is a major problem of large generating facilities. Nuclear plants especially need vast amounts of

water for cooling purposes, and if improperly controlled, the discharge from these plants can kill all the wildlife dependent upon the river. One recent estimate states that by 1980, nuclear generating plants will be using one-fifth of the total fresh water runoff of the United States for cooling. The discharge is usually 11° to 23° hotter than the intake.

Studies of air pollution bear out common experience: utility companies pour tons of dirt and noxious and dangerous contaminants into the air we breathe every day. Powerplants are the third largest source of air pollution, accounting for some 20 million tons of airborne pollutants a year. In Boston, in New York City, in Washington, and in hundreds of other cities the towering chimneys and smokestacks pour out smoke hour after hour, week after week. Public attention and legislation in recent years give us a ray of hope that this problem will not be so severe sometime in the future as it is today. But much more in research, in pollution control devices and laws, in good faith efforts, remains to be done.

Generating facilities affect other environmental assets as well, including land, water, recreation, scenic, ecological and historic values. Indeed, the Electric Power Plant Siting Act, which I sponsored last year and will reintroduce in revised form within the next couple of weeks, is directed specifically to the problem of siting large electric powerplants in such a way as to protect the environment and maximize other benefits.

The problem of overhead transmission lines is equally serious. Today over 7 million acres of land are devoted to transmission lines. Notwithstanding, there is still a critical shortage of lines contributing to the unreliability of so many of our electric systems. And of course increased demand also means increased transmission facilities.

Some estimates suggest that by 1980 the amount of land used for transmission lines will almost triple, to 20 million acres—or practically twice the acreage of our national park system. These projections heighten the urgency of devising economical and feasible ways to put lines underground.

The report I mentioned earlier by the task force of the Citizens Advisory Committee on Recreation and Natural Beauty recognized both that planning can reduce the present adverse impact of overhead transmission wires and that underground lines are the long-term solution:

Environmental objections to conventional transmission facilities can be reduced through careful route selection and advanced techniques in clearing and construction in forested and scenic areas. Routes can be selected which are both functional and unobtrusive. It is often possible to avoid the creation of new rights-of-way by siting new transmission lines along rights-of-way already used by the utility, or by some other right-of-way user . . . The ultimate solution to the transmission line appearance problem is the undergrounding of such lines. However, technical limitations presently eliminate this solution in most cases.

In its 1968 annual report to the President, the Advisory Committee noted that changes are needed, not only in the electric power area but in all areas of Government interest, to assure adequate protection of the environment:

The Committee is concerned that environmental considerations are not given sufficient weight in the decisions of the Federal Government. There is strong reason to believe that a growing public awareness and concern for the environment has not been adequately or effectively reflected in the development and operation of Federal programs.

The Committee went on to say:

We believe that public concern for the careful and intelligent treatment of the environment is ahead of the Government's present institutional or administrative capabilities to make effective and sympathetic response.

I agree with the Advisory Committee's observations on defects in present Government procedures. Indeed, many provisions of the bill which I introduce today are aimed at correcting these defects in line with my own commitment to the preservation of our environment and natural resources.

SUMMARY OF PROPOSED RELIABILITY BILL

The Electric Power Reliability Act of 1969 represents a careful revision of similar legislation which I sponsored last year in S. 2889. In preparing the bill, I have collaborated with Congressman JOHN MOSS of California and Congressman RICHARD OTTINGER of New York, both of whom sponsored electric power reliability legislation in the last session of Congress. Together we have agreed on a uniform revised bill, and Congressmen MOSS and OTTINGER will sponsor this present bill in the House.

The bill incorporates the basic planning feature of S. 1934, the original reliability bill proposed by the Federal Power Commission in 1967: the establishment of regional councils to work out coordinated plans for reliable power development in all areas of the country. But the bill goes beyond S. 1934 in several major respects. It covers extra-high-voltage generating facilities, as well as transmission lines. It places greater emphasis on protection of the environment. It calls for the establishment of a National Council on the Environment. And it contains greater conservation and consumer safeguards.

Mr. President, I would like to summarize briefly several of the key features of the bill which I introduce today.

Regional councils: Regional councils, established by companies with the help of the Federal Power Commission, would be composed of all interested utilities in an area to strengthen coordination and insure that all electric systems in a region—large and small, private and public—work together in their planning efforts. Experience has shown that regional planning is essential for safe, reliable, and low-cost power and for protection of our natural resources, and that responsible regional councils are a sound approach.

Coordination plans: Each regional council would be required to file with the FPC a comprehensive development plan,

which could be modified or changed at a later time. The FPC could accept or reject the plan and the proposed changes, depending on whether they are consistent with reliability standards and environmental protection. In all of its licensing and other decisions, the FPC would have to consider consistency with the appropriate regional coordination plan or plans.

Reliability criteria: The FPC is directed to promulgate compulsory regulations on reliability.

Construction of extra-high-voltage facilities: No extra-high-voltage transmission lines or generating plants can be constructed until the FPC approves the proposed facility as being consistent with the regional coordination plan and with reliability and environmental standards developed by the FPC.

Environmental council: The bill would establish a National Council on the Environment, with five members appointed by the President. The council would pass on all licensing and other actions by the FPC from the point of view of their impact on the environment. It would have initial veto power, subject to later reversal by the FPC, over proposals which might have an adverse environmental impact.

The bill requires that members of the national council be experts in conservation matters, so their reports and advice to the FPC would reflect an expertise and concern not otherwise available to it. I am convinced that a National Council on the Environment would contribute to an evenly balanced perspective—covering environmental as well as technical aspects—in licensing and other actions of the FPC.

Restrictions on condemnation: Utilities would not be allowed to exercise the power of eminent domain until the National Council on the Environment had been given a chance to present its views to the FPC on the environmental considerations. In addition, the bill incorporates standards from the Highway Beautification Act last year—prohibiting the use of park, recreation, wildlife refuge, and historic site land for extra high facilities unless there is no feasible and prudent alternative to such use, and unless all possible planning has been done to minimize harm. Every effort should be made to insure that reckless use of the power of eminent domain does not cause irreparable harm to our natural resources.

Consumer protection: Consumers have a right to be fully informed about proposed construction of electric power facilities, and they should be given a larger voice in regional and interregional utility planning. The bill meets this need by requiring that maximum publicity be given to regional plans and construction proposals—explaining them clearly in popular media throughout the regions affected. To maximize consumer protection and participation in FPC decisions, the bill also directs the FPC, whenever practicable, to hold public hearings in convenient locations within the regions affected.

Underground transmission lines: The FPC is instructed to study the social and economic impact of overhead transmission lines, including adverse environ-

mental effects. It is my sincere hope that increased and persistent attention to putting transmission and distribution lines underground can speed the day when unsightly and sometimes unreliable overhead wires will be gone from our scenic landscapes.

Other provisions: Among other provisions included in the bill I introduce today are: establishment of a National Electric Studies Committee to facilitate development and exchange of technical information improving reliability; expansion of the FPC's power to require interconnection of electric systems; authorization to the FPC to require common use or ownership of extra-high-voltage facilities, when such cooperation is in the best interests of economy, reliability and environmental protection.

Mr. President, as we grow more and more dependent upon electricity for traffic control, for elevators, for hospital equipment, for communications, for labor-saving devices, we must be vigilant to see that the public interest is the interest being served. "Public interest" has a different meaning today than it did 10, 20, or 30 years ago, reflecting the growing maturity of our society. Today, the public interest demands attention to natural resources, protection of the citizen, breaking down the traditional insularity of generating and transmission companies, and determined efforts to prevent blackouts.

The bill which I introduce today provides, I think, a good framework for legislative change to protect the public interest. I hope that it will lead to increased discussion and attention to the serious problems we face, and that it will result in strong legislation for reliability in our power systems and protection of our environment.

We must plan now and act now to avoid irreparable harm in the future.

Mr. President, at the present time the Senator from Michigan (Mr. HART) and the Senator from Maryland (Mr. TYDINGS) are joining me as cosponsors of the bill. Unfortunately, because of the Senate recess, I have not had an opportunity to contact several other Senators who have shown an interest in electric power reliability legislation. But I will do so in the days ahead.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1071) to amend the Federal Power Act to further promote the reliability, abundance, economy, and efficiency of bulk electric power supplies through regional and interregional coordination; to encourage the installation and use of improved extra-high-voltage facilities; to preserve the environment and conserve natural resources; to establish the National Council on the Environment; and for other purposes, introduced by Mr. KENNEDY (for himself, Mr. HART, and Mr. TYDINGS), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Electric Power Reliability Act of 1969".

SEC. 2. (a) The Congress finds that increased reliability in the generation and transmission of electrical energy is important to the national defense, the commercial life of the country, and the general welfare of the people of the United States; that the rapidly growing demand for power, the increase in the size and complexity of generating and transmission facilities and the rapidly advancing technology of the electric industry require a high level of coordination in the generation and transmission of electric power within and between regions of the country; and that a new part IV of the Federal Power Act, as added by this Act, will serve to provide the means for increasing and improving such coordination and reliability.

(b) Congress finds that the preservation and enhancement of the environment, the conservation of natural resources including scenic, historic, and recreation assets, and the strengthening of long-range land-use planning are vital to the health and welfare of the people of the United States and that actions taken under the authority of the Federal Power Act as amended by this Act should be consistent with these goals.

SEC. 3. A new part IV is added to the Federal Power Act, as amended (16 U.S.C. 791-825r), to read as follows:

"PART IV—REGIONAL COORDINATION

"APPLICATION AND OBJECTIVES OF PART:
DEFINITIONS

"SEC. 401. (a) This part shall apply to all persons who own or operate bulk power supply facilities in the United States.

(b) This part is intended to further the national policy declared by subsection 202(a) of the Federal Power Act, by assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and consistent with the preservation and enhancement of the environment, the proper utilization and conservation of natural resources, including scenic, historic and recreation assets, and the strengthening of long-range land-use planning; by enhancing the reliability of bulk power supply; by strengthening existing and establishing new mechanisms for coordination in the electric utility industry; by encouraging the comprehensive development of the power resources of each area and region of the United States, to take advantage of advancing technology with due regard for the conservation of natural resources, by providing that all utility systems and their customers shall have access to the benefits of coordination and advancing technology on fair and reasonable terms; by assuring to the extent feasible that extra-high-voltage facilities include sufficient capacity to meet area, regional, and interregional needs for generating and transmission capacity, including reserve capacity for reliability; and by drawing upon the cooperation of all segments of the electric utility industry.

(c) As used in this part, 'person' means a 'person', 'municipality', or a 'State', as defined in section 3 of the Federal Power Act, and any department, agency, or instrumentality of the United States. The term includes privately, cooperatively, federally, and other publicly owned persons.

(d) As used in this part, 'bulk power supply facilities' means facilities for generation or transmission of electric power and energy. In the exercise of its authority under section 414 the Commission may classify or exempt facilities which are not material to the objectives of this part.

(e) As used in this part, 'extra-high-voltage facilities' means transmission lines and associated facilities designed to be capa-

ble of being operated at a nominal voltage higher than two hundred kilovolts between phase conductors for alternating current or between poles for direct current, the construction, extension, or modification of which is commenced two years or more after the enactment of this part, and generating units or plants and associated facilities designed to be or capable of being operated at a capacity of two hundred megawatts or more, the construction, extension, or modification of which is commenced four years or more after the enactment of this part.

"RELATION TO OTHER PARTS

"SEC. 402. (a) This part supplements parts I, II, and III of this Act in order further to promote the reliability, abundance, and efficiency of bulk power supply in the United States and to assure that actions taken pursuant to any part shall be consistent with the enhancement and preservation of the environment, the conservation of natural resources, including scenic, historic, and recreation assets and the strengthening of long-range land-use planning. Nothing herein shall modify or abridge authority granted under parts I, II, or III of this Act unless specifically so provided.

(b) The administrative, procedural, enforcement, rehearing, and court review provisions prescribed by other parts of this Act shall apply to this part.

"COOPERATION OF BULK POWER SUPPLY SYSTEMS

"SEC. 403. The purposes of this part should be achieved as far as possible by cooperation among all persons engaged in bulk power supply, or affected thereby, whatever their nature.

"REGIONAL POWER COORDINATION ORGANIZATIONS

"SEC. 404. (a) After appropriate consultation, held under procedures to be prescribed by the Commission, with persons engaged or interested in bulk power supply, appropriate Federal agencies and State commissions, the Commission shall secure the establishment of appropriate and effective regional organizations and procedures to carry out regional and interregional coordination, with full participation by all segments of the electric utility industry in the region. Each regional coordination organization (hereafter 'regional council') shall be open to membership by each electric system in the region, whatever the nature of its ownership or of its facilities. Two or more electric systems may at their option be admitted as a group. Some electric systems may in appropriate cases be admitted to more than one regional council. The Commission shall, and the State commissions within the region may, designate appropriate staff representatives, who shall participate in the work of the regional councils, except for the ultimate adoption of plans or any other council actions.

(b) Each regional council shall file with the Commission a statement of its organization in accordance with such rules and standards as the Commission shall prescribe. The Commission shall promptly publish notice in the Federal Register of the filing of each such statement. Copies of such statements shall be kept available for public inspection at the Commission's office and at some convenient place designated by the Commission within each region affected. After notice and opportunity for hearing, the Commission may by order determine whether any statement filed under this section is consistent with the objectives of this part. If the Commission determines that the statement is not consistent with the objectives of this part it shall modify it or set it aside.

(c) Within thirty days after adoption by the council, any regional or interregional coordination plan developed by such regional council, in accordance with such rules and standards as the Commission shall prescribe, shall be filed with the Commission. The Commission shall promptly publish no-

tice in the Federal Register of the filing of each such coordination plan. Copies of such plans shall be kept available for public inspection at the Commission's office and at some convenient place designated by the Commission within each region affected. The Commission shall consider such coordination plans in exercising its responsibilities under this Act, including parts I, II, III, and IV: *Provided*, That such coordination plans shall in no manner be construed or considered as comprehensive plans pursuant to section 10(a) of part I of this Act (16 U.S.C. 803(a)). Statements filed under this subsection shall not be considered contracts to be filed under section 205(c) of this Act. After notice and opportunity for hearing, the Commission may determine whether any coordination plan submitted under this section is consistent with the objectives of this part. If the Commission determines that the plan is not consistent with the objectives of this part or not in the public interest it shall modify it or set it aside.

(d) The Commission shall require annual reports from each regional council and such additional reports as it may deem necessary or appropriate to carry out the objectives of this part. Copies of such reports shall be kept available for public inspection at the Commission's office and at some convenient place designated by the Commission within each region affected. The Commission shall annually report to the Congress on the effectiveness of the regional and interregional coordination efforts.

(e) If the Commission, after notice and opportunity for hearing, determines that any person engaged in generation or transmission unreasonably refuses to participate in the creation of a regional council, to contribute toward its expenses, or to participate in effective regional or interregional coordination it may require such person by order to participate in the creation and work of such regional council, and to contribute a reasonable share of the expenses thereof, to the extent the Commission finds necessary to carry out the objectives of this part.

(f) In accordance with the procedures prescribed for filing, publication, and consideration of a statement of organization or coordination plan, either the regional council, or the Commission upon its own motion or upon complaint and after notice and opportunity for hearing, may from time to time amend any statement or plan. The Commission, if it determines, after notice and opportunity for hearing, that an amendment by the regional council is not consistent with the objectives of this part, shall modify or set aside such amendment.

"NATIONAL COUNCIL ON THE ENVIRONMENT

"SEC. 405. (a) There is hereby established a National Council on the Environment (hereafter 'National Council'). The President, with the advice and consent of the Senate, shall appoint as members thereof five persons having special expertise in areas such as conservation, environmental sciences, esthetics, or land-use planning. Each member of the Council shall hold office for a term of three years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) of the members first taking office two shall be appointed for a term of one year, one for two years, and two for three years, beginning from the date of enactment of this Act. At its first meeting and thereafter whenever a vacancy in the chairmanship occurs the Council shall elect one of its members chairman of the Council, to act as such until the expiration of his current term as a member of the Council. Not more than three of the members shall be appointed from the same political party, but this sentence shall not prevent appointment of per-

sons without partisan political affiliation. No person in the employ of or holding any official relation to any licensee or to any person, firm, association, or corporation engaged in the generation, transmission, distribution, or sale of power, or owning stock or bonds thereof, shall enter upon the duties of or hold the office of member of the National Council. Said Council members shall not engage in any other business, vocation, or employment. No vacancy in the National Council shall impair the right of the remaining members to exercise all the powers of the Council. Three members of the Council shall constitute a quorum for the transaction of business, and the Council shall have an official seal of which judicial notice shall be taken. The Council shall annually elect a vice chairman who shall be acting chairman during the absence or disability of the chairman and during any vacancy in the office of chairman. The National Council shall adopt such rules and regulations as it deems advisable for the conduct of its business. It may by rule delegate to the Chairman such of its executive and administrative functions as it sees fit, including functions of the National Council with respect to (1) the appointment and supervision of personnel employed under the Council, (2) the distribution of business among such personnel, and (3) the use and expenditure of funds. The Council may by rule authorize the Chairman to redelegate any function so delegated to him. The Chairman of the National Council shall be compensated at the rate provided in level III of the Federal Executive Salary Schedule (5 U.S.C. 5314) and the other members shall be compensated at the rate provided in level IV of the Federal Executive Salary Schedule (5 U.S.C. 5315).

"(b) The National Council shall review each coordination plan, each application for a license under part I of this Act, each proposal under section 410 of this Act, and all amendments to any of these, to ascertain whether such plans, applications, proposals, or amendments are consistent with the preservation and enhancement of the environment, conservation of natural resources, including application, or proposal and any modification of any of these to be served upon the National Council.

"(c) The National Council, within 90 days or such additional period as the Commission for cause orders, after service of a coordination plan, or an application for a license under part I of this Act, or any amendment to either of these, shall report to the Commission as to the extent to which such plan, application or amendment is consistent with the objectives of this section. If the National Council finds that such a plan, application or amendment is not consistent with the objectives of this section, it may file an objection thereto with the Commission.

"(d) The National Council, within six months after publication in the Federal Register of the notice of a proposal under Section 410 of this Act, or within 90 days after the date of a modification or condition affecting such proposal as served upon it if such service is made more than three months after such publication, shall report to the Commission as to the extent such proposal, modification thereof or condition thereto, whether proposed by the Commission or the proponent, is consistent with the objectives of this section. If the National Council finds that a proposal, modification or condition is not consistent with the objectives of this section, it may file an objection thereto with the Commission.

"(e) In preparing reports pursuant to this section the National Council shall have full and ready access to all information regarding any plan, application, amendment, proposal, modification or condition available to the Commission and to such other information as it may deem necessary to carry out its responsibilities under this section.

"(f) Every objection filed by the National Council pursuant to this section shall have the same effect as a suspense order issued by the Commission under section 410 of this Act, and shall be promptly served upon the regional council and the applicant or proponent affected thereby. The Commission shall consider the report of the National Council in making its decision and such report shall be a part of the record of the proceeding.

"(g) The National Council may intervene and be a party to any proceeding in which it has filed a report or objection and may seek rehearing and judicial review of the Commission's order in such proceedings in the manner provided in section 313 of this Act.

"(h) The National Council is authorized to—

"(1) Appoint and fix the compensation of scientific, technical, professional, and clerical personnel necessary to carry out its functions. Such appointments may be made without regard to provisions of title 5, U.S. Code, governing appointments in competitive service, and without regard to provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall receive compensation in excess of the rate authorized for GS-18 by section 5332 of such title.

"(2) In accordance with title 5, U.S. Code, section 3109, employ experts and consultants for temporary or intermittent service.

"(3) Enter into contracts with educational institutions, scientific organizations, industrial and engineering firms it deems suitable and necessary to assist the National Council in its consideration of any plans, applications, amendments, proposals, modifications or conditions pending before it, or to conduct research which may aid it in carrying out its functions pursuant to this section; and

"(4) Cooperate with any Federal, interstate, State, or local agency or instrumentality, and with any private person, firm, educational institution or other organization for the purpose of carrying out its functions pursuant to this section.

"(i) Attorneys appointed by the Council may, at its direction, appear for and represent the Council in any administrative or judicial proceeding.

"NATIONAL ELECTRIC STUDIES COMMITTEE

"Sec. 406. The Commission, after consultation with regional councils, shall establish a national committee representative of all elements of the electric industry to facilitate interregional exchange of views and experience and to consolidate electric industry efforts to investigate major present and future problems in planning and operating bulk power supply facilities. The committee shall seek to stimulate vigorous scientific and engineering interest in the challenges to achieving reliable and efficient bulk power supply for the United States and protecting and enhancing the general environment of the United States.

"ADVISORY BOARDS

"Sec. 407. To assist it in considering matters coming before it under this part, the Commission may establish one or more advisory coordination review boards and provide for the appointment thereto of experts drawn from the electric utility industry, equipment manufacturers, the academic and research communities, and other persons, not employed by the Commission, drawn from the general public, including persons interested in conservation, esthetics, and long-range land-use planning.

"COORDINATION AGREEMENTS

"Sec. 408. Subject to such rules and regulations as the Commission may prescribe, a copy of all written agreements and a written statement of all oral agreements for coordinated planning or operation of bulk power supply facilities (including but not limited

to agreements for joint ownership of such facilities) shall be lodged with the Commission by or on behalf of the persons participating in such agreement. Copies of each agreement and statement shall be kept available for public inspection at the Commission's office and at some convenient place to be designated by the Commission within each region affected.

"RELIABILITY STANDARDS

"Sec. 409. Upon the recommendation of a regional council or upon its own motion, and after consultation with the regional councils, and after public notice and opportunity to comment, the Commission shall promulgate regulations setting forth reasonable criteria of national or regional applicability under which owners and operators of bulk power supply facilities shall plan and operate such facilities to increase and improve their reliability.

"EXTRA-HIGH-VOLTAGE FACILITIES: NOTICE OF PROPOSED CONSTRUCTION: SUSPENSION

"Sec. 410. (a) Subject to such rules and regulations as the Commission may prescribe, any person proposing the construction, extension, or modification of extra-high-voltage facilities shall file with the Commission its proposal which shall include a map and specific information as to the routing of the proposed line or location of the proposed plant and such other information as the Commission may require to enable it to determine to what extent the proposed construction, extension, or modification of such facilities and the operation thereof is consistent with plans developed by the affected regional council or regional councils as such plans may have been modified by the Commission and with the objectives of this part. The filing shall state whether the proponent elects to seek right-of-way pursuant to section 411 of this part. Copies of each such proposal and all amendments thereto filed with the Commission shall be kept available for public inspection at the Commission's office and at some convenient place to be designated by the Commission within each region affected. The Commission shall cause notice of each such proposal and any material change therein to be promptly published in the Federal Register and made available to the press and other media in the region or regions affected and shall take such other steps as may be necessary to assure that the general public in all regions affected will be promptly and accurately informed of the substance of the proposal and of all material changes therein. In addition, the Commission shall serve said notice upon the National Council, appropriate regional councils, and such Federal, State, and local agencies and other interested persons as the Commission may require. The notice shall set forth the substance of the proposal or amendment, the places where copies thereof are available for inspection, and the latest date, which shall be not less than 90 days from the date of publication in the Federal Register, for interested persons to submit to the Commission comments or objections regarding the proposal or amendment.

"(b) No person may construct, extend, or modify extra-high-voltage facilities until six months after notice of the proposal has been published in the Federal Register and for such additional period during which a suspense order of the Commission remains in effect, or after such proposal has been disapproved by the Commission. The Commission shall issue a suspense order whenever the proponent elects to seek right-of-way pursuant to section 411 or when the Commission concludes, in its discretion, within six months after publication in the Federal Register of the notice of the proposal or amendment, that the proposed construction, extension, or modification, or the operation of the proposed facilities is inconsistent with a plan approved pursuant to section 404(c) or otherwise appears to be inconsistent with

the objectives of this part. The suspense order shall summarize the Commission's reasons for its action and shall remain in effect until the Commission issues an order approving or disapproving the proposal.

"(c) At any time during which a suspense order is in effect, the Commission may issue an order recommending specific modifications in the proposal and setting forth conditions for its approval. Notice of such order shall be published and served, and copies of the order shall be kept available for public inspection, as provided in subsection (a) of this section. If such modifications and conditions are accepted by the proponent and not objected to by anyone within ninety days following publication in the Federal Register, the Commission shall approve the proposal as modified and terminate the suspense order forthwith: *Provided*, That the suspense order shall not terminate prior to expiration of the six months period specified in subsection (b) of this section. If the modifications and conditions are not accepted by the proponent or if objection is filed, or if the Commission schedules a formal hearing, the suspense order shall remain in effect.

"(d) Except as provided in subsection (c) of this section, the Commission shall not approve or disapprove any proposal against which a suspense order has been issued except after opportunity for a public hearing to be held no sooner than thirty days after notice of the time and place thereof shall have been published in the Federal Register. Upon timely request of the proponent, the Commission shall schedule such hearing not later than (i) thirteen months after issuance of the suspense order, or (ii) thirty days following the expiration of any time specified in this section for submission of comments by the public or specified in section 405 for submission of objections by the National Council, whichever is later.

"(e) The Commission shall approve a proposal to this section only when it finds that the proposed construction, extension or modification of extra-high-voltage facilities and the proposed locations and operations thereof will be consistent with the objectives of this part including the protection and enhancement of the environment, conservation of natural resources, including scenic, historic, and recreation assets, and strengthening of long-range land-use planning. Notwithstanding any such finding, however, the Commission shall not approve any proposal where it appears on the record of its proceedings that some other technically and economically feasible and reliable kind or design of facilities, location therefor or manner of operation thereof is clearly preferable from the standpoint of protecting or enhancing the environment, conserving natural resources including scenic, historic and recreation assets, or strengthening long-range land-use planning.

"(f) The Commission shall include in any order issued under this section authorizing the construction, extension, or modification of extra-high-voltage facilities such conditions governing the use by other persons of any excess capacity (over and above reasonable reserves) of such facilities and the interconnected facilities of the proponent, upon a demonstration of need for such use, as it finds necessary and appropriate to the objectives of this part. In accordance with the procedures prescribed in this section and consistently with a plan approved pursuant to section 404(c) of this Act, the Commission may in accordance with this section authorize any person at such person's own expense to enlarge the facilities of any other person which have been or are proposed to be constructed, extended or modified and to utilize the increased capacity for the generation or transmission of electric power and energy upon such terms and conditions as the Commission may deem to be just, including, where appropriate, provi-

sions for payment of additional compensation to the owners of the land underlying the facilities affected. The Commission shall determine disputes relating to allocation of generating or transmission capacity, reasonableness of reserves and amount of excess capacity, compensation for the use of the facilities, and all other issues arising under this subsection.

"(g) In an emergency, upon finding that the immediate construction or modification of extra-high-voltage facilities is indispensable to the public health, welfare, safety or the national security, the Commission may by order authorize such construction or modification in advance of compliance with any or all requirements of this section and of section 405. Such order may be issued upon petition or upon the Commission's own motion with or without prior notice or hearing, shall contain detailed findings concerning the emergency justifying its issuance, and shall include such conditions consistent with the requirements of this subsection as the Commission may deem necessary to protect the public interest. Each such order shall be promptly published in the Federal Register. Neither the issuance of such an order nor the construction or modification of extra-high-voltage facilities under authority of such order shall exempt the proponent thereof from compliance as soon as practicable with all requirements and prohibitions of this Act except the prohibition in subsection 410(b) against constructing, extending or modifying extra-high-voltage facilities until six months after notice of the proposal therefor has been published in the Federal Register. As used in this subsection 'emergency' means:

"(1) a sudden increase in demand for electric power or energy which cannot be supplied by the use of feasible and prudent alternatives;

"(2) a shortage of facilities for the generation or transmission of electric power or energy, including a shortage of fuel or water which cannot be remedied by the use of feasible and prudent alternatives;

"(3) a threat to the environment endangering the public health or safety which results from the consumption or utilization of fuel or water and which cannot be avoided by the use of feasible and prudent alternatives; or

"(4) a catastrophic failure, or imminent threat of catastrophic failure, in any part of any facility for the generation or transmission of electric power or energy which cannot be prevented or corrected by the use of feasible and prudent alternatives.

"RIGHT-OF-WAY FOR EXTRA-HIGH-VOLTAGE FACILITIES: EMINENT DOMAIN

"SEC. 411. (a) The Congress hereby reaffirms the national policy stated in section 18 of the Federal Aid Highway Act of 1968 (82 Stat. 815, 823; Public Law 90-495) that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The regional councils and the Commission shall cooperate and consult with the National Council, with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing coordination plans and other programs that include measures to maintain or enhance the natural beauty of the lands affected. The Commission shall not approve any coordination plan or proposal for extra-high-voltage facilities, permit either of the same to go into effect without its approval, issue or renew any license under part I of this Act, or issue any order whatever under any part of this Act, which requires or authorizes the use of any publicly owned land from a public park, recreation area, or wildlife or waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction

thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such plan, proposal, license, or order incorporates all possible planning to minimize harm to such park, recreation area, wildlife or waterfowl refuge, or historic site resulting from such use. This subsection shall be in addition to, and shall not be construed to repeal or modify, any other provisions of this Act, or any other Act, which provide for the protection and enhancement of the environment or of particular areas or places or esthetic or historic values.

"(b) No person may acquire a right-of-way for any extra-high-voltage facility on Federal land, or by exercise of the power of eminent domain, until his proposal for such facility has (1) been on file with the Commission for six months following publication of notice thereof in the Federal Register during which time a suspense order has not been issued against it or (2) been approved by the Commission.

"(c) When a proposal for an extra-high-voltage facility has been filed with the Commission, as provided in Sec. 410 of this Act, and six months have expired without issuance of a suspense order directed against it, or when the proposal has been approved by the Commission, the proponent or his assignee may then acquire (1) rights-of-way in accordance with such proposal by the exercise of the power of eminent domain as provided by applicable State law or, if the proposal expressly stated that such was the intention of the proponent, by the exercise of the Federal power of eminent domain conferred by subsection (d) of this section, and (2) rights-of-way on Federal land, but only in the manner provided by subsection (e) of this section; *Provided*, however, that if in any eminent domain proceeding a party who may be adversely affected by acquisition of the proposed right-of-way shall show that he raised timely objection thereto in the Commission's proceedings, the Commission's record shall show that the proponent sustained the burden of proof that the part of the approved proposal to which said objection was raised is the best of all feasible and prudent alternatives.

"(d) If the proponent cannot acquire by contract, or is unable to agree with the owner of property as to compensation to be paid for the necessary right-of-way or other property to construct, operate, and maintain such extra-high-voltage facilities, it may acquire the same by the exercise of the power of eminent domain in the United States district court for the district in which such property may be located. In any such proceeding the plaintiff may file with the complaint or at any time before judgment a declaration of taking in the manner and with the consequences provided by sections 258a, 158b, and 258d of title 40, United States Code, and the plaintiff shall be subject to all of the provisions of said sections which are applicable to the United States when it files a declaration of taking thereunder.

"(e) The Commission may grant rights-of-way over Federal lands either for a limited term not in excess of fifty years, or without limit as to duration. If granted for a limited term, the holder, during the two years prior to the expiration of the term, may apply for a renewal of the right-of-way under the same provisions applicable to the issuance of an initial right-of-way, and may continue use of the right-of-way while the application is pending. If the right-of-way is granted without limit as to duration, the Commission at intervals of not less than ten years, after notice and opportunity for hearing, may modify or add to the terms and conditions of the right-of-way as may reasonably be necessary in the public interest. No right-of-way shall be granted under this subsec-

tion without notice to the department or agency administering the lands affected, and, in the case of an Indian reservation, without the consent of the tribe having jurisdiction. Every right-of-way granted under this subparagraph shall be subject to, and the Commission shall include in the granting order, the following terms and conditions:

"(1) That the holder of the right-of-way shall pay to the department or agency administering the land affected, or in case of an Indian reservation to the tribe having jurisdiction, such just compensation therefor as the Commission may state in the order or in a supplemental order.

"(2) That the holder of the right-of-way shall promptly pay, in a lump sum, for special damages to the land, improvements, timber, and other crops on the lands affected by the right-of-way or by activities performed in the course of construction, operation, or maintenance of the facilities thereon, whenever the same occur.

"(3) Such reasonable land use conditions relating to nonpower matters as the department or agency administering the lands affected, or, in the case of an Indian reservation, as the tribe having jurisdiction, may require.

"(4) Such other reasonable terms and conditions as the Commission may prescribe.

"Just compensation, in the case of Federal land other than tribal land within an Indian reservation, shall be fixed by the Commission (1) in the amount agreed upon between the proponent and the department or agency administering the land affected, or (2) if the proponent and the department or agency fail to reach agreement within a reasonable time, then after notice and opportunity for hearing. In the case of tribal land within an Indian reservation, just compensation shall be fixed by the Commission in the amount agreed upon between the proponent and the tribe having jurisdiction, provided, however, that in consenting to a right-of-way grant of its land under this section, an Indian tribe may stipulate with the proponent that the amount of just compensation shall be determined by the Commission after notice and opportunity for hearing or, with the approval of the Secretary of the Interior, that such amount may be fixed by appraisal or arbitration in accordance with such procedures as the tribe and the proponent may agree upon. At the option of the department or agency administering the land affected, or of the tribe having jurisdiction in the case of an Indian reservation, just compensation shall be fixed by the Commission in the form of either annual charges for use of the rights granted or an advanced lump sum payment for use of such rights for the duration of the grant but in no event for more than 50 years. If the department, agency, or tribe fails to exercise its option within a reasonable time, to be fixed by the Commission, the Commission shall exercise such option. So long as the right-of-way remains in force annual charges shall be redetermined by the Commission at ten year intervals and lump sum compensation at 50 year intervals, in accordance with the same procedures hereinabove provided for the initial fixing of such charges or lump sums. Claims for special damages shall be determined by agreement or court action in accordance with the law of the jurisdiction wherein such damage occurred.

"(f) As used in this section, the term 'Federal lands' includes public lands and reservations as defined in section 3 of the Federal Power Act, but does not include lands administered by the National Park Service other than national parkways, national recreation areas, and recreation areas administered by the National Park Service pursuant to a cooperative agreement with another Federal agency.

"(g) As used in this section, the term 'right-of-way' includes sites for generating units or plants as well as for transmission

lines, and sites for all structures and installations necessary or convenient to the construction, operation, or maintenance of extra-high-voltage facilities.

"(h) If the holder of a right-of-way granted under this section over Federal land, after notice of default in observance of any condition of the grant, fails to correct the same within a reasonable time, the Commission, after notice and opportunity for hearing, for hearing shall cancel the right-of-way.

"(i) Nothing in this Act shall be deemed to repeal or modify any part of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131-1136) or any statute implementing that Act.

"COMPULSORY INTERCONNECTIONS

"SEC. 412. Whenever the Commission, after notice and hearing had, upon its own motion, or upon complaint, finds such action necessary or appropriate to carry out the objectives of this part, it may by order direct any person engaged in the generation or transmission of electric energy (if the Commission finds that no undue burden will be placed upon such persons thereby) to establish physical connection of its transmission facilities with the facilities of one or more other persons engaged in the generation, transmission, or sale of electric energy, to sell energy to or transmit energy (by displacement or otherwise) for or exchange energy with such persons. The Commission may prescribe the terms and conditions of the arrangement to be made between the persons affected by any such order, including allocation of transmission capacity, reasonableness of reserves, and amount of excess capacity, and compensation for the use thereof. Such determination shall be subject to all the procedures and requirements of sections 405 and 410 of this Act if it involves construction or modification of extra-high-voltage facilities. Nothing herein shall be deemed to modify or repeal any provision of any Federal power marketing statute.

"ABANDONMENT

"SEC. 413. No person engaged in the generation or transmission of electric energy shall abandon or curtail any bulk power supply service, or abandon all or any part of its bulk power supply facilities if it would thereby effect the abandonment, curtailment, or impairment of bulk power supply service, without obtaining the advance approval of the Commission after notice and opportunity for hearing, upon a finding by the Commission that such abandonment or curtailment is consistent with the objectives of this part.

"AUTHORITY TO EXEMPT

"SEC. 414. In order to avoid excessive burdens upon persons engaged in bulk power supply, upon regional councils and upon the public, the Commission may by rule exempt from any requirement of this part, except those contained in section 411 or any rule or regulation prescribed to implement section 411, any facilities, activities, or persons, whenever it determines, after public notice and opportunity for hearing, that such exemption is necessary and appropriate to carry out the objectives of this part. The Commission may attach conditions to any exemption and may by order, after public notice and opportunity for hearing, revoke any such exemption.

"HEARINGS, PUBLIC INFORMATION

"SEC. 415(a) It is hereby declared to be the intent of Congress that all persons who may be affected by any action proposed under this Act shall have a convenient opportunity both to express their views in writing and to participate in open hearings, and that therefore (1) adequate procedures should be followed to assure that the general public is given prompt, early, and accurate notice of scheduled hearings and (2) every hearing should be open to the public and held in a location which is of maximum convenience to the general public and other persons affected by the subject matter of the hearing.

"(b) As far as practicable, every hearing pursuant to this Act shall be held in or near the area affected, unless the Commission determines that the objective of full participation by all persons who may be affected by the outcome of such hearing can be better achieved by holding the hearing elsewhere.

"(c) The Commission shall cause notice of all hearings pursuant to this Act to be promptly published in the Federal Register and made available to the press and other media in the areas affected and shall take such other steps as may be necessary to assure that the general public and all interested parties in the areas affected will be promptly and accurately informed of the place, date and time of the hearing and the substance of the subject matter to be considered. In all cases hearings shall be scheduled so that the period between the time of notice and the time of hearing is sufficient to afford all interested parties an adequate opportunity to prepare for appearing and testifying at the hearing."

SURVEYS AND RESEARCH

SEC. 4. (a) The Commission is directed to survey existing and planned facilities in the United States providing sufficient capacity and energy for the testing of extra-high-voltage electric equipment under heavy current flow and for research into problems of high voltage-heavy current electricity, and within one year after the effective date of this Act to report its findings to Congress. The Commission's report shall include information as to the adequacy of existing and planned facilities and their accessibility to persons other than their owners, and if such facilities are inadequate or are not accessible to all elements of the electric industry having need for their use, such recommendations for corrective action as the Commission deems appropriate.

(b) In order to carry out the purposes of this Act as set forth in subsection (b) of section 2 of this Act, the National Council is directed to make a full and impartial study of the social and economic impact of overhead construction of extra-high-voltage lines and towers with particular attention to the extent to which such construction may have adverse effects upon long-range land-use planning and environmental, esthetic, and conservation considerations as well as upon property values and tax revenues, and shall report the results of such a study to Congress within two years after the effective date of this Act. In carrying forward this study, the National Council shall, where appropriate, cooperate with the Departments of Interior, Agriculture, Housing and Urban Development, and Health, Education, and Welfare, especially in developing economic standards for the evaluation of damage to community planning, public health, environmental factors, and natural resources, including scenic, historic, and recreation assets.

REPORT ENTITLED "ACTIVITIES OF THE COMMITTEE ON GOVERNMENT OPERATIONS"—REPORT OF A COMMITTEE (S. REPT. NO. 91-81)

Mr. McCLELLAN, from the Committee on Government Operations, submitted a report entitled "Activities of the Committee on Government Operations," which was ordered to be printed.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS—RESERVATION (EXECUTIVE RESERVATION NO. 1)

Mr. TOWER submitted a reservation, intended to be proposed by him, to the Treaty on the Nonproliferation of Nu-

clear Weapons, which was ordered to lie on the table and to be printed.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Subcommittee on Indian Education of the Committee on Labor and Public Welfare, and the Subcommittee on Intergovernmental Relations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

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

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

THE GROWING CONGLOMERATE MERGER MOVEMENT

Mr. DOMINICK. Mr. President, there are two aspects of current business practice that are causing a growing wave of concern and even now would appear to demand that Congress begin to investigate the need for new legislation in this area. I refer to the growing conglomerate merger movement and some of the current practices which would in fact endanger the very foundation of our business and economic structure. There is much concern about the increased concentration of assets and power resulting from the soaring number of conglomerate mergers and the potential effect they may have in stifling competitive opportunities for medium and small businesses.

Business mergers have reached the highest level in our history, and existing guidelines are unclear and inadequate at this time to cope with the practices that have developed. The basic legislation, of course, is the Clayton Anti-Trust Act of 1933, the 1950 amendments to that act, and the Investment Company Act of 1940. These statutes do not appear to have contemplated the creation of the conglomerate merger. Actions by the Justice Department and the Federal Trade Commission have been taken, but they have applied only to cases involving horizontal mergers, that is, mergers between competitors in the same product field, and vertical mergers, which are mergers between customer and supplier. Such mergers accounted for only 17 percent of the 2,384 mergers in 1967, and the percentages will undoubtedly shrink even lower when all the statistics are published for 1968.

The conglomerate merger is growing so fast that one business expert recently predicted that in 10 years there will be only 200 major industrial companies in the United States—all conglomerates.

There have been two recent examples of some of the practices involved in these mergers which seem to point up the need for a closer look by Congress and perhaps indicate the need for legislation to produce action by the Federal Trade Com-

mission and the Securities and Exchange Commission to safeguard our economic system and protect the small investor.

An article by J. A. Livingston, published in the Washington Evening Star on February 14, 1969, points up the dangers facing investors in some of our oldest and most respected companies. I ask unanimous consent to have printed in the RECORD the article by Mr. Livingston entitled "No Way To Block Takeover!"

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

NO WAY TO BLOCK TAKEOVER (By J. A. Livingston)

Two years ago, the Insurance Co. of North America saluted its 175th anniversary with a corporate biography by William H. A. Carr. It was aptly titled: "Perils: Named and Unnamed."

Carr describes how the company survived every peril known to man—war, famine, pestilence, shipwreck, earthquake and hurricane—to become the oldest stockholder-owned insurance company in the United States.

INA Corp., the holding company, has survived another peril—the Wall Street tender offer.

A Wall Street tender is a shotgun marriage without the virtue of past tenderness or courtship. Money—marketable paper—is the weapon. And it's wielded by the suitor, not the father of the bride.

INA's suitor was Levin-Townsend Computer Corp., a computer leasing conglomerate, which reported assets of \$112,000,000 a year ago. Bradford Smith Jr., as chairman of INA, has no desire to place his company's \$2 billion of assets on the Levin-Townsend altar.

Levin-Townsend's last reported full year's earnings came to \$3,865,000. INA's income from investments is 15 times that.

INA has paid dividends consistently since 1892. Its current annual rate is \$2.40 a share. Levin-Townsend, organized in 1963, paid its first dividend in 1967. Today it pays 40 cents a share.

But dividends are not an asset in today's go-go milieu. Levin-Townsend isn't regarded as a Johnny-come-lately. It's considered a Johnny-going-somewhere.

The tender offer is a product of and a commentary on the times—prosperity, inflation and cupidity. Income is less important than profits—capital appreciation. Therefore, the swift can bid for the steady. The whippet, can absorb the hippopotamus.

Until talk got around that INA was ripe for tender, its stock sold for about \$40 and less per share, or 13 times 1967 earnings of \$3.21 per share.

Levin-Townsend stock ranged above \$60 on earnings, according to Standard & Poor's, of \$2.81 a share in its 1968 fiscal year against \$2.18 in 1967 and much less in preceding years. The steep climb gave the stock a go-go luster.

All this is based on two assumptions: First, that a small company which takes over a mastodon won't be slowed down by the mastodon's growth rate. Second, that the management of the small company will be able to direct—with competence—the affairs of a big company in a different type of business.

Too often such considerations are brushed aside. If stockholders reject the offer, then their shares are apt to drop back in price. Instead of a profit in the bush, they'll have in hand a steady, dividend-paying stock in a company which isn't going to set the world on fire but which has offered worldwide security in case of fire. Who, these days, wants that?

F. W. Elliott Farr, a partner in the brokerage firm of W. H. Newbold's Son & Co. and a specialist in insurance stocks, makes this comment on an exchange of INA shares for Levin-Townsend paper: "It would be like

trading British Government bonds for Mississippi Bubble stock on the theory that you'll get out of the bubble before it bursts."

Mr. DOMINICK. Mr. President, even more serious concern has arisen over a recent challenge involving a threatened attempt to take over the Denver & Rio Grande Western Railroad whose headquarters are in Denver, Colo. This action exposes the questionable tactics being employed in the current wave of attempted takeovers of many major industries by stock market operators, often without experience of any kind in the industry they seek to take over. In this case, the "raider" was a group of investment brokers who formed a corporation on December 17, 1968, under the name of the Carter Group, Inc. The very formation of such a corporation seems to raise some serious questions, in my opinion. Here is a corporation formed solely for the purpose of becoming a conglomerate without any going business of its own to start. Not only that, but it takes a careful reading of the Carter Group prospectus to discover that the people who buy stock in this group are going to be taking 92 percent of the risks, but will own only 8 percent of the equity in the corporation. The officers of the corporation, on the other hand, will put up only 8 percent of the capital, but will own 92 percent of the equity in the corporation. How is this possible? The cleverly worded explanation on page 3 of the prospectus gives us the following explanation.

The VICE PRESIDENT. The time of the Senator from Colorado has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DOMINICK. I have at this point, Mr. President, page 3 of their prospectus which I ask unanimous consent to have printed in the RECORD under the title of "Problems."

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

Obviously, the Company is not assured of success and a number of problems are clearly foreseeable.

First: It was necessary to permit the management of the Company to retain a substantial equity position. Accordingly, the Company has been capitalized in a fashion so that the present shareholders of the Company will own 600,000 shares of the Common Stock for which \$1,200,000 has been paid. The public, on the other hand, will have paid \$13,200,000 or (\$16,840,000 if the Underwriters fully exercise option to purchase an additional 3,000 units—see "cover page" and "Underwriting") in total for the 300,000 (or 360,000) shares of Common Stock included in the Units. Thus, the book value per share of Common Stock of the Company prior to the public offering is \$2.00 and, although the public will have paid approximately \$44 per share, the book value of each such share after the public offering will only be \$15.33 (or \$17.55). Thus the present shareholders of the Company, having paid in capital that will represent 9 percent or (8 percent) of the capital of the Company after the public offering made hereby, as compared to the public's contribution of 91 percent (or 92 percent) will be in a position to control its business activities and its dividend policies. As there has not been, prior to the date hereof, a market for the Common Stock the values per

share and percentages stated in this paragraph have been arbitrarily determined and do not give any effect to the sale of the Debentures or the Warrants or to the conversion or exercise thereof.

Mr. DOMINICK. Mr. President, the fact that this information is not printed in bold type on the front page of the prospectus seems incredible. I am amazed that the Federal Trade Commission and the Securities and Exchange Commission would not require that potential investors be instantly alerted to the fact that they are getting the very short end of this proposition. This scheme is reminiscent of the now-illegal chain letter or pyramid clubs of several decades ago. Regulation of this practice is obviously needed, and needed soon.

Mr. President, the point I am making here is that the officers and those who form the corporation bought 600,000 shares at \$2 a share and they immediately put it on the market to the general public for \$45 a share. So that the public paid \$45 a share and they paid only \$2 a share. But the public has only 8 percent interest in the company and the officers and directors have 92 percent.

That is basically wrong. In my opinion, as a financial institution, that is coming very close to being a fraud upon the general public.

The information upon what the public is being asked to pay in comparison to what the officers and directors are, is not printed in bold type on the face of the prospectus but appears on page 3 in small print.

I am frankly amazed that the Federal Trade Commission and the Securities and Exchange Commission would not require that potential investors be instantly alerted to the fact that they are getting the short end of this proposition.

Mr. President, this scheme is reminiscent of the now-illegal chain letter or pyramid clubs of several decades ago. Regulation of this practice is obviously needed, and needed soon.

Mr. President, I am sure that all Senators will be interested in knowing who some of the officers and directors are.

Mr. Carter has been with an investment firm in New York but he withdrew from that firm to head this group.

Another director is Mortimer Caplin, former head of the Internal Revenue Service under the Johnson administration.

Among others, as director, is Mr. John W. Hennessey who is dean of the Amos Tuck School of Business Administration at Dartmouth.

What in the world are these men doing being associated with a firm of this kind which has no assets but takes stock at \$2 a share and sells it to the general public at \$45 a share. Then they come along and this is what they try to do in the way of an operating company?

Apart from the poor bargain which the investor is offered, the later activities of such a corporation pose a threat to the stockholders in the target companies toward which the raider directs his activities. In the typical example, the raider selects the target company because of its sound financial condition and relatively low stock price to earning ratio. Then the raider proceeds quietly to buy stock in the target company, being care-

ful not to acquire 10 percent or more to avoid having to register with the SEC.

Armed with a hefty block of stock in the target company, the raider is now in a position to manipulate the market to his own advantage and at the expense of the target company and its stockholders. He has two choices of action. The raider may go directly to the chief executive of the target company and explain that he proposes to take over, and demand a list of the target company's stockholders. Whether he gets it or not, he can plaster the newspapers with advertisements announcing his fabulous offer, and launch a sparkling public relations campaign in the areas where the target company is highly respected. Expense is not a deterrent because the raider knows that if he is successful in taking over, he can deduct these from the assets of the target company. He also knows that it will be difficult to counter his advertising campaign because under present conditions the target company cannot get advertising space in the Wall Street Journal for at least a week after the raider's ads begin to appear. This situation itself is highly unfair and needs to be changed to give both sides an equal opportunity to state their case to the interested stockholders.

As another alternative, the raider may not really be serious about trying to take over the target company, but be mainly interested in turning a quick profit on the target company stock he has acquired and at the same time boost the market price of his own stock. He can accomplish this with relative ease under present regulations. The raider issues a press release, or otherwise passes the information to the press that he is contemplating making a tender offer to the stockholders of the target company. This news almost invariably has caused the price of the target company stock to rise sharply, and sometimes spectacularly. The raider's stock also rises in price. The raider then unloads his target company stock at a fat profit while his own company stock has shown a growth where none actually exists. Ultimately, the target company's stock returns to normal and the poor stockholders of the target company face a lower dividend because of the expense incurred by the target company in fighting off the raider.

In the present instance I referred to, in which the newspapers have reported that the Carter Group intends to make a tender offer for stock of the Denver & Rio Grande Western Railroad Co., there has been no formal offer made, but there has been some impact upon the plans and operations of this railroad as a result of this threat of a tender offer.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Wall Street Journal of February 7, 1969, entitled "Rio Grande Plans To 'Vigorously Resist' Any Take-Over Bid by Carter Group, Inc."

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

RIO GRANDE PLANS TO VIGOROUSLY RESIST ANY TAKE-OVER BID BY CARTER GROUP, INC.

DENVER.—Denver & Rio Grande Western Railroad management said it will "vigorously resist any take-over attempt" by a new company, Carter Group Inc.

Management said it has been advised by counsel that Carter Group's contemplated plan of making a tender offer for controlling interest in the railroad "raises serious questions under the Investment Company Act of 1940."

The railroad pledged to "bring out the facts" about Carter Group to shareholders and "the proper judicial and regulatory authorities." These facts, the railroad said, make Carter Group's chances of success "extremely problematical."

In New York, a Carter group spokesman said the company had no immediate reaction to the railroad's statement. Carter Group was formed several months ago and publicly offered about \$30 million in Carter Group debentures, shares and warrants on Dec. 17.

Arthur L. Carter, president, said Wednesday that the contemplated tender offer for Denver & Rio Grande shares would be in cash and securities. The offer would be Carter Group's first acquisition attempt.

The railroad's president, G. B. Aydelott, said in a statement that months after Carter Group was formed, "without any significant change in its business, it sold securities to the public at a vastly stepped-up price. And so far as we can determine, it still has no significant new business activities."

"Nevertheless, they indicate that they are considering using such 'paper' values in an attempt to take over this outstanding railroad."

Denver & Rio Grande, which in 1968 earned \$11.5 million, or \$1.81 a share, on operating revenue of \$92.7 million, operates primarily in Colorado and Utah.

Denver & Rio Grande's 6.3 million shares are held by more than 18,000 shareholders. Union Pacific Railroad is by far the railroad's largest holder, owning 600,750 shares, or 9.5% of those outstanding. The next largest block known to be owned by a single holder belongs to the Chicago, Burlington & Quincy Railroad, which owns 223,480 shares, or 3.5% according to latest available data.

Both railroads are important connections for the Rio Grande, which is primarily a "bridge" carrier for transcontinental freight traffic moving in East-West directions.

Other major Rio Grande holdings listed in street names in a recent report include Merrill Lynch, Pierce, Fenner & Smith, New York, 333,000 shares; O'Neill & Co., New York, 180,000 shares, and First Hanover Corp., New York, 166,000 shares.

Last November the Denver & Rio Grande announced formation of a holding company, Rio Grande Industries Inc., for diversification purposes, and filed a registration statement with the Securities and Exchange Commission covering a proposed offering by the holding company to the railroad's shareholders. That registration statement had been expected to become effective later this month, according to an official of the railroad.

It wasn't immediately known whether the announcement by the Carter Group of its planned offering would interfere with the railroad's holding company plans.

THE VICE PRESIDENT. The time of the Senator from Colorado has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

THE VICE PRESIDENT. Without objection, it is so ordered.

Mr. DOMINICK. The Rio Grande stock has already jumped between 5 and 6 points after the so-called tender offer. There has been no tender offer, but there has been an announcement that they are thinking of it. In the meanwhile, the Carter Group, with no assets at all, and which is selling these securities over the counter, has also had the value of its stock increased by 4 to 5 points in the over-the-counter market. So they are in a good position. Whatever stock they had

in the Rio Grande, they could sell and make a profit. In the meanwhile, their own stock has gone up, and they still have no capital except what was put in by the investor at 20½ times what the directors themselves paid for the stock.

It is apparent to me that we need some new guidelines to apply in these cases, I feel that both sides should certainly have equal rights in advertising their positions. The Securities and Exchange Commission should require that the raider send a notice of his offer to the target company for examination before it can be published, and the regulations should prohibit any public announcement until 14 days after the raider has sent his notice to the target company. Furthermore, I feel that in cases such as the one involving the Carter Group, Inc., any pertinent information about the group, such as the fact that they have had no management ability or experience in running a railroad, should certainly be required to be contained in the ad it places offering to acquire stock of another company.

Mr. President, I think that a thorough investigation into these current practices is long overdue, and I hope that the appropriate committees of both houses of Congress will move forward in that direction as soon as possible.

Mr. President, I just want to repeat one thing: Here is a group with no assets and no management experience and with a major portion of its capital derived from people who know nothing about it, now putting out an advertisement or a newspaper account saying they intend to offer an undetermined amount for stock in the Denver & Rio Grande Western Railroad in order to try to take it over. They have no management experience. They have no idea of how to run a railroad. And yet, by so doing and by a simple comment to a newsman of what they intend to do in the future, or may do, they are in a position, all of a sudden, to make a profit on their own stock and whatever stock they may have already acquired in the Rio Grande Railroad. It is what I would call market manipulation.

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

Mr. DOMINICK. I am happy to yield.

Mr. HRUSKA. The Senator may be aware that over the past 3 years the Antitrust and Monopoly Subcommittee has been conducting hearings into various aspects related to concentration of power, particularly conglomerates. For the information of the Senator from Colorado, that is the subcommittee whose budget this year is going to be the pending order of business within the next hour or hour and a half. There has been a cut in that budget request, although the staff has not been enlarged. It is only the pay increase allowed by the Senate that is being accommodated by the additional amount required now.

It will be of interest to the Senator from Colorado and others to know that it is felt, as to some of the conglomerates which are related conglomerates, either vertical or horizontal, some of the abuses such as the Senator from Colorado has discussed can be remedied under the present law, according to respectable legal authority. However, when

there is what is known as a true conglomerate—a food company taking over a life insurance company, for example, which is a totally unrelated business—then we run into different considerations.

So the subject which the Senator speaks about, particularly in that regard, was discussed to some extent during the proceedings on the confirmation of Richard McLaren to be Assistant Attorney General. In response to a question of whether the present statutes apply, he gave the answer that some remedies would be available under the present law.

I join the Senator in the hope that there can be a survey and a real thrust made in that direction, so as to deal with this very vital question.

Mr. DOMINICK. I thank the Senator.

Mr. President, as I pointed out in my original statement, only 17 percent of the 2,384 mergers in 1967 consisted of the horizontal or vertical type. The other 83 percent, if my mathematics is correct, were of the true conglomerate type which we cannot get at under present law. So it seems to me this is a matter to which we are going to have to devote our attention now. I shall be happy to support the Senator's request for committee funds in order to take care of this problem.

Mr. HRUSKA. I thank the Senator.

ANNOUNCEMENT OF RETIREMENT OF SENATOR WILLIAMS OF DELAWARE AT CLOSE OF HIS SENATE TERM

Mr. CURTIS. Mr. President, truly I speak in sorrow today. I am deeply disappointed at the announcement made at noon today by one of the Senate's all-time greats, Senator JOHN WILLIAMS, of Delaware, that he will retire from the Senate at the close of his term.

My feeling is akin to those sad times when we are called upon to speak concerning the loss of a Member of the Senate by death. I dread to see my country lose the very valuable service that JOHN WILLIAMS has rendered in this body day after day.

I can appreciate Senator WILLIAMS' viewpoint. I can appreciate the desire of his wife and family that he spend his time at less arduous tasks. I can only say to him and to them that some of the great contributions to mankind have been made by individuals after the time had arrived when they wanted to finish out their days in the familiar surroundings of home and away from the strain and the turmoil. I will not burden the Record with a long list of such patriots, but we could head the list with George Washington. After Washington had gone through the discouraging, difficult, and seemingly impossible task of leading the armies of the Thirteen Colonies through the Revolutionary War, George Washington wanted to quit. He had brought about our independence. Today we are beneficiaries of the fact that he was called upon to preside over the Constitutional Convention and to chart the course of our Nation as its first President.

I have read Senator WILLIAMS' statement, and I cannot find too much fault with his argument for a mandatory retire-

ment age, not only for Senators and Representatives, but for judges, as well. The needs of the Republic always require exceptions to such rules. According to the statutes of our country, J. Edgar Hoover would have been retired years ago. He was needed and an exception was made. JOHN WILLIAMS is a man whom the country cannot afford to permit to retire.

Senator JOHN WILLIAMS stands high above the crowd in moral integrity and courage. On numerous times he has led the fight and stood without many followers for righteousness in government. Many departments and agencies operate more efficiently because of what JOHN WILLIAMS has done and the fear of what he might do. The mere presence of JOHN WILLIAMS in the Senate is a force for good. Officials and employees of government, faced with the temptation to act in their own selfish interest, are helped in resisting that temptation because of the well-earned reputation of JOHN WILLIAMS for fearlessness, consistency, fiscal soundness, and moral integrity.

JOHN WILLIAMS never has imposed a rule of conduct on anyone else that was not observed by himself. He has had the courage to oppose on the Senate floor matters relating to the salary, benefits, and privileges of Senators when he thought they were untimely, unwise, or unjustified. Many times he was on the losing side, but there never was a time that he did not have the respect of every Member of the Senate. No man with greater honesty, courage, and integrity has ever served in this body.

Mr. President, my plea to our beloved colleague, JOHN WILLIAMS, and to all the people of Delaware, is that America cannot permit JOHN WILLIAMS to retire.

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

Mr. CURTIS. I am happy to yield.

Mr. PROXMIRE. I join the distinguished Senator from Nebraska in his very fine tribute to Senator WILLIAMS of Delaware. I agree wholeheartedly with every word he has said. I think JOHN WILLIAMS is an invaluable Senator. I have been a Member of this body for nearly 12 years, and I do not know of any Senator who has served a more essential purpose than he in bringing before this body, sometimes very embarrassingly, questions of ethics that involve us and questions of ethics that involve an administration, whether it be a Republican or a Democratic administration.

He is a remarkably fine Senator. I have talked with other senators who have disagreed with Senator WILLIAMS of Delaware on many issues, but without exception they believe he is a man of absolute honesty and integrity as well as a man of remarkable zeal and courage. If there is one indispensable Member of the Senate today, I would say it is Senator JOHN WILLIAMS of Delaware.

Mr. CURTIS. I agree with the Senator from Wisconsin. JOHN WILLIAMS has uncovered many a charted course of corruption in government. If there were any skeletons in his closet, they would have been found, because I happen to know they have been looked for.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. BYRD of Virginia. Mr. President, I associate myself with the remarks of the distinguished Senator from Nebraska and the distinguished Senator from Wisconsin. I feel that Senator WILLIAMS, of Delaware, is an outstanding Senator. Should he decide to retire, I think the real losers would be the people of the United States.

The Senator from Delaware has strong convictions. He is a man of great courage. He is willing to fight a lone fight when he feels it is necessary to do so.

He has taken a particularly active, important, and effective part in trying to bring some fiscal responsibility, some fiscal sanity, to our Government.

So I concur fully with the statements of the Senator from Wisconsin and the Senator from Nebraska that the people of the United States would be the losers should JOHN WILLIAMS conclude to retire from the Senate.

Mr. CURTIS. I thank the distinguished Senator very much.

In closing, I point out that JOHN WILLIAMS' record should be an encouragement to every young politician in the country. He has proved that the greatest political assets are honesty and adherence to the American system, and to seek its preservation from a financial standpoint.

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

Mr. CURTIS. I yield.

Mr. STEVENS. I wish to join in the comments that have been made concerning Senator JOHN WILLIAMS. As I am sure the distinguished Presiding Officer (Mr. ALLEN in the chair) will agree, new Senators are greatly honored and assisted by the advice of our senior colleagues. Certainly Senator WILLIAMS has been most gracious to me in giving such advice.

O'LEARY CONSUMER'S FRIEND TO BE REPLACED?

Mr. PROXMIER. Mr. President, this morning's Washington Post reported that John F. O'Leary, the Director of the Bureau of Mines, may be replaced because he has attempted to get the coal industry to live up to the safety standards which we, in Congress, have set.

Replacement of Mr. O'Leary by Secretary of the Interior Hickel would be a serious blunder. Although Secretary Hickel is to be commended for spelling out the liability for oil spills, this is a one-time act. Far more important is the quality of the personnel he attracts to the Department of the Interior. His action in this matter will show whether Secretary Hickel intends to protect the consumers or insulate the industries under his jurisdiction from the full force and effect of the laws which we in Congress have passed to protect the public.

BUREAU OF MINES NONPOLITICAL

To my knowledge, no Director of the Bureau of Mines has ever been replaced just because there was a change in administration. The position has always been nonpolitical.

PUNISHMENT FOR ENFORCING LAW

Now, that the present Director, Mr. O'Leary, has indicated that he intends

to enforce the letter of the law in order to prevent a repetition of the disaster which occurred in West Virginia so recently, rumors from well informed sources have indicated that Mr. O'Leary is to be given his walking papers.

INSENSITIVE TO CONSUMER NEEDS?

I cannot believe that President Nixon could be so insensitive to the need for consumer protection. Surely, a lesson was learned from Willie Mae Roger's short tenure as consumer adviser. In this ever increasingly complex world in which we live, the ordinary individual cannot protect himself from the harm that can be done him by these gigantic forces. The only protection the ordinary individual can realistically expect is from the Government and no government is better than the people in it.

O'LEARY WILL ENFORCE LAW

No matter how many laws we pass here in the Senate to protect the consumers and mine workers, they are mere paper unless those in charge of enforcing the laws are willing to do so. Mr. O'Leary has indicated his willingness to enforce the mine safety laws and is threatened with removal. We hope this does not occur.

Let us hope that the well informed sources are wrong. Let us hope that President Nixon and Secretary Hickel come down firmly on the side of the public interest and protect the public from the excesses of gigantic, impersonal corporations. Let us hope they retain Mr. O'Leary so that the safety laws we have passed can be enforced.

INTRASTATE SALE OF AMMUNITION AND GUNS UNDER THE GUN CONTROL ACT OF 1968

Mr. MANSFIELD. Mr. President, in my correspondence concerning the Gun Control Act of 1968 questions have arisen about the legality of a licensed dealer shipping ammunition or, for that matter, firearms to a gunowner who resides within his State. As I read the law passed last fall, the only shipments that are banned are those that would go to nonlicensed persons beyond the State. Certain provisions of the law and the regulations issued pursuant thereto are applicable.

First, the "Definitions" section of the law states in part:

Interstate or foreign commerce includes commerce between any place in a State and any place outside of that State . . . but such term does not include commerce between places within the same State. . . .

The "Unlawful Acts" section states in part:

It shall be unlawful . . . for any . . . dealer . . . to ship or transport in interstate or foreign commerce any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector. . . .

So these provisions of the law make it clear that firearms and ammunition cannot be shipped to a nonlicensed person in another State. What is equally clear is that no provision of the law bans these transactions that take place wholly within the same State. Nor did Congress intend that a licensed dealer not be permitted to ship a firearm or ammunition

to any individual residing in his State; and that individual, so long as he is competent, need not be licensed in any manner under the terms of the 1968 law.

To further clarify this matter may I refer to pertinent parts of the regulations issued by the Secretary of the Treasury to implement the gun law enacted last year.

First, I should point out that, so far as I know, no procedure is required for the shipment of ammunition within the dealer's State. As for the shipment of firearms within the same State, the nonlicensed individual need only follow the procedure set forth in section 178.96(B) of the regulations issued by the Secretary of the Treasury.

Briefly, they provide that the individual seeking to purchase the firearms furnish to the dealer a firearms transaction record which includes his own vital statistics plus the name of the principal law enforcement officer in his locale. That is all that is required under the 1968 law. After his competence is established, the firearm may be shipped to him. Incidentally, it may be shipped—so far as I know—using any form of common or contract carrier and, with few exceptions, even through the U.S. post office. So, following this procedure, a sportsman living in Broadus or Ekalaka, Mont., may easily acquire his ammunition or firearms from a dealer in Billings, and he need never drive there to make his purchases.

In bringing this matter to the attention of the Senate, I would hope to dispel all doubts concerning the legality of firearms and ammunition transactions under the Gun Control Act of 1968 that take place between duly licensed dealers and gunowners who reside within the same State. It seems clear to me that by enacting the law, Congress sought to stem the inordinate flow of guns into the hands of criminals and other incompetents. At the same time, Congress did not seek to unduly burden the sportsmen and other law-abiding gun users. I would hope that in explaining the effect and intent of the law, officials and other interested parties will be careful to point out to the law-abiding gun user the manner in which he may continue to pursue the sport and obtain firearms and ammunition while remaining fully within the terms of the law. Only in that way can the law be fully effective. Only in that way can we achieve its worthwhile objectives.

Mr. President, I ask unanimous consent that section 178.96(b) be printed in the RECORD.

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

§ 178.96 Out-of-State and mail order sales.

* * * * *

(b) A licensed importer, licensed manufacturer, or licensed dealer may sell a firearm to a nonlicensee who does not appear in person at the licensee's business premises if the nonlicensee is a resident of the same State in which the licensee's business premises are located, and the nonlicensee furnishes to the licensee the firearms transaction record, Form 4473, required by § 178.124. The nonlicensee shall attach to such record a true copy of any permit or other information required pursuant to any statute of the State and published ordinance applicable to the locality in which he resides. The licensee shall prior

to shipment or delivery of the firearm, forwarded by registered or certified mail (return receipt requested) a copy of the record, Form 4473, to the chief law enforcement officer named on such record, and delay shipment or delivery of the firearm for a period of at least 7 days following receipt by the licensee of the return receipt evidencing delivery of the copy of the record to such chief law enforcement officer, or the return of the copy of the record to him due to the refusal of such chief law enforcement officer to accept same in accordance with U.S. Post Office Department regulations. The original Form 4473, and evidence of receipt or rejection of delivery of the copy of the Form 4473 sent to the chief law enforcement officer shall be retained by the licensee as a part of the records required of him to be kept under the provisions of Subpart H of this part.

RESOURCE CONSERVATION IN A DYNAMIC SOCIETY—ADDRESS BY SENATOR TALMADGE

Mr. RUSSELL. Mr. President, my distinguished colleague, Senator TALMADGE, recently delivered an address entitled "Resource Conservation in a Dynamic Society" at the 23d annual convention of the National Association of Soil and Water Conservation Districts in Atlanta.

Senator TALMADGE has first-hand knowledge of water and soil resource problems not only as a public official, but also as one of Georgia's leading farmers. As a member of the Senate Committee on Agriculture and Forestry, chairman of the Special Subcommittee on Watershed Development and as Governor of Georgia for 6 years, he has tirelessly devoted time and attention to conservation.

I commend his remarks of February 4 to the attention of the Senate and I ask unanimous consent to have his statement inserted in the RECORD.

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

RESOURCE CONSERVATION IN A DYNAMIC SOCIETY

I am honored to share this platform with so many good friends, and I appreciate the opportunity to share in this important meeting.

I have had the privilege of close association with conservation districts for many years. As a cooperater of the Upper Ocmulgee River Soil and Water Conservation District I am aware of the great value of district work. I know firsthand of the selfless dedication of district supervisors.

As a member of the Senate Agriculture and Forestry Committee, and as chairman of the Special Subcommittee on Watershed Development, I have an official link with the progress and problems of conservation district work.

In my Senate committee responsibilities, I have visited every section of Georgia. I have many friends among district leaders. They have contributed greatly to my knowledge and appreciation of district activities.

I believe I am in a position to make some assessment of the soil and water conservation program. I hope to leave you with something more than just well-deserved praise today.

First, let me say that I stand four-square with the National Association of Soil and Water Conservation Districts in your aims and proposals.

I heartily commend your Association for a forward-looking program, and salute the many conservation districts for adjusting their programs in response to modern needs. I have been greatly impressed with your pub-

lication "Accelerating America's Watershed Program," which ably expresses the need for watershed development under Public Law 566.

I have long been convinced that soil and water conservation districts are the logical entities of government to deal with problems on land and water use and management. These are problems best handled at the local level by local people to the fullest extent possible. No other organization can assume the tasks the districts are uniquely qualified to perform.

But this is also a challenge that must be appreciated beyond the district board room and the offices of district cooperators. I believe greater effort, larger investment, and more participation is going to be necessary at the local, State and Federal levels in order to meet the mounting challenge of resource conservation and development in this country and in this century.

But rather than talk about Federal, State, or local responsibility, I would rather we talked about a genuine partnership of understanding that leads to positive and beneficial action. That way, we can work most effectively together to get the needed job done.

We in Georgia are proud of all our State is doing in resource conservation. We have an active and dedicated State Soil and Water Conservation Committee. The Committee has aggressively sought and received good State financial support for its work, and the work of soil conservation districts.

As a result, Georgia makes available \$300,000 a year to speed watershed work plan preparation in the P. L. 566 program. Because of the Committee's hard work, and State interest and support, Georgia ranks among the leaders in watershed protection and flood prevention work.

The State Soil and Water Conservation Committee has been a strong influence in promoting understanding within the Georgia General Assembly on the importance of watershed project activities.

About 148 Georgia communities have requested watershed project assistance. Sixty-six projects have been authorized for planning assistance and 46 for operations. This is better than the national average, and credit is due the State Committee and the excellent district organization for this progress.

Our State Legislature appropriated \$400,000 for soil and water conservation work in fiscal 1969, and 147 Georgia counties made contributions valued at \$278,000 to help carry out conservation district programs.

The local commitment must come from a broad understanding and deep interest of the whole community. It must have the informed support of every citizen.

District leaders can gain in strength and support by aiming for the broadest possible representation on district governing boards. In this way you will win the interest of a wide variety of citizens—representing industry, education, cultural affairs, and other civic and economic fields.

You will thus provide a base for better community understanding and involvement in the district program. You will thus give practical recognition to the mutual interest of urban and rural American in sound resource management.

I have long held the view and preached it from every possible forum throughout my own State that what benefits rural Georgia benefits urban Georgia . . . and what benefits urban Georgia benefits rural Georgia. This is a fundamental fact that none of our citizens can afford to overlook today. And the sooner all of our people come to realize this great truth, the greater our progress and the more rapid our growth.

It has been emphasis on community interest that has led to such outstanding progress in area-wide resource management under the small watershed program and Resource Conservation and Development projects.

Of the 51 such projects currently underway, two are located in Georgia: the highly successful Gwinnett County project serving the dynamic Atlanta community, and the Tri-County project, approved last year, covering Treuten, Montgomery, and Wheeler Counties.

Let me point out that the Gwinnett project is contained in, and is co-extensive with one county. The Tri-County project also is planned along county lines, as are most of these projects.

This is as it should be. The area-wide approach to resource management should respect existing and traditional jurisdictions of county, State, and national government.

Working within these established frameworks will help generate the public support that we want and assure greater progress.

It is significant that Congress has increased Federal funding of the Resource Conservation and Development program every year since its inception. And every year new projects have been established.

The outstanding results already attained justify continued expansion of this community action program.

The heart of this project is the small watershed program. There isn't a resource program anywhere that has done more for community development. The program is sound. It provides for genuine teamwork among all community interests.

The watershed program is more than structural measures and land treatment. It has become a vital force in bringing together various local and State elements required to protect and improve the local economy. It has created an overall environment for community progress and economic growth.

My close association with the small watershed program, both as Governor and Senator, has been a source of great satisfaction to me. I believe in the program.

I am concerned that it has not always received consistently the greater Federal and non-Federal support it deserves.

The backlog of watershed project applications awaiting approval . . .

The backlog of projects in the planning stage waiting to move into construction . . .

Projects under construction that are not being completed as rapidly as they should be . . .

These are conditions that should not be allowed to continue.

I hope that the jurisdictional dispute between the Executive Branch and the Congress over approval of P.L. 566 projects will soon be resolved.

I shall continue to press for a solution that will permit watershed work to go forward in the national interest.

More is needed, of course. The small watershed program is essentially a local effort that requires local decision-making and local initiative. It deserves and should have strong local and State support. The current backlog should not discourage watershed communities who want and need a P.L. 566 project in their area.

I hope you will continue to make your voices heard in the Statehouse and in Washington.

I sympathize with those who contend that the P.L. 566 project should not necessarily hinge on the need for flood prevention, but that other benefits—such as recreation, wildlife enhancement, or water supply—should be enough to justify projects, when the value to the local area of such installation is clear.

This is a desirable objective, and I think it will be realized eventually. You have my full support in efforts to broaden the usefulness of our small watershed projects.

On the point of watershed benefits, I want to turn for a moment to the 4% per cent interest rate that has been put to use in evaluating benefits and costs of Federally-assisted water projects.

The new rate, up from 3¼ per cent, is intended to reflect more accurately the cost to the U.S. Treasury in providing funds for water-related projects.

The new interest rate will mean that greater justification on the basis of derived benefits will be required to offset the effect of the higher rate.

In response to this action, 15 distinguished Senators, members of the Senate Committee on Appropriations, have protested the interest rate increase which was set without prior discussion by interested parties, and without clear-cut determination of water resource development needs.

The Senators contend—and I firmly agree with them—that the possible consequence of this rate increase could mean serious underdevelopment of the Nation's water resources at a time when we need to make giant forward strides.

I join my colleagues in urging that high priority be given to revising our rules and regulations for evaluating benefits. Also, regional hearings should be held to assure that a wide range of testimony and facts are available for determining improved methods of computing benefits.

Water development is an essential step in local economic progress. Any action that affects water resource development bears on our economy as a whole. The higher interest rate could tend to destroy projects in areas where they are most urgently needed.

A recent N.A.C.D. Tuesday Letter posed pertinent questions regarding the future Federal support of resource conservation. I cannot speak for the new Administration, nor for my colleagues in the Congress.

But I can assure you there are confirmed conservationists in Washington—in and outside of Congress—eager to add their weight to sound, progressive resource conservation programs in the public interest. I am proud to count myself as one of them.

Much depends, of course, upon the efforts of local people and state governments.

Congress will do its part if soil and water conservation districts have the necessary authorities to move ahead with the job, and if local and State interest and financial support demonstrate determination to see the job through.

Soil and water conservation districts have helped to shape much of our national legislation in the conservation movement. I cannot overemphasize the importance of continued attention, by you and by your State associations, to a well-defined legislative program.

We have come far since the days of protective conservation. Today we think of protecting the renewable resource base through wise use and managed replenishment. How we use the land and waters is the important thing.

If we allow pollution to destroy our waters they will not be available for use, and reuse.

If we allow our best agricultural lands to go for urban development, we are squandering a needed and irreplaceable resource.

If we establish our growing cities on land not suited for this kind of development, we are likely to pay dearly for this mistake.

We must assure that land use decisions are made on the basis of sound technical knowledge and counsel.

Allow me to turn for a moment to the serious issue of stream and lake pollution.

Pollution control must become a part of all watershed planning and development. Pollution starts as a watershed problem and becomes a river basin problem. Pollution adversely affects the entire community of interests within a watershed and downstream.

It is clear to me that we need:

More research into the nature, causes, and remedies of pollution.

Adequate technical assistance to private individuals, and to State and local public agencies and organizations attacking pollution problems.

Public cost-sharing and loan programs on a national basis to fight pollution.

Local organizations informed and able to see the programs through.

Here is a monumental challenge to the Nation's soil and water conservation districts.

The pollution of America's water resource can be relieved in part by diligent attention to land use practices. Erosion is waste, wherever it occurs. We can no longer afford waste anywhere in the Nation.

We can and must improve techniques for reducing pollution from farm and ranch lands, and from built-up areas alike.

I appreciate the financial needs of a pollution control program ambitious enough to do the job that needs to be done. They are tremendous. Such an undertaking is possible only through full and dedicated partnership of local, State, and national interests.

I need not quote to you the annual costs of sediment and other kinds of pollution damage to our country. The losses are staggering and they will get bigger if we do not put a stop to this needless destruction. An intelligently planned, properly managed pollution control program can only be a sound investment in the future.

It is obvious to me that the place to start is in the small watersheds of the Nation. The framework for concerted effort in water quality management exists in the small watershed program. The means for informed local action, and the channel for Federal, State and local support, exists in soil and water conservation districts.

A clean stream is not a privilege. It is a right.

Deep forests and extensive parklands, unspoiled and undefiled, are a right for every citizen to have and enjoy.

Fresh air is a right for all to breathe, wherever they live.

An environment for living that suits the sensitive requirements of the human spirit is a right of all people.

We all must care about the growth of the community . . . about the use of the countryside . . . and about the land where the other fellow has to live and rear his family.

We must be concerned about the slum, the suburban sprawl, the ravaged forest, the polluted stream, water shortage, and the lack of economic opportunity.

These are problems that belong to each and every citizen.

The lives of all of us are so interwoven that the problems of each of us thus becomes the problems of everyone.

The Nation's soil and water conservation districts face a serious challenge to act boldly in response to these far-reaching community concerns.

Yours is a powerful organization, dedicated and united. Your influence must extend beyond the farm and ranch lands, beyond agricultural America, wherever districts are organized—and they should be organized everywhere.

Dynamic conservation—a conservation that builds—is a national commitment the soil and water conservation districts can strengthen.

Progress, however, is made by men, not organizations.

The inspiration, the driving force, the carry-through, the final stamp on any accomplishment is the result of able, dedicated leadership. That leadership must stem essentially from the local level.

You district leaders, and your cooperators, have established a highly respected base of operations.

Congress, I assure you, is sympathetic to your crusade.

AN ANALYSIS OF INFLATION

Mr. McCLELLAN. Mr. President, the erosion of inflation continues to inflict great damage on the American economy as the purchasing power of the dollar continues to decline. Its purchasing power today is only 40 percent of that of the 1940 dollar.

A revealing and interesting analysis of inflation was made in an address delivered on January 9 by Dr. George S. Benson, president emeritus of Harding College, Searcy, Ark., to the Kiwanis Club in that city.

Dr. Benson explains inflation as a situation in which purchasing power increases faster than desirable goods are produced. He states that pressures that contribute to the increase of purchasing power include wage boosts that exceed the rate of productivity, excessive government spending, and crime and lawlessness. I am in complete agreement with Dr. Benson in his statement that the problems of inflation "can be very, very serious for America's future." It is becoming increasingly imperative that proper and effective steps be taken to correct the evils of inflation—to stop the erosion of the purchasing power of the dollar.

His address carries a message which we need to heed, and I ask unanimous consent that it be printed at this point in the RECORD.

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

INFLATION

(An address delivered by Dr. George S. Benson, president emeritus of Harding College, to the Kiwanis Club, Searcy, Ark., on January 9, 1969)

In talking with top officials in major national corporations, in talking with leading government officials and from reading leading magazines, I find they now very generally rate inflation as the leading problem facing the nation. First, let me attempt the difficult task of defining inflation. To put it simply, inflation is a situation in which purchasing power is increasing faster than desirable goods to be purchased are increasing. For example, suppose in Searcy all salaries, wages, relief payments and all other sources of income should increase at the rate of 7% a year for five years, making a total increase of 35%, while at the same time incoming goods to be purchased increased at only 2% a year, making a total of 10% in five years. This would definitely cause the prices of goods to go up.

This is actually, in general, what is happening to the entire nation at this time. There are numerous pressures contributing to the increase of purchasing power at a faster rate than desirable goods are becoming available for purchase. In fact, anything that increases the flow of money without increasing the flow of goods correspondingly is inflationary.

An easy example to understand is the way wages keep going up faster than productivity. Personally, I am very much interested in employees. They constitute a very big segment of our American society and a very important segment. I would like to see wages go up and the standard of living for working people go up, just as fast as it can be sustained without tending to kill the goose that lays the golden eggs.

But wages at the present time are climbing at what is often estimated at about 8%

whereas productivity is increasing at about 2% a year. This means that the labor which is producing goods is being paid 8% more for producing goods but is only producing 2% more goods. The steel industry is a fair example. It is estimated that the new wage package in steel is equivalent to about 8% increase per year for the duration of the contract but the rate at which productivity is increasing in the steel industry is approximately 2%. When you apply this to the automobile industry and all other industries, then it means that the wages which create purchasing power were increasing about four times as fast as the goods being produced as a result of those wages.

President Johnson recognized this danger and several years ago set a guideline urging that wages not go up faster than 3.2% but the guideline has ceased to be followed and now wages are going up at two and one-half times the rate of the guideline recommendations. Productivity, on the contrary, is going up scarcely as fast as was projected when the guideline was set. All of this definitely creates an inflationary situation. It is estimated that the purchasing power of the American dollar during 1968 alone lost about 4.6% of its power. A savings account created in 1940 or a government bond purchased in 1940 and sold on today's market would purchase only 40% of its 1940 purchasing power. That's an indication of what inflation does to pensions, annuities, and all other fixed dollar incomes.

Another inflationary pressure results from big government spending and extended government credits, all of which is partially financed by new money printed by the Treasury Department. New printed money increases purchasing power but does not increase the goods to be purchased and therefore, is distinctly inflationary. Private borrowing tends to do the same thing. For instance, if I borrow from the bank in Searcy \$1000, I have increased my purchasing power by \$1000 but I haven't increased the goods to be purchased at all. The borrowings of the federal government, the state governments, the cities and municipalities, and private individuals in America runs far beyond \$1 trillion.

The third inflationary pressure comes from the rapid increase of crimes and lawlessness. Many businesses which were burned out in the big fires in certain major cities have indicated no desire to build back. Many other business men who had thought of expanding their businesses and increasing the production of goods, on the contrary are delaying action because of the fear of crime and lawlessness. They put their money out on interest instead of investing it to produce goods. This creates additional inflationary pressures and also pushes up the inflated prices of common stocks.

When we combine the fear of rapidly rising wages which some people think will go to the 10% level by the end of 1969 and when we recognize the encouragement this gives to foreign competition in America and accordingly, the squeeze that may be expected on profits, a squeeze made still more serious by rising taxes; and when we recognize the tremendous pressure from big government spending and when we recognize the fears from crime and lawlessness, we can see much to restrain American capital from investing in the production of goods, all of which tends to increase purchasing power faster than desirable goods are being produced.

This can be very, very serious for America's future. It is high time the entire American public take note of these serious problems and move for their correction.

America one time was 85% agricultural. Today, only 6% of the American people live on farms and less than 6% of the national income is from agriculture. We are an industrial nation. Our employers and the 70 million employees are the very backbone of the nation. This is the only country in the world

where an employee on hourly wages can look forward to owning a home, an automobile, a radio, a TV, and sending his son to college. Employees fare better here than anywhere else in the world. Personally, I'd like to see these superior wages that make possible superior living conditions long prevail in our country but if the inflationary pressures mentioned above are long continued, these good jobs will be destroyed and America will be reduced to mediocrity.

As the results of these problems are becoming better and better recognized, I think we may feel assured that attempts will be made for a reasonable solution to the imbalance between wage increases and productivity, for reductions in extensive government spending, and for reduction of crime and lawlessness.

Whether these efforts for improvement can succeed or not will depend upon the general atmosphere in the nation. If we can create a general atmosphere in which these problems are properly recognized and in which solutions are really desired, then improvements will come. If, on the contrary, the general public has no realization of the problems and consequently, the problems continue to grow instead of being solved, then the efforts for improvement will fail and America will go on moving in the same direction in all three of these areas, which will be very, very detrimental.

Therefore, I appeal to the American public to encourage an atmosphere favorable to the adoption of some sound method for obtaining a better balance in the industrial area, for properly reducing big government spending, and for effectively curbing lawlessness and crime in America. The final decisions will be determined at the bar of public opinion in this great democratic republic. But remember that sound money is essential to the long range well-being of any nation. Inflation must not be allowed to wreck our financial structure, and with it our industrial structure.

DISRUPTIONS OF COLLEGES AND UNIVERSITIES SHOULD NOT BE TOLERATED

Mr. BYRD of West Virginia. Mr. President, two fine articles on the problem of student rebellion on college campuses have recently been published.

In the Washington Post of February 18, 1969, Drew Pearson wrote:

It is time for University authorities to realize that they must provide education for the majority, not submit to disruption by the minority.

I could not agree more.

An article by Bruce Blossat, published in the Williamson, W. Va., Daily News of February 15, 1969, discusses the same subject from a different angle.

I ask unanimous consent that the article entitled "It's Time for Crackdown at Colleges," written by Drew Pearson, and the article entitled "Student Rebels' Wisdom, Competence Overrated," written by Bruce Blossat, be printed in the RECORD.

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

[From the Washington (D.C.) Post, Feb. 18, 1969]

IT'S TIME FOR CRACKDOWN AT COLLEGES (By Drew Pearson)

CLARKSVILLE, TENN.—During the past twelve months, this writer has visited approximately 50 college campuses, ranging from the University of Warsaw in Communist Poland and the Sorbonne in Paris to the

University of Montana, the University of Pennsylvania, the University of Florida, Washington State, MIT, Stout State College in Wisconsin and Austin Peay State College here in Tennessee. It has been a cross-section of colleges, large and small, and at all of the American institutions I have addressed student assemblies and conducted student forums.

From this experience I believe I can accurately report that American students generally are alert, dedicated and far ahead of previous generations in their desire to tackle the problems of the world. They are not interested primarily in becoming engineers, businessmen or insurance salesmen, as was my generation in college. The majority want to devote at least part of their lives to helping their fellow men. They are interested in the Peace Corps, Vista or going into government.

There was a day when the top graduates of the Harvard Law School were immediately gobbled up by the top Wall Street law firms. That day is over. These graduates and others from the best law schools are now more interested in spending some time in Government or other productive community work. If they do sign up with big New York law firms, many specify that they must have time off to handle indigent clients or other community work.

MINORITY RULE

In contrast, there is a minority in many colleges, led by Negroes, which seems determined to disrupt education altogether. It has done so by reversing the American system of majority rule for a system of minority rule.

It has done this, moreover, by using a technique outlawed by American law and tradition—violence.

Minority rule by force and violence has almost paralyzed San Francisco State College, killed one college president, Dr. Courtney Smith of Swarthmore, and disrupted some of the most liberal institutions in America such as Brandeis, a Jewish university, the University of Chicago under liberal President Edward Levi, and the University of Wisconsin, long proud of its liberal LaFollette tradition. All have tried hard for several years to enlist more qualified Negro students, yet this is one of the demands of the Negro minority.

In each of the above institutions there has been a small minority of students which has used violence to sabotage education for the majority. In Swarthmore forty black students locked themselves into the admission office and disrupted education for a thousand others. At Brandeis the ratio was about the same. At Chicago, 400 students tried to force their demands on the 9000-student University by occupying the administration building. At Columbia, a University where I once taught, about 400 students tied up an institution of 30,000 also by occupying the administration building where they rifled the private papers of President Grayson Kirk.

TOUGHNESS JUSTIFIED

My conclusions from having visited many campuses is that it is time for University authorities to realize that they must provide education for the majority, not submit to disruption by the minority. Otherwise, education in their strike-torn colleges will gradually erode. The easiest way to prevent disruption is to get back to previous disciplinary rules and expel violators immediately.

Today, in contrast with the past, striking students have been mollycoddled, given second and third chances and then allowed to remain in school. All of this puts a premium on violence.

This is unfair to the majority of the students who are trying to get an education; also unfair to the taxpayers who put up the money for education and to the alumni who help to finance private colleges.

In San Francisco State, only 350 teachers out of a total of 1100 belong to Local 1352 of the American Federation of Teachers. And of these 350, only 200 wanted to strike. Yet this minority threw the entire campus into turmoil and got the backing of the San Francisco AFL-CIO Labor Council. This is something AFL-CIO President George Meany would hardly sanction—if he knew the facts.

What minority faculty members have got to realize is that alumni can strike, too. So can majority students. Applicants at Columbia's last freshman class were down 21 per cent, in contrast to Harvard and Yale, which had no riots and whose freshmen applications are up 10 to 15 per cent. Students don't want to enroll at a university that may be riot-torn.

Any business firm that loses 21 percent of its customers in one year is in danger of going out of business. Columbia can weather the slump. But it has been given a stiff reminder that the majority of students go to college to study, not to demonstrate.

More serious may be a Columbia alumni boycott in fund-giving. This is neither organized nor advertised, but it is a fact. If it spreads to other riot-torn campuses, it could be the most serious boycott of all.

STUDENT REBELS' WISDOM, COMPETENCE OVERRATED (By Bruce Blossat)

WASHINGTON.—An able political figure (not an office-holder) who has had some identity with education in his state was heard to complain not long ago about what he considers the decline of rational thought in America.

He was expressing dismay over the violence and the shouting matches which, though invariably the work of a small student minority, have tended to disrupt and even engulf many of the nation's colleges and universities these days.

If his complaint is valid in any considerable measure, it puts us at a curious turn. For never in our history have we placed so high a value upon getting an education, and never before have so many millions in the young populace, aided heavily by government dollars, made it to high school and college.

It is common to say that the young people of today are the best-informed in history, that they put their elders to shame in the volume and diversity of the things they know.

Yet there is something grossly wrong with this picture. With the support of President Nixon, HEW Secretary Robert Finch chose as his new education commissioner Dr. James Allen, former New York State commissioner, specifically to upgrade the quality of elementary and secondary education in this country.

Though exceptions exist, that quality is deemed—in study after study—to be pitifully low in the core cities of America's great urban areas from coast to coast. In some studies, even the average quality of education provided in suburban schools is badly faulted.

Here enter contradiction and irony. If the concern over quality is only halfway justified, how are so many young people becoming so "well-informed?" Through television?

There are probably many answers to the evident contradiction. Obviously, some schools are very good; more people are attending them, and more are staying in the school system longer. Obviously, too, television and other means of mass communication have indeed advanced greatly a young person's chances for acquiring information.

But there is also heavy evidence that the basic proposition about the state of young people's knowledge is being quite extravagantly overstated in countless instances.

A year ago, foreign affairs specialist George Kennan wrote a magazine piece assailing student radicals, who often gain some sympathy well beyond their own small numbers

from faculty members and less militant students.

The outpouring of written response to that piece, some of it favorable but much more unfavorable, so staggered Kennan that he finally decided to compose a reply, in a book called "Democracy and the Student Left," which ran five times the length of his first piece.

Printed in the newer work are many of the student and teacher responses he drew in early 1968. Some are thoughtful and well-reasoned. Yet all too many, sad to say, simply underscore the charges he laid on the rebels in the first place.

Rational thought showed itself rarely. Mental confusion was rampant. Many critical respondents were especially outraged that Kennan dared to suggest they might do a little studying at school.

They seemed to regard the university first as a place for them to dominate, in one degree or another, and then to use mainly as a physical staging base for mass political action and other real-life movements against the outside world whose shortcomings troubled them.

Kennan not only challenged this concept of the university, while conceding its need to keep up with the times and relate itself deeply and continuously to the outside world, but he charged the responding rebels with misconceiving democracy, overrating the utility of impatience, overrating their own competence and knowledge, ignoring whole aspects of life (nature, for one), falsely justifying disobedience in the name of their all-powerful individual consciences.

LITHUANIAN INDEPENDENCE

Mrs. SMITH. Mr. President, I wish to associate myself with those of this body who have praised the courage and steadfastness of Lithuanians who still strive so gallantly for independence and freedom of their beloved country. I wish them well.

THE LESSONS OF VIETNAM

Mr. HATFIELD. Mr. President, it is clear to the most casual observer that our involvement in the present Vietnamese conflict has been both prolonged and costly. Eight years ago, when we first sent military advisers to assist the training of South Vietnam's forces, we could hardly have anticipated our eventual commitment of more than half a million young men and \$30 billion a year to a questionable defense of that country. Perhaps, even in the midst of continued bloodshed, we can say that we have learned something of the consequences of certain actions.

The following article by Mr. Stewart Alsop was printed in the February 17, 1969, issue of Newsweek magazine. If nothing else, our Vietnam experiences have highlighted several of America's policy problems, and I feel that Mr. Alsop's comments are especially valuable in abstracting these problems from the bewildering confusion of our involvement there. I particularly would agree with Mr. Alsop's suggestion that a different type of military and a different method of recruiting are needed. I therefore ask unanimous consent that the article be printed in the RECORD.

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

THE LESSONS OF VIETNAM

(By Stewart Alsop)

WASHINGTON.—Like the poor, the Vietnamese War is always with us. New men are struggling with the agonizing problem of ending it. These men—and the rest of us—might profit from the private conclusions of the men who advised President Johnson, in 1965, when he made the fateful decision to intervene directly in the war. These Johnson advisers—men like Dean Rusk, Robert McNamara, Maxwell Taylor, the Bundy brothers, Paul Nitze and a number of others—may or may not have been wrong in their advice, but they are by no means fools.

The jottings from a reporter's notebook which follow are the result of an intermittent series of talks with most of these Johnson advisers. The talks, which began last fall, were held with the assurance that no one would be quoted by name. Certain useful lessons for the future seemed to this reporter to emerge from these interviews.

Lesson one seems to be: *don't overestimate what air power can do.*

"I don't think any of us—or many of us, anyway—thought we could win the war with air power alone. But some of us certainly hoped so. And almost all of us underestimated the amount of damage the other side could take."

"Air power is vital, but we should have learned from the second world war and Korea that you don't win wars from the air. I remember, near the beginning of the Korean War, the Air Force spotted 90 Communist tanks in convoy, going south, and they begged to have a go at them. They dropped tons of bombs, and you know how many tanks they knocked out? One."

"One thing we've learned—you can't interdict infiltration or supplies, for this kind of war, with bombs."

Lesson two seems to be: *a large conventional draft army is not an ideal instrument for fighting a "war of national liberation."*

"What we need is a highly paid professional force, organized *ad hoc*, to do a specific job. The things that have to be done—short rotation, hot meals, and so on—to keep a draft army happy are disproportionately expensive, in manpower as well as in money."

"President Kennedy sensed that we needed a different kind of army to fight a different kind of war—hence the Green Berets. But the army bureaucracy quickly absorbed the Green Berets."

"We fielded much too big a force for the strategic purpose. There should have been a ceiling of around 200,000 men—an elite force with a minimum backup."

"Because it has worked in the past, the American military tend to suppose that enough money, enough manpower, enough firepower, will win any war. But this is a different kind of war, and it tends to become less winnable as a foreign presence becomes more visible."

Lesson three seems to be: *in this kind of war, the political factor is at least as important as the military factor.*

"I used to think we could win the war first, and then worry about building a political base. I've changed my mind—firepower is not an adequate substitute for a political base. The Communists are a minority, but they're a solid minority. Our base—the urban bourgeoisie, the mandarin, the French-trained officers—has been too mushy."

"Before Bunker, the military were always the real number one in the American pecking order in Saigon. The military simply aren't trained to deal with a really prickly political situation—their solution, quite naturally, is more troops and firepower. Most of the time, we've been flying blind, politically."

"The fact is that we never have learned how to use our clout with client states."

Lesson four seems to be: *Communists are not rational by our lights—only by theirs.*

"Of course we underestimated what the other side would take—that's why there was so much early overoptimism. After we began bombing and committed combat troops in 1965, we thought they'd have to negotiate on our terms—that they'd have no rational alternative."

"Ho Chi Minh and company have had a single goal for which they've fought relentlessly for a generation—Communist rule over all Vietnam. They are not going to be diverted from that goal, whether by military pressure or by compromises that seem reasonable and even generous to us."

Lesson five seems to be: *the American people will not indefinitely sustain a war if they do not clearly understand why it is being fought.*

"This has been the most overexplained war in history. The trouble was, any explanation would do—for that particular week, LBJ kept Congress in hand for a long time with those amazing briefing circuses. But the time came when nobody would listen to him but the Legion and the Amvets."

"What's amazing is that President Johnson kept the country with the war as long as he did. It was a *tour de force*. If you'd asked any of us back in the early days, if the country would stand for a war costing 30,000 dead and \$30 billion a year, we'd have said, 'Are you crazy?'"

"We decided to win this war without any beating of drums or war propaganda. I wonder now if we can win a war that way. In fact, I wonder now if you can fight a war without censorship of the news, television especially."

"No, I don't think it was the draft that was the basic cause of the dissent. It was a kind of national guilt feeling, the feeling that we were acting like a big bully beating up a little guy."

"Next time, let's remember that you need a clear national cause that can be sustained for a long time, or else the war's got to be small and short and fought by professionals."

THE PAST AS A GUIDE

Obviously, these jottings are inadequate—the lessons of the long Vietnam agony are not to be summed up on one page. All those interviewed by no means agree on all the points made above—General Taylor, for example, disagrees with most of them, and so, no doubt, do most of the military. Moreover, some of the key figures—notably Robert McNamara—still shy away from talking with real candor to a reporter on this subject, even on a not-for-attribution basis.

All the same, there are deeply important lessons to be learned from the Vietnam experience. It might be in the national interest for the new Administration, or the Congress, to organize an orderly project, while memories are still fresh, to interview the chief Johnson policymakers, in depth and *in camera*, on why we did what we did in Vietnam, and on what can be learned from what happened. "The past is prologue," and such a record could provide useful guidance for President Nixon, and for his successors too.

NEW DEVELOPMENTS BY THE AIR FORCE

Mr. DOMINICK. Mr. President, I invite the attention of the Senate to an article under the byline of Mr. William Beecher, and published in the New York Times of February 5, 1969. Mr. Beecher discusses some new developments by the Air Force which very well could vastly enhance the value of our manned bomber force.

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:

NEW U.S. WEAPON MAY GIVE BOMBER VITAL OFFENSE ROLE

(By William Beecher)

WASHINGTON, February 4.—A new, dual-purpose weapons system now being developed by the Air Force may revolutionize strategic bombing and bring big new bombers back into the good graces of top defense officials Pentagon sources said.

The system, named Subsonic Cruise Armed Decoy, or SCAD for short, is exciting the imagination of Pentagon civilian planners, who for years have been unenthusiastic about the value of strategic bombers in comparison with long-range missiles.

One planner gave the following enthusiastic appraisal:

"SCAD does for bombers what the multiple warhead does for missiles—it makes the enemy's defense problem virtually impossible."

The SCAD is a small pilotless aircraft. A number of them would be carried by one large bomber. They would be launched toward enemy targets.

The SCAD would be a decoy in the sense that it would strain enemy defenses by appearing to be a big bomber on enemy radar screens. It would also be a weapon because it would carry a large nuclear warhead.

Pentagon officials declined to give specific cost figures on SCAD.

Early progress in developing the new weapon, Pentagon officials agree, was a major factor in the decision to move ahead with engineering design work on a new long-range bomber and to cut back on the planned procurement of the relatively small, medium-range FB-111, a bomber version of the TFX.

The underlying reason: To carry a large load of SCADs will require a big plane. The FB-111 is too small to carry more than a few, whereas the B-52 will carry 20 to 30 of them and the follow-on bombers even more.

DECOY'S USE IN ATTACK

SCAD would be used this way: A fleet of big bombers would head toward enemy territory. But, instead of having to swing in over heavily defended targets, they would start launching their SCADs while still well out to sea, well beyond the range of the enemy's anti-aircraft artillery, surface-to-air missiles or jet interceptors.

Pentagon officials decline to give the range of the new weapon, but a look at an atlas suggests that if the target area were Moscow, the range would be anywhere from 600 to 1,000 miles, depending on the direction of attack.

Each SCAD would carry a radar reflective mechanism that would make it look like a big bomber on enemy radar screens. Thus, in planning their bomber defenses, Russia's problems would be multiplied manifold.

But SCAD is much more than a decoy. It can carry a warhead that officials say is "much more" destructive than the atomic bombs that destroyed Hiroshima and Nagasaki. Those bombs had a yield of about 20 kilotons, equivalent to about 20,000 tons of TNT.

Each SCAD will also carry its own guidance device to zero in on an enemy target, whether that be a missile defense complex, a long-range offensive missile site, or even an enemy city.

It would therefore be foolhardy for the Russians to ignore the SCAD, even if they could come up with some improved radar technique that would enable them to distinguish the small decoy from a big bomber.

In addition to SCAD's, the bombers would also carry some new Short-Range Attack Mis-

siles, called SRAM, that have a range of 50 to 100 miles or more.

These would be used to neutralize local air defense sites deep within enemy territory to allow the bomber to penetrate and drop its very large nuclear bombs. These would be used to destroy really hard, concrete-protected sites, such as command centers and weapons storage bunkers.

Both the SRAM and the SCAD are expected to be ready for deployment on strategic bombers in a few years. In addition, the Air Force is working on a number of electronic counter-measure devices designed to black out temporarily or confuse enemy radar defenses to increase the bomber's penetration capability still further.

The SCAD is not a missile, but a small pilotless bomber. However, its range and payload characteristics seem somewhat similar to the Skybolt missile, the development of which was killed by Robert S. McNamara in 1962 when he was Defense Secretary.

The Skybolt was to have had a range of about 1,100 miles and was to allow American and British bombers to attack targets in Russia while standing off beyond Soviet defenses.

The project was scrapped, it was said at the time, because of technical problems and burgeoning costs. Since, Atlas, Titan, Minuteman and Polaris missiles were already operational, and could do the strategic job better, some Pentagon officials said at the time, that Skybolt was unnecessary.

The decision to scrap the project angered some French and British officials who viewed it as an attempt to keep those nations from developing much of an independent nuclear capability.

Throughout his seven years as Secretary of Defense, Mr. McNamara remained cool to the role of bombers, feeling they were more vulnerable than missiles to surprise attack, took too long to get to their targets and were less likely to penetrate enemy defenses.

He consistently refused to let the Air Force develop a big bomber to follow the aging fleet of B-52's, squelching the expensive B-70 high-altitude bomber in its early stages and refusing to permit development of a low-level alternative.

He did agree to extending the life of the B-52 and, later in his term, with development of a bomber version of the F-111, primarily to ensure that the Russians would continue to pour money into air defenses that might otherwise have gone into offensive missiles or antiballistic missiles.

In fact, the Russians did start to deploy a new family of bomber defense missiles, the so-called Tallinn Line in northeast Russia, a few years ago.

Clark M. Clifford, Mr. McNamara's successor, included money in the final Johnson Administration defense budget for a competitive engineering design study of a large follow-on bomber. But he insisted that this did not commit the Government to building a fleet of such bombers.

The new bomber, called the Advanced Manned Strategic Aircraft, or AMSA, would have twice the payload of the B-52, but with a smaller crew of three or four men, a smaller total weight, greater speed, and a range of from 7,000 to 10,000 miles.

Pentagon officials say the advent of SCAD makes likely a subsequent decision to build a fleet of about 200 AMSA's in the mid-1970's. The cost of such a fleet is estimated at about \$10-billion.

Multiple Independently targetable Re-entry Vehicles, now being tested for Minuteman and Poseidon Missiles, are meant to overwhelm a Soviet missile defense with the sheer weight of numbers, officials say, since each missile could carry from three to 12 warheads. SCAD would do the same thing to enemy bomber defense, they add.

Officials point out that talks with the Rus-

sians with the aim of halting the arms race by freezing existing offensive and defensive systems could affect in a basic way decisions on future weapons.

No one is prepared at this point to predict whether only the number of missiles and bombers might be restricted, allowing technological improvements, or whether improvements, too, might be prohibited, with on-site inspection to insure that they were not being effected.

PENTAGON PROPAGANDA FOR THE ANTI-BALLISTICS-MISSILE SYSTEM

Mr. EAGLETON, Mr. President, I believe the American public is prepared to spend what it must for the defense of the United States. But the public has a right to know in unembellished, straightforward terms precisely what it is buying with its military budget and why.

It is the most fundamental premise of our great democracy that the people are capable of determining their own destiny on the basis of full and free information. It is up to the Government to inform the people so that they may judge—not to propagandize them into supporting one or another course which it may think wise.

In a democracy, as Thomas Jefferson said:

The whole art of government consists in the art of being honest.

The Washington Post, on February 16, published an article written by Philip Geyelin which outlines a highly detailed Pentagon plan to propagandize the American public into accepting the anti-ballistic-missile system, which a great many Senators and citizens consider to be of highly questionable value. On the same day, the St. Louis Post-Dispatch published an editorial attacking precisely this sort of manipulation in the presentation of American foreign policy and defense policy to the American public.

Yesterday morning—February 17—the Washington Post printed an editorial condemning the propaganda effort revealed in the Post article of the previous day.

I believe these three pieces form an important part of what may become a historic public dialog in 1969. 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 Washington (D.C.) Post,
Feb. 16, 1969]

BID BY RESOR TO SELL PUBLIC ON ABM TOLD
(By Philip Geyelin)

Secretary of the Army Stanley R. Resor proposed to his superiors in the Defense Department last fall a massive public relations campaign to counteract scientific and political opposition to the controversial Sentinel system for destroying enemy missiles.

The Resor proposals, outlined in a classified, five-page memorandum to then Secretary of Defense Clark Clifford, were a follow-up to a major pro-Sentinel campaign launched in March, 1968, months before Congress had even approved the initial funds to develop the system.

This "public information" or propaganda effort on the part of Resor and other officials was rationalized in the Army Secretary's memorandum to Clifford last Sept. 30.

Resor wrote:

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system."

PROCEDURE SUGGESTED

Among these scientists, Resor's memorandum said, were Dr. Hans Bethe, Dr. George Kistiakowsky and Dr. Jerome Wiesner. To deal with them, Resor proposed the following:

"Although it is difficult because of security aspects to answer the technical arguments used by these men against Sentinel, it is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all practical assistance."

This fragment from Resor's five-page memorandum to Clifford is a small sample of the comprehensive public relations campaign by the Army Department to sell the Sentinel to the American public and to counteract critics in Congress and the scientific community.

KNOWN AS ABM

The Sentinel is the name given to what is otherwise known as the ABM, or antiballistic missile system designed to intercept and destroy with nuclear warheads, incoming offensive ballistic missiles.

It has been the center of a growing controversy since former Defense Secretary Robert McNamara announced the decision for a limited or "thin" deployment of the weapon, largely to counter the threat of Chinese nuclear missiles in the 1970s.

Opposition comes partly from those who fear it will prejudice arms control talks with the Russians, partly from people living close by the dozen or so population centers (Boston, Seattle, Chicago, Detroit, Los Angeles, among others) where Sentinel sites are planned.

Resor's memorandum last September came at the climax of a Congressional debate over Sentinel funds; final approval of the initial money was voted a few days later. The memorandum was accompanied by a much more detailed, 17-page "master plan" for a "public relations/public affairs program on a countrywide basis."

And this longer memorandum signed by Lt. Gen. Alfred D. Starbird who manages the Sentinel project, was, in turn, based on a still earlier "Sentinel System Public Affairs Plan," which had been authorized in March of last year.

Apparently Resor and the Army did not believe the earlier effort was adequate. "There is public confusion regarding the necessity for the Sentinel System deployment decision and of our need to acquire particular geographic areas for use as Sentinel operational sites," he told Clifford in the September memo, adding "I feel it essential that the Army undertake a time-phased public affairs program to provide information to dispel this public confusion." With some foresight, he warned that "further and expanded opposition to the Sentinel decisions may occur with the passage of time."

Though the plans outlined by Resor centered on efforts to win public acceptance of the Sentinel in the communities where Sentinel sites are contemplated, the campaign was to be far broader and more comprehensive than that, both as to content and technique.

OTHER ANGLES

In addition to the effort to promote friendly magazine articles from leading scientists, it included plans for:

A broader campaign to win over hostile Senators and Representatives, with personal visits from high officials, including classified

briefings to all Congressmen whose states or districts would be directly affected, whether or not local opposition had developed to Sentinel deployment.

An expanded program of similar "orientation visits" to a wider assortment of state, county and city officials, beginning with Boston, Seattle and Chicago, where much of the trouble had developed.

Special calls on local editors and publishers, again beginning with Boston, Seattle and Chicago but extending to all other localities destined to become Sentinel sites.

"A transportable display exhibit" for use in communities "impacted," to use the Army's term, by Sentinel sites, and featuring "pre-taped voice commentary," visual aids and mockups to explain, among other things, "casualty reductions projected by the effective presence of Sentinel during a possible enemy offensive ICBM attack against the United States."

A strong plug for the Sentinel in the President's (Johnson) State of the Union Message.

An invitation to newsmen to witness firings of the Sprint missile at White Sands Missile Range in New Mexico and the Spartan at Kwajalein (both are part of the Sentinel system) as part of an expanded program to "bring home to the public" the "message as to Sentinel progress, developments, and accomplishments."

Preparation of "an information packet" to be distributed to all interested citizens or Government officials "having questions on the Sentinel system," and to include "authoritative speeches," interviews or other statements about the strategic need, the cost and the feasibility of the project.

Though the Resor memorandum deals only with public relations aspects of the Sentinel system, it was classified for security purposes. For this reason, the Defense Department declined to discuss it in any detail.

One official did say, in response to an inquiry, that public relations efforts on behalf of the Sentinel project have not been included in the current freeze on work at the missile sites, which is part of a general review of Sentinel policy.

Another official indicated that there would be nothing "extraordinary" about such a public relations campaign, and said it was patterned after similar efforts made to publicize and make more politically palatable the Nike series of missiles. While nobody would flatly confirm that the plan had been put into effect in exactly the form set forth by Resor and Starbird, the feeling seemed to be that a campaign of this kind was standard procedure and would have won top-level approval almost as a matter of routine.

Whatever the case, the mere existence of the proposal tells something about the intensity of the military pressure behind the Sentinel; the resourcefulness of the Army's public relations operations; and the apparent indifference of the Army to the question of whether what they are propagandizing in Congress and across the country has become, with Congressional funding and approval, an actuality or merely an Administration proposal.

EXTENT DISCLOSED

Also illuminated is the length to which the Army was apparently prepared to go in pushing the Sentinel, not merely as a "thin," primarily Chinese-oriented weapons system, but as a first step towards a "thick" ABM system. This is thought to be the real objective of Army strategists.

But the Johnson Administration and the Defense Department, under both McNamara and Clifford, insisted that the ABM be viewed as an anti-Chinese system, with only marginal significance in the added protection it might give against Russian attack. It was not, at any rate, to be thought of as a first step towards a "heavy" anti-Soviet system.

General Starbird's "master plan", for ex-

ample, sets a broad policy line for the public relations campaign. "The thrust of the program will be directed primarily toward explaining the military requirement and strategic concepts inherent in the Sentinel deployment decision," he said in his detailed outline of the program. "As subordinate but related goals," he added, "the program will emphasize that:

"the Sentinel System is specifically designed to meet a strategic defensive military requirement;

"that it is being deployed in an efficient and economical manner;

"that it is designed to provide a defense against a possible Communist Chinese nuclear ICBM attack in the early 1970s;

"that it provides added protection of our population against a possible accidental ICBM launch by any one of the world's nuclear powers;

"that it represents a basic step toward defense against the Soviet ICBM threat to the United States should national policy so direct."

The Starbird proposals also envisage a degree of interplay between the Army and private industry engaged in Sentinel work. "The provisions of this plan apply to all U.S. Army elements and to all individual industrial firms and civilian contractors participating in the production and deployment of the Sentinel System," his memorandum states.

Although it is not clear exactly what the word "apply" means in this instance, the memorandum includes this instruction: "Personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program."

The General's 17-page prospectus while infinitely more detailed than Resor's summary memorandum, is also a good deal less intelligible. There is much talk of "Phase II (c)" and "responsive implementation of policy guidance" and instructions to "CG, ARADCOM", for example, calling on him (or it) to "support and assist the Sentinel information and public affairs activities of SENSOCOM, USAEDH, SENLOG, STRATCOM and SENSEA."

But the message gets through, on careful reading. It is that an extraordinary intricate and comprehensive campaign is intended down to the details of kit folders, biographies and photos of "key service personalities associated with the Sentinel System Program," and "photos or artist-concept sketches of Sentinel missiles, radars, site layouts and test or training installations."

There is a command that "magazine articles will be prepared by Army staff members . . . for submission to military, scientific and professional journals and publications that are service sponsored or oriented" and also an order to all hands to "encourage and assist in the preparation of magazine articles . . . by civilian scientific or technical writers of national stature."

In no uncertain terms, "officials granting interviews" to newsmen are told to be prepared, and outgoing on the positive side of the Sentinel project. "Every effort will be made to anticipate the questions that will be asked by the interviewing reporter." In special cases, where it would be helpful, requests to declassify material "which is responsive to the anticipated questions" are encouraged.

Exhibits, a library of useful quotations, a standard briefing text, a special "Community Relations Briefing Text", an "Operation Understanding" which would enlist the participation of local civilian leaders, film clips of missile flights, taped interviews, and other "newsworthy items" for use by commercial radio and television—all these and more are carefully set forth in Gen. Starbird's "master plan" for selling the Sentinel.

[From the St. Louis (Mo.) Post-Dispatch
Feb. 16, 1969]

ENOUGH OF MILITARY MENDACITY

The public revulsion against the Sentinel antiballistic missile system ought to be taken by the Pentagon as a warning. It is the symptom, we think, of a growing public disenchantment with military domination of American foreign policy, and most particularly with the deceptions, misrepresentations and outright lies which our military leaders have resorted to in their unconscionable effort to control the nation's destiny.

Initial funds for the AEM were pushed through Congress last year on a tide of crafty falsehoods. First, there was the pretext that it was a "thin" system to counter China, not Russia—a pretext that President Nixon shrewdly refuses to "buy," though Secretary Laird professes to believe it. Then there was the assurance that the system would cost "only" five billion dollars, a figure which Senator Symington estimates ought to be closer to ten billions. Congress was told that the missiles would be emplaced far from population centers; immediately the sites were located in the midst of our greatest urban areas. One after another, the Pentagon's propaganda lines are being exposed as a crass manipulation of public opinion designed to commit the nation to unending escalation of the arms race.

This is not the first time, of course, that the military establishment has sought to manipulate public opinion by misrepresenting the facts. When the *Pueblo* was captured by North Korea the Navy set up a self-righteous uproar which can now be seen as a smoke screen to hide its own blunders. The Joint Chiefs of Staff seized on the incident to call up 12,500 reservists, most of whom never went to Korea or even Vietnam, but are now holding down desk jobs around the world while regulars are being released—all to enable the Pentagon to show a budget cut without actually cutting manpower.

As the *Pueblo* inquiry goes on, doubt deepens as to the Navy's contention that the ship never violated Korean territorial waters. To secure the release of the crew our Government in fact acknowledged a violation, and then pretended to repudiate the acknowledgement; but the "repudiation," it is now clear, was itself a misrepresentation for the purpose of deceiving the American public.

The most conspicuous and ominous case of official mendacity remains the Gulf of Tonkin incident in August, 1964, which triggered the disastrous Vietnam war. As I. F. Stone points out in *The New York Review*, the whole truth about this fateful affair has not yet been told, and we agree that the Senate Foreign Relations Committee should reopen its inquiry to find out the whole truth.

Enough has come out from the Pentagon's own testimony to suggest that the alleged Aug. 4 attack on two American destroyers off North Vietnam many never have taken place. If it did take place, there is strong evidence that it was in response to an act of war by our destroyers, which were engaged in espionage in support of South Vietnamese operations planned and equipped by us. Yet the American people were told that the destroyers had been wantonly attacked while on "routine patrol," and on the strength of this, Congress was induced to sign a blank check which President Johnson construed as authorizing him to plunge the nation into an undeclared war in which 30,000 young Americans have died.

Throughout that war the military establishment has repeatedly misled the people with promises of victory just around the corner and tendentious accounts of mythical triumphs, such as the siege at Khe Sanh. It even sought to convince the public that the Communists' staggering Tet offensive last year, which drove President Johnson out of

office and compelled him to reverse the policy of military escalation, was in fact a defeat for the Communists and a victory for us.

We think the American people, to put it quite bluntly, are tired of being lied to. It is gradually dawning on them that they were tricked into a fruitless war which their leaders do not know how to end, and that a military establishment grown fat on inflated budgets is determined to maintain its drain on the national economy by manipulating public opinion in its own interest. No task before the American people exceeds in importance that of recapturing democratic control of their own destiny, and making it a destiny of peace.

[From the Washington (D.C.) Post, Feb. 17, 1969]

THE BIG ABM BRAINWASH

There is more obviously, to the Great Debate over the Sentinel ABM System than has hitherto met the eye, judging from a report on the front page of this newspaper yesterday. The report told of two memoranda to former Secretary of Defense Clifford last fall. One was from the present Secretary of the Army, Mr. Stanley R. Resor, and the other, a supporting document from the manager of the project to build the Sentinel System, Lt. Gen. Alfred D. Starbird. Together they spelled out in breathtaking detail a complex and comprehensive public relations—not to say propaganda—campaign to convince the American public, and Congressional critics, and wayward scientists and the citizens residing in or around prospective Sentinel sites that in every way these weapons are good for you.

A perfectly respectable case can be made that, within reason and suitable limits, they are: something must have recommended the project to two successive Defense Secretaries in the Johnson Administration. And if the Sentinel is not in fact as essential to our security as it is said to be, there would still be nothing wrong about the Army arguing the point. We pay our military men to tell us what we need for our safety, and we expect their civilian leaders and the Congress to weigh the merits of the military arguments, and cast them up against our other priorities, and make a judgment that takes more than the military view of things into account.

So there is no quarrel here with the right of military men to make their pitch and there was very little in the Resor and Starbird memoranda that added anything new to the Army's argument. What the Army was proposing to say about the Sentinel, in short, was not the startling thing about these memoranda to Mr. Clifford. What was astonishing and disturbing—the part that had not met the eye—was the way the pitch was to be made, the sweep and intensity of the Army's intended campaign. That, and the plain evidence that an important part of the whole operation was clearly calculated *not* to meet the eye; the Army's hand was not supposed to be visible. That's what is genuinely unsettling—the suggestion, for example, of clandestine complicity with the contractors for the Sentinel program in carefully coordinated public relations undertakings to tout the virtues of this weapons system; the unabashed intention to plant or inspire favorable magazine articles by scientists who are proponents in direct response to opponents of the program within the scientific community.

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system," Mr. Resor wrote to Mr. Clifford, and after naming a few of them (Hans Bethe, George Kistiakowsky, Jerome Wiesner) and complaining of the difficulty of replying without disclosing secrets, he went on to say:

"It is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all possible assistance."

So there it is, and what are we to make now of the next learned dissertation published by a scientist in favor of the Sentinel? Will it be his handwork, or General Starbird's? And what are we to make of some of the other aspects of this campaign—the instructions proposed by the General, for example, that "personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program"? Will Army officers write the advertising copy, or merely furnish the photographs of successful missile shots?

There is less to be said against some of the other, more conventional plans, for a heavy round of visiting with Congressmen and Governors and Mayors and community leaders and editors and publishers, for example, except that you do have to ask what all this is going to cost: the junketing, the mobile displays, the preparation of information kits and a library of useful quotations, the film clips and taped interviews and all the rest.

But mostly you wonder whether this isn't too much—too covert, too all-pervasive, too overpowering. For if this is standard operating procedure, as they say, for the Army, and for all its works, it presumably is standard for other services, too. And this adds up, in our view, to a good deal too much brainwashing of the American public and a good deal too much intrusion by the military into American political life.

If this is what's going on, it is too much. In any case we'd like to know. The Sentinel is too a serious an issue to be settled by an Army propaganda campaign, on the one hand, or by a counter-reaction to such a campaign, on the other, by the antipathy to the idea of the citizens in one community, or by anything other than the merits of the matter and a balanced reckoning of where our national interest lies. That the Army should embark on so massive a public relations campaign, so far in advance of Congressional approval of the project, and by the use of such dubious methods, is a thing apart, though no less important on that account, and one which we would hope the Congress, would also like to know a good deal more about.

ENVIRONMENTAL QUALITY AND THE RESPONSIBILITY OF CONGRESS

Mr. MUSKIE. Mr. President, the Subcommittee on Air and Water Pollution is currently holding hearings on S. 7 and S. 544, the Water Quality Improvement Acts of 1969. One of the major sections of that legislation provides that no lease, license, or permit may be granted by a Federal department or agency until the appropriate water pollution control agency has certified that applicable water quality standards will not be violated.

Recent comments of Judge Frank Coffin of the U.S. Court of Appeals for the First Circuit underlined the inadequacy of existing law. Judge Coffin's opinion of January 13, 1969, in New Hampshire against the Atomic Energy Commission and Vermont Yankee Nuclear Power Corp. affirmed a lower court decision

that the Commission did not err in refusing to consider the possibility of thermal pollution from a nuclear power facility.

Judge Coffin noted the Commission's view:

Its own efforts . . . are limited to forwarding recommendations relating to thermal effects . . . to applicants and state and local authorities and encouraging cooperation by the applicant with the proper governmental agencies.

The position of the AEC in this case, Judge Coffin found, is strongly supported by its own rules of procedure and the statements of the Joint Committee on Atomic Energy.

At the same time, however, Judge Coffin maintained:

We confront a serious gap between the dangers of modern technology and the protections afforded by law as the commission interprets it.

We have the utmost sympathy—

He continued—

with the appellant and with the sister States of Massachusetts and Vermont which took the same position before the commission. That position was simply that adequate planning be required of the applicant before a construction permit is issued to assure all feasible protection against thermal pollution instead of waiting until heavy investment has been made, and damage has occurred or is imminent.

The relevant provisions of S. 7 and S. 544 have been considered in previous sessions of Congress, but have not been passed. Judge Coffin's decision and the tragic oil spill off the California coast are warnings which we no longer can afford to ignore. Judge Coffin has drawn his conclusions "with regret" that Congress has not yet acted, but the people of New England can only hope that they are spared the fate of the people of California.

The burden is now on Congress. Those who ask only that the values of the environment be considered before decisions of this magnitude are made have nowhere else to turn. Congress must decide whether the day of reckoning should be postponed until the power of reckoning has been forfeited.

HOPE FOR LITHUANIA

Mr. CURTIS. Mr. President, perhaps never in all the history of mankind did the freedom of so many people and nations hang so precariously in the balance as it did in the late 1930's and 1940's. For many people in many lands freedom was then a new-found thing—a fragile and gossamer fabric but newly woven into their lives. And in this period—just 30 years ago—a massive aggression against human freedom and the dignity that comes with such freedom was being mounted all over the world.

Already freedom was a thing of the past—never fully to be recaptured—for most of China. The armies of the Empire of Japan had spread out like a cancer through that land.

Austria had been stripped of her freedom by the rapacious Nazis.

Czechoslovakia was inert under the heel of the conqueror.

In Africa the Lion of Judah had been

driven from his land in Ethiopia by the new legions of Italian fascism.

The massed armies and airpower of Germany were preparing for the awful curtain call of war in Europe.

This was the world scene in which a generation of Americans—now the leaders of our country—came to manhood.

And the scene has little changed since. All their active adult lives this generation of Americans has been faced with the grim reality that freedom is not cheaply come by nor can it be left untended.

Freedom is paid for in blood and must be guarded with the sinews, the hearts, and the minds of all those who have been so blessed.

But even when a free people are jealous of their liberty and are ready—indeed, eager—to fight for it and to protect it, even then, Mr. President, there is no guarantee that freedom can last.

There is perhaps no more tragic example of this failure of our times than that of Lithuania. This tiny land on the Baltic Sea has a proud and long tradition of fighting, and dying, to protect and preserve their freedom. And yet, in that entire small country there is today no liberty. There is no freedom at all.

While the world was concerned with the great events of World War II, the collapse of freedom in France, the scourge of Holland and Denmark and Norway, events passed almost unnoticed that were equally tragic, if on a smaller scale.

I say smaller scale because the totality of what happened was nowhere near as great as the totality of destruction that threatened the rest of Europe—in Poland and the Balkans and Belgium.

But, in all honesty, there is no scale by which to measure the tragedy that is contained in the loss of freedom. For freedom and liberty are precious to each individual—and their loss is a total tragedy to each individual. And this tragedy must be shared by all men everywhere.

But, as German hordes rolled across the hills and vales of Western Europe and the German Air Force thundered over the skies of Britain and the last bastion of freedom was threatened across the English Channel, other monstrous events were taking place that forecast an even more lasting blow to freedom. The giant tyranny of Russia was mobilizing itself and getting set to move. The Russian armies already had attacked Finland and that gallant little country—suffering and torn but still free—had fought back. But as the summer of 1940 warned the lands about the Baltic Sea the cold hand of death was preparing to descend upon the Baltic States—Lithuania, Latvia, and Estonia. The Soviet armies were prepared to roll.

And in July of 1940 they did more. With an arrogance so blatant that they hardly bothered to hide their aggressive intent behind even a subterfuge of pretext, the Russians attacked the Baltic States.

And the flickering flame of freedom was once again hidden.

But, Mr. President, that flame has not been extinguished. Not entirely.

Just as freedom is fragile and must be

protected, the spirit of freedom—that burning ambition to be free—is strong and cannot be totally destroyed. The fires of freedom may diminish and flicker, but they cannot be extinguished, no matter how brutal, no matter how complete, the tyranny that makes the attempt.

Mr. President, in the events of this past year in Czechoslovakia we see some hope for all the people now behind the Iron Curtain in Europe. It will be recalled that in Czechoslovakia, too, the Soviet might was used in an all-out effort to destroy the freedoms so hard won by the Czech people. And despite all the efforts by the Soviets enough vestiges of freedom remained so that it appeared probable that freedom once again would rise triumphant. And even despite the brutality of the Soviet invasion of the Czech homeland last summer, these vestiges of freedom are still to be found and the Russian invasion has not succeeded in bringing the people completely to heel.

This significant development portends well for the other captive people of Europe now.

And it gives us renewed hope, Mr. President, that in the months and years ahead the people of Lithuania will once again be able to breathe the air of freedom and to raise their heads proudly as members of the community of free men.

This is but little solace to those whose loved ones are still held in bondage.

But it is a hope we dare now to offer them—as we never dared offer it before.

And it is upon such as this that the fire of freedom feeds, and nourishes itself.

Restoration of freedom for the people of Lithuania is not just around the corner. But we can now foresee the time when it can be restored.

FORCED LABOR—HUMAN RIGHTS CONVENTION—XIX

Mr. PROXMIRE. Mr. President, as I speak once again to urge the Senate to ratify the human rights Conventions on Forced Labor, Genocide, and Political Rights of Women, I believe it would be useful to recall the individual history of the Convention on Forced Labor.

In 1947 the American Federation of Labor first requested the United Nations to conduct an investigation of forced labor wherever it existed in the world. For 2 years the Soviet Union and its satellites strongly opposed the request for an investigation. But in 1949 the United Nations Economic and Social Council voted to request the International Labor Organization to investigate the practice of forced labor.

The ILO responded to the request with vigor. In two reports subsequently issued by the ILO, the investigating committee found forced labor being practiced extensively in the Soviet Union, Bulgaria, Czechoslovakia, Hungary, Rumania, and Communist China.

These findings and the accompanying report led to the adoption in Geneva on June 25, 1957, of the Convention on the Abolition of Forced Labor.

Ten years after the American Federation of Labor began its crusade for the adoption of the convention, it was

adopted. Twenty years after the AFL started the fight, 75 nations had ratified this convention. But the United States will still not be found on any list of ratifying nations.

The Soviet Union has never ratified the Convention on Forced Labor.

While the Soviets have ratified the Conventions on Political Rights of Women, Slavery, and Genocide, they have carefully ignored consideration of the Convention on Forced Labor. The reasons for the Soviet Union's failure to ratify this convention are obvious. But the United States has nothing to fear from ratification. Forced labor is totally alien to our entire tradition.

The American labor movement has carried the fight for the abolition of forced labor long and valiantly. Now the Senate can help to finish the job the labor movement has done so well by ratifying the Convention on Forced Labor.

THE MENACE OF LIBERAL SCHOLARSHIP

Mr. HATFIELD. Mr. President, on January 2, the New York Review of Books included an article by Noam Chomsky, ward professor of linguistics at MIT, commenting upon the role of the academic community in assessing the mistakes of American foreign policy which led to our involvement in Vietnam and which may lead to further involvements of the same tragic character. He pinpointed a problem of policymaking which is too often ignored by both the policymakers and their critics in the universities—that policy premises cannot be accepted as given but must be continuously reevaluated to reflect changing domestic and international realities and potentialities.

Mr. Chomsky further elaborates upon honest academic inquiry and the obstacles which inhibit its pursuit. His article identifies the status quo stagnation which forces government to pursue policy which no longer is effective in achieving the aims for which it was devised or, more damaging, policy which has goals no longer consonant with the problems which require priority.

I ask unanimous consent that the article entitled "The Menace of Liberal Scholarship" together with subsequent criticism and Mr. Chomsky's answer to that criticism be printed in the RECORD.

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

THE MENACE OF LIBERAL SCHOLARSHIP

(By Noam Chomsky)

(NOTE.—"No More Vietnams?" edited by Richard M. Pfeiffer.)

In a recent essay, Conor Cruise O'Brien speaks of the process of "counterrevolutionary subordination," which poses a threat to scholarly integrity in our own counterrevolutionary society, just as "revolutionary subordination," a phenomenon often noted and rightly deplored, has undermined scholarly integrity in revolutionary and post-revolutionary situations. He observes that "power in our time has more intelligence in its service, and allows that intelligence more discretion as to its methods, than ever before in history," and suggests that this development is not altogether encouraging, since we have moved perceptibly towards the state

of "a society maimed through the systematic corruption of its intelligence." He urges that "increased and specific vigilance, not just the elaboration of general principles, is required from the intellectual community toward specific growing dangers to its integrity."¹

Senator Fulbright has developed a similar theme, in an important and perceptive speech.² He describes the failure of the universities to form "an effective counterweight to the military-industrial complex by strengthening their emphasis on the traditional values of our democracy." Instead they have "joined the monolith, adding greatly to its power and influence." Specifically, he refers to the failure of the social scientists, "who ought to be acting as responsible and independent critics of the Government's policies," but who, instead, becomes the agents of these policies. "While young dissenters plead for resurrection of the American promise, their elders continue to subvert it." With "the surrender of independence, the neglect of teaching, and the distortion of scholarship," the university "is not only failing to meet its responsibilities to its students; it is betraying a public trust."

The extent of this betrayal might be argued; its existence, as a threatening tendency, is hardly in doubt. Senator Fulbright mentions a primary cause: the access to money and influence. Others might be mentioned; for example, a highly restrictive, almost universally shared, ideology and the inherent dynamics of professionalization. As to the former, Fulbright has cited elsewhere the observation of Tocqueville that "I know of no country in which there is so little independence of mind and real freedom of discussion as in America." Free institutions certainly exist, but a tradition of passivity and conformism restricts their use—a cynic might say that this is why they continue to exist.

The impact of professionalization is also clear. The "free-floating intellectual" may occupy himself with problems because of their inherent interest and importance, perhaps to little effect. The professional, however, tends to define his problems according to the technique that he has mastered, and has a natural desire to apply his skills. Commenting on this process, Senator Clark quotes the remarks of Dr. Harold Agnew, Director of the Los Alamos Laboratories Weapons Division: "The basis of advanced technology is innovation and nothing is more stifling to innovation than seeing one's product not used or ruled out of consideration on flimsy premises involving public world opinion."³—a shocking statement and a dangerous one," as Clark rightly comments. In much the same way, behavioral scientists who believe themselves to be in possession of certain techniques of control and manipulation will tend to search for problems to which their knowledge and skills might be relevant, defining these as the "important problems"; and it will come as no surprise that they occasionally express their contempt for "flimsy premises involving public world opinion" that restrict the application of these skills. Thus among engineers there are the "weapons cultists" who construct their bombs and missiles, and among the behavioral scientists we find the technicians who design and carry out "experiments with population and resources control methods" in Vietnam.⁴

These various factors—access to power, shared ideology, professionalization—may or may not be deplorable in themselves, but there can be no doubt that they interact in such a way as to pose a serious threat to the integrity of scholarship in fields that are struggling for intellectual content and are thus particularly susceptible to the workings of a kind of Gresham's Law. What is

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more, the subversion of scholarship poses a threat to society at large. The danger is particularly great in a society that encourages specialization and stands in awe of technical expertise. In such circumstances, the opportunities are great for the abuse of knowledge and technique—to be more exact, the claim to knowledge and technique. Taking note of these dangers, one reads with concern the claims of some social scientists that their discipline is essential for the training of those to whom they refer as “the mandarins of the future.”⁵ Philosophy and literature still “have their value,” so Ithiel de Sola Pool of MIT informs us, but it is psychology, sociology, systems analysis, and political science that provide the knowledge by which “men of power are humanized and civilized.” In no small measure, the Vietnam war was designed and executed by these new mandarins, and it testifies to the concept of humanity and civilization that they are likely to bring to the exercise of power.⁶

Is the new access to power of the technical intelligentsia a delusion or a growing reality? There are those who perceive the “skeletal structure of a new society” in which the leadership will rest “with the research corporation, the industrial laboratories, the experimental stations, and the universities,” with “the scientists, the mathematicians, the economists, and the engineers of the new computer technology” . . . “not only the best talents, but eventually the whole complex of social prestige and social status, will be rooted in the intellectual and scientific communities.”⁷ A careful look at the “skeletal structure” of this new society, if such it is, is hardly reassuring. As Daniel Bell, the Columbia University sociologist, points out, “It has been war rather than peace that has been largely responsible for the acceptance of planning and technocratic modes in government,” and our present “mobilized society” is one that is geared to the “social goal” of “military and war preparedness.” Bell’s relative optimism regarding the new society comes from his assumption that the university is “the place where theoretical knowledge is sought, tested, and codified in a disinterested way,” and that “the mobilized postures of the Cold War and the space race” are a temporary aberration, a reaction to Communist aggressiveness.

In contrast, a strong argument can be made that the university has, to a significant degree, betrayed its public trust; that matters of foreign policy are very much “a reflex of internal political forces” as well as economic institutions (rather than “a judgment about the national interest, involving strategy decisions based on the calculations of an opponent’s strength and intentions”); that the mobilization for war is not “irony” but a natural development, given our present social and economic organization; that the technologists who achieve power are those who can perform a service for existing institutions; and that nothing but catastrophe is to be expected from still further centralization of decisionmaking in government and a narrowing base of corporate affiliates. The experience of the past few years gives little reason to feel optimistic about these developments.

What grounds are there for supposing that those whose claim to power is based on knowledge and technique will be more benign in their exercise of power than those whose claim is based on wealth or aristocratic origin? On the contrary, one might expect the new mandarin to be dangerously arrogant, aggressive, and incapable of adjusting to failure, as compared to his predecessor, whose claim to power was not diminished by honesty about the limitations of his knowledge, lack of work to do, or demon-

strable mistakes.⁸ In the Vietnam catastrophe, all of these factors are detectable. There is no point in overgeneralizing, but neither history nor psychology nor sociology gives us any particular reason to look forward with hope to the rule of the new mandarins.

In general, one would expect any group with access to power and affluence to construct an ideology that will justify this state of affairs on grounds of the general welfare. For just this reason, Bell’s thesis that intellectuals are moving closer to the center of power, or at least being absorbed more fully into the decision-making structure, is to some extent supported by the phenomenon of counterrevolutionary subordination noted earlier. That is, one might anticipate that, as power becomes more accessible, the inequities of the society will recede from vision, the status quo will seem less flawed, and the preservation of order will become a matter of transcendent importance. The fact is that American intellectuals are increasingly achieving the status of a doubly privileged elite: first, as American citizens, with respect to the rest of the world; and second, because of their role in American society, which is surely quite central, whether or not Bell’s prediction proves accurate. In such a situation, the dangers of counterrevolutionary subordination, both in the domestic and international spheres, are apparent. I think that O’Brien is entirely correct in pointing to the necessity for “increased and specific vigilance” to the danger of counterrevolutionary subordination, of which, as he correctly remarks, “we hear almost nothing.”

Several years ago Seymour M. Lipset enthusiastically proclaimed in *Political Man* that “the fundamental political problems of the industrial revolution have been solved,” and that “this very triumph of democratic social evolution in the West ends domestic politics for those intellectuals who must have ideologies or utopias to motivate them to social action.” During this period of faith in “the end of ideology,” even enlightened and informed commentators were inclined to present remarkable evaluations of the state of American society. Daniel Bell, for example, wrote that “in the mass consumption economy all groups can easily acquire the outward badges of status and erase the visible demarcations.”⁹ Writing in *Commentary*, in October, 1964, he maintained that we have in effect already achieved “the egalitarian and socially mobile society which the ‘free floating intellectuals’ associated with the Marxist tradition have been calling for during the last hundred years.” For all the detectable general rise in standard of living, the judgment of Gunnar Myrdal seems far more appropriate to the actual situation: “The common idea that America is an immensely rich and affluent country is very much an exaggeration. American affluence is heavily mortgaged. America carries a tremendous burden of debt to its poor people. That this debt must be paid is not only a wish of the do-gooders. Not paying it implies a risk for the social order and for democracy as we have known it.”¹⁰ Surely the claim that all groups can easily enter the mass consumption economy and “erase the visible demarcations” is a considerable exaggeration.

Similar evaluations of American society appear frequently in contemporary scholarship. To mention just one example, consider the analysis that Adam Ulam, the Harvard expert on Russian Communism, gives of Marx’s concept of capitalism: “One cannot blame a contemporary observer like Marx for his conviction that industrial fanaticism and self-righteousness were indelible traits of the capitalist. That the capitalist would grow more humane, that he would slacken in his ceaseless pursuit of accumulation and expansion, were not impressions readily warranted by the English social scene of the 1840’s and ‘50’s.”¹¹ Again, for all the im-

portant changes in industrial society over the past century, it still comes as a surprise to hear that the capitalist has slackened in his ceaseless pursuit of accumulation and expansion.¹²

Remarks such as these illustrate a failure to sense the reality of contemporary society, which may not be directly traceable to the newly found (or at least aspired to) access to power and affluence, but which is, nevertheless, what one would expect in the developing ideology of a new privileged elite.

Various strands of this ideology are drawn together in a recent article in *Encounter* by Zbigniew Brzezinski of Columbia, in which a number of the conceptions and attitudes that appear in recent social thought are summarized—I am tempted to say “parodied.” Brzezinski too sees a “profound change” taking place in the intellectual community, as “the largely humanist-oriented, occasionally ideologically-minded Intellectual-dissenter, who sees his role largely in terms of proffering social critiques, is rapidly being displaced either by experts and specialists, who become involved in special governmental undertakings, or by the generalists-integrators, who become in effect house-ideologues for those in power, providing overall intellectual integration for disparate actions.”

He suggests that these “organization-oriented, application-minded intellectuals” can be expected to introduce broader and more relevant concerns into the political system. They are a new meritocratic elite, “taking over American life, utilizing the universities, exploiting the latest techniques of communications, harnessing as rapidly as possible the most recent technological devices.” Presumably, their civilizing impact is revealed by the great progress that has been made, in this new “historical era” which America alone has already entered, with respect to the problems that confounded the bumbling political leaders of past eras—the problems of the cities, of pollution, of waste and destructiveness, of exploitation and poverty. Under the leadership of this “new breed of politicians-intellectuals,” America has become “the creative society; the others, consciously and unconsciously, are emulative.” We see this, for example, in mathematics, the biological sciences, anthropology, philosophy, cinema, music, historical scholarship, and so on, where other cultures, hopelessly outdistanced, merely observe and imitate what America creates. Thus we move toward a new “super-culture,” strongly influenced by American life, with its own universal electronic-computer language . . . where an enormous and growing “psycho-cultural gap” separates America from the rest of the “developed world.”

It is impossible even to imagine what Brzezinski thinks a “universal electronic-computer language” may be—to anyone who knows, the reference is ridiculous—or what cultural values he thinks will be created by the new “technologically dominant and conditioned technetron” who, he apparently believes, may prove to be the “truer repository of that indefinable quality we call human.” It would hardly be rewarding to try to disentangle Brzezinski’s confusions and misunderstandings. What is interesting, rather, is the way his dim awareness of current developments in science and technology is used to provide an ideological justification for the “increasing role in the key decision-making institutions of individuals with special intellectual and scientific attainments,” the new “organization-oriented, application-minded intellectuals” based in the university, “the creative eye of the massive communications complex.”

Parallel to the assumption that all is basically well at home is the widely articulated belief that the problems of international society, too, would be subject to intelligent management, were it not for the machinations of the Communists. One aspect of this

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complacency is the belief that the Cold War was entirely the result of Russian (later Chinese) aggressiveness. For example, Daniel Bell has described the origins of the Cold War in the following terms: "When the Russians began stirring up the Greek guerrilla EAM in what had been tacitly acknowledged at Teheran as a British sphere of influence, the Communists began their cry against Anglo-American imperialism. Following the rejection of the Marshall Plan and the Communist coup in Czechoslovakia in February, 1948, the Cold War was on in earnest."¹³ This will hardly do as a balanced and objective statement of the origins of the Cold War—in particular, the remark concerning the Russians in Greece is not supported by the historical record, though it is hardly necessary to document British and American intervention;¹⁴ but the distortion it reflects is an inherent element in Bell's optimism about the new society, since it enables him to maintain that our Cold War position is purely reactive, and that once Communist belligerence is tamed, the new technical intelligentsia can turn its attention to the construction of a more decent society.

A related element in the ideology of the liberal intellectual is the firm belief in the fundamental generosity of Western policy toward the third world. Ulam, again, provides a typical example: "Problems of an international society undergoing an economic and ideological revolution seem to defy . . . the generosity—granted its qualifications and errors—that has characterized the policy of the leading democratic powers of the West."¹⁵ Even Hans Morgenthau succumbs to this illusion. He summarizes a discussion of intervention with these remarks: ". . . we have intervened in the political, military and economic affairs of other countries to the tune of far in excess of \$100 billion, and we are at present involved in a costly and risky war in order to build a nation in South Vietnam. Only the enemies of the United States will question the generosity of these efforts, which have no parallel in history."¹⁶ Whatever one may think about the \$100 billion, it is difficult to see why anyone should have taken seriously the professed "generosity" of our effort to build a nation in South Vietnam, any more than the similar professions of benevolence by our many forerunners in such enterprises. Generosity has never been a commodity in short supply among powers bent on extending their hegemony.

Still another strand in the ideology of the new emerging elite is the concern for order, for maintaining the status quo, which is now seen to be favorable and essentially just. An excellent example is the statement by fourteen leading political scientists and historians on U.S. Asian policy, distributed last December (1967) by the Freedom House Public Affairs Institute.¹⁷ These scholars refer to themselves as "the moderate segment of the academic community." The designation is accurate; they stand midway between the two varieties of extremism, one which demands that we destroy everyone who stands in our path, the other that we adopt the principles of international behavior that we require of every other world power. The purpose of their statement is to "challenge those among us who, overwhelmed by guilt complexes, find comfort in asserting or implying that we are always wrong, our critics always right, and that only doom lies ahead." They find our record in Asia to be "remarkably good," and applaud our demonstrated ability to rectify mistakes, our "capacity for pragmatism and self-examination" and "healthy avoidance of narrow nationalism," capacities which distinguish us "among the major societies of this era."

The moderate scholars warn that "to avoid a major war in the Asia-Pacific region, it is

essential that the United States continue to deter, restrain, and counterbalance Chinese power." True, since the Korean War, "China has exercised great prudence in avoiding a direct confrontation with the United States or the Soviet Union," and it is likely that China will "continue to substitute words for acts while concentrating upon domestic issues." Still, we cannot be certain of this, and must therefore continue our efforts to tame the dragon. One of the gravest problems posed by China is its policy of "isolationist fanaticism," obviously a serious threat to peace. Another danger is the terrifying figure of Mao Tse-tung, a romantic, who refuses to accept the "bureaucratic essential to the ordering of this enormously complex, extremely difficult society." The moderate scholars would feel much more at ease with the familiar sort of technical expert, who is committed to the "triumph of bureaucratism," and who refrains from romantic efforts to undermine the party apparatus and the discipline that it imposes.

There is no doubt a substantial threat posed by China, from the point of view of the moderate scholars, though their statement fails to express it. The threat is revealed by such remarks as this, by a liberal journalist from the Philippines:¹⁸

"In China a fourth of the human race have found the solution to the twin scourges of Asia: poverty and ignorance. Not completely, to be sure, but these have ceased to be the big problems of survival that they are in the rest of Asia. In evaluating the achievement of man, his ideology, the elimination of poverty and ignorance and disease—in a nation peopled by 700 million—is a feat to compare with the proudest successes of America and Russia in space exploration. Where man has done away with greed, envy, dishonesty, he has scored a signal victory for the human spirit. Man is uplifted and the human spirit is exulted. This is the reality of New China."

The spread of such attitudes threatens the long-range goals outlined prophetically long ago by Brooks Adams: ". . . to enter upon the development of Eastern Asia and to reduce it to part of our own economic system." In order to contain this threat, American policy seeks to hamper the development of China, while American scholarship raises the specter of Chinese aggression and fanaticism.

Moreover, the moderate scholars announce their support for "our basic position" in Vietnam. A Communist victory in Vietnam, they argue, would "gravely jeopardize the possibilities for a political equilibrium in Asia, seriously damage our credibility, deeply affect the morale—and the policies—of our Asian allies and the neutrals." By a "political equilibrium," they do not, of course, refer to the status quo as of 1945-6 or as outlined by international agreement at Geneva in 1954. They do not explain why the credibility of the United States is more important than the credibility of the indigenous elements in Vietnam which have dedicated themselves to a war of national liberation. Nor do they explain why the morale of the military dictatorships of Thailand and Taiwan must be preserved. They merely hint darkly of the dangers of a third world war, dangers which are real enough, and which are increased when advocates of revolutionary change face an external counterrevolutionary force. In principle, such dangers can be lessened either by damping revolutionary ardor or by withdrawing the counterrevolutionary force. The latter, however is unthinkable, irresponsible.

The crucial assumption in the program of the moderate scholars is that we must not encourage "those elements committed to the thesis that violence is the best means of effecting change." It is important to recognize that it is not violence as such to which the moderate scholars object. On the contrary, they approve of our violence in Vietnam which, as they are well aware, enormously exceeds that of the Vietnamese enemy. To

further underline this point, they cite as our greatest triumph in Southeast Asia the "dramatic changes" that have taken place in Indonesia—of which surely the most dramatic has been the massacre of several hundred thousand people. But this massacre, like our extermination of Vietnamese, is not a use of violence to effect social change, and is therefore legitimate. What is more, it may be that those massacred were largely ethnic Chinese and landless peasants, and that the "counter-coup" in effect reestablished traditional authority more firmly.¹⁹ If so, all the more reason why we should not deplore this use of violence, and, in fact, the moderate scholars delicately refrain from alluding to it in their discussion of dramatic changes in Indonesia. We must conclude that when these scholars deplore the use of violence to effect change, it is not violence, but rather social change that they find truly disturbing. Social change that departs from the plotted course is not to be tolerated. The threat to order is too great.

So great is the importance of stability and order that even reform of the sort that receives American authorization must often be delayed, the moderate scholars caution. "Indeed, many types of reform increase instability, however desirable and essential they may be in long-range terms. For people under siege, there is no substitute for security." The reference, needless to say, is not to security from American bombardment, but rather to security from the wrong sorts of political and social change.

The policy recommendations of the moderate scholars are based on their particular ideological bias, namely that a certain form of stability—not that of North Vietnam or Korea, but that of Thailand, Taiwan, or the Philippines—is so essential that we must be willing to use unparalleled means of violence to ensure that it is preserved. It is instructive to see how other mentors of the new mandarins describe the problem of order and reform. Ithiel Pool has formulated the central issue as follows:

"In the Congo, in Vietnam, in the Dominican Republic, it is clear that order depends on somehow compelling newly mobilized strata to return to a measure of passivity and defeatism from which they have recently been aroused by the process of modernization. At least temporarily, the maintenance of order requires a lowering of newly acquired aspirations and levels of political activity."²⁰

This is what "we have learned in the past thirty years of intensive empirical study of contemporary societies." Pool is merely describing facts, not proposing policy. A corresponding version of the facts is familiar on the domestic scene: workers threaten the public order by striking for their demands, the impatience of the Negro community threatens the stability of the body politic. One can, of course, imagine another way in which order can be preserved in all such cases: by meeting the demands or, at the very least, by removing the barriers that have been placed, by force which may be latent and disguised, in the way of attempts to satisfy the "newly acquired aspirations." But this might mean that the wealthy and powerful would have to sacrifice some degree of privilege, and is therefore excluded as a method for maintenance of order. Such proposals are likely to meet with little sympathy from Pool's new mandarins.

From the doubly privileged position of the American scholar, the transcendent importance of order, stability, and nonviolence (by the oppressed) seems entirely obvious; to others, the matter is not so simple. If we listen, we hear such voices as this, from an economist in India:

"It is disingenuous to invoke 'democracy,' 'due process of law,' 'non-violence,' to rationalise the absence of action. For meaningful concepts under such conditions become

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meaningless since, in reality, they justify the relentless pervasive exploitation of the masses; at once a denial of democracy and a more sinister form of violence perpetrated on the overwhelming majority through contractual forms."²¹

Moderate American scholarship does not seem capable of comprehending these simple truths.

To be more accurate, we should say that those liberal intellectuals who are in the mainstream of "responsible opinion" and whose voices are heard in the councils of state are incapable of comprehending the point of view of the oppressed and, correspondingly, formulate the problems of international affairs in entirely different ways. Thus Roger Hillsman suggests in his book *To Move a Nation* that the most "divisive issue" that faced the "hard-headed and pragmatic liberals" of the new Kennedy Administration was the problem of combating "modern guerrilla warfare, as the Communists practice it," that is, as "internal war, an ambiguous aggression that avoids direct and open attack violating international frontiers . . ." (italics his). Apparently, the hard-headed pragmatic liberals were not divided over our right to violate international frontiers (and our treaty commitments).

As a prime example of the "kind of critical, searching analysis" that the new, liberal, revitalized State Department sought to encourage, Hillsman cites a study which explains how the United States might have acted more effectively in its attempt to overthrow the Mossadegh government in Iran. Why were we within our rights in overthrowing the Mossadegh and Arbenz governments (both, in Hillsman's view, legitimate governments)? The reason he gives is simple. Both men had concealed "the intention of creating a Communist state"—in fact, so well had they concealed this intention that to this day no one has been able to find significant evidence to demonstrate it. But Allen Dulles was "fundamentally right," according to Hillsman, in urging support for "loyal anti-Communist elements" even though, obviously, "no invitation was extended by the government in power."

Of course these attitudes persist. As an illustration, consider the book *No More Vietnams?*, the record of a conference held in June, 1968, at the Adlai Stevenson Institute of International Affairs, where a number of scholars "with special knowledge of the war and its implications" met to determine just what had gone wrong in Vietnam.²² The discussion is introduced by Professor Samuel Huntington, chairman of the Department of Government at Harvard and a prominent adviser to the State Department. He explains that in evaluating an intervention, "results are all that count." Thus the Dominican intervention appears to have been a success, even in the eyes of those who felt in 1965 that there were no "good political and moral grounds . . . whatsoever for intervening in the Dominican Republic."

Why? Because "whether or not there was a threat of communist takeover on the island, we were able to go in, and restore order, negotiate a truce among conflicting parties, hold reasonably honest elections which the right man won, withdraw our troops, and promote a very considerable amount of social and economic reform." Thus the intervention was consistent with the general purposes and methods of intervention, namely, the attempt "to minimize violence and instability in foreign countries" (though not, of course, to minimize the kind of violence accompanying our dramatic success in Indonesia; nor to support the kind of stability we find in North Vietnam, which has "probably the most stable government in Southeast Asia"—a "bitter truth but a real one," according to Professor Huntington).

Huntington's concern for stability and nonviolence reveals itself still more clearly in his recent thoughts on the Vietnam situation in *Foreign Affairs* (July, 1968). Our problem in Vietnam is that "with half the population still in the countryside, the Viet Cong will remain a powerful force which cannot be dislodged from its constituency so long as the constituency continues to exist." Clearly, then, we must ensure that "the constituency"—the rural population of Vietnam—ceases to exist. Professor Huntington does not shrink from this conclusion. On the contrary, he notes that "in an absent-minded way the United States in Vietnam may well have stumbled upon the answer to 'wars of national liberation.'" He elaborates this answer in commenting on the claim of the counter-insurgency expert Sir Robert Thompson that guerrillas are immune "to the direct application of mechanical and conventional power." Not so, says Professor Huntington.

"In the light of recent events, this statement needs to be seriously qualified. For if the 'direct application of mechanical and conventional power' takes place on such a massive scale as to produce a massive migration from countryside to city, the basic assumptions underlying the Maoist doctrine of revolutionary war no longer operate. The Maoist-inspired rural revolution is undercut by the American-inspired urban revolution."

What about the human consequences of the "direct application of mechanical and conventional power" on a scale sufficient to eliminate the constituency of the Viet Cong by "forced-draft urbanization"? True, "the social costs of this change have been dramatic and often heart-rending," but this is not Huntington's department. He is not concerned with the social costs of the interesting sociological phenomenon of "urbanization," but rather with the new possibilities it affords "to minimize violence and instability in foreign countries."

Of course, Huntington continues, "after the war, massive government programs will be required either to resettle migrants in rural areas or to rebuild the cities and promote peacetime urban employment. In the meantime, while the war continues, urbanization is significantly altering the balance of power between the Saigon government and the Viet Cong." Thus while the war continues we can control the urban population in slums and refugee camps—some of which caused Senator Stephen Young, after a recent trip, "to think about what we denounced in World War II when we talked about Dachau and other concentration camps in Germany"²³—and then, after the war, when the "right man" will have won in a "reasonably honest election," we can reverse the process of "urbanization" and even rebuild the cities we have destroyed, in a typical gesture of traditional American benevolence. Meanwhile, we can continue, absent-mindedly, to contribute to the theory and practice of political development by more intensive artillery and aerial bombardment in the rural areas.

A useful supplement to these views is provided, once again, by Professor Ithiel Pool, chairman of the Department of Political Science at MIT and a typical example of a liberal and "moderate" scholar. At the Stevenson Institute conference, Pool observes that "our worst mistake in Vietnam clearly was to initiate the bombing of the north." The explanation is interesting:

"Before that started, it was my view that the United States as a democracy could not stand the moral protest that would arise if we rained death from the skies upon an area where there was no war. After the bombing started, I decided I had been in error. For a while there seemed to be no outcry of protest, but time brought it on. Now I would return to my original view with an important modification, namely, time. Public reactions do not come immediately. Many actions that

public opinion would otherwise make impossible, are possible if they are short-term. I believe we can fairly say that unless it is severely provoked or unless the war succeeds fast, a democracy cannot choose war as an instrument of policy."

This is spoken in the tone of a true scientist correcting a few of the variables that entered into his computations—and, to be sure, Professor Pool is scornful of those "anti-intellectuals," such as Senator Fulbright, who do not comprehend "the vital importance of applied social science for making the actions of our government in foreign areas more rational and humane than they have been." In contrast to the anti-intellectuals, the applied social scientist understands that it is perfectly proper to "rain death from the skies upon an area where there was no war," so long as we "succeed fast." If victory is delayed, "the cohesion of the democratic community" will be destroyed by the choice of war as an instrument of policy. Furthermore, we cannot abandon this instrument of policy, for we must "come to realize that we can live in safety only in a world in which the political systems of all states are democratic and pacifically oriented"—like ours. Though it would be preferable "to influence political outcomes" with out the use of force, we must continue to be ready "to cope with dangerous armed ideologists" as in Vietnam, at least until the various "aspects of our value system"—in particular, its "pacific orientation"—spread more widely throughout the world.

It would seem to follow, then, that our failure in Vietnam is traceable to a serious inadequacy in our own political system: its inability to contain the moral outrage that resulted when we began to rain death on a country where there was no war. This is precisely the conclusion reached by Professor Pool, who is not short on logic: ". . . we are paying an inordinate price for our goals" and "in that sense we certainly have failed—but more in the United States than in Vietnam. The agonizing political lesson that racks this country is that there has been a failure of our own political system." The performance of our political system has been "disappointing" and "gloomy" (but not too gloomy, since "there is no evidence that either the government or the majority of the public are ready to withdraw abruptly in disarray from Vietnam"). Our system has proven incapable of dealing with the "intensity of dissent" which, along with other factors, threatens domestic stability. "These are failings of which we usually accuse the Vietnamese, but the criticism is more fairly addressed against ourselves."

In short, a democratic community is incapable of waging aggressive war in a brutal manner, and this is a failure of democracy. What is wrong is not the policy of raining death on an area where there is no war, still less the far more intensive bombardment of South Vietnam, which goes unmentioned. What is wrong is the inability of a democratic system to contain the inevitable dissent and moral outrage. The conclusion appears obvious, and we may ask how long it will be before at least some influential voices in liberal America will explain the necessity for removing the major impediment to the achievement of what Professor Pool refers to as "our national goals."

Huntington, incidentally, appears to share the qualms of his colleague regarding the inadequacies of democracy as a political system in a period when, as Pool puts it, we feel "massively threatened." Thus he recommends that our "involvements" be kept "reasonably limited, discreet, and covert" (my italics), and he feels that even the "shift toward introversion in our society" may have "side benefits," in that the "more limited forms of foreign involvement" to which we will be restricted will be facilitated "in the sense that there will be less public attention and concern directed to these issues."

The characteristics of Pool's more rational and humane social science approach are revealed in other remarks. Thus he observes, rather casually, that in 1964 "the only capable political structure in Vietnam [was] the Viet Cong," and that it was then "obvious that except for American forces the Viet Cong would take over Vietnam." He is impressed, however, by the fact that after the American invasion this is no longer so obvious, and this in his view justifies the American intervention. Recall the decisions that were taken by the American government in 1964, under the conditions that Pool describes. In *No More Vietnams?*, we learn from James Thomson, East Asian specialist at the Department of State and the White House between 1961 and 1966, that in the summer of 1964 the President's chief advisers met and decided unanimously that post-election strategy must involve the bombing of North Vietnam. This is a useful reminder, in December 1968, of the relevance of electoral politics to questions of international affairs. In 1964, as Professor Pool is no doubt aware, there were no regular North Vietnamese units known to be in the South and only a bare trickle of supplies. Pool might also agree with the observation, at the same conference, of Daniel Ellsberg, a RAND Corporation consultant to the Department of Defense on Vietnam, that "the bombing in the South has gone on long enough to disrupt the society of South Vietnam enormously and probably permanently," that "we have of course, demolished the society of Vietnam." He might even concede that there is justice in the somber assessment of Bernard Fall that "it is Viet-Nam as a cultural and historic entity that is threatened with extinction" as "the countryside literally dies under the blows of the largest military machine ever unleashed on an area of this size."²⁴ None of this, however, suggests to the more rational and humane social scientist that perhaps we have committed even a worse "mistake" than adopting policies that threaten domestic stability.

In introducing the Stevenson conference proceedings, Huntington observes that "it is obvious that our involvement has imposed on us severe costs—in men, money, and psychological composure—which make it all look like a horrible mistake." He is concerned, however, that a misreading of the Vietnam experience may cause "a Vietnam hang-up" among future policy makers who may tend to refrain from intervention even where its costs to us will be quite tolerable. Points of view expressed at the conference were diverse, but it is fair to say that these remarks of Huntington's represent something of a majority opinion. According to Stanley Hoffmann of Harvard, "Vietnam is an extreme case: the most inappropriate terrain for the application of concepts that have proved fertile and adequate elsewhere." It was not our goals in Vietnam that were wrong, but our "ignorance of the context and excessive self-confidence." In "negative interventions," as in Guatemala and Iran, where "we did not exactly know what we were for, but we did know what we were against . . . we have sometimes been quite successful"; "as for this category of interventions, I would argue that in the future we at least ought to define more rigorously what it is that so threatens us that we feel we have to intervene either by political subversion or by military action."

Arthur Schlesinger, another participant, adds that the "conceptual roots" of our Vietnam policy are "the noble traditions of Stimsonianism and liberal evangelism"—respectively, the view that aggression must never go unpunished and that "we have an obligation to deal with poverty, repression, and injustice 'everywhere in the world.'" These "entirely honorable strands in American thinking about our role in the world . . . reached a final and tragic misapplication in

Vietnam." Henry Kissinger, who concedes that our goals in Vietnam were like those of the French, is concerned with our "altruism," our tendency to believe "that we have to support every moral government in the world which gets into difficulty"—as, for example, in Greece and Thailand, and so generally throughout the "Free World." Superficiality of analysis and an acceptance of the legitimacy in principle of forceful intervention—when it can succeed—were characteristic features of much of the discussion. Participants who did not share the general assumptions were, for the most part, met with incomprehension, and their views, when discussed at all, were distorted beyond recognition.²⁵ Nevertheless, the fact that more searching critical analysis was expressed—though rarely heard—is perhaps a hopeful sign. It suggests possibilities for younger scholars who hope to break free of the ideological constraints that so often subvert scholarship, or simply block serious inquiry.

There are other sources from which we learn what applied social science has to offer for the formation of more rational and humane policies. Consider, for example, a recent study by Charles Wolf, senior economist of the RAND Corporation.²⁶ Wolf suggests that we abandon the approach of the "hearts-and-minds" school of counterinsurgency, replacing it with a more hardheaded model that has as its "unifying theme" the concept of "influencing behavior, rather than attitudes." In this more scientific approach, "confiscation of chickens, razing of houses, or destruction of villages have a place in counterinsurgency efforts" if they serve to shape behavior in desired directions. An added advantage of this more scientific approach is that it will "modify the attitudes with which counterinsurgency efforts are viewed in the United States" (when we turn to the United States, of course, we are concerned with people whose attitudes must be taken into account, not merely their behavior).

Perhaps the most interesting aspect of such scholarly work is the way in which the rhetoric of the behavioral sciences is used to lend a vague aura of respectability. One might construct some such chain of associations as this. Science, as everyone knows, is responsible, moderate, unselfish, and otherwise good. Behavioral science tells us that we can be concerned only with behavior and control of behavior. Therefore we should be concerned only with behavior and control of behavior; and it is responsible, moderate, unselfish, and otherwise good to control behavior by appropriately applied reward and punishment. Concern for loyalties and attitudes is emotional and unscientific. As rational men, believers in the scientific ethic, we should be concerned with manipulating behavior in a desirable direction, and not be deluded by mystical notions of freedom, individual needs, or popular will.

Let me make clear that I am not criticizing the behavioral sciences because they lend themselves to such perversion. On other grounds, the "behavioral persuasion" seems to me to lack merit; it seriously mistakes the method of science and imposes pointless methodological strictures on the study of man and society, but this is another matter entirely. It is, however, fair to inquire to what extent the popularity of this approach is based on its demonstrated achievements, and to what extent on the ease with which it can be refashioned as a new coercive ideology with a faintly scientific tone. In passing, I think it is worth mentioning that the same questions can be raised outside politics, specifically in connection with education and therapy.

Applied social science of the sort I have been discussing plays a dual role in counter-revolutionary efforts: an ideological role, in providing an aura of legitimacy for interven-

tion; and a practical role, in designing and implementing "material and human resources control methods," to use current jargon. In the former capacity, it has had some effectiveness in establishing the pretense that opposition to the barbarism of the Vietnam war (or the use of such "emotional" terms in describing it) is an exercise in "anti-intellectualism." I am in no position to judge how seriously this work is taken by those who actually direct counterinsurgency operations. But in the Stevenson Institute conference, a number of participants who are in a position to judge indicated that it may be taken seriously. Adam Yarmolinsky states that "Vietnam turned out to be a testing ground for these new kinds of forces and techniques," rather in the way that Spain served as a "testing ground" for Hitler and Stalin thirty years ago. According to James Thomson, a "potential danger for the future of American foreign policy [is] the rise of a new breed of American ideologues who see Vietnam as the ultimate test of their doctrine" (his italics). They are "technocracy's own Maoists," and "their doctrine hides high." Evidently, the government takes this type of applied social science seriously enough to favor it with large grants. For example, Ithiel Pool, in addition to his confidential "Research on Urban Insurgency," is currently directing \$18,000 worth of confidential research on a "Chieu Hoi Study" and \$320,000 worth on "Problem analysis, Republic of Vietnam," both for the Advanced Research Project Agency of the Defense Department (ARPA), through the Simulmatics Corporation.²⁷

One is reminded of the prediction, made by Franz Borkenau thirty years ago in *The Spanish Cockpit* when commenting on the crushing of the Spanish revolution: in the future, "every revolution is likely to meet the attack of the most modern, most efficient, most ruthless machinery yet in existence," so that the age of revolutions free to evolve according to their own laws is over." Borkenau was thinking of "the advent of fascism," which reverses the traditional alignment of forces in which "counterrevolution usually depended upon the support of reactionary powers, which were technically and intellectually inferior to the forces of revolution." He did not foresee that the liberal democracies would play the role that he assigned to the fascist powers.

Turning to the Vietnam war, we see his error. American policy, at this point, can hardly be subjected to rational assessment. What we observe is simply that the technology created by American science is running amuck, while academic apologists speak of "irony" and "blunders," and of the "tragic misapplication" of our "noble traditions," of our "grand ideals" and humanitarian goals thwarted by inadequate social science research. Recently released statistics indicate that nearly three million tons of bombs have been dropped in Vietnam, about 4/5 of this total having fallen in South Vietnam, a figure that can be compared to the two million tons dropped by the US Air Force in all theaters in World War II and the 635,000 tons in Korea.²⁸ In the face of such statistics, it is ludicrous to discuss the question of civilian casualties or the degree of devastation.

Since the Têt offensive, the United States has in effect adopted something like the "enclave strategy" recommended earlier by General Gavin, and American forces have been largely occupied with the attempt to hold the American bases and the cities—including the "assassinated city" of Huế that was virtually demolished, block by block, house by house, when American troops sought to recapture it from the NLF. At the Stevenson Institute Conference, Daniel Ellsberg pointed out that Saigon itself "is pre-eminently the 'oil spot' more and more, almost the only one; with a few other cities and towns it is the home of the supporters

Footnotes at end of article.

of the GVN, people who have been driven to Saigon by what Huntington regards as our "modernizing instruments" in Vietnam, bombs and artillery." Insofar as American strategy has an offensive component, it appears to be largely a matter of B-52 and other aerial attacks, which cannot, of course, be stopped by the Vietnamese resistance forces and which are systematically devastating large areas of South Vietnam from the suburbs of Saigon to the Cambodian and Laotian borders and beyond.

Information is scanty, but it appears that in the American-controlled areas, the last remaining "oil spots," there are signs of erosion of support for the American war even among the urban bourgeoisie. At best, this support has been flimsy. Testifying before Congress, Rutherford Poats—AID director of the "other war" in Vietnam from 1964—agreed that there was "certainly a substantial element of truth" in the charge by Congressman Donald Riegle that the commodity import program is a "ransom" paid "to essentially keep certain commercial interests happy enough that they will not get their sympathizers out in the streets and bring down the Government." He added that "the Government of Vietnam has not been able to mobilize national support in the way of sacrifices by individuals, financial sacrifices, on the order desirable," and agreed that "commercial leaders . . . do not really have the level of commitment that they need to have to get this job done." Since the Tét offensive, general disillusionment appears to have deepened. The Students' Association of Saigon last June submitted the following manifesto:

"After the Tét offensive, the majority of South Vietnamese people saw that the country was about to undergo a historic change. After years of incessant fighting, the conflict cannot be solved by a military victory. On the contrary, the bombardments have caused more and more damage, exhausted the energy of the people and the national potentials. Up till now this destruction continues due to foreign imperialism. The national civilization has become therefore desperate. Aware of the danger of total extermination and seen for themselves how the bombardments have murdered the people, destroyed painstakingly erected constructions, the Representative Council of Saigon Students, before history, before the people, before the whole student community whose only aim is to serve the people, solemnly declares: It is now the moment to solve the Vietnamese conflict, to avoid total extermination of the Vietnamese people . . ."

Within a few weeks, the official newspaper of the Student Association was closed and its editor sentenced by a military tribunal to five years at hard labor, where he joins the President of the General Association of Saigon Students and many of the other officers of the Association, as well as Truong Dinh Dzu and innumerable others. According to the Saigon Daily News, there are 100,000 persons in South Vietnamese jails, suffering such conditions as these:

"The Can Tho provincial jail [which] was built by the French for 500 prisoners is now used to keep over 2,000. Other prisons throughout the country are in a similar situation. Detainees have no room to sit. Legs of most prisoners have been swollen for having to stand on their feet to sleep . . ."

The Saigon Daily News was suspended by the Government on November 14, the tenth newspaper closed in twenty days.

The situation in the occupied areas is illustrated in many small ways, for example, by the following passage in a letter from a Vietnamese girl to a friend in I.V.S.:

"Sad news from Mai: She had been arrested by the government troops, accused of being a VC spy. The police tortured her ter-

ribly, so she had been in the hospital for 2½ months. Now she is better, but still very weak. They put her in the prison now, claiming she has relatives with the VC. She could not find her family yet because the village got bombed [with] napalm so her parents ran away. I am so sad. I have known her for 15 years. She has been heartsick and quite innocent. Besides, she worked for Americans. Alas, no war in history can be dirtier than the one in Vietnam."

It is also revealing that late in 1967, physical requirements for the Saigon army were lowered, making young men eligible who weigh at least 77 pounds. Those of us who cannot truly comprehend what it means to drop more than two million tons of bombs on South Vietnam can perhaps respond to simple facts like these.

Under these circumstances, the American government has finally agreed to eliminate the major barrier that it had erected against a negotiated settlement, and suspend the bombing of North Vietnam. It is important to bear in mind, at this stage in the Vietnam affair, that the bombing of North Vietnam has always been a marginal component in the American attack. The observations of Adam Yarmolinsky at the Stevenson Institute conference probably express fairly accurately the more enlightened Pentagon view:

"In retrospect [the strategic bombing of North Vietnam] was probably a step that should never have been taken, since it produced no military advantages except for its putative favorable impact on morale in the South. But it was taken, at least in part, because it was one of the things that the United States military forces were best prepared to do."

It would be difficult to state more concisely the argument again maintaining an offensive military capability in a country such as ours.

It is, however, possible to imagine other considerations that might have motivated the bombing of North Vietnam. Recall Pool's judgment that only American military forces could stop the Viet Cong in the South, a judgment that is widely held. Recall also that in February, 1965, we began the intensive bombardment of South Vietnam, and that, shortly thereafter, the first major elements of a vastly expanded American Expeditionary Force landed in South Vietnam. It is possible that the bombing of North Vietnam was undertaken to provide a propaganda cover for the American invasion of the South, to lend credence to the pretense that we were defending South Vietnam from "outside aggression"—a pretense difficult to maintain in the light of the Defense Department statistics on assistance from North Vietnam to the NLF.

In any event, attention must now shift to what has always been the central issue: Who shall rule in South Vietnam? Since 1960, the official statements of the NLF have called for "a broad national democratic coalition administration . . . including representatives of all strata of people, nationalities, political parties, religious communities, and patriotic personalities"—a coalition which, it is fair to assume, would be dominated by the Front. In contrast, the United States has insisted on preserving the regime that we have installed and maintained by force. Why do we reject any solution that reflects actual political forces in South Vietnam? The answer is hardly obscure. It is expressed, for example, by Foreign Minister Tran Van Do: "We are not able to organize South Vietnam politically . . . so we cannot accept the NLF as a political party . . . the integration of the Front will be a political way to take over South Vietnam."

As noted earlier, the views of the academic experts are not very different. Reporters have generally taken a similar position. Three American correspondents who gave confidential testimony recently to the Senate

Foreign Relations Committee were in general agreement that the Saigon government "is losing the political war," that "there is no viable political force in Vietnam other than the NLF." As Robert Shaplen has noted, "the Communists . . . are obviously more willing to risk a political fight than Saigon is, both in Paris and in South Vietnam, since 'the great advantage they have is that they can face the problems of peace and address themselves to the people of Vietnam, and to the rest of the world, as Vietnamese nationalists as well as Communists.'" In this respect, little has changed in the past two decades.

For these reasons, we have resisted a political settlement, and still are attempting to do so. Thus we now make the cynical demand that the Viet Cong de-escalate in the South, while we plan openly to expand our military activities in response to their "restraint." The matter is explained clearly in a dispatch from Saigon on November 1 by Douglas Robinson of *The New York Times*. He quotes military sources who outline the plans to use the warplanes freed from daily missions over North Vietnam "for increased air strikes to support ground actions in the South." Moreover, "in the Gulf of Tonkin, American warships began to steam toward positions off the coast of South Vietnam. Military leaders said that the battleship New Jersey and the other cruisers and destroyers that had been used to bombard the North Vietnamese coast would now be used for the military operation in the South"—as has since been reported. Other reports indicate that bombing in Laos will triple in intensity. But the most cynical aspect of current American military planning is indicated in the "extremely important gain" now anticipated by the allied military command:

"If the North Vietnamese do not try to build up their forces as a result of the bombing halt . . . at least a division of American troops would be freed to carry out an operation long thought necessary by the military—the ferreting out of Vietcong leaders and cadres in Communist-dominated villages and hamlets around South Vietnam."

Thus if the "Communists" show their sincerity by restricting their military activities in the South, we will reciprocate by using our military forces to eradicate the political and administrative structure of the NLF, to deprive it of "a political way to take over South Vietnam."

As General Abrams explained to his senior commanders: "The North Vietnamese personnel and units are totally dependent . . . for their existence as well as their military operations . . . [on] the political, administrative and para-military structure . . ."; it is this indigenous South Vietnamese structure "on which his whole movement depends." "So, you should go out and work against them and find them"—a proper goal for the American army of occupation. It is claimed we are having some success. The US military command reports an improvement in the kill-ratio, and attributes it to "the pressure being maintained by allied forces" which are seeking "to attack the entire North Vietnamese-Vietcong system in South Vietnam."

The *Times* on November 23, quotes allied officials as pointing out that "a decrease in the activity of regular enemy forces logically leads to an increase in allied activity against guerrillas," and particularly, against "the Vietcong infrastructure, which is where so much of it really starts." The report describes an operation in which 3,000 civilians were evacuated and "painstakingly screened" by intelligence officers (100 dead, about a dozen suspected Viet Cong identified). On a facing page, the *Times* quotes President Johnson: "We cannot have productive talks in an atmosphere where the cities are being shelled and where the DMZ is being abused."

The Vietnamese resistance has reduced the range of likely outcomes in Vietnam to two:

withdrawal of the American forces and a political solution, or the extinction of Vietnam as a cultural and historic entity. The choice between them lies in the hands of the American people, to a very considerable extent. So far, in the words of Robert Scalapino of Berkeley, "Goliath has placed certain limitations on his power," risking "American lives over months and months" even though "we have it within our power . . . to eradicate North Vietnam from the map"—and South Vietnam as well, of course.³⁸ There remains a possibility, small perhaps, but terrifying, that Goliath may end his admirable self-restraint. It does seem unlikely that the American people will tolerate an endless continuation of the war. There are, it would seem, reasonable hopes for peace, if pressure is maintained against American government policy, both within the United States and outside.

Americans who do not know how to influence present policy in favor of an end to intervention and a political settlement, can turn for advice, say, to McGeorge Bundy. In his much-quoted speech at DePauw University on October 12, Mr. Bundy suggested that we terminate the bombing of the North and begin the withdrawal of troops. Thus he adopted the views that had been advanced previously only by "wild men in the wings," to use his terminology in an article in *Foreign Affairs* in January, 1967. Why this sudden change? Not because "the countryside literally dies under the blows of the largest military machine ever unleashed against an area this size." Not because we have a solemn commitment to refrain from the use of force against those who are weak and helpless. Bundy regrets these aspects of the war, but he is not an irresponsible sentimentalist who would be swayed by such considerations. The primary reason for his reversal, he explains, is that the cost of the war to us is "plainly unacceptable"; "its penalties upon us all are much too great." A major cost is "the increasing bitterness and polarization of our people," the "failure of our own political system" discussed by Ithiel Pool. Furthermore, Bundy continues: "There is a special pain in the growing alienation of a generation which is the best we have had. So we must not go on as we are going."

What Bundy is saying, in effect, is that the strategy of the resistance has been correct. The students who undertook to create a program of resistance at the elite universities assumed American policy-makers to be so cynical that only considerations of cost would lead them to retreat from aggression. And the only serious "cost" that can be imposed by these young men and women is the threat that the managers of the society of tomorrow, the Yale graduating class, for example, will separate themselves from "the system," choosing jail rather than military service and questioning the legitimacy of our institutions in other ways. The important decisions are in fact made by the McGeorge Bundys of the world, and they are telling us, loud and clear, that they will retreat from aggression only when the cost to them is "plainly unacceptable." Those who wish to bring an end to war and repression will listen to this message, and act accordingly.

Much the same is true in the second superpower. In the grim atmosphere of the Soviet Union, resistance can barely be contemplated. All the more, then, must we honor those who do make their voices heard: Pavel Litvinov, Mrs. Larisa Daniel, and the others of the "Moscow Five," or ex-general Pyotr Grigorenko who has publicly denounced the "totalitarianism that hides behind the mask of so-called Soviet democracy" and called upon his fellow-citizens to fight "the damned machine," and who has had the courage to stand up and say that "Freedom will come! Democracy will come!"

It has long been understood that there is a relation of mutual support between the

American and the Russian hawks. When one side commits an atrocity, the other is encouraged to do likewise. When the militarists in one camp succeed in increasing the level of armaments, this is a shot in the arm to those who pretend to oppose but in fact support them. No doubt the American hard-liners were secretly gratified when the Russians invaded Czechoslovakia, as their counterparts in the Soviet Union are pleased by our move to higher and higher levels of barbarism in Vietnam.

It is also true that resisters on all sides stand in a relation of mutual support. Those who resist the war here are fighting the same battle as Larisa Daniel and Pyotr Grigorenko. And they are fighting a common enemy: the militarists and managers of repression on both sides of the iron curtain. For us, this resistance must take many forms. It must be directed against the Department of "Defense," the organization that Kenneth Boulding has called the "second largest centrally planned economy in the world"³⁹—an organization that has spent more than a trillion dollars since World War II "to minimize violence and instability in foreign countries." It must be directed against the ABM and all other means of intensifying the arms race and increasing international tension; against NATO, which serves primarily as an excuse for the Soviet Union to subjugate more effectively its East European colonies and its own people. It must search for ways to direct our national energies away from destruction and waste and toward socially useful production and constructive social change.

Any rational person must be appalled at the waste of resources by the great powers, as well as by the shameful inequity of distribution. Revulsion against this scandal is expressed in a general way on both sides of the iron curtain, for example, by Academician Andrei Sakharov in his essay "Thoughts on Progress, Peaceful Coexistence and Intellectual Freedom,"⁴⁰ with its call for "changes in the psychology" of the American and Russian people so that "they will voluntarily and generously support their government and worldwide efforts to change the economy, technology and level of living of billions of people . . . for the sake of preserving civilization and mankind on our planet." Or by the American economist, John Pincus, who writes:⁴¹

"One-third of the world lives in comfort and two-thirds in misery. Yet no day spares us the edification of lectures by the prosperous North on the South's grievous economic sins. It is all inescapably reminiscent of economists' nineteenth century diatribes against the idle and spendthrift poor in the emerging industrial states of that era. Unfortunately this century has not yet found on the international scene its Labour Party or its Bismarck to offer from left or right the politically effective retort to such self-serving homilies."

The problem of devising a "politically effective retort" is formidable. Government-induced production appears to be an important component in preserving the health of the economy (if one can use such term as "health" when speaking of the arms race and the infantile competition to land a man on the moon). Taxpayers can be deluded into supporting the Roman Circus of the space race, or into believing that they must be armed to the teeth to keep the Viet Cong from swimming over to steal their television sets. It is a different matter for people to surrender much of what they earn to rebuild the cities or to contribute to development in the third world. Furthermore, the latter effort is unlikely to benefit heavy industry or aerospace. The first problem is ultimately one of persuasion and education, perhaps. The second is probably one of resistance. If a larger number of technologists were, let us say, to refuse to do secret research or to lend their talents to waste and destruction, this

refusal would probably become an "illegal conspiracy" as it began to threaten deeply entrenched interests. Repression can also be expected if other forms of social organization—say, urban cooperatives—or another, more constructive use of technology were to reach significant proportions. For these and many other reasons, it is necessary to continue in whatever way the times permit to construct a movement—ultimately, one hopes, a mass movement—that will be committed to radical social change and to resistance against all forms of oppression, destruction, and waste.

There are some indications that this may not be a fantasy. Close to home, I am encouraged by the many hundreds of students at MIT who have committed themselves to active participation in a sanctuary for an AWOL soldier—particularly when I recall that three years ago MIT students were equally committed to breaking up public meetings against the war, and that a teaching was considered successful if it attracted 100 curious onlookers. Similarly, the growth of a national movement of resistance has surpassed in scale the expectations of most observers. In national terms, these may still be marginal phenomena, but they are not without significance, and they suggest that a long-term commitment may yield important results. Surely the change in mood in the universities during the past few years is remarkable. The "system" looks overwhelmingly powerful when one watches Mayor Daley's police or the B-52's, but it has its weaknesses, and one such weakness is its "personnel." The same technical intelligentsia that some see as the potential elite of the post-industrial society might help to concentrate social energies in very different places, if they can overcome the elitism and arrogance and factionalism that have been the curse of the Left. The Black Panthers have adopted Huey Newton's rendering of a Maoist slogan: "the spirit of the people is greater than the Man's technology." Those who create and control "the Man's technology" might play a role in giving some substance to this hope.

The universities are one natural center for the development of a movement of this sort. Honest inquiry is inherently "subversive," in any field. The physicist working at the borders of current knowledge will attempt to challenge assumptions that retard understanding, just as a creative musician will not try to compose Beethoven's tenth symphony but will explore and perhaps challenge fundamental aesthetic standards. And the same would be true of serious social inquiry, if it existed on any significant scale in the universities. In fact, it may be that a movement for resistance and social change might contribute to the evolution of a tradition of scholarship that is more humane and more objective, that will free itself from a commitment to social management in the interest of privileged elites and will explore and try to articulate the needs of those whose voices are stifled by ideological controls, by weakness and ignorance, by social fragmentation, or simply by repressive force. It is in such ways as these that the intellectual community can most effectively resist the "specific growing dangers to its integrity" of which O'Brien so rightly warns.

FOOTNOTES

¹ "Politics and the Morality of Scholarship," in *The Morality of Scholarship*, edited by Max Black, Cornell, 1967.

² "The War and its Effects—II," *Congressional Record*, December 13, 1967.

³ *Congressional Record*, July 27, 1967.

⁴ W. A. Nighswonger, *Rural Pacification in Vietnam*, Praeger Special Studies, 1966—one of a series of "specialized research monographs in U.S. and international economics and politics."

⁵ Ithiel Pool, "The necessity for social scientists doing research for Government,"

quoted by M. Windmiller in *The Dissenting Academy*, edited by T. Roszak, Pantheon, 1968.

⁸ Max Ways writes in *Fortune* that "McNamara, his systems analysts, and their computers are not only contributing to the practical effectiveness of U.S. action, but raising the moral level of policy by a more conscious and selective attention to the definition of its aims" (italics mine, cited by A. Kopkind, *New Republic*, February 25, 1967). Comments would be superfluous.

⁹ Daniel Bell, "Notes on the Post-Industrial Society," Part I, *The Public Interest*, No. 6, 1967.

¹⁰ Some of the dangers are noted by Richard Goodwin, in a review of Schelling's *Arms and Influence in The New Yorker*, February 17, 1968. He observes that "the most profound objection to this kind of strategic theory is not its limited usefulness but its danger, for it can lead us to believe we have an understanding of events and a control over their flow which we do not have." A still more profound objection, I think, is that the pretended objectivity of "strategic theory" can be used to justify the attempt to control the flow of events.

¹¹ "Status Politics and New Anxieties," in *The End of Ideology*, Free Press, 1960, p. 119.

¹² "The necessity and difficulty of planning the future society," American Institute of Planners Conference, Washington, October 3, 1967. Citing this, Senator Fulbright (*op. cit.*) comments that "poverty, which is a tragedy in a poor country, blights our affluent society with something more than tragedy; being unnecessary, it is deeply immoral as well." He also compares "the \$904 billion we have spent on military power since World War II" with "the \$96 billion we have spent, out of our regular national budget, on education, health, welfare housing, and community development." In *Challenge to Affluence* (Pantheon, 1962), Gunnar Myrdal concludes that "in society at large there is more equality of opportunity today than there ever was. But for the bottom layer there is less or none." He questions the assumption that "America is still the free and open society of its cherished image and well established ideals" and remarks that "as less work is required of the type that people in the urban and rural slums can offer, they will be increasingly isolated and exposed to unemployment and plain exploitation. There is an ugly smell rising from the basement of the stately American mansion."

¹³ *The Unfinished Revolution*, Vintage, 1964, p. 97.

¹⁴ In 1965, 20 companies out of 420,000 made 38 percent of profits after taxes, earnings on foreign investment were well over three times what they were 15 years earlier. The sales of GM exceeded the GNP of all but nine foreign countries. The ten largest companies reported profits equal to the next 490. A thousand companies disappeared through merger.

¹⁵ "Marxian Socialism in the United States," in *Socialism and American Life*, edited by Egbert and Persons, Vol. I, Princeton, 1952, p. 329.

¹⁶ See Richard Barnet, *Intervention and Revolution* (New American Library, 1968), for a careful analysis of this and other episodes of the postwar period.

¹⁷ *Op. cit.* Less typical, and more realistic, is his belief that these problems also "seems to defy the social scientists' expertise." For some general discussions of this "generosity," see, for example, D. Horowitz, *Hemispheres North and South* (Johns Hopkins, 1966), and many other special studies. American public officials do not share this faith in our generosity, by and large. For example, the Assistant Secretary of State for Latin American affairs observed bluntly that "the State Department is not disposed to favor large loans of public funds to countries not welcoming our private capital" (*State Department Bul-*

letin, No. 22, 1950, cited in Frederick Clairmonte, *Economic Liberalism and Underdevelopment*, Asia Publishing House, Bombay and London, 1960).

Eugene Black, testifying before Congress on the Asian Development Bank, pointed out that "when the Bank makes loans you have international bids, and I am sure that with our ability and ingenuity in this country, we will get our share of the business. We certainly ought to get more than the small amount we contribute." David Bell testified that "the Bank will play a major role in carrying forward another policy of our own assistance program—strengthening the role of the private sector... by identifying particular projects which can attract private capital, by helping to draw up development plans and stimulate policies which will encourage private initiative, and by drawing private capital to the region." Nothing here about "the generosity that characterizes our policy."

Equally revealing is the history of programs such as the Alliance for Progress. As Senator Gore commented, this program "has in large measure come to be a subsidy for American business and American exporters," a fairly accurate judgment, so it appears. For example, the AID lending program in Latin America, according to former Alliance for Progress official William Rogers, in his book *The Twilight Struggle* (Random House, 1967), is based on two elements: "a demonstrated balance of payments needed to increase the nation's ability to import U.S. goods and services, and the adoption of public policies and programs which would insure against capital flight on the international account side or the misuse of domestic resources through inefficient budgeting, reduced local savings, or inflation." Commenting on this, Robert Smith notes that "the latter standard included increased tax revenues, reduction of budget deficit, elimination of 'distorting subsidies to public activities,' and the adoption of 'state incentives to private sector investment and growth.'" (*New Politics*, Vol. VI, No. 2, Spring, 1967—for some remarks on the other side of our assistance program, military aid, see the articles by James Petras in this and the preceding issues.)

¹⁸ "To Intervene or Not to Intervene," *Foreign Affairs*, April, 1967.

¹⁹ *New York Times*, December 20, 1967. The *Times* refers to what is printed as "excerpts," but it is not materially different from the full document. It has since been signed by many other scholars.

²⁰ Hernando Abaya, *The Untold Philippine Story*, Quezon City, 1967.

²¹ See the reviews by Coral Bell and B. R. O'G. Anderson in the *China Quarterly*, October, 1966. It should be noted that opposition to social change, and support for the counterrevolutionary violence that is used to suppress it, are long-standing features of American cultural history. Thus according to the American historian Louis Hartz, "there is no doubt that the appearance of even a mild socialism in 1848, of Ledru Rollin and the national workshops, was enough to produce general American dismay. There was no outcry in America against the suppression of the June revolt of the workers in Paris, as there was none over the suppression of the Communards in 1871. Here was violence, and plenty of it, but it was being used for 'order and law,' as one editorial writer put it [in the *New York Journal of Commerce*]." (In *The Nature of Revolution*, testimony before the Senate Committee on Foreign Relations, February 26, 1968, US Government Printing Office, Washington, 1968).

²² "The Public and the Polity" in *Contemporary Political Science: Toward Empirical Theory*, edited by Ithiel de Sola Pool, McGraw-Hill, 1967.

²³ Clairmonte, *op. cit.* See note 15.

²⁴ Parts of *No More Vietnams?* have ap-

peared in the *Atlantic Monthly*, November and December, 1968.

²⁵ Congressional Record, February 1, 1968.

²⁶ Last Reflections on a War, Double-day, 1967.

²⁷ Perhaps the clearest example is the reception given to the paper by Richard Barnet, which tried to identify certain institutional factors in policy planning. Compare, for example, these statements with the reaction in later discussion.

Barnet: "The Final Solution of the Jewish Problem and the Dropping of the Atomic Bomb... are distinguishable in magnitude and context, but as examples of the amorality of bureaucracy they are strikingly similar."

Albert Wohlstetter: "In fact, Barnet equates Truman's decision to use the A-bomb... with Hitler's genocide."

Barnet: "The roots of the Vietnam failure lie more in the structure and organization of the national security bureaucracy than in the personality of the President or the idiosyncracies of the particular group... who have been the President's principal advisers... The President may decide, but the bureaucracy structures the decisions by setting out the choices."

Schlesinger: "He shouldn't say that everything is determined by unified national security bureaucracies, which I gather was his point."

Barnet: "The peculiar mental set of the national security bureaucrat is the product of certain biases which... are inherent in the bureaucratic structure itself."

Hoffmann: "Barnet's presentation... and the kind of conspiracy theory on which it rests."

Barnet: "... the problems noted are 'not limited to the national security bureaucracy or even to government' but are 'common to all large organizations...'"

Yarmolinsky: "Barnet talks about the evils of the American bureaucracy and the military bureaucracy as if the evils were peculiar to those institutions rather than general to bureaucracies at most times and places."

And so on. Barnet's clear and simple statement was incomprehensible to many of the conference participants, who apparently felt quite uneasy with analyses that go beyond personal error, or failure of information, or the existence of a "warrior caste" (Schlesinger) on whom one can cast the blame.

²⁸ The United States and the Third World, Little, Brown, 1967.

²⁹ According to the *Newsletter of the North American Congress on Latin America*, Vol. II, No. 5, September, 1968.

³⁰ See I. F. Stone's *Weekly*, November 18, 1968.

³¹ *Hearings before a subcommittee of the committee on appropriations*, House of Representatives, 90th Congress, 1967, Part 2, *Economic Assistance*, p. 1025.

³² Published in *tintuong*, journal of the Overseas Vietnamese Buddhist Association, Paris, August, 1968.

³³ Quoted in *News, Views*, Vol. I, No. 5, September, 1968. This is the publication of the Vietnam Information Project, consisting of members of the International Voluntary Services, who are, by and large, the only Americans with any real contact with the Vietnamese people. The report notes that jailing political prisoners is a dubious tactic for the government since it serves to extend VC influence. They quote one young man, formerly anti-NLF, who described himself as "very impressed by the discipline, dedication, and intelligence of the NLF cadres" he met in jail, and who, shortly after his release, "joined his new friends in the Front."

³⁴ *Ibid.*

³⁵ *tintuong*, *op. cit.*

³⁶ Congressional Record, June 28. Reprinted in *War/Peace Report*, August, 1968.

³⁷ *The New Yorker*, November 16, 1968.

³⁸ *Christian Science Monitor*, October 23, 1968.

³⁷ *New York Times*, November 22, 1968.
³⁸ *The New Leader*, February 26, 1968, quoted by Theodore Draper in *No More Vietnams?*

³⁹ *In The Draft*, edited by Sol Tax, Chicago, 1967.

⁴⁰ Published in *The New York Times*, July 22, 1968 and, more recently, as a book.

⁴¹ *Trade, Aid and Development*, McGraw-Hill, 1967.

AN EXCHANGE ON LIBERAL SCHOLARSHIP

To the Editors: Noam Chomsky's treatment of *No More Vietnams? The War and the Future of American Foreign Policy* in his article "The Menace of Liberal Scholarship" (*NYR*, January 2) is almost exclusively as a foil for his broader argument.

Perhaps Professor Chomsky never intended to "review" the book. But if that were the case, he should have said so. Or perhaps Professor Chomsky felt that his ironic advance comment on the book, to the effect that *No More Vietnams?* is "an important historical document," one that "gives a remarkable insight into the mentality of those close to the formation of policy," freed him from the obligations normally incumbent on a reviewer. But, whatever Chomsky's intentions, no other review of the book will appear in the *NYR*, his article was laid out as if it were at least in part a review of the book (the name of the book appears under the title of the article), and many readers reasonably will take it as such.

It is in this context that I must reply. For Professor Chomsky will be taken to have effectively damned this book in the process of "illustrating" what, to my mind, is an otherwise generally valid, broad-gauged attack on the dominant strain in American social science. As a review, despite a few passing remarks that "the points of view expressed at the conference were diverse" and that "more searching critical analysis was expressed," the sections of Chomsky's article that deal with *No More Vietnams?* can only be characterized as intellectually irresponsible.

To an incredible extent, Chomsky deals with the book through an attack on two of its twenty-six participants, suggesting to the average reader that the views of the chosen two, Professors Pool and Huntington, are substantially representative. To support this biased interpretation, Chomsky quotes selectively from other participants, such as Stanley Hoffman and Daniel Ellsberg, in a manner indicating that their expressed views generally were consonant with Pool and Huntington, whereas the fact of the matter is that Hoffman and Pool, and Huntington and Ellsberg were for the most part in diametrical disagreement about the morality, usefulness, and degree of failure of our Vietnam policy. In order to make his points most effectively, Professor Chomsky glosses over the fact that in a significant sense the book is an intense argument in dialogue form about how and why the US perpetrated Vietnam upon the world and what it means for the future. One would never know from reading Chomsky, for example, that:

(1) Professor Pool played a minor, and, to my mind, essentially negative role at the conference: qualitatively, he helped to define a loose consensus on US foreign policy, from which he was excluded; quantitatively, his contributions to the book comprise approximately 50 percent of those, for example, of Richard Barnett (and if it is true, as I argued at the conference, that few took Barnett seriously, that need not be true for readers of the book);

(2) the relevant sections of Professor Huntington's paper were greeted nearly as negatively (although much more respectfully) as Barnett's paper;

(3) Eqbal Ahmad's critique of Huntington's argument in favor of stability and order in developing countries began with the words "Professor Huntington's presentations

are a mixed bag of welfare imperialism and relentless optimism," and continued on that level of acidity and analysis;

(4) Stanley Hoffmann, whatever Chomsky may think of his *Foreign Affairs* style of framing issues, has been one of the earliest, most consistent, and most intelligent critics of the wisdom and morality of US Vietnam policy;

(5) of the twenty-six contributors to the book, at least six to my knowledge have been contributors to *The New York Review* (Richard J. Barnett, John McDermott, Theodore Draper, Stanley Hoffmann, Hans Morgenthau, and John King Fairbank)—each reader must draw his own conclusions from that fact;

(6) the book is structured (reflecting, I believe, the growing consensus of the conference participants) to suggest serious defects in the American national character and in the processes and organizations relevant to political and bureaucratic decision making, defects that at least in part illuminate our Vietnam policy and may portend more Vietnams;

(7) relatedly, Stanley Hoffmann and, to use Chomsky's word, "something of a majority" of the participants generally agreed that if we learn from Vietnam only that we have failed, then Vietnam may signify even greater tragedy for the future than it already has.

Before responding to what I take to be Professor Chomsky's major (almost only), explicit criticism of the book as a whole, please allow me to respond briefly and in kind to his quote-mongering, if only to indicate that the book has a very different flavor from what Chomsky seems to suggest:

(1) Daniel Ellsberg: "The lesson which can be drawn here is one that the rest of the world, I am sure, has drawn more quickly than Americans have: that, to paraphrase H. Rap Brown, *bombing is as American as cherry pie*. If you invite us in to do your hard fighting for you, then you get bombing along with our troops."

(2) Stanley Hoffmann: "The ethics of foreign policy must be an ethics of self-restraint: our moral duty coincides with our political interest . . . The saddest aspect of the Vietnam tragedy is that it combines moral aberration and intellectual scandal. . . ."

(3) James C. Thomson, Jr.: "And why . . . is it 'a bitter truth,' as Professor Huntington puts it, to discover that probably the most stable government in Southeast Asia today is the government of North Vietnam and, beyond that, that it is not only stable but responsive to the needs of its people? . . . perhaps North Vietnam might be a more appropriate model for modernization, political development, institution building, nation building, and so forth, than others, and, in fact, might be given an opportunity to be such a model, at least among the Vietnamese people."

Let me close by responding to one of the few significant, substantive points Professor Chomsky makes about the book, that "an acceptance of the legitimacy in principle of forceful intervention—when it can succeed—" (my italics)—was a characteristic feature "of much of the discussion." Precisely because this is an accurate and potentially important characterization, it is unfortunate that Chomsky makes this point almost in passing. Sad to say, at the least because of its usual consequences in application, the legitimacy in principle of forceful intervention appears to be upheld by almost every major group in our population, by every major power in the world, and, I would hazard to say, perhaps even by a majority of readers of *The New York Review*. Raise the case of American intervention against Nazi Germany—even as we observe the crimes committed in the process of our intervention in Vietnam—and see how many people reject

forceful intervention in principle. The participants at this conference, in so far as they accept this principle, are not perpetrating a kind of evil unique to American social science. Rather, they are reflecting the views of many governments and people around the world who too frequently see their interests in narrow nationalistic terms. Pacifists, by definition, may be the only people who reject the principle.

The issue, then, is not the legitimacy of the principle of forceful intervention, but the historical pattern of American intervention. Had Professor Chomsky dealt with the problem at that level, he might well have been able to score effectively against a substantial number of the participants. But then he would have had to face the problems associated with applying general principles.

To argue the case at the level of principle is to obscure the issue for most of us: for those of us who are not pacifists, the "bitter truth" is that the US must learn to be more moral, intelligent, restrained, and responsible in deciding in particular situations when the use of force seems clearly justified. And that decision should be conditioned by the realization that generally the course of history rarely has been "improved" through such use.

Professor Chomsky did not take *No More Vietnams?* seriously, except at the level of irony. He has allowed both his understandable, if in this context unfortunate, obsession with the likes of Ithiel de Sola Pool and his justifiable antagonism to much of American social science (and the jargon it employs) to color—if not to preclude—considered responses to the substance of the book.

Even more serious, perhaps, Noam Chomsky has raised, by his example, the menace of radical scholarship. I am deeply sorry for that. No group, it seems, has a monopoly on menaces, though I agree that some are more richly endowed, and some certainly have more power than others.

RICHARD M. PFEFFER

Editor of "No More Vietnams" *Adlai Stevenson Institute of International Affairs*.

CHICAGO.

To the Editors:

It does not occur to Noam Chomsky that one can differ from his criticisms of public policy by dint of intellect. If an intellectual supports the government's views it must be, so he seems to assume, by some process of corrupting seduction. Clearly, Chomsky, the terror of all establishments, is not corrupted by that particular mechanism. That leaves as an unresolved mystery what mechanism of corruption it might be that makes so excellent a scholar in his own field of expertise incapable of accurately representing the views of those he criticizes. Most of his attacks, says a review of his work in linguistics (*American Anthropologist*, 1967, p. 414) are "directed against misrepresentation of actual views." This habit carries into his political tracts, too.

In "The Menace of Liberal Scholarship," he cites me 11 times, in 6½ of these presenting as my views nearly the reverse of what I happen to believe. Perhaps I may be permitted a reply to a few of the more exasperating misinterpretations.

(1) Chomsky quotes me (correctly and so this point counts as the ½ distortion) as describing how the values of political participation and political order are sometimes in conflict. He then asserts that those on my side give "transcendent importance to order"—implying by guilt by association that that is my view. My real view is that only an idiot would pick either side of that issue. Like any dilemma, it is a dilemma. There are times and places for concern with stability and others for concern with participation. For example, as a believer in freedom, I admire Czechoslovak demonstrators against

their oppressors. That does not force me to favor cargo cults or Vietnam resisters.

(2) Chomsky says that I am no doubt aware that there were no regular North Vietnamese units in the South in 1964. On the contrary I am aware that there were, any quotes to the contrary notwithstanding.

(3) He says I might agree with my friend Daniel Ellsberg that "we have demolished the society of Vietnam." I don't. The only sense in which that is true is the sense in which every modernizing country abandons reactionary traditionalism. Despite the horrifying consequences of the war, South Vietnam is a stronger, more prosperous, more self-conscious country than it has ever been before. It even shows the first small glimmer of a participant political system.

(4) I consider one of the glories of democracy to be that it is pacific, that it will not accept raining death from the skies on those who do not attack it. Chomsky alleges that I regard that rather as a weakness of democracy and that I consider such action "proper." On the contrary, the burden of my remarks was that initiation of war is not a proper instrument of national policy. One of the reasons for being a democrat is that democracies are inhibited from so acting. I draw the conclusion, which Chomsky does not like, that in a nuclear age "we can live in safety only in a world in which the political systems of all states are democratic." I argue that that is a proper goal of American foreign policy, both in Vietnam and elsewhere.

Please, Noam, if you do not like my views, attack them, not some unrecognizable distortion of them.

ITHIEL DE SOLA POOL,
Center for International Studies, MIT.
CAMBRIDGE, MASS.

To the Editors:

No one reading "The Intellectuals and Vietnam" in your last issue is likely to question Professor Chomsky's sincerity or remain unimpressed by his anguished voice trying to rally the uncommitted intellectuals onto the side of greater sanity and humaneness.

If I feel prompted to raise a point it is because I feel that in a vital area the issue has been left far from clear. If I understood Professor Chomsky correctly, he is trying to rally a pressure group of intellectuals opposed to "counterrevolutionary subordination"—Conor Cruise O'Brien's phrase—counterrevolutionary subordination now being felt as a subtle threat to the moral and intellectual integrity of the intellectuals whose true function is to be independent and to act as disinterested critics of society in the service of truth.

The two most urgent aims of the pressure group are to bring about a change in the aggressive foreign policy of the US and at home to aid the forces focusing attention on the urgent need of more social justice and change, in other words, dealing with the problem of poverty in the cities.

Professor Chomsky is rightly skeptical about entertaining any hopes of achieving results by converting the ruling circles to his ideas of humaneness and justice, so very sensibly he opts for the more effective way of a pressure group which, if it met with wide-scale support, could become so influential that it could no longer be ignored by the policy makers. So far so good. The two aims: foreign policy and anti-poverty programs are clear. What is less clear is who are the intellectuals who are to be rallied? Surely the appeal is to go deeper than just an ad hoc program? For it could be argued that the two political aims are only very tenuously connected with the health and humaneness of intellectual life. It is inconceivable that an Administration going isolationist could attempt to realize Professor Chomsky's objectives without any reference

to the intellectuals? However, I would not like to press this point too far.

I am more perplexed by the vagueness of what ideas and programs the disinterested intellectuals could agree on, leaving aside foreign policy and the anti-poverty program. Is Professor Chomsky thinking of a wide spectrum of intellectuals ranging from liberal humanists—those who have not sold the pass—to democratic socialists? I took it that "revolutionary subordination" was equally objectionable but it has been left uncertain whether this term was used as a synonym for the Soviet state of affairs, or whether it included the Chinese system. The enthusiastic account of Maoist achievements, a quotation from a Filipino journalist, makes one wonder whether the Chinese communist experiment is to be taken as embodying essential elements of liberal humanism. I am not unwilling to accept it provided a stronger case is made out for it, and a good deal of supporting evidence is produced.

Professor Chomsky gives an interesting account of the overwhelming preponderance—not to speak of importance and prestige—of the natural and social sciences over humane studies in the States. It is not unknown across the Atlantic that increasingly methods of study are being adopted in the humane fields which have proved a great success in the natural and social sciences. Professor Chomsky argues very convincingly how intellectuals are turned into mere experts for whom moral criteria are excluded as irrelevant from their own specialty.

Surely unless there is a revival of humane studies in the true sense of the word Professor Chomsky's appeal will be heeded by only a residual number of disinterested humanists. It will no doubt attract a large number of intellectuals of a variety of revolutionary persuasions for whom humaneness is at best of marginal importance, and in practice soon to be jettisoned when overriding demands of ideology are set against it.

Is Professor Chomsky's appeal more than an attempt at creating a cultural Popular Front? Not that there is anything wrong with the idea of a Popular Front conceived of as a pact of disparate elements united on a temporary common platform to oppose a common threat, but it can hardly be equated with the more fundamental question of how a humane intellectual tradition can be revived or sustained if it is in danger of being snuffed out.

J. A. HORVAT,
The Cambridge Quarterly.
CAMBRIDGE, ENGLAND.

To the Editors:

I would like to correct a small point in Noam Chomsky's article. Mr. Chomsky said that four-fifths of the three million tons of bombs dropped on Vietnam had been dropped in South Vietnam. The United States government refuses to release the precise fraction, but there are indications that it is lower than four-fifths. First of all, the tonnage figure includes bombs dropped on Laos, although this bombing is not officially acknowledged. Secondly, a Pentagon spokesman told me after extensive questioning last month that about one-third of the three million tons had been dropped on North Vietnam. It seems probable therefore that as of the end of 1968 only half of the U.S. bombing has been in South Vietnam.

JON M. VAN DYKE,
Assistant Professor of Law,
Catholic University of America.
WASHINGTON, D.C.

NOAM CHOMSKY REPLIES

I am in almost complete agreement with Richard Pfeffer. He is quite right in stating that I referred to the book he edited only insofar as it had bearing on a broader argument. To make my own position clear: I did not write my article on liberal scholarship as a review of *No More Vietnams?*, and I was

as surprised as he to find it listed as a review of this book. I therefore gladly join him in informing readers who might have been misled, that is not a review of the book, and was never intended to be.

Perhaps I can clarify the matter by explaining how the article was put together. My proofs are thirty pages long. The first twelve are taken, almost verbatim, from an essay entitled "Objectivity and Liberal Scholarship" in a book submitted for publication before the Stevenson Institute Conference even took place. The examples used to illustrate the general thesis in the book are selected from a number of branches of scholarship. I replaced this rather elaborate and somewhat academic documentation by the more topical material selected from *No More Vietnams?*, which runs from pages 13 to 18 of my proofs for the NYR article (including one page dealing with an article in *Foreign Affairs*). Pages 19 to 30 then take up the same topic with other material and deal with the current situation in Vietnam and at home, as it looks to me. The idea of reviewing the book never occurred to me. I am sorry for the confusion that may have been caused by what was merely an inadvertent and unfortunate error in format.

It is true, as Mr. Pfeffer notes, that my references to *No More Vietnams?*, are largely restricted to the chairman of the political science and government departments of the two Cambridge Universities—not an idiosyncratic choice, given the structure of the essay. I quote other participants only where their contributions related to my general thesis, with which I take it Pfeffer is largely in agreement, about a dangerous tendency in liberal scholarship and in the relations of intellectuals to power in an advanced industrial society (for example, I quoted Ellsberg's ironic reference to Huntington's concept of "modernizing instruments," namely bombs and artillery, as well as James Thomson's sharp criticism, with which I fully concur, of "technocracy's own Maoists," the "new breed of American ideologists . . ."; and a number of others). Similarly, my references to Huntington and Pool included other articles of theirs. The quotations that I gave (for a different purpose) illustrate the diametrical disagreement between Huntington and Ellsberg to which Pfeffer refers. Had I been reviewing the book, I would have also emphasized the divergence between the views of Pool and Hoffman—the latter, a sharp critic of the war, on grounds to which I return below.

Since I am now in the unwanted role of reviewer, perhaps I should quote from the letter I sent to the publisher, parts of which appeared in advertising copy in this journal: "The book gives a remarkable insight into the mentality of those who are close to the formation of policy, and in this lies its primary value and significance. I think it will be an important historical document for this reason. I should add that my own reaction to what this record reveals is one of profound concern."

Had I undertaken to review the book, I would have mentioned a number of important contributions which were not relevant to the thesis of my essay, among them the following: Eqbal Ahmad's comments on American political culture and "psychological propensities" which lead us to a "welfare imperialism" with an "anti-nationalist thrust" that benefits primarily the ruling elites of our client states; Theodore Draper's observations on strategic theory and on the Caribbean; Hans Morgenthau's report of Asian views of the historical significance of the Tet offensive; Sir Robert Thompson on how to and how not to succeed in forceful intervention; John McDermott on popular participation and economic development (along with James Thomson's "subversive thought" on North Vietnam, which Pfeffer quotes); James Thomson's remarks on policy

making and public relations, and also his pertinent question about earlier days: "Where were the experts, the doubters, and the dissenters who could warn of the dangers of an open-ended commitment to the Vietnam quagmire?"—a charge that few can escape, myself included; George Kahin's informative comments on Thai insurgency; Pfeffer's comments on "the real limitations and deficiencies of social science"; Barnett's analysis of the role of the national security bureaucracy, to which I alluded only in noting the inability of most of the participants to understand what he was saying; and so on.

Having done all of this, I would still have concluded, as in my essay, that "points of view expressed at the conference were diverse, but it is fair to say that . . . something of a majority opinion" is that where intervention can succeed, it may be undertaken. I take it that again, I am in substantial agreement with Pfeffer, who states that my characterization of "much of the discussion" as accepting "the legitimacy in principle of forceful intervention—when it can succeed—is an accurate one.

At this point, however, there arises my only disagreement with Pfeffer's letter. Note that my statement, which he quotes, criticizes the view that intervention is legitimate when it can succeed. Those who defend our "intervention against Nazi Germany" do not do so on grounds that it promised success but on grounds that it was just; hence this reference is not relevant to my point. Furthermore, I think that the use of the term "intervention" to cover both the Second World War and the American war in Vietnam is unilluminating. For the latter, a more appropriate historical context would include the American war in the Philippines, the French war in Indo-China, the Czech and Dominican interventions, and other similar ventures. It is this sort of "intervention" that I was discussing. There is much to say about the other sort—I have an essay on it in the book cited above—but it has little bearing, so far as I can see, on the questions of intervention discussed in the Stevenson Institute conference or in my article.

The issue of legitimacy of intervention—in the narrower sense here discussed—is raised in a complex and interesting way in Stanley Hoffmann's contributions to *No More Vietnams?* to which I alluded only briefly—and perhaps misleadingly—in my essay. Pfeffer is right to stress, as I did not, Hoffmann's role as a critic of the war, and his conclusion that the war "combines moral aberration and intellectual scandal." Hoffmann explicitly condemns "any policy of universal intervention." He argues that we must learn "to accept violent social and political change—even if private American interests happen to be the targets, even if communists should occasionally be the local beneficiaries and communist powers the likely allies of the local winners." Yet in other places he merely urges "modesty and limitation," more rigorous definition of "what it is that so threatens us that we feel we have to intervene either by political subversion or by military action." In summarizing his argument, he cites the "precepts violated by our conduct in Vietnam" as these: "No policy is ethical, however generous its ends, if success is ruled out. And no policy is ethical if the means corrupt or destroy the ends, if the means are materially out of proportion with the ends, if they entail costs of value greater than the costs of not resorting to them." I understood him to be saying that our ends were generous ("our political and our moral roads, paved with good intentions, have led to hell," as he remarks just before); that had success been attainable, had the means met the stated conditions of scale and cost, then we would have been justified in intervening with force. With this latter judgment I do not agree.

Two questions arise: am I right in so in-

terpreting Hoffmann's position; and if so, am I right in rejecting it, while sharing his horror of the war? As to the latter, I cannot comment in the scope of this letter. As to the former, my interpretation was reinforced by a number of other comments, some of which I cited. "The central problem," he states, "does not lie in the nature of America's objectives" but rather in "the relevance of its ends to specific cases" (his italics). The ends were these: "to protect the majority" which "does not want to live under Communist rule and ought to be allowed to choose its own form of government" from being overwhelmed by an "armed minority," "supplied from outside the limits of the country it tries to seize"; "assuring other Asian governments of America's concern for their security"; "preserving a balance of power in Asia"; "buying time" for the countries situated around China"; ". . . these were all worthy ends." "The tragedy of our course in Vietnam lies in our refusal to come to grips with those realities in South Vietnam that happened to be decisive from the point of view of politics" (his italics).

I read this as in essence an argument for the legitimacy of military intervention—a justification which could have been used, to mention just one example, in the case of the American revolution. A British opponent of the war could have argued that though Colonial policies were bound to fail, their ends were nevertheless just: a majority of colonists professed no desire for independence; there was massive outside support (as Bernard Fall has noted, "at almost no time did Washington's forces exceed 8000 men in a country which had at least 300,000 able-bodied males—and backed by a force of 31,897 French ground troops and 12,660 sailors and Marines manning sixty-one major vessels"). The point is that we have no authority and no competence to make such judgments about Vietnam or any other country and to use our military power to act on these judgments.

Elsewhere, Hoffmann describes our failure as in large measure an intellectual one. We constructed false analogies to Greece and the Philippines (where, if I understand him correctly, he believes our intervention was justified): "We have blundered through failure to analyze rigorously enough the conditions for large-scale insurrection"; "An optimistic and simplified reading of reality served as the basis for our hubris" (one "great falling of our policy"). He goes on to describe the Viet Cong as follows: "The Viet Cong, in zones under its control, has replaced the old village structures by a mass movement, substituting the politics of mass involvement for the politics of traditional society." In the face of what he describes as "Viet Cong and North Vietnamese mischief, the anti-communist majority failed to organize and unite." This made the situation hopeless, "since the elimination of this mischief required both the demolition of South Vietnam's society and the political and social success of pacification, which our acts of war precluded." "We have fought a war for objectives that were unreachable—but were 'worthy ends.' We believed in myths and 'illusion fed by a social science imbued with engineering pretensions and an ideological justification for the less savory aspect of our role." Our "original sins" were "ignorance of the conditions and excessive self-confidence." ". . . the situation in Southeast Vietnam"—for example, "the upheaval in Indonesia . . ." "The broader implications of our Vietnam experience can all be summarized in one formula: *From incorrect premises about a local situation and about our abilities, a bad policy is likely to follow*" (his italics).

As I understand Professor Hoffmann's position, it is accurately represented by this selection of quotes, along with those in my essay. I am aware that a selection of quotes can be misleading, and perhaps this selection

distorts his intention. At this point I can only suggest that the reader find out for himself. Hoffmann's position, which is more elaborate and nuanced than I originally indicated, contains elements with which I agree. But it is based on fundamental assumptions that seem to me very wrong.

Let me turn next to Ithiel Pool's letter. First, to eliminate an irrelevance, it is quite true that there is considerable controversy over my various attempts to reconstruct explicitly the leading ideas of post-Bloomfieldian structural linguistics, and the reviewer whom he cites is one who thinks them unsuccessful. I could easily construct a long list of those on both sides of the debate. No scholar will be surprised at the fact that there is disagreement over a matter of this sort, which involves interpretation of diverse and often vague formulations. Whatever the merits of the case, it has no relevance to the question at issue.

Turning to the matter at hand, Pool cites four cases of alleged distortion. The facts, as I see them, are as follows: First, he feels that my remarks imply that he is always on the side of order and stability. I am happy to repudiate any such suggestion. It would never have occurred to me to suggest that he would assign transcendent importance to stability and order on the other side of the iron curtain, and, as he points out, he has a great concern—which I share, of course—for participation and freedom in Czechoslovakia. This was exactly my point. I noted explicitly that those who give "transcendent importance to order" tend to see Pool's "dilemma" in this way: given their particular ideological bias, "a certain form of stability—not that of North Vietnam or North Korea, but that of Thailand, Taiwan, or the Philippines—is so essential that we must be willing to use unparalleled means of violence to ensure that it is preserved."

Thus, as Pool says, "there are times and places for concern with stability and others for concern with participation"—our empire and their empire, respectively. In the section of my essay to which Pool refers, I quoted his opinion that preservation of order "depends on somehow compelling newly mobilized strata to return to a measure of passivity and defeatism from which they have recently been aroused by the process of modernization" and to accept "a lowering of newly acquired aspirations and levels of political activity." I then pointed out that "Pool is merely describing facts, not proposing policy," that "a corresponding version of the facts is familiar on the domestic scene," and that there is, obviously, another way, not mentioned by Pool, in which order can be preserved in all such cases. No distortion in case one, so far as I can see. Rather, his letter simply confirms my remarks.

Secondly, Pool objects to my statement that "In 1964, as Professor Pool is no doubt aware, there were no regular North Vietnamese units known to be in the South . . ." I had assumed, perhaps wrongly, that he was familiar with the kind of documentation assembled by Theodore Draper (*Abuse of Power*). Until those who claim that there were regular North Vietnamese units operating in the South prior to 1965 meet the challenge that Draper and others have presented, the objective observer can reach only one conclusion in this regard. Pool apparently does not think highly of quotes from McNamara, Mansfield, and the State Department White Paper, but he will perhaps agree that they outweigh his entirely unsupported allegations.

Thirdly, Pool objects to my assertion that he "might also agree" with the conclusions of Ellsberg and Fall that I quoted. The reporting from Vietnam has been sufficient so that literate readers may judge for themselves whether "the only sense" in which we have demolished the society of Vietnam "is the sense in which every modernizing country abandons reactionary traditionalism."

To determine the validity of Pool's fourth

and final claim of distortion, the reader may compare the text, from which I quoted at length, with Pool's comment in his letter. In the text, he specifies exactly one respect in which we have failed in Vietnam, namely, in the "failure of our own political system" to contain dissent (p. 142). He says that "the gloomy performance of our political system disappointing as it may be," in this regard, is the kind of falling "of which we usually accuse the Vietnamese, but the criticism is more fairly addressed against ourselves." His view, which I quoted, is that "unless it is severely provoked or unless the war succeeds fast, a democracy cannot choose war as an instrument of policy. Any other sort of war will destroy the cohesion of the democratic community that wages it" (my italics). This is the conclusion derived (p. 206) from a consideration of what happened when "we rained death from the skies upon an area where there was no war." The "moral protest" was not immediate, but "time brought it on." His conclusion: "Many actions that public opinion would otherwise make impossible, are possible if they are short term." The reference is to the policy of raining death upon an area where there is no war. The reader can determine for himself that this is the only conclusion that Pool draws from "our worst mistake," namely, the bombing of the North—a mistake only because of the resulting "moral outrage" in a political system with such "failings" as ours, namely a democracy.

Perhaps Pool now wishes to retract the views that he expressed quite explicitly in *No More Vietnams?* But the text is quite clear. As to the claim that democracies will refrain from initiating military actions, this will, as I. F. Stone once said of Secretary Rusk, improve Pool's reputation as a humorist in Vietnam, the Dominican Republic, and all too many other places. His claims concerning the "pacific orientation" of our "value system" (p. 208) are belied not only by history, but also by his own prediction (p. 203): ". . . I predict that there will be a number of effective interventions in foreign crises in America's future"; though it is true that because of the "failure of our own political system" noted above, we will be unable to use war as an instrument of policy "unless the war succeeds fast" and "we will have to learn how to use police and intelligence operations," in Pool's view.

I strongly urge the reader to study carefully the original statements from which I have quoted. Here he will find a more convincing demonstration than I could possibly construct by quotation for the thesis of my essay that among the new mandarins, the self-styled "rational and humane social scientists," there are potential forces that pose new and severe dangers to civilized existence. Mr. Pfeffer questions my "obsession with the likes of Ithiel de Sola Pool," and perhaps he is correct, but I think that the opinions and values that they express demand serious attention. The reasons are those outlined in my essay. The access of a technocratic elite to influence and power carries with it the strong likelihood that this elite will attempt to use its claims to knowledge and technique as an ideological instrument, to justify its new role.

As Pool correctly notes, there can be intellectual dispute over questions of policy, and there is every reason to bring knowledge and reason to bear on these questions. For all his talk of "applied social science," however, I fail to see how his analysis of the Vietnam situation is grounded in anything but ideological bias. For this reason, his criticism of the "anti-intellectuals" rings quite false, to my ears. Applied social science may make interventions more successful, as may new weapons systems. For those who are concerned with freedom in Vietnam as well as in Czechoslovakia, in Guatemala as well as in Hungary, the merits of applied social science

and exotic weapons will appear slight, however. In short, I see no indications that there is an "intellectual dispute" here, but rather a dispute over the right of small nations to find their own way in relative freedom from great power intervention. Pool evidently defends these rights in the case of Czechoslovakia, whereas in Vietnam he takes it to be our responsibility to determine who are the "legitimate nationalists" and what are the proper institutions, and to impose this decision by force. This conclusion does not derive from the findings of applied social science, though it seems to me not at all unreasonable to suppose that it is related to the hopes of the applied social scientist to exercise his techniques of social management.

Mr. Horvat raises a number of substantive issues. To clear up a misunderstanding, I would be delighted if the "methods of study" used in the natural sciences were to be adopted more widely in the social sciences and humanities. The natural sciences are concerned with objectivity and intelligibility. Their achievements are important insofar as they provide insight and understanding, explanatory principles that illuminate a reality hidden in a mass of superficial data. In contrast, the social sciences quite often—though not entirely—provide a caricature of the sciences, taking as their model a concept of science that might have been appropriate for Babylonian astronomy or Linnæan botany. This is a matter about which I have written in some detail elsewhere, as have many others. As an example, I might cite a huge research proposal now on my desk that calls for new tools and facilities to enable the behavioral sciences to derive theory from data—tools which are lacking in the natural sciences, of course, except in so far as human intelligence provides such a "tool."

Furthermore, the social sciences often fail to achieve objectivity for ideological reasons, as they often fail to challenge accepted doctrine—which may in the past have served well—when its limitations impede further understanding. I think that serious social scientists would agree that much of what passes for science in this field is really a kind of play-acting at science. As for the humanities, if scholars wish to use computers to collect and organize masses of data, that is their privilege. Conceivably, it may even be useful for some purpose. If they think that by so doing they are using the "methods of the natural sciences," they merely delude themselves. It seems to me that a "revival of humane studies in the true sense of the word," to use Horvat's phrase, would bring these studies closer in concept and attitude to the natural sciences, at their best and most valuable. This is not to say that an explicit commitment to certain values should be avoided. Far from it. Clear articulation of this commitment, which is never absent, is a prerequisite for objectivity. In the same sense, I do not believe in the existence of "radical scholarship" as a separate category. Rather, it seems to me that a search for objectivity carried out within the framework of decent values will lead to "radical" conclusions, now and forever in the future—a belief that must be justified by serious work.

Horvat's questions are fair ones, and I cannot provide general answers that satisfy me. I have no overarching theory of social change, though, like anyone else, I have certain impressions of how specific problems might be met and of the kind of society that we should try to create. For what it is worth, my own opinions derive from the range of opinion exemplified, say, by certain anarchosyndicalists and non-Bolshevik Marxists such as Rosa Luxemburg. I could elaborate, but this is not the place. I do not feel that sufficient understanding of these matters exists for any position to be argued with the dogmatism which is all too characteristic of discussion on

the Left, and which has enormously hampered the development of a genuine revolutionary movement (there are implicit value judgments here, to be sure). This dogmatism is an unpleasant counterpart to the smug superficiality of those who can perceive their own ideological commitments no more than a fish can perceive that it swims in the sea. Personally, I feel that the "humane intellectual tradition" of which Horvat speaks quite appropriately might develop from a commitment to these values and ideas of how social relations should be reconstructed, assuming that this commitment is accompanied by an open mind, an ability to learn, a willingness to challenge any orthodoxy.

In the short range, I think that intellectuals can do a great deal toward meeting specific problems by their work and their willingness to undertake the personal sacrifice entailed by resistance to ominous, deep-seated tendencies in our society. For example, the commitment of resources to destruction and waste is, as I tried to indicate very briefly in my essay, a feature of our society that will not easily be eradicated, as many social critics have rightly emphasized. The scientists who realize full well that putting a man on the moon has a ridiculously low priority, and that an ABM system will increase international instability as well as waste precious resources, will nevertheless implement these plans. They need not do so, though if they refuse, they will, I believe, find themselves engaged in resistance and probably in acts that will be designated as "illegal" to the extent that they succeed in challenging deeply entrenched and powerful social forces. Similarly, Asian scholars who are repelled by the kind of attitudes represented by the document of the "moderate scholars" that I discussed can strike at one pillar of American counterrevolutionary ideology by helping to develop a more accurate—and in consequence, more humane, more sympathetic, and more fraternal—appreciation of the problems of Asian societies and the means being undertaken in an attempt to meet them. To mention another case, the very important attempts of Gar Alperovitz and others to explore in a serious way the problems of community development seem to me to offer great promise for the long-range movement toward a more decent society that will try to bring about genuine popular control of social institutions. Many other examples might be cited, some embodying future hopes rather than the reality of today. I think that any genuine movement for social change will have to involve many strata of society in political and social action, in objective study and application of new ideas and concepts that will, one hopes, arise from it.

Insofar as developments in the third world are concerned, I think that in some respects Chinese Communism does "embody essential elements of liberal humanism," side-by-side with authoritarianism and much irrationality which, though understandable in the specific context, must nevertheless be deplored. Similarly, one can point to certain developments in Yugoslavia that transcend anything existing in the West so far as true democracy is concerned. The same can be said of Cuba, and other examples might be mentioned. At the same time it would be absurd, regressive in fact, for us to take third-world societies as a general model for progress in an advanced industrial society with different potentialities and problems, though I believe that we can learn a great deal from the study of the impressive social experimentation that exists alongside repressive practice in several of these societies. Those who prefer simple heroes and villains may find this position too complex, but I think it is correct.

I quoted the Filipino journalist Hernando Abaya to illustrate the "threat" posed by China, not because I entirely agree with his assessment, though I think he is right to be

impressed by many of the achievements of modern China. Incidentally, his remarks are not untypical of non-Communist Asian opinion. Compare for example the qualified but basically sympathetic assessment of the staff of the *Yomiuri Shimbun*, recently translated into English (*This Is Communist China*, edited by Robert Trumbull, David McKay, 1968). By world standards (though not, of course, American standards, where the spectrum of opinion is sharply skewed to the right), this is fairly conservative opinion. I presume that it is this kind of audience that Walt Rostow has in mind when he speaks of the "ideological threat" posed by Communist China. To repeat, I think that Abaya is right to be impressed by many of the achievements of modern China, carried out in the face of our cruel and stupid policies and many other problems, and by the vision of man and society that appears as one element in Maoist thinking—again, along with much else that I think quite wrong. Our task, however, is not to assign good or bad marks to various societies of the world, but to learn what we can from them, to help them where we can, and to face seriously the critical problems of American society. I think this means that we must try to develop a mass movement for social change in the United States that escapes the cold war psychosis and the stranglehold of narrow ideology and that turns to constructive tasks, one such task, of high priority, being resistance against American militarism. Unless we can succeed in this specific task, we are unlikely to live long enough to have to face our other problems. And if by blind luck we survive, the consequent demoralization of American society will make life as meaningless here as it is hopeless for the Guatemalan peasant.

Let me emphasize what is in any event obvious: these are not adequate answers to the questions Horvat raises. Perhaps they suggest a point of view that, in my opinion, might be developed further in a fruitful way, not only by thought and research and study, but by committed action as well.

Professor Van Dyke presents figures that are at variance with those I cited, the latter obtained by I. F. Stone directly from the Pentagon Press Office. I have no further information; reports in the press have varied slightly. Whatever the exact figures may be, all reports confirm the qualitative conclusion of Bernard Fall that I quoted: "It is Vietnam as a cultural and historic entity that is threatened with extinction" as "the countryside literally dies under the blows of the largest military machine ever unleashed on an area of this size." Personally, I would have been opposed to the dispatch of ten green berets to Vietnam. What we have actually done, what we do today, what we threaten for tomorrow, constitutes a crime of historic dimensions. And the "new mandarins" bear a significant share of the guilt.

ABM SENTINEL SYSTEM—ADDRESS BY SENATOR EAGLETON

Mr. BROOKE. Mr. President, much has been said and much more will be said in the weeks ahead about the ABM Sentinel system. Last week in Missouri, the distinguished junior Senator from Missouri (Mr. EAGLETON) made some interesting observations on this very important and sensitive issue.

I ask unanimous consent that Senator EAGLETON's speech, delivered in Kansas City, Mo., on February 11, be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

SPEECH DELIVERED BY SENATOR THOMAS F. EAGLETON, DEMOCRAT, OF MISSOURI, TO MISSOURI OIL JOBBERS, MUEHLEBACK HOTEL, KANSAS CITY, MO., FEBRUARY 11, 1969

It is possible—just barely possible—that last week marked the beginning of a major down-turn in the arms race.

It is possible—barely possible—that the world was rescued from the cataclysmic spiral of weapon system, antiweapon system, and anti-anti weapon system which has gripped it since World War II.

It is possible—barely possible—the Pentagon's decision to halt land acquisition and construction in the face of mounting Congressional criticism of the Sentinel Antiballistic Missile system, will mark the moment when Congress reasserted its rightful authority to scrutinize the burgeoning defense budget as it does domestic expenditures.

In the past, if changes were made in the defense budget by the Congress, they were almost always additions rather than corrections. Almost never, since World War II has Congress cut back an executive request for military funding—the exception being appropriations for fast deployment logistic ships.

I believe and I hope this pattern changed last Tuesday, when a bi-partisan group of Senators—Republicans Cooper, Percy, Brooke and Javits . . . Democrats Mansfield, Kennedy, Fulbright, McGovern and Symington, and many others on both sides of the aisle eloquently demanded a review of the ABM.

Our own senior Senator from Missouri, Stuart Symington—one of this nation's leading experts on national defense—demanded a freeze on the Sentinel program until a thorough re-evaluation could be made.

Holding that it will always be easier and cheaper to penetrate an anti-ballistic missile defense than to make one impenetrable, Secretary of Defense McNamara and President Johnson resisted pressures to build an ABM system.

In 1967, however, the Secretary declared himself in favor of a "thin" ABM system—a system described by former Presidential science advisor Jerome Wiesner as "a bad joke perpetrated by Mr. McNamara and Mr. Johnson on us in an election year."

The price tag for this system has been continually escalating. In early 1967, a "thin" shield was projected at 3.7 billion, later in the year that figure rose to 5 billion; the present estimate is between 5.5 and 5.8 billion, and is projected to rise to 9.4 billion by Senator Symington and even higher by several prominent scientists.

There is also considerable question about just whose missiles the system is supposed to knock down and if, in fact, it is capable of so doing.

Proponents of the system presented it as a defense against blackmail by some lesser power—China, to be precise—so irrational as to be willing to risk retaliation from our regular deterrent forces.

When the Defense Department began to acquire Sentinel sites late last year, there were some surprises. One of the sites was right outside Boston—a peculiar target for the Chinese. Others were in Chicago . . . Detroit . . . Los Angeles . . . New York . . . San Francisco . . . Seattle. There is one in Sedalia, Missouri, too. Washington oddly enough, was left out.

Apparently President Nixon is dropping the anti-Chinese argument. He stated at his Press Conference on February 6th:

"First, I do not buy the assumption that the ABM system, the thin Sentinel system, as it has been described, was simply for the purpose of protecting ourselves against attack from Communist China."

However, a thin system is clearly inadequate to deal with a massive attack of Russian warheads. An adequate system is estimated to cost between \$50 and \$100 billion;

it is still technically infeasible, and there is every reason to believe that our enemies could figure out a system to penetrate it before the system itself is complete. Following the same reasoning, perhaps, the Russians have recently slowed construction on a comparable—and already obsolete—system around Moscow.

The Sentinel is presently in an unusual position. It is an extremely costly project designed for a purpose the President of the United States no longer "buys," and is totally inadequate for anything else.

In addition, each Sentinel is armed with a warhead which packs 100 times the power of the bomb dropped on Hiroshima—enough to destroy everything for dozens of miles around in the event of an accidental explosion—probably creating more danger for the community than deterrence to the enemy.

Is the notion of an ABM dead? I doubt it very much.

Early in March the Pentagon is scheduled to complete a re-study of the Sentinel, conducted under Deputy Defense Secretary Packard. The headline in the *Washington Post* yesterday was "Laird Hints Work on ABM Will Resume."

The Senate also plans to re-study the ABM during hearings scheduled under Senator Stennis of Mississippi, in which opponents as well as proponents, scientists as well as generals, will be heard.

Naturally all Senators will study these findings closely. Perhaps an ABM is feasible. Perhaps it can be effective. Perhaps it is necessary.

My message to you today is simply this: For whatever reasons, the automatic cycle of arms building has been temporarily and partially interrupted by the decision to freeze construction of the anti-ballistic missile system. The heretofore sacred preserve of the military experts has been invaded by some Senators and Congressmen and citizens who have serious questions to ask about our national priorities and about the efficiency of our military spending.

The arms race will not stop because of any unilateral acts by the United States. It will not stop unless we are successful in negotiating arms reductions with the Soviet Union.

It will not stop until mankind decides that \$53 for every man, woman and child in the world—more than many people live on for a year—is simply too much for this planet to waste each year on weapons of destruction.

But now, perhaps, there is a chance.

MISSILE BLUNDER: THE ABM

Mr. HART. Mr. President, since the Senate recessed on February 7, a remarkable and dramatic series of events has occurred to change significantly the outlook for the Sentinel ABM program. Following an extremely interesting and enlightening colloquy on the program in this Chamber on February 4—which I was very sorry to miss because of other commitments—it was learned that Secretary Laird had halted construction on all Sentinel sites pending a high-level review of the program. The same day President Nixon finally demolished the long discredited anti-Chinese rationale for the Sentinel program, with the statement that he had never taken it seriously.

Thus to all intents we can safely assume that Sentinel, at least as it was conceived last year, is finished. But we can also assume that plans to push ahead with an ABM program are as alive as ever, and that the American people and

the Congress will shortly be asked to accept some new ABM program—perhaps with a new nickname—in another form. One of the significant differences between the old Sentinel and the new program will undoubtedly be that we will no longer be asked to accept the irrational argument that we need missile defenses to protect ourselves against a weakling China while we can rely on our offensive missile forces alone to prevent an attack from a far stronger Soviet Union. But it is also likely that we will be confronted by many of the other irrationalities that were trotted out over the past year in an effort to justify the Sentinel program. And again we will have to undertake the job of knocking down each of these justifications. Changing the name of Sentinel will not improve the case to be made for it, nor will changing the rationale from an anti-Chinese program to an anti-Soviet one. The basic flaw in any antiballistic-missile program using the best technology available today is simply that it would not work. In the face of that one fact, no other argument for ABM deployment makes any sense.

Last year we were treated to an impressive array of arguments for Sentinel: we were told it would save lives; but that would only be if the Soviet Union blithely ignored our defenses and did nothing to compensate for them; we were told it would protect us against an accidental attack; but the chances of an accidental launch of a Soviet or Chinese ICBM resulting in damage to an American city are far smaller than the chances of an accidental launch of a Sprint or Spartan missile, practically guaranteed to result in an impact or even detonation on U.S. soil. We were told that the Chinese, with their primitive missiles, could not penetrate the system; but the Nobel prizewinner Hans Bethe has argued without effective rebuttal that the Chinese could indeed develop simple penetration aids and defeat the system, while an ABM expert formerly with the Defense Department, Dr. Dan Fink, has admitted that the explosion of a Sentinel warhead might blind its own radars and permit an enemy missile to attack undetected.

Mr. President, I was fascinated to read in the Washington Post of February 16 the account of the high-powered public relations effort which the Army was undertaking to sell the public on Sentinel including a plan to enlist top scientists to rebut the arguments put forth by Dr. Bethe, Dr. Wiesner, and Dr. Kistiakowsky against the ABM. I think it is interesting that not one of the arguments put forth by these and other eminent scientists has been answered by the Army. If there is an operating program to counter their arguments, it is hardly effective.

I am more disturbed, however, by a new rationale which has been presented to justify ABM deployment. Essentially, there appears to have developed a "spending gap" for strategic defense between us and the Soviet Union. This news was broken to us by Defense Secretary Laird on television last week. Mr. Laird explained, on two occasions so far, that the Soviet Union is outspending the

United States on what he calls "antistrategic defenses" by a factor of nearly four to one. I am disturbed by this statement, partly of course because it does not make clear at all what is meant by "antistrategic defenses," but more because such a comparison is so irrelevant. Mr. Laird does not spell out the meaning of "antistrategic defenses," but I assume that by this term he means all defense programs intended to counter strategic offensive forces. This would include ABM's, but it would also include antiaircraft defenses, fighter-interceptor aircraft, air-warning systems, and presumably even civil defense.

I assume that we know a good deal about what the Soviet Union is doing in these various areas, and probably can estimate with reasonable accuracy how much is being spent on each program. Indeed, our intelligence appears to be good enough that we can determine that the Soviets have now deployed about 75 missiles in their ABM defenses around Moscow, and will, when the defense there is completed, have about 100. This does not sound like an extravagant program, and it has not been characterized as such by other officials. Former Defense Secretary Clifford told us, in fact, that the Soviets had apparently curtailed construction at some of their ABM installations around Moscow. He also stated, in his January 15 Defense Posture Statement, that the Soviets were continuing to deploy the Tallinn air defense system, which, according to the New York Times, of February 13, is being deployed in a large number of sites. Without indicating such details, however, Mr. Laird may be leaving the unfortunate impression that it is on missile defenses alone that the comparison in defense spending is made. I have asked Secretary Laird for details of his cost comparison, and hope that his reply will help to clarify the issue.

But I am troubled not only by the possible confusion which may have arisen about what is meant by "antistrategic defenses," but also by the implication of Secretary Laird's statistics that the United States is somehow remiss in not spending as much as the Soviet Union on defense programs. If the debate about the Sentinel missile program has been about nothing else, it has certainly been about the unwisdom of wasting money on foolish and unnecessary defense programs.

Reports that over the years the Soviet Union has spent sizable sums on missile and air defense have made it clear that much of the money spent was wasted because weapons systems were prematurely deployed and not terminated before considerable construction had taken place. The United States has, until now, managed to refrain from deploying at least some weapons systems which over time proved to be valueless. It is my conviction that the ABM, be it Sentinel, Nike-X, or some new variant of it, falls clearly in this category.

Mr. President, I ask unanimous consent to have printed in the RECORD the following documents: the text of my letter to Secretary Laird; an article from the New York Times of February 13, 1969 entitled "Missile Defenses Slowed by So-

viet"; an article from the Washington Post of February 14, 1969 entitled "Soviets Outspending United States 3.5 to 1 on ABMs, Laird says"; an article from the Washington Post of February 16, 1969 entitled "Bid by Resor To Sell Public on ABM Told," and an editorial from the Washington Post of February 17, 1969 entitled "The Big ABM Brainwash."

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

FEBRUARY 17, 1969.

HON. MELVIN LAIRD,
Secretary, Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: Would you help clarify for me some misconceptions which have arisen, from reports in the press and elsewhere, concerning the costs and the status of antiballistic missile deployment in the United States and the Soviet Union?

In recent television interviews you have estimated that the Soviet Union has spent in the past year approximately 3.5 times as much as the United States in antistrategic systems. Any further amplification of this estimate which you can provide would be most appreciated.

Of particular interest would be further information on the cost of specific components of the estimated Soviet antistrategic defense budget; specifically:

1. What percentage of Soviet expenditures in the past year for antistrategic systems was devoted to ABM? What percentage to anti-aircraft missile programs? To interceptor aircraft? To air warning and control systems? To civil defense?

2. Within each of the first three categories, what percentage was devoted to production and deployment? To research and development?

3. What, in your estimation, has been the overall cost to date of the "Galosh" ABM deployment around Moscow? Of the "Tallinn" antiaircraft missile deployment?

With respect to United States antistrategic programs:

1. What are the comparable percentages of United States expenditures for antistrategic systems over the past year?

2. What is the latest estimate for the overall cost of the Sentinel program? Of that total, how much is for missile procurement, for site acquisition and construction, for operating costs?

In providing this information you will be most helpful. It will improve not only my understanding and that of others of developments in this critically important area, but also because reports that Soviet efforts to develop a workable ABM have met with little success suggest that they, at least, have obtained remarkably little return for their investment.

Sincerely,

PHILIP A. HART.

[From the New York Times, Feb. 13, 1969]
MISSILE DEFENSES SLOWED BY SOVIET—U.S.
INTELLIGENCE LINKS DELAY TO STEPS TO
IMPROVE RADAR FOR SYSTEM AT MOSCOW

(By William Beecher)

WASHINGTON, February 12.—High Pentagon officials have been told that the Soviet Union's missile defense is roughly three-quarters complete and has been slowed in recent months to improve the system's radar.

But the intelligence briefings given to officials reviewing United States loans for a missile defense have also made clear that the Russian anti-missile system around Moscow, even when finished, will not alter the balance of power between the two nations. And the officials have been told that it will not in any way undermine America's ability to destroy the Soviet Union in retaliation if the United States should be attacked first.

Pentagon officials, using the latest intelligence from spy satellites and other sources, say that the Russians have installed approximately 75 anti-missile missile launchers in sites around the periphery of the Soviet capital. When completed, they estimate, the Moscow deployment will have about 100 missile launchers.

AN INCOMPLETE RING

Work on some of the facilities in the suburbs around Moscow stopped in 1968. The ring around the city remains incomplete.

While at first puzzled by this slowdown in deployment, intelligence analysts now believe the reason was to upgrade the system's radar sets so they could track more incoming missiles simultaneously.

Unlike the American-designed Sentinel defense system, which employs both long-range Spartan and short-range Sprint missiles, the Moscow system uses only one missile type at present. It is called the Galosh, in Western military terminology.

The Galosh, like the Spartan, is a so-called exo-atmospheric missile. That means it can fly hundreds of miles into space to try to intercept incoming warheads well before they enter the atmosphere over the target.

Because of this capability, the Moscow system, which is partly operational, is believed to have the capability of providing a thin defense over a large part of eastern Russia, not just Moscow itself.

STARTED EARLY IN DECADE

But at a time when the United States has more than 1,700 missiles available for launching against targets in Russia, 75 or 100 Soviet interceptor missiles would not present much of a problem, American strategic analysts say.

Thus, at present, the Russian antimissile system is believed to be designed to protect against a small attack from one of the lesser nuclear powers, such as Communist China, France or Britain, as well as against a small-scale accidental or unauthorized launching of missiles from the United States.

The Russians have traditionally been defense-minded and have been deploying various kinds of missile defense systems since early in the decade. The first version, which was started around both Moscow and Leningrad in the early nineteen-sixties, was abandoned shortly afterward, presumably because it was not regarded as effective. There have been subsequent stops and starts on other systems in the Moscow area ever since.

DEFENSE AGAINST BOMBERS

A few years ago, the Johnson Administration became concerned about a large number of new defensive sites being emplaced along a wide arc of northeast Russia, passing through the city of Tallinn.

Subsequent study has convinced most of the intelligence community that the Tallinn system is designed primarily to defend not against ballistic missiles but against high-flying bombers and cruise missiles launched from such bombers. A cruise missile is a small pilotless bomber.

Some analysts believe the Tallinn system was designed to defend against the B-70 bomber, which was at one time advocated by the Air Force as the successor to the B-52 bomber.

The B-70 program was resisted by both the Eisenhower and Johnson Administrations, which consistently refused to spend some of the procurement funds repeatedly appropriated by Congress. The lone surviving development B-70 was recently consigned to the Air Force Museum at Wright-Patterson Air Base in Dayton, Ohio.

But because of repeated statements by Soviet Leaders about their desire to provide a good missile defense, the United States has for several years been pressing research programs to develop multiple warheads and

penetration devices to thwart a large-scale Soviet missile defense, should it ever be deployed.

By flooding the Soviet airspace with swarms of separately guided warheads, the multiple warhead is meant to saturate and thus overwhelm the defense. The Minute-man 3 and Poseidon missiles are destined to carry from three to about a dozen warheads each. These multiple warheads are now being tested.

Administration officials hope that, once arms control talks begin, the Russians can be persuaded not to deploy a widespread missile defense. If both sides agree to install no more than a thin defense, or no defense at all, it may be possible to ban the deployment of multiple warheads by both nations, they say.

All this background is being provided to Defense Secretary Melvin R. Laird and Deputy Secretary David Packard, officials say, as part of their review of the previous Administration's Sentinel plan. A decision on whether the Nixon Administration will proceed with a missile defense system, either the one currently planned, or some revised version, should be announced early next month, according to Mr. Laird.

[From the Washington Post, Feb. 14, 1969]
SOVIETS OUTSPENDING UNITED STATES 3.5 TO 1 ON ABM'S, LAIRD SAYS

(By Robert C. Maynard)

Defense Secretary Melvin R. Laird said yesterday that the Soviet Union has been spending "a little more than \$3.50 for each \$1" the United States has spent for strategic defensive weapons.

Laird, appearing on NBC's "Today" show, thus de-escalated his previous statement on the subject during CBS television program "Face the Nation" last Sunday. At that time, he said first that the Russians "this past year have spent \$4 for every \$1 we have spent on anti-strategic weapons systems." He then cut the ratio to \$3.70 to \$1.

The Pentagon could not provide the basis for Laird's figures yesterday because they are classified, but elsewhere in the Government, a high official with access to both U.S. spending and Russian spending said the ratio is exaggerated.

For anti-ballistic missiles, the official said, "We are spending at least as much as the Russians are."

DOLLAR GAP QUESTION

The question of a dollar gap is the latest in a series of controversies springing up around the Sentinel anti-ballistic missile system (ABM).

Deployment of the ABM, estimated variously to cost \$6 billion to \$9 billion was halted earlier this month pending a Pentagon review. Critics protested both the cost and plans to locate the systems in or near some of the Nation's most densely populated cities.

The purposes of the system, also a subject of controversy, have been stated by the Army and the Department of Defense as these:

To defend the United States for the next decade or so against emergent Communist Chinese nuclear power. The Chinese, Laird said yesterday, will be able to test-fire an Intercontinental Ballistic Missile (ICBM) within 18 months, at which time they will have 18 or 20 such weapons.

To advance American technology in the field of antimissile defense to a point where the country will be able to defend itself against a large-scale missile attack.

ARGUMENT OF CRITICS

Critics of the program have argued that such a defense is all but impossible and that building such a system, at costs that could pass \$50 billion over the years, will only lead to a new arms race between the two superpowers.

At costs for research and development exceeding \$300 million a year, the Pentagon is developing a Sentinel system in two parts that is intended to knock down enemy missiles when they threaten this country.

The first and long-range part is the Spartan and the smaller, short-range missile is the Sprint.

The weakness acknowledged by the Pentagon in the system is that it can be overwhelmed by more enemy missiles than American Sentinels can knock down.

Laird pointed to that problem yesterday by saying that the Russians are moving ahead in the missile race.

"I believe you will find," he said on the "Today" show, "that the number of ICBMs and long-range missiles which they have equals or is more than the number the United States has."

[The Washington Post, Feb. 16, 1969]
BID BY RESOR TO SELL PUBLIC ON ABM TOLD

(By Phillip Geyelin)

Secretary of the Army Stanley R. Resor proposed to his superiors in the Defense Department last fall a massive public relations campaign to counteract scientific and political opposition to the controversial Sentinel system for destroying enemy missiles.

The Resor proposals, outlined in a classified, five-page memorandum to then Secretary of Defense Clark Clifford, were a follow-up to a major pro-Sentinel campaign launched in March, 1968, months before Congress had even approved the initial funds to develop the system.

This "public information" or propaganda effort on the part of Resor and other officials was rationalized in the Army Secretary's memorandum to Clifford last Sept. 30. Resor wrote:

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system."

PROCEDURE SUGGESTED

Among these scientists, Resor's memorandum said, were Dr. Hans Bethe, Dr. George Kistiakowsky and Dr. Jerome Wiesner. To deal with them, Resor proposed the following:

"Although it is difficult because of security aspects to answer the technical arguments used by these men against Sentinel, it is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all practical assistance."

This fragment from Resor's five-page memorandum to Clifford is a small sample of the comprehensive public relations campaign by the Army Department to sell the Sentinel to the American public and to counteract critics in Congress and the scientific community.

KNOWN AS ABM

The Sentinel is the name given to what is otherwise known as the ABM, or antiballistic missile system designed to intercept and destroy with nuclear warheads, incoming offensive ballistic missiles.

It has been the center of a growing controversy since former Defense Secretary Robert McNamara announced the decision for a limited or "thin" deployment of the weapon, largely to counter the threat of Chinese nuclear missiles in the 1970s.

Opposition comes partly from those who fear it will prejudice arms control talks with the Russians, partly from people living close by the dozen or so population centers (Boston, Seattle, Chicago, Detroit, Los Angeles,

among others) where Sentinel sites are planned.

Resor's memorandum last September came at the climax of a Congressional debate over Sentinel funds; final approval of the initial money was voted a few days later. The memorandum was accompanied by a much more detailed, 17-page "master plan" for a "public relations/public affairs program on a countrywide basis."

And this longer memorandum, signed by Lt. Gen. Alfred D. Starbird who manages the Sentinel project, was, in turn, based on a still earlier "Sentinel System Public Affairs Plan," which had been authorized in March of last year.

Apparently Resor and the Army did not believe the earlier effort was adequate. "There is public confusion regarding the necessity for the Sentinel System deployment decision and of our need to acquire particular geographic areas for use as Sentinel operational sites," he told Clifford in the September memo, adding "I feel it essential that the Army undertake a time-phased public affairs program to provide information to dispel this public confusion." With some foresight, he warned that "further and expanded opposition to the Sentinel decisions may occur with the passage of time."

Though the plans outlined by Resor centered on efforts to win public acceptance of the Sentinel in the communities where Sentinel sites are contemplated, the campaign was to be far broader and more comprehensive than that, both as to content and technique.

OTHER ANGLES

In addition to the effort to promote friendly magazine articles from leading scientists, it included plans for:

A broader campaign to win over hostile Senators and Representatives, with personal visits from high officials, including classified briefings to all Congressmen whose states or districts would be directly affected, whether or not local opposition had developed to Sentinel deployment.

An expanded program of similar "orientation visits" to a wider assortment of state, county and city officials, beginning with Boston, Seattle and Chicago, where much of the trouble had developed.

Special calls on local editors and publishers, again beginning with Boston, Seattle and Chicago but extending to all other localities destined to become Sentinel sites.

"A transportable display exhibit" for use in communities "impacted," to use the Army's term, by Sentinel sites, and featuring "pre-taped voice commentary," visual aids and mockups to explain, among other things, "casualty reductions projected by the effective presence of Sentinel during a possible enemy offensive ICBM attack against the United States."

A strong plug for the Sentinel in the President's (Johnson) State of the Union Message.

An invitation to newsmen to witness firings of the Sprint missile at White Sands Missile Range in New Mexico and the Spartan at Kwajalein (both are part of the Sentinel system) as part of an expanded program to "bring home to the public" the "message as to Sentinel progress, developments, and accomplishments."

Preparation of "an information-packet" to be distributed to all interested citizens or Government officials "having questions on the Sentinel system," and to include "authoritative speeches," interviews or other statements about the strategic need, the cost and the feasibility of the project.

Though the Resor memorandum deals only with public relations aspects of the Sentinel system, it was classified for security purposes. For this reason, the Defense Department declined to discuss it in any detail.

One official did say, in response to an inquiry, that public relations efforts on behalf of the Sentinel project have not been

included in the current freeze on work at the missile sites, which is part of a general review of Sentinel policy.

Another official indicated that there would be nothing "extraordinary" about such a public relations campaign, and said it was patterned after similar efforts made to publicize and make more politically palatable the Nike series of missiles. While nobody would flatly confirm that the plan had been put into effect in exactly the form set forth by Resor and Starbird, the feeling seemed to be that a campaign of this kind was standard procedure and would have won top-level approval almost as a matter of routine.

Whatever the case, the mere existence of the proposal tells something about the intensity of the military pressure behind the Sentinel; the resourcefulness of the Army's public relations operations; and the apparent indifference of the Army to the question of whether what they are propagandizing in Congress and across the country has become, with Congressional funding and approval, an actuality or merely an Administration proposal.

EXTENT DISCLOSED

Also illuminated is the length to which the Army was apparently prepared to go in pushing the Sentinel, not merely as a "thin," primarily Chinese-oriented weapons system, but as a first step towards a "thick" ABM system. This is thought to be the real objective of Army strategists.

But the Johnson Administration and the Defense Department, under both McNamara and Clifford, insisted that the ABM be viewed as an anti-Chinese system, with only marginal significance in the added protection it might give against Russian attack. It was not, at any rate, to be thought of as a first step towards a "heavy" anti-Soviet system.

Gen. Starbird's "master plan," for example, sets a broad policy line for the public relations campaign. "The thrust of the program will be directed primarily toward explaining the military requirement and strategic concepts inherent in the Sentinel deployment decision," he said in his detailed outline of the program. "As subordinate but related goals," he added, "the program will emphasize that:

"The Sentinel System is specifically designed to meet a strategic defensive military requirement;

"That is being deployed in an efficient and economical manner;

"That it is designed to provide a defense against a possible Communist Chinese nuclear ICBM attack in the early 1970s;

"That it provides added protection of our population against a possible accidental ICBM launch by any one of the world's nuclear powers;

"That it represents a basic step toward defense against the Soviet ICBM threat to the United States should national policy so direct."

The Starbird proposals also envisage a degree of interplay between the Army and private industry engaged in Sentinel work. "The provisions of this plan apply to all U.S. Army elements and to all individual industrial firms and civilian contractors participating in the production and deployment of the Sentinel System," his memorandum states.

Although it is not clear exactly what the word "apply" means in this instance, the memorandum includes this instruction: "Personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program."

The General's 17-page prospectus while infinitely more detailed than Resor's summary memorandum, is also a good deal less intelligible. There is much talk of "Phase II (c)" and "responsive implementation of policy guidance" and instructions to "CG, ARADCOM", for example, calling on him (or it) to "support and assist the Sentinel in-

formation and public affairs activities of SENSOCOM, USAEDH, SENLOG, STRATCOM and SENSEA."

But the message gets through, on careful reading. It is that an extraordinarily intricate and comprehensive campaign is intended, down to the details of kit folders, biographies and photos of "key service personalities associated with the Sentinel System Program," and "photos or artist-concept sketches of Sentinel missiles, radars, site layouts and test or training installations."

There is a command that "magazine articles will be prepared by Army staff members. . . for submission to military, scientific and professional journals and publications that are service sponsored or oriented" and also an order to all hands to "encourage and assist in the preparation of magazine articles . . . by civilian scientific or technical writers of national stature.

In no uncertain terms, "officials granting interviews" to newsmen are told to be prepared, and outgoing on the positive side of the Sentinel project. "Every effort will be made to anticipate the questions that will be asked by the interviewing reporter." In special cases, where it would be helpful, requests to declassify material "which is responsive to the anticipated questions" are encouraged.

Exhibits, a library of useful quotations, a standard briefing text, a special "Community Relations Briefing Text", an "Operation Understanding" which would enlist the participation of local civilian leaders, film clips of missile flights, taped interviews, and other "newsworthy items" for use by commercial radio and television—all these and more are carefully set forth in Gen. Starbird's "master plan" for selling the Sentinel.

[From the Washington Post, Feb. 17, 1969]

THE BIG ABM BRAINWASH

There is more, obviously, to the Great Debate over the Sentinel ABM System than has hitherto met the eye, judging from a report on the front page of this newspaper yesterday. The report told of two memoranda to former Secretary of Defense Clifford last fall. One was from the present Secretary of the Army, Mr. Stanley R. Resor, and the other, a supporting document from the manager of the project to build the Sentinel System, Lt. Gen. Alfred D. Starbird. Together they spelled out in breathtaking detail a complex and comprehensive public relations—not to say propaganda—campaign to convince the American public, and Congressional critics, and wayward scientists and the citizens residing in or around prospective Sentinel sites that in every way these weapons are good for you.

A perfectly respectable case can be made that, within reason and suitable limits, they are: something must have recommended the project to two successive Defense Secretaries in the Johnson Administration. And if the Sentinel is not in fact as essential to our security as it is said to be, there would still be nothing wrong about the Army arguing the point. We pay our military men to tell us what we need for our safety, and we expect their civilian leaders and the Congress to weigh the merits of the military arguments, and cast them up against our other priorities, and make a judgment that takes more than the military view of things into account.

So there is no quarrel here with the right of military men to make their pitch and there was very little in the Resor and Starbird memoranda that added anything new to the Army's argument. What the Army was proposing to say about the Sentinel, in short, was not the startling thing about these memoranda to Mr. Clifford. What was astonishing and disturbing—the part that had not met the eye—was the way the pitch was to be made, the sweep and intensity of the Army's intended campaign. That, and the plain evidence that an important part of the whole operation was clearly calculated *not*

to meet the eye; the Army's hand was not supposed to be visible. That's what is genuinely unsettling—the suggestion, for example, of clandestine complicity with the contractors for the Sentinel program in carefully coordinated public relations undertakings to tout the virtues of this weapons system; the unabashed intention to plant or inspire favorable magazine articles by scientists who are proponents in direct response to opponents of the program within the scientific community.

"Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system," Mr. Resor wrote to Mr. Clifford, and after naming a few of them (Hans Bethe, George Kistlakowsky, Jerome Wiesner) and complaining of the difficulty of replying without disclosing secrets, he went on to say:

"It is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all possible assistance."

So there it is, and what are we to make now of the next learned dissertation published by a scientist in favor of the Sentinel? Will it be his handiwork, or General Starbird's? And what are we to make of some of the other aspects of this campaign—the instructions proposed by the General, for example, that "personnel affiliated with the Sentinel Public Affairs Program will cooperate and coordinate with industry on public relations efforts by industries involved in the Sentinel Program"? Will Army officers write the advertising copy, or merely furnish the photographs of successful missile shots?

There is less to be said against some of the other, more conventional plans, for a heavy round of visiting with Congressmen and Governors and Mayors and community leaders and editors and publishers, for example, except that you do have to ask what all this is going to cost: the junketing, the mobile displays, the preparation of information kits and a library of useful quotations, the film clips and taped interviews and all the rest.

But mostly you wonder whether this isn't too much—too covert, too all-pervasive, too overpowering. For if this is standard operating procedure, as they say, for the Army, and for all its works, it presumably is standard for other services, too. And this adds up, in our view, to a good deal too much brainwashing of the American public and a good deal too much intrusion by the military into American political life.

If this is what's going on, it is too much. In any case we'd like to know. The Sentinel is too serious an issue to be settled by an Army propaganda campaign, on the one hand, or by a counter-reaction to such a campaign, on the other, by the antipathy to the idea of the citizens in one community, or by anything other than the merits of the matter and a balanced reckoning of where our national interest lies. That the Army should embark on so massive a public relations campaign, so far in advance of Congressional approval of the project, and by the use of such dubious methods, is a thing apart, though no less important on that account, and one which we would hope the Congress, would also like to know a good deal more about.

THE 51ST ANNIVERSARY OF LITHUANIAN INDEPENDENCE

Mr. GOODELL. Mr. President, I wish to join Senators in paying tribute to a

brave people who have long endured hardships in the cause of freedom.

Fifty-one years ago this week, Lithuanian independence was proclaimed, ending more than 100 years of suffering under the oppressive czarist regime of Russia. During the next 22 years the Lithuanian people briefly enjoyed freedom under their own democratic government, making great progress in the fields of education, land reform, and social welfare.

Lithuanian independence, so hard won, was not long lasting. Soon after the outbreak of World War II Lithuania was occupied by the Soviet Union, and then for a while she had the misfortune of being placed under Nazi rule. The Lithuanians have suffered and endured indescribable hardships and misery under this first Russian, then German, and again Russian subjugation; nevertheless, they have continued to yearn for freedom from their oppressors, and to work for a truly independent Lithuanian state.

On the observance of this 51st anniversary of Lithuanian Independence Day, we must all hope and pray for the freedom of the Lithuanian people.

FEDERAL-STATE COOPERATION ON THE DRUG PROBLEM

Mr. BAYH. Mr. President, growth in the use of illicit drugs is now recognized as a major factor in the widespread increase of major crimes throughout the country. In an attempt to combat this illegal traffic, I am pleased to note that Indiana State and local officials are cooperating with Federal officers in a new and unusual program. Agreement has been reached that a tax of \$100 per ounce will be levied by the Internal Revenue Service on all illegally possessed marijuana that is seized by State and local officers, and that any person withholding information about the theft, use, or possession of narcotics will be liable to arrest in Marion County, and the evidence will be presented to the grand jury for possible indictment.

This new cooperative approach was described in an article written by Rick Johnson and published in the February 12, 1969, issue of the Indianapolis Star. Because this unique experiment will be of interest to others who are seeking solutions to the narcotics control problem, 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:

COUNTY TO HIT WITNESS SILENCE ON ILLICIT DRUGS

(By Rick Johnson)

Federal and Indiana authorities have taken two new and drastic steps in the battle against marijuana and against those who withhold information about the theft, use or presence of illicit drugs.

They are:

1. The Internal Revenue Service will tax at the rate of \$100 an ounce or any part of an ounce all illegally possessed marijuana that is seized, beginning immediately. Police will notify the Federal authorities of all seizures.

2. Persons who withhold willfully from police information concerning the theft, use

or presence of narcotics and dangerous drugs will be liable to arrest in Marion County. The evidence will be presented to the grand jury, with indictments possible on several charges.

The idea for employing the Federal taxation of illegally possessed marijuana against Hoosier drug pushers was originated by the Indiana State Police.

Formerly, the Internal Revenue Service levied the tax only against individuals who were arrested by Federal narcotics agents.

State police are in the process of notifying all police agencies in the state regarding the correct procedures to follow to inform the Internal Revenue Service of marijuana seizures.

The Federal Government is acting in accord with the 1937 Marijuana Act which specifies that before any person may possess marijuana legally, he must have a permission form, signed by the director of the Bureau of Narcotics and Dangerous Drugs, as well as pay a tax of \$1 an ounce. Those holding it illegally are taxed \$100 an ounce.

The only legal possessors of the permits are research laboratories such as the Indiana State Board of Health.

Once police seize marijuana, the confiscated drug will be weighed and a certificate stating the weight and proof that the person had no legal authorization to have it along with other data, will be sent to the Internal Revenue Service.

That agency will make the tax assessment against the individual involved.

Any personal property possessed by the person implicated could be confiscated by the Federal government for payment of the tax.

Lt. Richard A. Jones of the Indianapolis Police Narcotics Bureau and Sgt. John Ferguson of the Indiana State Police said the possession of even one marijuana cigarette by an individual could cost a \$100 tax, without consideration of later punishment if the individual is convicted of violation of the 1935 Narcotics Act.

Both policemen said they believe the Federal measure will serve as a deterrent to the possession, transportation, sale and use of marijuana.

Last spring, several hundred pounds of marijuana were confiscated by police at the height of the harvesting season. If such seizures are repeated this spring the possessors will be liable for taxes totaling thousands of dollars.

Locally, Marion County Prosecutor Noble R. Pearcy said his office will investigate circumstances, uncovered during police investigations, which reveal persons willfully withheld from police information involving theft, use or presence of narcotics and dangerous drugs.

Police investigations have revealed that periodic confiscation of dangerous drugs and marijuana have been made by teachers and school officials and no reports were made to police.

"Most school officials do not want the publicity which would arise from such police investigations," Jones said.

Other investigations disclosed that information regarding theft from either drug manufacturers, wholesalers, hospital pharmacies or drugstores also have been withheld from the police.

"Seldom do we receive information from these people regarding persons they suspect of theft and trafficking in drugs. If we did receive these tips it would allow us to keep the suspects under surveillance and possibly make arrests," Jones said.

"I will review every case brought to my attention by narcotics investigators," Pearcy said. If it is obvious that information and evidence have been withheld purposely to prevent a person from being prosecuted the evidence will be presented to the grand jury."

Pearcy said indictments could be returned by the grand jury against the individuals involved on a variety of charges, including

accessory after the fact to violation of the 1935 Narcotics Act or the Dangerous Drug Act.

"We have a serious problem in this community with narcotic addicts and drug abuse," Percy said. "I'm not interested in hiding the facts and the responsible members of the community should not want to run from the problem or allow it to exist through their apathy.

"If we are to reduce this dangerous traffic and abuse in narcotics and drugs among our teen-agers then we must work together.

"And if persons get caught withholding information which could assist police and this office in breaking up the racket, they will answer to the law."

ATTORNEY GENERAL MITCHELL SPEAKS OUT ON CRIME

Mr. HRUSKA. Mr. President, our distinguished Attorney General, Mr. John N. Mitchell, has taken office at a time when crime in this country has reached critical proportions. The daily toll in lives and property is staggering. It is an understatement to say that the situation is grave.

Mr. Mitchell holds a position of great trust. People look to him and to the Department of Justice for swift, impartial enforcement of Federal law. They expect this agency, and its chief officer, to serve as archetype in delivering equal justice to all—poor or rich, black or white.

But the people also look to this agency and to the Attorney General for another kind of leadership. They ask leadership for a forceful attack upon crime. They do not want the Federal Government to usurp local or State authority or to hobble local police forces with any kind of Federal yoke or dictum. But they do ask our National Government to assume responsibility and to provide guidance where it is needed.

Mr. Mitchell has been in office only a few weeks, yet he has already demonstrated his acute knowledge of crime's complexities and his sensitivity to the people's mandate. He is a man who starts at the bottom of a problem and works his way up, and before he is done, he knows all there is to know about the problem. That is a good description of what is needed now in an Attorney General who must deal with the web of problems that surround our law enforcement and criminal justice systems.

We are fortunate to have a man of Mr. Mitchell's caliber, with his gift for organization and efficiency, at the helm of the Justice Department.

In his first major speech, delivered in San Francisco before the National Council on Crime and Delinquency, Mr. Mitchell made it clear that he and his administration will mount a forceful war on crime.

For a war to be successful—to be won—everyone must help. Mr. Mitchell proposed such a war.

He urged the people of this country—business, industry, civic groups, and individuals—to enlist in a citizens' war on crime. This would be a volunteer campaign, pooling talents and funds. There would be a private war chest. Americans would give their dollars to fight crime just as they have done to eradicate polio, tuberculosis, and other crippling diseases.

Americans are deeply concerned about

crime and they are ready and willing to help do something about it. The citizens' war proposed by Mr. Mitchell would give them that opportunity.

President Nixon is also considering three proposals that would put the Federal Government in a position to help the citizens' crusade. There would be a Cabinet-level Council on Law Enforcement, a National Information Center, and Government-sponsored "town hall" meetings throughout the country.

Mr. President, I ask unanimous consent that the Attorney General's address on February 3 to the Conference on Crime and the Urban Crisis of the National Emergency Committee, National Council on Crime and Delinquency, be printed in the RECORD.

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

ADDRESS BY JOHN N. MITCHELL, ATTORNEY GENERAL OF THE UNITED STATES

I come to you this evening to talk about crime—one of the most critical issues of our day. And I come, not only as Attorney General, but as a lawyer and a citizen desperately searching for ideas and solutions.

You and I—here in the relative security of this ballroom—must not take comfort in the historic palliative that crime is an old phenomenon. It is true that crime has always afflicted human society. It is also true that all civilized societies have dedicated their resources to control crime—to establish and maintain a code of conduct to serve the needs of the people.

We have read of the aristocratic ideals of Plato's Republic with its cynicism toward popular justice. The simplistic philosophy of the talionic law—"eye for eye." The complex syllogisms of feudalism borrowed from Imperial Rome.

The American public must not be mollified by recollections of the past as in San Francisco 100 years ago when—and I quote from a journal of the period—"No decent man was in safety to walk the street after dark, while at all hours both day and night, his property was jeopardized by incendiarism and burglary."

In this nation, we continue to combat crime drawing on the philosophies of the great common lawyers of the 17th and 18th centuries—on Coke and Blackstone—and on the enlightenment principles of Jefferson and the Framers of our Constitution.

The goal of our nation is freedom and personal dignity for all our citizens. And we have yet to prove to the world that, in the long run, this constitutional experiment will endure.

Today, crime has assumed a new and frightening dimension which is casting in doubt our traditional ability to be the free and independent men that our forefathers were.

The simple fact is that crime is intimidating us—is forcing us—to change the fabric of our society and our inability to control crime is a courtship with national disaster.

THE FACTS

The tragic statistics are a matter of public record. The most recent F.B.I. bulletin reports that crime rose 19 per cent in the first 9 months of 1968 over a similar period in 1967: that the total number of crimes reported in 1968 will be about 4.6 million or about three quarters of a million more crimes than in 1967.

This year, one out of every 50 citizens will be the victim of a crime and one out of every 20 juveniles will commit a criminal act. Juvenile crime is increasing 300 per cent faster than the increase in the juvenile population.

In the cities, the facts are even more com-

elling. Our urban areas have 250 per cent more serious crime than our suburban areas and 500 per cent more crime than our rural areas. For example, in crimes of personal violence, a Negro housewife in the city is many times more likely to be mugged and assaulted than a suburban housewife.

Estimates for the future are bleak. The National Crime Commission said that in the next decade crime will increase more rapidly than the population.

The costs of crime continue to grow. In 1967, it was \$27 billion; in 1968, \$31 billion—a cold evaluation that does not consider the emotional scar of a disabled victim or a family whose young son must be sent to a penal institution.

The gravity of the problem now reaches out further than the individual victim and the criminal—further than the computerized statistics which cross my desk every day in despondent volume.

Fear of crime—by the housewife and the school child, by merchant and the laborer—fear is forcing us, a free people, to alter our pattern of life, especially after sundown.

There is an increasing tendency to withdraw from our neighbors, to fear all strangers and to limit our activities to "safe" areas.

The result is a terrible sense of defeat. Those who have fled from the city find increasing crime in the suburbs. Those who have stayed have found muggings and riots. Those who have hoped for a quick and simple solution have found no effective programs forthcoming.

The evidence is conclusive. Crime is crushing us. Despite a substantial federal role, the trend has not been reversed.

And thus, I must repeat to you what President Nixon said in his inaugural address:

"We are approaching the limits of what government alone can do."

We must reach beyond government and enlist the "legions of the concerned and the committed."

POTENTIAL FOR CITIZEN PARTICIPATION

The tradition of this nation is founded on the voluntary participation of its citizens in solving great problems. When disaster comes—rank and station, race and ethnic background, democrat and republican—we have joined and together we have prevailed. The bitter divisions in the Concord Town meetings of 1775 were forgotten at the bridge. The bitter divisions of the 20th century are forgotten in the jungles of Vietnam.

I use these battle metaphors purposely in asking you to enlist in the war against crime.

As you know, we have a tradition of citizen action in crime control. The father of the American probation system was a Boston shoemaker who volunteered to rehabilitate alcoholics in 1841. Since 1907, the National Council on Crime and Delinquency, starting with one office, has expanded to 21 states with a broad program of anti-crime projects.

Today, millions of Americans want to enlist. Throughout the recent political campaign we heard: "What can I do? I am willing to help."

In a recent poll conducted for the Joint Commission on Correctional Manpower, it was reported:

"At least 10 per cent of the public would be interested in serving as volunteer workers in juvenile programs, in helping to get jobs for ex-prisoners and in working on citizen committees on organized crime—if asked"—ladies and gentlemen—if asked.

We know these volunteers can help. There are more than one million independent volunteers organizations in the United States; 320,000 churches with more than 100 million members; 2,000 united funds and community chests; 35,000 voluntary hospitals; 6,000 private foundations; 100,000 voluntary welfare organizations; 36 million Americans in fraternal and service organizations. A na-

tionwide poll estimates that 61 million adult Americans would contribute 245 million manhours every week to voluntary activities. Now they must be enlisted to fight crime.

Individuals can enlist. In Royal Oak, Michigan, retired businessmen, corporation executives and lawyers give their time to work with young people on probation.

Civic groups can enlist.

Kiwanis International has an anti-delinquency campaign, and its pamphlet, "You and the Law" reaches thousands of schools. It brings together police and students to discuss crime before crime is committed.

Corporations can enlist. The Aetna Life and Casualty Company has made a material contribution to the rehabilitation of offenders with "bonabond" program. This plan, run by ex-offenders, supplies performance bonds which often make the difference between a job for the released offender and a return to a life of crime.

Professional groups can enlist.

The American Bar Association has operated effective programs on the local level through its Criminal Law Section and its Special Committee. The National Advertising Council drew up a National Auto Theft Prevention Program.

Similarly, the Boy Scouts, the Chambers of Commerce and hundreds of others have engaged in significant volunteer projects.

There can be no doubt that Americans are willing to carry on the voluntary tradition in the war against crime.

There should be no doubt, either, about the position of the Administration and the Department of Justice.

We are pledged to seek, to encourage and to cooperate with the private sector. "What has to be done," President Nixon has said, "has to be done by the government and the people together."

We are now anxious to give our support to anticrime activities which will draw millions of volunteer manhours and dollars to the tasks of criminal justice.

MAXIMIZING EFFECTIVENESS

The main problem is maximizing the effectiveness of private sector participation—by professional organizations, voluntary groups, foundations, businesses, labor organizations, and individuals. How can we assure high quality anti-crime programs which are adequately planned, staffed and funded?

As a preface to this answer, I must emphasize to you my belief that crime is basically a local problem and must be solved on the local level. You know—or you should know—the potential of your local law enforcement agencies, your local courts and your local penal institutions. The federal government has a role—a critical one. But we, 3000 miles away in Washington, have no intention of managing your community affairs.

I must also emphasize that crime is a complex problem. There is ghetto crime and suburban crime, street crime and organized crime, adult crime and juvenile crime. And even within these categories, there are important differences. Take murder, for example, 87.8 per cent of all homicides occur between acquaintances or relations. We cannot hope to prevent many of these crimes with the usual police patrols. Crime control in this offense category depends in large part on family counseling, on police units specially trained for family disputes and on family courts.

Crime control is more than a matter of apprehending law violators. It reaches out to broad social problems of poor housing, poor schools and lack of employment—issues which touch on the deepest divisions in our society.

Thus, if crime is to be reduced—assaulted effectively on the local level—there must be professional guidance and cooperation between the government institutions and the private sector. Crime will not succumb

merely to money and good intentions. Indeed, the amateur cure-all program—no matter how well motivated—could prove damaging in the long run.

The type of expertise which is needed can be provided in large measure by the professional private organizations. You are familiar with these groups—the National Council, the American Bar Association, the International Association of Chiefs of Police, the Citizens for Justice with Order and others. They are knowledgeable in the crime field. Their organizations include persons with vast experience in matters of court personnel, prison administration, prosecution, and education. It is to these professional groups—many of whom are represented here—that civic organizations, fraternal organizations and other private groups must turn for guidance.

It further would appear that the most effective way to secure coordination of local government and the private sector is through the establishment of local crime coordinating councils—councils composed of official representatives from law enforcement, the courts, the corrections system, and the social welfare agencies as well as representatives from private professional groups, volunteer organizations, and private enterprise.

These local councils would have access to all of the information which is necessary for determining local priorities. They would also establish over-all plans, eliminate duplication, aid in providing staff and funding and integrate the efforts of each group in terms of the total local crime situation.

We already have examples of what occurs when there is no coordination. In Detroit, after the riots, the local bar association marshaled round-the-clock teams to provide representation for arrested persons. But no special provision was made at the prosecutor's office, which was so overwhelmed with paperwork that cases were delayed.

In Washington, teams of young lawyers went to the precincts at night to provide regular counsel to arrested persons. But their detailed reports of their interviews were of little use. Liaison had not been established between these night time volunteer lawyers and the persons who represented the arrested men during the day.

Suppose there is a massive drive to increase police manpower but no similar drive to clear court backlogs? Suppose there is a major effort to train convicts but no program to employ them?

Another critical factor in volunteer participation is, of course, money. While the Federal government can contribute substantially, it will not be enough to underwrite the entire nationwide program against crime.

Only with the aid of the private sector can we hope to fulfill our needs. Last year, for example, United Fund Campaigns raised a total of \$669 million. If only 10 cents out of every dollar contributed went to fight crime, that would be \$66 million—an amount greater than the 1969 budget of our Federal Law Enforcement Assistance Administration.

In addition, money spent by the private sector on crime prevention has impressive cost effectiveness. Some of you are familiar with the NCCD's Saginaw project for maintaining offenders in the community under adequately staffed probation services. The costs of this project were small, but its success did away with the need to spend \$42 million on new prison cells in Michigan and an estimated \$90 million for maintaining prisoners and their families over 10 years.

At the present, there is no private war chest for combatting crime.

The logical approach would be a voluntary program to raise money for crime projects. This fund raising could take the form of a unified national drive bringing together voluntary organizations, professional groups, businesses and even individuals.

Here again, there is a need for careful

planning and cooperation among the private sector. It would seem advisable that—on a national scale—they pool their fund raising efforts and coordinate their project planning.

It would seem a waste of effort for a number of groups to approach the same local banker a number of times for anti-crime funds. It would seem a waste of volunteer and professional talent for a dozen groups to have prison rehabilitation programs and none to be concentrating on the courts.

I believe that a United Anti-Crime Fund would be a most welcome financial program and one that would offer the private sector the greatest opportunity to utilize its potential.

THE FEDERAL ROLE

And now that I have suggested the broad outlines of what you—the private sector—may wish to do, let me outline what this Administration can do.

We are not, as were past Administrations, interested in concentrating crime programs in the federal government. Washington shall not set the policy for the states and local governments. Further, we believe that one of the great strengths of the private sector is its imagination and initiative.

Thus, the first pledge of this Administration is to listen to the private sector—to listen to your ideas, your problems and your solutions. Be assured that both, here in San Francisco and in Washington, we shall listen and learn.

We also pledge to cut through the red tape which frequently overwhelms any attempt by private groups to reach government officials. We shall open channels of communication at the Department of Justice.

When you wish information, it will be made available promptly. Your letters will not lie unanswered. You will not become lost in the bureaucracy when you call for help. There will be prompt assistance for citizens interested in anti-crime programs.

To further facilitate the work of the voluntary agencies, the President is considering implementation of three proposals made during the campaign:

These are:

A cabinet level Council on Law Enforcement.

"Town Hall" meetings on the crime problem.

A National Information Center.

Permit me to elaborate.

The Council on Law Enforcement could be comparable in stature, purpose and responsibilities to the newly formed Urban Affairs Council and the National Security Council. It would have the duty of suggesting overall policies of the Federal government, of adjusting the Federal-state relationship on major crime control programs and their funding, and of delineating national priorities for this combined government-private sector cooperation.

The second proposal—the "Town Hall" meetings on crime—would be held in a number of large cities and small communities. Under the sponsorship of the President, the average citizen could come to tell his side of the story about what is happening on Main Street and what he thinks his government ought to do.

The third campaign proposal—a National Coordinating Information Center—would be a clearing house for the hundreds of projects. If you wished to know how a community successfully attacked its skid row problem, the Information Center could guide you to the public and private sources of information. It could offer you a list of organizations which have trained personnel to help you establish your project. It could lead you to available funding in and outside the government.

Finally, I wish to offer you the help of the Law Enforcement Assistance Administration which is part of the Department of Justice.

Created by Congress under the Crime Control Act of 1968, the Law Enforcement Assistance Administration has authority to make grants to public agencies, to institutions of higher learning and to private organizations. The projects which it funds may pertain to any aspect of criminal justice and the projects may be of an experimental or demonstration type.

During the last fiscal year, the Law Enforcement Assistance Administration provided almost \$60 million to the states in block grants which they, in turn, could make available to local governments and qualified private groups. Generally, these grants are earmarked for two types of projects: planning projects and action projects for police, the courts and the correctional systems. The Administration may also fund private projects directly. In New York, a private group has received funds for a volunteer bowery project. Another group has received funds to investigate prison problems.

Next year, the LEAA is authorized to grant \$300 million for crime control programs. A major part of this massive infusion of funds will be on the state level and some of it should be made available to worthwhile private projects.

Thus, with a privately financed United Anti-Crime Fund plus special funding from the Law Enforcement Assistance Administration, the private sector could have a firm foundation for a well-coordinated, well-financed and well-planned assault on society's age old enemy.

But let me leave you with one final thought: Crime is deep-rooted and ugly and its defeat will take many years of hard work. If your volunteer project is with juvenile delinquents, be prepared to face rejection. If your project is prisons, be prepared to face despondency and failure—symbols of the urban crisis. Be prepared to face poverty and ignorance, human misery and obscenities. Be prepared to endure and to fight long and hard.

UNITED STATES-CHINA RELATIONS

Mr. COOPER. Mr. President, on January 24 the senior Senator from Oregon (Mr. HATFIELD) delivered a most thoughtful and far-reaching study on the question of United States-China relations. In his paper prepared for the Symposium on United States-Japanese Policy Toward Communist China, at the Center for the Study of Democratic Institutions in Santa Barbara, Calif., Senator HATFIELD wisely commented:

We have outgrown the era when we could rely on our sheer power and military superiority to keep the peace and to compensate for an inadequate understanding of the world. If we are to make rational foreign policy decisions and survive in a nuclear age, we are going to have to develop a much greater understanding of other nations; their views, motivations, culture and history. Perhaps the greatest threat to peace does not lie in the world's vast arsenals, but in our ignorance of each other.

Because of its importance, I ask unanimous consent that this paper be placed in the RECORD at the conclusion of my remarks.

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

POSITION PAPER PREPARED BY SENATOR MARK O. HATFIELD FOR SYMPOSIUM ON UNITED STATES-JAPANESE POLICY TOWARD COMMUNIST CHINA, CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS, SANTA BARBARA, CALIF., JANUARY 1969

American foreign policy is often forged in the heat of crisis rather than hammered

out with the wisdom of foresight. It frequently happens, then, that policy becomes obsolete even as it is being shaped: it is designed to serve circumstances which rapidly cease to exist.

So it has been with United States policy toward Communist China. While it is easy to understand and find some rational foundation for this policy as it grew out of the Korean War, our rigid approach of "isolation" and "containment" rapidly became inadequate as the basis for our relations with Communist China.

It has been obvious for some time that our attempts to isolate China have served no constructive purpose. In the beginning we had hoped rather vaguely that, by cutting China off from contact and trade with other nations, the Communist government on the mainland would collapse or be modified. Although it might be argued that the current upheaval in China is partially the result of our policies of isolation, it is difficult to identify any long-term gains in terms of world stability that have been gained from this disruption. The Chinese Communists remain in firm control of the People's Republic of China and our policy of isolation has done just the opposite of modifying their policies. Nevertheless, our attempts at isolation continue, for no well-defined purpose and to the disservice of our national interests and our desire for the easing of world tensions.

Our policy of isolation contained a built-in boomerang. In order to isolate China, we had to persuade our allies to join with us in denying the Communists recognition as the genuine government of the mainland; to deny them admission to the United Nations; and to refuse to engage in commercial trade. As the inadequacies and costs of isolation became obvious, more and more of our traditional allies resisted our arm-twisting and established various forms of contact with Peking. The result has been that the United States has, in effect, isolated *itself* from the more moderate attitudes and policies of its friends. Indeed, some scholars believe that the Communist Chinese welcome our hostile isolation policy because, in world opinion, it places the onus for the continuing tensions between our two Pacific nations on the United States.

Our isolation policy has not only negatively affected U.S. standing in world opinion, it has adversely affected our interests in another way. America's persistent attempts to exclude China from the community of nations has only tended to confirm Peking's view of the United States as hostile, as an unyielding enemy of her very existence and of her claim to great-power status. While there is little doubt that the Chinese leaders genuinely fear U.S. intentions, they also exploit our basically hostile policies to keep alive the credibility of a threat to their safety. The United States thereby plays directly into Mao's hands by supplying external tension which he can amplify and use to maintain internal discipline, unity, and to silence domestic proponents of more moderate foreign policies.

But equally as important as removing barriers to China's genuine entrance into the arena of international politics—where she will be subject to the modifying pressures accompanying world statesmanship—is the fact that the United States will have transferred the albatross of hostility from us to the Chinese if they continue to reject overtures directed at developing more positive international relationships.

The ultimate goal of American policy towards Communist China should be to encourage Peking to join the international community and accept the attendant responsibilities and limits of acceptable action. Attempts to isolate China directly contradict this objective and should, therefore be abandoned:

We should reject the absurd fiction that the Nationalist leader on Taiwan represent the government of the 750 million Chinese people. Whether we like it or not, the Communist Chinese are in total control of the mainland and we cannot change this reality by simply refusing to recognize it. (Recognition, of course, does not mean that we approve of Red China's policies or views.)

We should remove all trade restrictions on non-strategic goods. As many people have pointed out, this effort at isolating Peking is entirely symbolic. It has not lessened the amount of goods that the Chinese are capable of importing and exporting but has served largely as a symbol of our hostile attitude toward China. Our trade policies and considerable efforts to persuade our allies to stop trading with Peking have only frustrated our friends who want to begin exploring China's vast potential as a market. Many of our allies in the West have rejected our self-defeating policies and trade freely with China. And, where in the early years of the People's Republic of China most of Peking's trade was with other Communist nations, today approximately 75 percent of her trade is with the West.

We should gracefully accept the inevitable and perhaps impending admission of Communist China to the United Nations. As stated earlier, our goal with regard to Peking should be to encourage its entrance into the international community and its acceptance of accompanying responsibilities. Barring it from participating in the United Nations contradicts this objective and reinforces China's anti-social tendencies. Membership in this international body would give the Chinese the most instructive experience possible in the art of compromise, the difficult task of dealing with many nations simultaneously, and the need to moderate its policies if it is to function effectively in the community of nations.

There are those who counter that until China learns to live up to its responsibilities as a peace loving nation, it should be excluded from the United Nations. But how can we expect China to gain an understanding of what we believe its international responsibilities to be if we constantly refuse it opportunity to accept these responsibilities. We don't teach our children to grow up to be good citizens by denying them contact with other people, treating them as outcasts and barbarians, and refusing to give them responsibilities. Likewise, we can't expect the Chinese to decide that their national interests are best served by international cooperation rather than belligerency if we continue to refuse them the opportunity to experience for themselves the benefits of moderate and responsible foreign policies.

Instead of continuing to pursue a negative policy with regard to Communist China's admission to the United Nations, we should adopt a positive policy. Rather than fruitlessly expending our energies in denying Communist China a seat—and eventually suffering the embarrassment of being outvoted in the General Assembly—we should instead direct our activities toward assuring international sympathy for the continued U.N. membership of Taiwan. Whether we eventually have two Chinas seated or one China and one Taiwan, we should work for a strong U.N. commitment to the autonomy of Taiwan as long as the islanders desire it. Every opportunity must be taken to encourage acceptance of domestic "self-determination" for the majority of the people living on the island and international self-determination with regard to its relationship to China. But we should try and expand our unilateral role as the protector of Taiwan's independence into the formal and multi-lateral commitment of the international community. Peking might find it easier to compromise on Taiwan if the island's independent status was unequivocally supported

by most nations rather than by primarily the United States.

Peking has consistently insisted that there can be no easing of tensions between the U.S. and China as long as we maintain military bases on Taiwan. If there existed a strong international commitment to the continued existence of a free Taiwan and if the U.N. made it clear that it would react immediately and forcefully to any Communist Chinese military attempt to unite Taiwan with the mainland, it might be possible for the U.S. to remove its military bases from the island and the Seventh Fleet from the immediate area of the Formosa Straits. Such an action would probably be accompanied by a credible pledge to come to the aid of Taiwan at a moment's notice at any sign of military aggression against it by China.

We should pursue every possibility of encouraging contacts between Americans and Chinese at both the governmental and non-governmental levels. For instance, the United States should see that Peking is at least invited to attend international meetings to discuss disarmament and other subjects related to world stability. Of course, including China on the invitation list by no means assures that she will attend or that her participation will be totally constructive. But ultimately, if agreements on such issues as disarmament and nuclear nonproliferation are to be anything more than futile diplomatic exercises, they will have to be at least tacitly agreed to by Peking.

The U.S. should also end its policy of deliberately precluding Chinese participation at other non-strategic but equally important international conferences. There are approximately 5,000 such conferences each year and of government-sponsored meetings, over half involve Communist participation. The Communist Chinese attend very few of these meetings—one reason being that they won't sit down at a conference attended by representatives of the Nationalist Chinese government. A State Department official confessed to me that the U.S. deliberately exploits Peking's attitude to assure that it does not participate in international gatherings. "We have taken pains to see that the Nationalist Chinese attend these meetings to forestall Chicom participation," I was told. The official went on to explain that we saw to it that Taiwan's dues were paid and that they had transportation to the conference site.

This should not be our attitude. It should be our official policy to encourage contact between the Chinese and the rest of the world. For instance, if the Chinese request for ambassadorial meetings in Warsaw in February appears to be a sincere effort at lessening tensions—whether or not anything major is accomplished at this meeting—I would hope our minimal response would be to abolish the remaining restrictions on travel to China. Regardless of whether Peking would actually grant visas to American travelers, we would have at least reciprocated on their gesture of good-will and would have demonstrated our desire for greater contact with their people. Now, and at every opportunity in the future, we should attempt to remove the onus for continued hostile relations from us and place on the Chinese the burden for refusing to ease tensions.

We should press for cultural and scientific exchanges in areas of interest to the Chinese and to us. An example would be the area of bio-medicine. The Chinese are very concerned about population problems and control and might some day be interested in consulting with our experts in this field. Similarly, we are doing a great deal of research in the field of genetics and could benefit substantially from discussions with Chinese experts. The Chinese were the first to discover the method of synthesizing insulin; a discovery which, as I understand it, broke a scientific impasse in the continuing search

for the key to the genetic code. While it is unlikely that our exchange overtures would be accepted in the immediate future, periodically reiterating our desire for exchange in such fields as medicine, population control and agricultural development might eventually produce results. Our two close allies, Canada and Great Britain, have had successful exchanges of doctors and medical personnel with China. At least our request for exchanges would help demonstrate our desire for closer contact, our sincere and humane concern for the problems China faces, and—very importantly—our conviction that the Chinese are our equals in these fields and can teach us a thing or two.

There are persuasive arguments to the effect that even the most conciliatory and moderate U.S. policy toward China will have little effect in lessening Peking's hostility toward us; that in order for Mao to maintain firm control over the Chinese people he must continue to present us as war-mongering imperialists. It may be very correct to conclude that the best hope of ending China's isolation and bringing it under the influence of the give-and-take of international politics lies in expanded contacts between China and other nations rather than China and the United States. The foundation for better relations between Peking and the world will probably have to be laid by others but this should not preclude us from adopting policies that are rational and right—even if only modestly productive for some years to come.

Many learned and eloquent men and women have voiced opposition to our attempts at isolating China. They have outlined in more complete terms than I most of the previously mentioned proposals. I share their conviction that these proposals represent the unavoidable first steps in easing tensions between the U.S. and Peking and in bringing China into the international community. But these efforts at "de-isolation" (if I may borrow a term coined in Senator Fulbright's China hearings) will be, at best, only marginally productive if we continue our current policy of military "containment." We are not likely to get very far in soothing the belligerent attitude of the Communist Chinese by holding out a lump of sugar in one hand and a bull whip in the other. Such an approach completely ignores the Chinese sense of pride and their deep humiliation at being forced to lick the hand of foreign powers in the past.

I am *not* in any way suggesting that we abandon our objective of assisting China's small neighbors to resist possible Chinese ambitions. But I *am* suggesting that we try a different approach and that we recognize that American military bases near China's borders are ineffective in countering the real nature of the Chinese threat to Asia and are an insurmountable obstacle to the development of better relations between Peking and Washington. I am also not suggesting that the United States must militarily withdraw entirely from the Pacific area. Undoubtedly the Seventh Fleet should continue to operate—as unobtrusively as possible—in Pacific waters and we would probably maintain a small, mobile defensive potential in, possibly, the Philippines and Australia and, perhaps, limited forces in Japan. But our aim should be the removal of our military bases from the Asian mainland.

(I am well aware that this shift in our policy must be made with the utmost finesse. Our military presence is as psychologically reassuring to some Asian leaders as it is infuriating to the Chinese. An abrupt dismantling of our military bases might very well convince Asian leaders—including those in Peking—that we were abandoning Asia to Chinese suzerainty.)

The greatest threat to China's neighbors is not the unlikely possibility of invasion by Chinese Communist forces; it is the threat of internal subversion aided by Peking.

These "wars of national liberation" are successful only in a climate of political instability where the economic, social and political grievances of the people are ignored or suppressed. American military forces—which only have a role to play *after* armed revolution has broken out—cannot maintain political stability in the face of these conditions (unless we send in enough men to constitute an occupation force, as we have in Vietnam, and even then the outcome is doubtful.) In truth, I believe it is easily demonstrable that our military presence fuels political instability to the degree that we offend the nationalistic sensitivities of the people.

If we want to help assure the political stability of Southeast Asian nations, our most effective policy would be programs of economic and technical assistance to help these governments improve the living conditions of their people. However, if progress is too slow or not coupled with social and political justice, we must be prepared to accept the possible success of Communist-led revolutionary forces, with the knowledge that American military intervention would very probably be ineffective in changing the outcome. American foreign policymakers should learn a lesson from the old nursery rhyme in which "all the king's horses and all the king's men couldn't put Humpty Dumpty together again": the modern-day moral being that the best course is to *prevent* the situation from falling into chaos rather than attempting to reconstruct, with all our military resources and all our men, the stability which has been shattered by political revolution.

There have been several proposed alternatives to our present policy of unilateral military containment. Some have suggested that Japan take on more of the burden as defender of freedom in Asia. Others propose that regional defense groupings would best stabilize this area. The most intriguing method for maintaining stability, in my opinion, is the proposal for "neutralizing" this area. I believe this possibility needs to be given more serious thought than it has in U.S. policy-making circles, particularly as a possible component of the final settlement of the Vietnam war.

Even if the United States abandons its isolation policy towards Communist China and substantially modifies its attempt at military containment, I have serious doubts that we will make very much headway in our relations with Peking unless these policy changes are accompanied by a fundamental change in our attitude toward the Chinese people and our approach to foreign policy formation.

It can be argued, I believe, that Peking's current belligerence and militancy is not only the product of their century of humiliation, it is also their frustrated reaction to our refusal to treat them as equals; our propensity to judge ourselves as superior in every way. It is perfectly all right, we believe, for the United States to have "the bomb!" because we are a peace-loving nation, but it is not all right for the Chinese to have this weapon because they are barbarians with no concern for human life; a nation of faceless, dehumanized "blue ants." Similarly, it is reasonable for the United States, under the Monroe Doctrine, to keep possibly hostile foreign nations away from our borders and out of our hemisphere. But when the Chinese rather impotently rant-and-rave and issue aggressive declarations about our military bases on their borders, we solemnly nod our heads and interpret their rhetoric as a determination to militarily dominate Asia, and if possible, the world.

In past centuries, the West often viewed the Chinese' traditional deference and elaborate courtesy as a sign of weakness. Americans take great pride in the fact that we did not exploit this weakness as the colonial

nations did but, instead, sent tens of thousands of missionaries to help the Chinese people. These missionaries did many wonderful and generous things—such as building schools and hospitals and caring for the sick. But while the missionaries were well-intentioned, they were often unconsciously patronizing in their attitudes. We were oblivious to the deep humiliation our charity and superior circumstances often inflicted on the Chinese people.

Until we learn to view the Chinese as equals; until we learn to more rationally analyze our policies and purposes in the world and abandon our self-righteous view that we are somehow above doing "evil"; and until we can look at our conflicting views as differences of opinion rather than as evidence of their moral inferiority, we shall probably continue to find the Chinese attitude toward us to be belligerent and hostile.

Another important facet of our attitude toward the Chinese is our tendency to interpret their action and rhetoric in the worst possible light in order to confirm our negative view of them. Thus we risk creating self-fulfilling prophecies. A study of sociology and psychology reveals that people tend to perform in the manner that others expect them to when this anticipated behavior is clearly defined. Thus, our expectations of hostile or belligerent action by the Chinese becomes, in effect, a perverse sanction of this kind of behavior. It is unrealistic to expect U.S. policy-makers to sit around thinking only good thoughts about the Chinese, but it is hardly constructive for them to exacerbate tensions in Southeast Asia by talking darkly of the possibility of China's "nuclear blackmail" of her neighbors or to sourly and constantly predict that China will be an irresponsibly disruptive force within the United Nations.

Just as we often display a rather smug view of our moral superiority, so we frequently reveal a rather smug view of the inherent superiority of our institutions and system. Because these have worked so remarkably well for us, we tend to think that, due to their inherent logic, they will eventually and inevitably be accepted by others. I must confess that this view has often been borne out. For instance, capitalist principles and incentives have been adapted to fit socialist systems. But we must be cautious in assuming that what has happened in the past in some countries will inevitably happen in the future in others.

Such an assumption is a very inadequate foundation on which to base our view of the world and on which to design our policies. I join Professor James Billington in questioning the validity of what he describes (in an outstanding article, "The Humanistic Heartbeat Has Failed," LIFE, May 24, 1968) as our "optimistic faith in scientific predictability and cultural uniformity [as] voiced by Presidential Assistant . . . Walt Rostow that 'all people of the globe . . . sail the same voyage, are bound to the same destination'."

A pertinent example of this simplistic view of the future is the rather confident prediction by many analysts that, after Mao, China will be in the hands of the "pragmatists;" that Peking—as have other revolutionary governments—will start moving down the path of moderation and ideology will take a second seat to concern with economic development. There are pretty good odds that this may happen but I think it is a mistake to over-confidently make this assumption and lightly dismiss Peking's preoccupation with ideology as a phase that she will soon outgrow.

The pattern of Russia's evolution is often cited by these analysts to support their predictions concerning China. This is a very misleading exercise. The nature of the Soviet and Chinese revolutions are quite different and ideology has not played the same roles. The Chinese seem determined to destroy

their traditional society and cultural forms and build a "new man" while the Russians never attempted this with the same degree of intensity.

Predictions of ideological moderation in China after the Soviet pattern must also be tempered by an assessment of the different role ideology plays in the lives of these two peoples. The Chinese culture, unlike the Russian, did not grow out of formal religious traditions and this allows a more totalistic commitment to ideology. Today their political ideology partially serves the function of a religion in that it gives meaning to their lives and sacrifices. The Chinese commitment to ideology is probably much more profound than it would be in a society founded on religious traditions or one geared to satisfying material needs. The conclusion that economic considerations will temper Chinese ideology may eventually be proven correct, but this assumption should not be so casually made. As Robert Elegant pointed out in the October 1967 issue of Foreign Affairs, "Lacking a generally accepted formal religion to provide both purpose and reassurance, the Chinese will find it difficult to make do with the materialistic pragmatism which is the secular creed of Western nations and the Soviet Union."

To the Chinese, their political philosophy and revolution are not means to an end but the end, itself. And for this reason I consider the Chinese a greater long-term challenge to the United States than the Soviets. The Russians share our "secular creed" of "materialistic pragmatism," as Elegant points out, and compete with us at this level. The Chinese, however, do not share this ambition but are determined to achieve the spiritual transformation and complete socialization of man through unending revolution. Their challenge, therefore, is much more fundamental. It is very uncertain that they shall succeed "because," as I. F. Stone has observed, "man, still half-monkey, cannot live at so high a pitch, and when the bugles die down prefers a quite scratch in the warm sun." But while we may be very correct in predicting the eventual failure of their political revolution and ideology, we must be cautious in assuming the moderation of their views to follow the Soviet pattern where economic interests were always a primary determinant of policy.

I think we must give serious thought to the effect the Cultural Revolution may have in inhibiting the decline of ideology within China. Mao launched the cultural revolution to purify Chinese society of "bourgeois elements" and to re-confirm its commitment to the ideological aims of the Communist revolution. How successful this campaign has been with regard to the general population will be better known in time. But it is very significant, I believe, that much of China's younger generation sided with Mao in his attempt to purge Chinese society of those elements that were moderating the ideological fervor and momentum of the revolution. The Red Guards role was a rather violent affirmation of their idealistic ambition to build a new man and new society: "Wipe out the old civilization" being a frequent slogan. This commitment by the best of China's youth has quite significant implications for the future, in my opinion. A generation of young people committed and initiated in violence to an ideology will not soon abandon it.

The role of the Red Guard in the cultural revolution also has broad international implications. These young people were deeply committed to the spiritual transformation of man and society and were determined to destroy the bureaucracy which they believed was inhibiting this revolution. And their ambitions and grievances are shared, in general, by youth all over the world. This is a very disconcerting thought. If Mao has succeeded in nothing else, he must be given credit as the first major government leader

to effectively exploit the universal idealism of youth, their universal alienation from unresponsive institutions, and to use them to purge their "reactionary" elders. This role of the Red Guards is very significant and has implications for the many other nations attempting to cope with student unrest. It should not be lightly dismissed.

Our tendency to view China's future in terms of Russia's past is symptomatic of a frequent inadequacy of our approach to foreign policy determination. U.S. policy and views toward China and other nations are often formed with little attention paid to cultural traditions and historical patterns within these countries. During the McCarthy era, our State Department was effectively purged of men with first-hand experience in China and an in-depth knowledge of the culture and history of that nation. Although it is dangerous to generalize, it appears that the focus of our study of China in recent years has been overwhelmingly on "China-watching" or Peking-ology. Policy decisions are apparently evolved out of reviews of "current events" with little attempt made to put these events into historical or cultural perspective. For instance, the State Department's Foreign Service Institute conducts a two-week inservice training course on China consisting of 16 lectures, all but two of which—according to the lecture titles—deal with current problems and circumstances in China. The two lectures that are devoted to Chinese history do not concern themselves with events prior to the Communist Revolution. While those people involved in formulating our China policy must definitely be informed on the current state of affairs in Peking, this information viewed only in one dimension, without the second dimension of historical interpretation, can lead to erroneous conclusions and miscalculation.

It is sometimes a delicate business determining what historic traditions have been successfully destroyed by the revolution and are, therefore, no longer factors in China's current policy decisions. But, admitting, again, that it is risky to generalize, I believe an important distinction can be made on the basis that the Communist revolution has primarily destroyed ancient cultural forms and historic institutions while the traditional views concerning their place in the world and their approach to international relations have remained fundamentally intact.

Professor John Fairbank, director of the East Asian Research Center at Harvard University, addressed himself to this point in the June 1966 issue of Atlantic Monthly: "Those who see Communist ideology as an all-conquering virus," he said, "may prefer to discount history and omit it from their diagnosis. But to understand China without history, to divorce this most historical-minded of all cultures from its past, is quite impossible. The Chinese Communists themselves use history to 'prove' their anti-imperialist doctrine. Communist ideology and China's historical record thus overlap."

Take the matter of realistically determining the likelihood of Chinese "military adventurism." The Chinese historically believed in the superiority of their culture and were confident that it would serve as the model for other people of the world. They made little attempt to impose their superior culture and system on others by force but assumed that, by the virtue of their example, they would be emulated. Today, the Chinese have the same faith in the virtue of their revolution and, again, see it as the model that the rest of the world will inevitably follow because of its rightness. Viewed in this historical perspective, it is much easier to accept the conclusion of scholars that the Chinese have little intention of forcing their revolutionary model on other nations through military conquest. But if we listened only to the belligerent and militant rhetoric currently coming from

Peking, and made no effort to place it in the perspective of what the Chinese have done in the past, we would be likely to conclude that Peking was set on a course of overt military aggression against the rest of the world.

Professor Fairbank recently warned that we should take "an object lesson in historical thinking" from our erroneous policies in Vietnam and not repeat them with regard to China. In an address to the American Historical Association as its out-going president, he questioned: "Suppose that our leaders in the Congress and the executive branch had all been aware that North Vietnam is a country older than France with a thousand-year history of southward expansion and militant independence, maintained by using guerrilla warfare to expel invaders from China, for example, three times in the 13th Century, again in the 15th Century, and again in the late 18th Century, to say nothing of the French in the nineteen-fifties. With this perspective, would we have sent our troops into Vietnam so casually in 1965? A historical appreciation of the Buddhist capacity for individual self-sacrifice, of the Confucian concern for leadership by personal prestige and moral example, even of the Communist capacity for patriotism, might also have made us hesitate to commit ourselves to bomb Hanoi into submission."

Likewise, we should pay more attention to cultural affairs in China when making policy decisions. For instance, if we had been alert to such activities a few years ago, the Cultural Revolution might not have come as such a surprise to the United States. In retrospect, hints of impending upheaval were obvious. For some time prior to the Cultural Revolution, Chinese families in the larger cities were taking pains to sell or dispose of all their western-made furnishings. Also, if we had paid attention to the theatrical productions prior to the Revolution, we would probably have sensed that some dramatic event was imminent.

Congress as well as the State Department must develop informed views about China and the rest of the world. But educating and informing nearly 550 busy public officials is an enormous undertaking. A modest but potentially important step in this direction might be made through the establishment of an informal "institute" under the direction of the State Department. Perhaps two times a month, during two-hour sessions, government and non-governmental experts could meet with Senators and Representatives or their top aides to lecture and exchange views on world affairs. If these sessions were held regularly and were well-conducted, I think the response from Congress would be substantial. Hopefully, the sessions would have more depth than just reviews of current events and would attempt to set these events in a historical and cultural context. Not only could the "institute" serve as an educational medium for Congress, it could provide a forum for the exchange of foreign policy views between the executive and legislative branches. It would give both the Congress and the State Department an opportunity to challenge perceptions before they become policy.

Just as our policy-makers have an obligation to become thoroughly informed about the pluralistic world we live in, so they have an obligation to pass this information on to the public. Any long-term accommodation between the U.S. and China cannot be accomplished only by officials in Washington. The American public must overcome its deep-seated suspicions and fear of China if understanding is to replace hostility.

There are many steps that must be taken to gain a better understanding concerning Communist China. It may be a long time before we can break the political stalemate in our relations with China but we must be prepared to initiate creative and sound policies when there is an opportunity. This pe-

riod of waiting need not be "dead time" but should be used to increase our knowledge and understanding of the Chinese people so that when the barriers are removed we won't meet as complete strangers.

We have outgrown the era when we could rely on our sheer power and military superiority to keep the peace and to compensate for an inadequate understanding of the world. If we are to make rational foreign policy decisions and survive in a nuclear age, we are going to have to develop a much greater understanding of other nations: their views, motivations, culture and history. Perhaps the greatest threat to peace does not lie in the world's vast arsenals, but in our ignorance of each other.

RECESS

Mr. PROXMIRE. Mr. President, if no other Senator wishes to speak at this time, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, but not later than 2 p.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 1 o'clock and 9 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1 o'clock and 51 minutes, p.m., when called to order by the Presiding Officer (Mr. GRAVEL in the chair).

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

INVESTIGATION OF ADMINISTRATION OF ANTITRUST AND MONOPOLY LAWS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, Senate Resolution 40.

The Senate resumed the consideration of the resolution which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 5, after the word "exceed", strike out "\$623,500" and insert "\$525,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of unlawful restraints and monopolies, and of the antitrust and monopoly laws of the United States, their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing laws; and

(3) supplementation of existing law to provide any additional substantive, proce-

dural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed \$525,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT NO. 3

Mr. HART. Mr. President, I call up my amendment No. 3, as modified, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 3, line 5, strike out "\$525,000" and insert "\$577,500".

Mr. HART. Mr. President, I hope that this amendment will be agreed to.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. BYRD of Virginia. Mr. President, the Senator from Michigan and the Senator from Virginia differ on a good many philosophical questions, I suppose; but in regard to the continued concentration of economic power in fewer and fewer hands, the Senator from Michigan and the Senator from Virginia seem to stand rather closely together.

The Senator from Virginia has been concerned for a long time with the continued concentration of power in Washington, and the Senator from Virginia is also concerned with the continued concentration of economic power in fewer and fewer hands throughout the United States.

I should like to ask the Senator from Michigan if his impression is the same as mine, that during the past 8 years—all under Democratic administration, I might add—there has been not a lessening in this trend but, indeed, an increase.

Mr. HART. The Senator from Virginia states the case correctly. I need not say—but I welcome the opportunity—that his interest and his sensitivity to this increase in concentration of economic power is most welcome.

Since assuming chairmanship of the Senate Antitrust and Monopoly Subcommittee a little over 5 years ago, we have conducted extensive hearings into this area. Based upon the information gathered during these hearings I must say

that the Senator from Virginia is absolutely correct—economic concentration has not lessened, but has indeed been increasing at an alarming rate. We know that 200 companies now control 75 percent of American industry. Unless this trend is stopped our free enterprise system will be destroyed. And this is exactly why the problem transcends party or sectional labels.

His speaking as he does, against a background rich in experience and conservative in cast, should help insure that this subject will not be decided on the basis of labels of philosophy that often attach to discussion in the Senate.

Mr. BYRD of Virginia. I thank the Senator from Michigan.

Mr. JORDAN of North Carolina. Mr. President, I have discussed this matter with the distinguished Senator from Michigan, who is the chairman of this subcommittee. I have talked with other members of the committee, and I am agreeable to accepting this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 40), as amended, was agreed to.

SELECT COMMITTEE ON NUTRITION AND HUMAN NEEDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 80, Senate Resolution 68.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 68) to continue the Select Committee on Nutrition and Human Needs.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 3, line 21, after the word "exceed", strike out "\$250,000" and insert "\$150,000"; so as to make the resolution read:

Resolved, That the Select Committee on Nutrition and Human Needs as established under S. Res. 281 is authorized to examine, investigate, and make a complete study of any and all matters pertaining to the lack of food, medical assistance, and other related necessities of life and health including, but not limited to, such matters as (a) the extent and cause of hunger and malnutrition in the United States, including educational, health, welfare, and other matters related to malnutrition, (b) the failure of food programs to reach many citizens who lack adequate quantity or quality of food, (c) the means by which this Nation can bring an adequate supply of nutritious food and other related necessities to every American, (d) the divisions of responsibility and authority within Congress and the executive branch, including appropriate procedures for con-

gressional consideration and oversight of coordinated programs to assure that every resident of the United States has adequate food, medical assistance, and other basic related necessities of life and health; and (e) the degree of additional Federal action desirable in these areas.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1969, to December 31, 1969, inclusive, is authorized: (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; *Provided*, That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$2,400 than the highest gross rate paid to any other employee; (3) to subpoena witnesses and documents; (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government; (5) contract with private organizational and individual consultants; (6) interview employees of the Federal, State, and local governments and other individuals; and (7) take depositions and other testimony.

Sec. 3. (a) The next to last sentence of S. Res. 281 (Ninetyeth Congress, second session) is amended by striking out "and terminate its activities not later than June 30, 1969," and inserting in lieu thereof "on or before June 30, 1969, and December 31, 1969, respectively, and terminate its activities not later than December 31, 1969."

(b) The last sentence of S. Res. 281 (Ninetyeth Congress, second session) is amended by striking out "report" and inserting in lieu thereof "reports".

Sec. 4. Expenses of the committee in carrying out its functions shall not exceed \$150,000 through December 31, 1969, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. McGOVERN. Mr. President, at the appropriate time I shall ask the Senate to vote to restore the 40-percent cut in the budget of the Select Committee on Nutrition and Human Needs, a cut that was made in the Committee on Rules and Administration at the time our budget request was under consideration. For the Record, and for the benefit of those of my colleagues present in the Chamber, I shall outline the reasons for this action.

I ask the Senate to reject the committee amendment, so that the original figure will be restored. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested on the adoption of the committee amendment. Is there a sufficient second?

The yeas and nays were ordered.

Mr. McGOVERN. Mr. President, as I stated on the floor of the Senate the day after the Rules Committee acted on Senate Resolution 68, which is now the pending business, we are really dealing with one of the most urgent problems before the country today, and it is a problem that, in my judgment, cannot wait and cannot tolerate the kind of slowdown envisioned by the drastic cut made by the Rules Committee in our budget request.

We are dealing with the stark fact that today hundreds of thousands of infants, little children and pregnant mothers who do not have enough to eat are going to

be irreversibly damaged for life because their brains, bodies, and bone structures suffer from lack of protein and malnutrition of various kinds in the formative stages of life. We are dealing with mothers and fathers who are too poorly educated, many too illiterate to know what to feed themselves even if the food were available, which in many cases it is not.

Millions of Americans are looking to the Senate for leadership on this very critical problem.

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I know of no citizen of the country who wants anyone to be malnourished or to suffer from starvation.

I think we are faced with the question of what needs to be done. I would like to ask the distinguished Senator this question: Will it be the purpose of the committee to mobilize sentiment in the country to feed the hungry, or does the Senator regard that as not necessary?

Mr. McGOVERN. Mr. President, I wish to say to the Senator from Nebraska that we have a very clear mandate from the Senate. We are instructed to determine the extent of hunger in this country. We are instructed to look into causes of hunger and to find out why certain farm programs are either working, or are not working, as the case may be. Finally, we are called upon to report back to the appropriate committees of Congress whatever action we feel is necessary to deal with the problem as we find it.

Mr. CURTIS. What raises the question in my mind is this: Is not the need to get votes related to the feeding of the hungry? I think everybody wants to feed the hungry. I would like to have the hungry people in my State identified so that we will know what our problem is. This is what I want to be heard on, if it can be done through a congressional investigation.

Mr. McGOVERN. It can be done through a congressional investigation if we have a modest amount of funds to employ competent professionals. The Rules Committee, in effect, struck out that portion of our budget request. To save \$100,000, they deprived us of the opportunity to engage professional consultants who can supply the type of information that is necessary.

Mr. CURTIS. Can the select committee, for \$100,000, get consultants who have the answers to these questions?

Mr. McGOVERN. I can only say that we made a very careful judgment after looking into the problem as carefully as we could. None of us on the committee is an expert in this field, but sitting down with the staff and talking to people in the executive branch who are competent in the field of nutrition, we came to the conclusion that, if the committee is to obtain sufficient information on which to make a judgment to bring back to the Senate as a whole, then it will have to employ five or six consulting firms to go into five or six different parts of the country and make indepth, unbiased, investigations of the inadequacies of our present food programs.

Mr. CURTIS. Some serious things are involved. The Federal Government is spending billions of dollars on welfare. If the executive branch happens to use the very money that came in to prevent starving, it is not competent to participate in a survey to find out how much starvation there is.

Mr. McGOVERN. I could not agree more with the Senator. That is why I want to go outside of official Government circles to employ private consulting agencies. I agree that the first order of business in this country should be to end hunger and starvation, and we have not done this.

On the basis of the information that has already come to the committee, we know that there is a serious problem of malnutrition involving millions of our fellow citizens. The very reason why Congress has the responsibility to fund this committee is so that we can examine the shortcomings of the programs of the executive branch and submit recommendations for correcting these shortcomings.

Mr. CURTIS. Is not Congress in the same position as the executive branch? Every piece of social legislation has had congressional sponsors, and over the years Members have gone home after having voted for social security amendments and social security enlargements. They voted for more welfare; and they have done this and that.

Are we now guilty of having molded the country with social welfare programs costing billions of dollars while still having starvation in our midst? I do not think we can find the answers with a senatorial investigation and \$100,000.

Mr. McGOVERN. I do not think we can do it with that amount alone. We asked for a budget of \$250,000. Included in that request is \$100,000 which we planned to use for the best consultants we could engage to do the kind of study I think the Senator wants. It makes very little business sense for us to fund, as the Senator has said, billions of dollars of welfare programs and then deny an investigating committee of Congress, that was formed by unanimous vote of the Senate, including the vote of the Senator from Nebraska, the opportunity and responsibility of taking a look to see how those billions of dollars are being spent.

Mr. CURTIS. Every time these figures have been published, an undetermined number of people in the Nation have been starving. I do not believe that a consultant can verify, prove, or disprove it. I believe that we are going to have to turn to some other method, some non-governmental agency, some private concern; probably it might even involve local government. I have been shocked by the statement—

Mr. McGOVERN. That is the point I am trying to make to the Senator. I agree with him that the members of this committee, by themselves, are not competent to pass judgment on complicated nutritional problems. They may not even have the time or the competence to determine the reasons why our existing food programs are not working any better than they are. The Senator makes the very point I am pleading for; namely, that we

take a modest amount of money and go outside of Government to engage the best professional firms we can find to do some of this work for us. I would be glad to ask the Senator for his ideas on where we should turn for help.

Mr. CURTIS. I think the charge is so serious that we cannot do it by consultants or getting a sampling of information. These figures should be challenged. Where it has been said that in a certain county x number of people are starving, a head count should be made in that county to find out who they are. The whole world has been told that millions of people are starving in America today. If that is true, I want the situation corrected. If it is only one-tenth true—and it probably is—I want it corrected. But I do not believe that a committee hearing, with all the publicity it will engender, will help us to find out that this county or that county among the 93 counties have x number of people starving, who they are, and why they are starving.

Mr. McGOVERN. Is the Senator suggesting that we should be asking for more money?

Mr. CURTIS. I am suggesting that there is a better way to do it than by a senatorial investigation. I think it can be done by a nongovernmental agency.

Mr. McGOVERN. The Senate, in its wisdom, has already approved an investigation.

Mr. CURTIS. The Senate, in its absence—not in its wisdom, but in its absence—adopted the resolution.

Mr. McGOVERN. It passed, as I recall, with the cosponsorship of about half the Senate—I believe some 54 Senators added their names to the resolution to fund the committee at \$250,000. They had the advantage of several months to reconsider their initial action. The Senate has the responsibility as a public body to deal with the problems of hunger and malnutrition among our citizens.

Mr. CURTIS. We have the responsibility. I am questioning the method.

Mr. McGOVERN. How does the Senator think we should go about it? Has he in mind a method that would be better than trying to employ a competent private, nongovernmental firm to help us with our effort?

Mr. CURTIS. I think that we should join the House of Representatives in commissioning an outside group to tabulate and find out who they are, where they live, and why they are hungry. As a matter of fact, a report was published a year or so ago concerning a certain number of people starving in the State of Mississippi, and the distinguished Senator from Mississippi (Mr. STENNIS) immediately secured an appropriation to feed them. It went over to the other body, and I do not believe it was ever passed. If I am incorrect about that, I want to be corrected. But I believe a charge has been made against America around the world, it has shocked the conscience of our own people, and we cannot get the answer in the manner proposed by a select committee.

Mr. McGOVERN. I know that the Senator, as he said in his opening remarks, recognizes the problem and wants something done about it. The only question

he is raising is the extent of the problem and how best to evaluate it. I think that one of the reasons why the House of Representatives failed to follow up on the action initiated by the Senator from Mississippi (Mr. STENNIS) last year, to deal with the problem of hunger, is that prominent and prestigious Members of the House of Representatives said in effect that there is no starvation or malnutrition in the United States.

We who felt that action should be taken were not in a position to successfully contradict them because we did not have the facts. We had not made the kind of thoughtful, systematic investigation that this committee is now in the process of making. That is why, after the action of the House of Representatives last year, I joined a number of Senators in bringing before the Senate a resolution to create a Select Committee on Nutrition. We chose members of the Committee on Agriculture and Forestry and the Committee on Labor and Public Welfare, as well as three Senators from the Senate at large. It was a completely non-partisan investigation from the very beginning.

What we are trying to do is supply the Senator, and others who legitimately have raised this question, with the kind of information on which they can make an intelligent judgment. That is all the investigation is designed to do.

Mr. CURTIS. If I thought it would do that, I would agree. My problem is this: I believe that this is the kind of fact-finding problem of individual identification which cannot be brought about by 1 year of operation of a senatorial committee in the manner that senatorial committees usually operate. If we were facing the need to arouse the conscience of America to feed the hungry, then there would be good reason to dramatize the problem with quick hearings. So far as I am concerned, I have no hesitancy in supporting anything that is necessary to feed the hungry. In fact, I think that our whole social and welfare program should be geared to take care of that first, even if we have to call off something else.

For the life of me, I cannot see how, in 1 year's time, by holding congressional hearings, we can find out how many people are hungry, how many of them are minors and cannot do anything about it, where they live, or what the cause of it is. After we get that information, I believe that then there would be ample room for legislative hearings, to see how to meet the problem, to resolve it, or to revamp existing programs in order to do it.

Frankly, I cannot see how we could find out who the hungry are in a 1-year senatorial investigation.

Mr. McGOVERN. I have no way of knowing whether we could do it in 1 year, either. I think that we can. I think that we can get enough information to assist the Senate, the House, and the administration in making needed changes through legislation, administrative order, or both.

Granted, 1 year is a short time in which to deal with a problem as far-reaching as this one. So let us not stretch out the time needlessly by crippling this

committee with a \$100,000 cut, one which would be pennywise and pound foolish.

I may say to the distinguished Senator from Nebraska that if we cut this \$100,000 from the budget, what he is saying will probably be true, we will not find a reliable answer to the problems of hunger, but will merely postpone its solution. We will be asking the hungry to wait a little longer before the Senate finally gets around to dealing with their problem.

It is a matter of conscience; it is a question of whether the Senate is going to come to grips with this problem now and face up to the needs of the hungry, or whether we are going to falter along, with inadequate information, with an inadequate investigation, and then come up, at the end of the year, without the kind of compelling statistical information that the Senator asserts he needs in order to make an intelligent judgment.

Mr. CURTIS. Does not the Senator agree that we need it?

Mr. McGOVERN. Of course we need it. That is why this investigation is underway.

Mr. CURTIS. Does the Senator agree with the accuracy of the figures that have already been published?

Mr. McGOVERN. I do not know, because nobody has ever really looked systematically at the extent of malnutrition in this country. I do want to call the Senator's attention to one very important development that is going on simultaneously with the work of our committee. A year ago, partly because of the problem being brought to the attention of the people of this country, the Congress called on the Public Health Service to undertake a systematic State-by-State survey of the extent of hunger and malnutrition in America.

Ten States have already been designated for study by the National Nutrition Survey. Work has been completed in the State of Texas. Work is almost through in the State of Louisiana. Work is now being done in Michigan, Kentucky, and other States. That work is proving invaluable to our committee.

The Public Health Service, in identifying the extent and location of hunger in this country, is not, under their mandate, trying to tell us what is wrong with the existing food distribution program. It is not the purpose of their survey to recommend legislation. But I may say to the Senator that members of the committee are determined, not to try to make a lot of headlines, but to try, as best we can, to come to a realistic understanding of the extent of the hunger.

I think a few months from now I can give the Senator a pretty accurate estimate of how many people in this country are suffering from malnutrition. I cannot do it now other than to say there is substantial and unacceptable hunger in this country.

Mr. CURTIS. As far as the Senator from Nebraska is concerned, any starvation is unacceptable. I want to put an end to it.

Mr. McGOVERN. I quite agree with the Senator.

Mr. CURTIS. How many people are en-

gaged in the survey by the Public Health Service?

Mr. McGOVERN. They are using State people. For example, Dr. Arnold Schaefer, one of the most distinguished gentlemen in the field, who is now in the Public Health Service, is making use of the best people he can find in the State universities and schools. If he were to go into the State of Nebraska, I am sure that he would employ doctors at the University of Nebraska who specialize in nutrition and that he would employ people in the Nebraska Public Health Service, and that he would train others to assist him. They are moving ahead on a scientific, clinical basis. They are not guessing about it. They are examining people medically to determine whether their blood shows nutrient deficiencies, whether they are anemic.

I may say to the Senator from Nebraska, they have found that in the State of Texas one-third of all the children below the age of 6 that they have examined to date are suffering from anemia. Anemia induces impairment of both the mental and physical processes. Anemic children fall asleep in school. They do not have the energy and force that a normal person has.

Mr. CURTIS. How big a sampling have they taken of that?

Mr. McGOVERN. They have measured the findings on 12,000 people to date, and have picked them on a random basis.

Mr. CURTIS. And what was the cause of the anemia?

Mr. McGOVERN. The cause was a deficiency of iron and other foods that contribute to an adequate diet.

Mr. CURTIS. And how many of those deficiencies were caused by ignorance, and how many were caused by poverty, and how many were caused by drugs or alcohol?

Mr. McGOVERN. I cannot answer that. If I had the answer to all those questions, I would not be so anxious to have all of the funds restored.

Mr. CURTIS. My point is that I do not think the Senator can get the answers to those questions by having the full amount of money he is requesting.

Mr. McGOVERN. It is a case of the Senator's judgement against mine on that point. I think we can. I think within a year, if the Senator will give us the funds we have requested, and let us proceed along the lines we have outlined in my testimony before the Rules Committee, we will have the answers to these questions.

Not a single member of the Rules Committee questioned my resolution while I was there. The Senator from New York (Mr. JAVITS) made a moving and powerful and compelling statement before the Rules Committee. He was not questioned. We went out of the committee thinking we had their support and that we were going to get the full amount of our request. We pared the budget down as tightly as we could. The ranking minority member of the committee, the Senator from New York (Mr. JAVITS) shared my view. When we left the committee room, I thought we had made a compelling case and that we would get the funds we asked for. Not a single

question was asked. There is nothing in the record to indicate why we took a 40-percent cut.

As the Senator has said, we are dealing with the most urgent problem in the country—the problem of hunger. Why pick this area to save \$100,000?

Mr. CURTIS. No; the Rules Committee did not take a position that intended to interfere with the battle against hunger.

Mr. McGOVERN. That is the effect of their cut.

Mr. CURTIS. I do not think so. If we gave the subcommittee the \$100,000, how could the committee find out who the hungry people are in this country?

Mr. McGOVERN. I am puzzled by the reasoning of the Senator. I ask him to straighten me out if I am misquoting him. Did not the Senator say that he felt we could get the answer to this question by going outside of the Government and hiring a private professional agency to make a study of this problem? That is why we need the \$100,000—to employ competent help to assist us in our task.

Mr. CURTIS. After the committee has done all that, I think we will have to have a neighborhood-by-neighborhood survey.

Mr. McGOVERN. The Senate can make a judgment on whether we need additional funds or studies. I think we are asking for all we can use efficiently at this time.

Mr. CURTIS. Figures have been bandied around. I do not remember what they are now. For example, a number of starving people in the State of Nebraska. I have made it a point, in every community into which I go, to ask the question, "Are there people starving here?" I will give the Senator one answer. In a rural county of 7,000 people, all of whom live there in town or on the farm, so the local officials know everyone, I asked a very conscientious local official, who has a responsibility in welfare, the question, "Are there people starving in this county?" He reflected a little while, and he said:

I will have to give you a qualified "no."

He said:

We have one family in which the parents were not feeding the children. We even found an instance in which the parents locked the children in a car and went into an expensive steak house and spent their money for steak dinners for the mother and father while the children were hungry.

He said:

In that case we immediately went into court and took the children away from them.

He said:

Outside of that, in my experience I know of no starvation.

I certainly am not reflecting on the very eminent Senators on the committee. All I am saying is I think we have a tough problem in finding the answer to the question of how many are starving, where they live, what their names are, what their addresses are, and why. I think it has to be detailed down to the individuals. I do not believe we can accomplish that by senatorial hearings.

Mr. McGOVERN. I respectfully suggest to the Senator that when he asked how many people were starving in Ne-

braska, he may have asked the wrong question. The question that might have been more relevant would have been, how many people in Nebraska and elsewhere in this country are suffering from malnutrition of a serious nature? How many infants, before they are born, have suffered irreparable brain damage, bordering on mental retardation?

Mr. CURTIS. I will accept that broader definition.

Mr. McGOVERN. I do not know how many people are starving in this country. I do not know how many are malnourished. I do not know how many are hungry. I hope that this select committee will obtain those answers, as nearly as we can get them, as this investigation moves along.

As the Senator himself has said, if there are any starving people at all, we ought to try to figure out why our existing food programs are not reaching those people. If there are people—and there are, as demonstrated by tests that have already been made—who are suffering from anemia, we ought to do something about it.

As I have stated to the Senator, one-third of the children examined thus far are suffering from anemia. Another third are suffering from vitamin A deficiency, which relates to vision and the capacity of youngsters to see, and has a direct relationship to their school work. About a third of all persons examined thus far by doctors and clinicians are suffering from malnutrition that requires medical attention. That may not be starvation. Very seldom, on a death certificate, do they list starvation as the cause of death. But millions of people, over the years, have died from diseases they could have thrown off had they not been malnourished.

Mr. CURTIS. I thank the Senator for yielding so long. I want the RECORD to be clear that I do not wish to narrow the problem down to starvation that could lead to death. I am interested in all of these accusations. No doubt some of them are true. Maybe all of them are. Perhaps we do have millions of undernourished children.

I believe it will take a massive survey, almost block by block. I do not think it can be done by senatorial hearings, with all respect to the eminent gentlemen on the bench.

Mr. McGOVERN. I thank the Senator for his contribution.

The Senator from California has been on his feet for a long time. I know of his interest in this matter, and I now yield to him.

Mr. MURPHY. Mr. President, I thank my distinguished colleague.

I was most interested in the colloquy that has just taken place, and I rise to support Senator McGOVERN and others in this effort to restore the \$100,000 to the Select Committee on Nutrition and Human Needs, so that it may carry on its work as mandated by Congress.

I feel I had something to do with the initiation of this hunger study. I was present. I recall that during the early hearings in Mississippi, the Welfare Subcommittee of the Committee on Labor and Public Welfare, of which I am now

the ranking Republican member, heard testimony that "people are starving."

On hearing this, I was shocked, and I asked the fifth witness, I believe it was, who had used this term, whether the term was used actually or figuratively, and I was told that it was an actual condition, that people were actually starving.

At that point, I said that this did not seem to me to be a matter that should wait for legislation or department action, but that this was an emergency condition, and I suggested to the chairman of the subcommittee that he immediately call the President of the United States and say that there was an emergency, that people were starving, and that it needed to be taken care of immediately.

Well, time went by. Letters were exchanged. Federal agencies first denied the problem existed, subsequently admitted it existed and having admitted its existence, tried to rationalize the reasons and shift the blame from one agency to another. The result was that nothing much occurred except the passage of more time. Finally, after further congressional help and probing, the executive branch began to get the message and various emergency assistance and needed changes in our food programs were implemented. Last year Congress established a Select Committee on Nutrition and Human Needs to look into the problem of hunger and malnutrition in America. Their hearings have disclosed that the dimension of the malnutrition problem and its consequences may be even more widespread than we thought. I am very pleased that the Nixon administration, as indicated by today's reported statements by Secretaries Finch and Hardin, is not only concerned over the problem, but has indicated various positive actions that it is taking to help end malnutrition problems in the United States.

I do not think there is anyone in this Chamber who has not experienced, at one time or another, jealousy between agencies. It may be natural. I know it exists. But very often, because of such jealousy, the actual needs of the people are not cared for properly and immediately, and that is why, Mr. President, I rise to support the restoration of this amount of money, based on the promise of this committee—and I know the members of the select committee; I had hoped to be a member of it myself. I intend to testify before the committee as their hearings go on, but I am certain that this is the only way that Congress is going to be able to get the actual facts, know what the actual needs are, and be able to move forward to take care of a situation that never should have existed in the first place in an affluent country like ours where farm production is the envy of the world. I believe that we have the ability to better handle this malnutrition problem. The question is, Do we have the will? By passing this amendment today, restoring funds to the hunger committee, we can indicate that our will matches our ability. I am convinced that we can improve our present food programs and that such improvements coupled with better nutrition education will greatly improve the present situation.

I do not know, at this moment, whether or not people are starving, but I think we are safe in saying that this committee will be able to bring us the answers, and once they obtain the answers, point out the conditions, and know the characteristics involved, then I think that we, the Members of Congress, the elected representatives of the people, can find ways and means to correct these conditions that should never have existed.

I wanted to make this statement for the RECORD, Mr. President, and I thank my distinguished colleague for having permitted me to do so at this time; because, here again, time is passing by, and if the facts of the matter are as I heard them, that people are starving, it is a shocking situation. If they are not starving, we should know that also. If they are suffering from malnutrition, that is something we should know. Unless we have the facts, we cannot legislate properly, and I know of no better way of getting the facts.

That is why, Mr. President, I support the amendment, and I hope most enthusiastically and most seriously that the amount of money involved will be restored. It is not a great amount of money, and when the personnel and the experts are hired, it will be found that we will need this money. It will all be spent, I am sure, wisely.

I thank my distinguished colleague.

Mr. McGOVERN. I thank the Senator from California for his most helpful statement. I think we all know of the role that he played nearly 2 years ago, when the subcommittee went into the delta of the Mississippi and first turned the public spotlight on the problems of hunger and malnutrition.

We also know that this problem is not confined to Mississippi or the South, alone; it is a nationwide problem. I was very much impressed, at the time, that the Senator from California called upon the President of the United States to take immediate action. Some action was taken, but the problem is still with us. The hungry children the Senator saw in Mississippi 2 years ago are still there. They are still hungry. The Federal program is inadequate; it is still not being properly operated. The purpose of our investigation, as the Senator has said, is, at long last, to try to develop the evidence upon which we can persuade Congress to come to grips with this very serious problem.

I thank the Senator for his long, persistent, and deep concern about this problem.

Mr. MURPHY. I thank the Senator very much. I am grateful for the remarks he has made.

Mr. JAVITS. Mr. President, will the Senator yield to me, on the same subject?

Mr. McGOVERN. I yield to the Senator from New York.

Mr. JAVITS. I did not wish to interrupt the Senator from California, or to delay him for more than an instant. I merely wish to underline what the chairman of the committee has said about the Senator from California (Mr. MURPHY).

The Senator from California (Mr.

MURPHY) was a member of a subcommittee of four. The members of that subcommittee were the then Senator from Pennsylvania, Mr. Clark, then the junior Senator from New York, Mr. Kennedy, the Senator from California (Mr. MURPHY), and I.

The Senator from California is very steadfast about this matter. I would say that he is very much like the Senator from Nebraska (Mr. CURTIS). The point that we have to prove the case was made very clear to him. That is what has really been the subject of the row with Secretary Freeman and the others in the bureaucratic tangle.

If we have to prove the case, we must have that opportunity. And that is what the chairman and the rest of us are fighting for.

Mr. MCGOVERN. Mr. President, I yield to the distinguished Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. RIBICOFF. Mr. President, I commend the Senator from South Dakota. I support him in his effort to see that we receive these additional funds.

Last year, the Committee on Executive Reorganization, in trying to determine the situation concerning how we are organized in this committee to help deliver health services came across some information that a New Orleans television station had disclosed to the effect that some 1,000 people in New Orleans lived in shacks around the garbage dumps of New Orleans and survived on the food they scavenged from the garbage and the dumps.

This matter came to the attention of the New Orleans authorities when the city decided to charge a fee for the amount of garbage. There was then a decline in the amount of garbage deposited there, and the people living in the shacks started to complain.

As a result of those complaints, the people of New Orleans learned that 1,000 people were depending on the garbage dumps to live.

Dr. Joseph Brenne, one of the outstanding physicians on nutrition and hunger on April 18, 1965, testified, and I read an excerpt from the testimony to help outline the matter:

After I returned from Mississippi last year where our ad hoc group of doctors examined large numbers of children, I approached two world famous physicians and nutritionists at Harvard and MIT and I asked them, "Would you believe it if I told you that Kwashiorkor exists in the United States?"

They said, well, we really do not know, but we are pretty sure it does not. Kwashiorkor is a strange disorder, a strange and tragic disorder. The word comes from a Ghanian word which means, the disease that takes children, that takes the lives of children after they have been weaned from the breast. It is a disease where children so suffer from protein lack that they begin in effect to consume their own bodies. They get into a state of what is known as a negative nitrogen balance and to correct this medical condition is not a simple matter. You cannot just give adequate nutrition and adequate proteins and expect that this condition will reverse.

Often this strange disorder of Kwashiorkor is irreversible and leads inexorably to death. So, we saw Kwashiorkor in the United States, and if you will read all of the medical

textbooks on the distribution of Kwashiorkor in the world they tell us that it is limited to parts of Africa, parts of Asia, and some parts of South America. It is indeed alarming to find it in the United States of America.

So much has taken place in this great affluent society of which we are not aware. I do believe that we all have an obligation to eliminate hunger and starvation and malnutrition.

The request of the Senator from South Dakota and his outstanding committee certainly deserves the support of the Senate so that they can continue with the outstanding work they have started.

Mr. MCGOVERN. Mr. President, I thank the distinguished Senator from Connecticut for his helpful contribution.

I am not going to belabor the matter any further at this time. I think the issue is very clear. It is a question of whether the Senate is going to face up to a problem that we all know is unacceptable in the most wealthy and affluent country on the face of the earth. We know that hunger and malnutrition involving millions of our citizens is unacceptable.

We acted a few days ago—and I personally make no apology for being one of the Senators who voted for the measure—to raise our salaries by 40 percent. This happens to be exactly the amount by which the Committee on Rules and Administration cut the budget to deal with hunger.

The distinguished minority leader, the senior Senator from Illinois (Mr. DIRKSEN), reminded us at the time the pay raise was pending that Senators have to eat. It is true that Senators have to eat, but so do other people have to eat—people all across the country who are not in a position to raise their salaries or improve their economic situation.

Many people are not eating properly. Many of them are eating scarcely at all. Many of them are suffering from the irreparable damage that comes from malnutrition.

I plead with the Senators this afternoon to come to grips with this critical problem.

Our news media have been filled in recent days with reports of hunger and starvation in Biafra. It is well that we should be concerned with that problem in Africa. However, I think we are under an even more urgent mandate to put an end to hunger and starvation in our own country, especially when we consider that it is so unnecessary and that a modest expenditure would not only provide the facts necessary to evaluate the problem and deal with it, but would also permit us to follow through with programs to close the hunger gap in our country.

I hope when the vote is taken that the Senate will face up to the issue so that we may get on with our work.

Mr. President, I yield to the distinguished Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, I am honored to associate myself with the distinguished Senator from South Dakota in this matter.

Mr. President, all of us have been deeply distressed in recent months by the evidence of hunger and malnutrition and

disease which has been uncovered by the Select Committee on Nutrition and Human Needs.

Even now, despite the number of hearings which have been held on this subject and the publicity which they have received in the press, the full extent of the problem is just beginning to penetrate the conscience of the comfortable majority of Americans.

It is now known, for example, that in many areas of this country food stamp and commodity surplus programs are nonexistent, either because the general income level of the particular county exceeds the basic minimum standard, or because county officials are reluctant to undertake the administrative burdens of the programs. Yet one of the major causes of overcrowding in our urban centers arises from the fact that poor people, who are unable in their own areas to obtain minimum amounts of food and care through federally established programs, flock to the cities. Certainly it is in the interest of all Americans to provide food, education, and job training for people where they are. Certainly remedial legislation could improve the ability of established departments and agencies to meet the needs of the poor. Yet until that need is accurately defined and the loopholes clearly distinguished, we cannot begin to meet the human problem.

In this light I welcome the announcement of Secretary of Health, Education, and Welfare, Robert Finch, that his department will undertake a thorough investigation of hunger in America. But the initiative in this area cannot and should not be left entirely to the executive branch.

The Select Committee on Hunger and Human Needs is performing this vital function for the Congress and for all America. It is doing a job which should have been done decades ago, and it is doing it thoroughly and economically. When the committee has already progressed so far, and when it has clearly indicated its intention to complete the investigation during this calendar year, I see no reason whatsoever for reducing its appropriation by \$100,000, thus cutting its operating capacity in half. I therefore urge that full funding be restored, and that the committee be allowed to proceed with its appointed task.

Mr. MCGOVERN. Mr. President, I thank the Senator from Massachusetts for his contribution. The Senator may be interested in knowing that the committee plans to visit the city of Boston sometime next month and will keep him advised as to the dates of its visit.

Mr. BROOKE. I thank the Senator.

Mr. MCGOVERN. Mr. President, I yield to the distinguished Senator from Wisconsin.

Mr. NELSON. Mr. President, I commend the Senator from South Dakota for the excellent job he has been doing, together with his committee, in the conduct of the hearings on hunger in America.

Last year I conducted the initial Senate hearings into the problem of hunger and malnutrition in America, pursuant to Senator MCGOVERN's resolution. From the testimony given by physicians and nutritionists, it was clearly demonstrated

that too many Americans are suffering from hunger in this land of plenty.

One of our witnesses, Dr. Alfred Haynes, of Johns Hopkins University, who served on the special committee which put out the Hunger, U.S.A. report said:

In a country with weight watchers, pill takers, and Metrecal drinkers, it is somehow difficult to accept the idea that there are a sizable number of hungry poor. Yet the evidence is clear. Our board found evidence of retarded physical growth . . . Some of our low income children, while living in the United States, seem to conform more to the (size) pattern of developing countries. With an adequate diet, they could be taller, heavier, and even brighter.

Dr. Haynes referred to physical and mental retardation as only part of the effect that hunger has on people whose diets lack the necessary nutrients.

We know that many infant deaths are directly attributable to malnutrition. We know that protein deficiency in the first year can cause brain damage that cannot be corrected. And we know that deficiencies in proteins and irons are a common experience where children have grown up in enslavement to poverty. We know that learning is severely limited when a child goes to school hungry and comes home hungry. We know that many homes have only bare minimums of foods that result not so much in well-rounded meals as they do in distended stomachs. We know that this only leads to complications with diseases that could be prevented were the proper foods available. And we know of the need to educate families in what does and what does not constitute a balanced diet. But we also know that existing surplus commodities are not enough to eliminate hunger.

These facts have been pointed out time and time again, but it seems to me that it is now the obligation of Congress to step into the investigation with full intent to take positive and enduring action.

The \$250,000 budget request of the Select Committee on Nutrition and Human Needs is a reasonable one. A modest \$250,000 is being asked for the purpose of doing a competent job of exploring the areas of need for food and qualitative nutrition in this country. Along with the in-depth study that is yet required, the committee is committed to coming up with answers that will bring food where it is critically needed.

America cannot afford to fail in our obligation to see that adequate food is available for every single person in this land. I will not dwell on the reports that are already evidence enough of the crying needs of many a community. Malnutrition is a serious disease that is slowly but surely becoming the most pressing issue of our time. But time is running out.

The Senator from South Dakota hit the nail on the head when he said:

If we are ever to really attack the root cause of poverty, this is surely the place. If we cannot win the battle against hunger in America, we will never win the war on poverty.

We have an urgent task before us. The Select Committee on Nutrition and Human Needs recognizes this urgency, and I think we ought to show our solidarity with their concern.

Although there have been soundings of

warning and a number of investigations into this problem of hunger, I hardly think that the Government can be satisfied with its past performance to correct the vast deficiencies that are apparent. We must work more diligently toward getting the right foods to the right people on a permanent basis. This, of necessity, involves using a number of issues other than the distribution of food. It means knowing exactly what the needs are and where they exist. It means an assessment of the manpower and economic power to rectify the situation. It is also incumbent upon us to take a hard look at ways in which to open up new job opportunities that have previously been simply unavailable. And, of course, it means a total reevaluation of our existing food programs in order to provide a more efficient system to provide balanced diets where there is malnutrition, and basic foodstuffs where there is chronic hunger. Emergency measures may have to be taken in some instances.

There is an immeasurable amount that can be accomplished in 11 months if we would but commit ourselves to the extensive work that is required. That is why this select committee was authorized in the first place. We certainly should not back out on our commitment.

I join with Senator McGOVERN in the hope that the Senate will unanimously express its support and approval.

Mr. McGOVERN. Mr. President (Mr. Packwood in the chair), I thank the Senator from Wisconsin for his comments, especially in view of his own important contribution as the acting chairman of the committee whose work helped to create the Select Committee on Nutrition.

I yield to the distinguished Senator from New Hampshire.

Mr. McINTYRE. Mr. President, I rise in support of the restoration of the full authorization of expenditures for the Select Committee on Nutrition and Human Needs.

If there is a paradox as ironic as the existence of hunger and malnutrition in a Nation enjoying totally unprecedented prosperity—in a day when average food costs are lower in relation to personal income than at any time in our history—it is our national ignorance of facts concerning not only the extent, but the causes and the very nature of domestic hunger and malnutrition.

I find it difficult to believe that a nation as wealthy as ours, a nation so blessed with nutrient riches, is unwilling to spend \$250,000 to continue a study of how best to get that nutritional wealth to the nutritionally impoverished.

It is not my purpose today to criticize the recent record of our domestic food programs. Indeed, I take some modest partisan pride in that record.

We now have more than 6 million people participating in Department of Agriculture food assistance programs for families. I should point out that nearly 40 percent of these are people who are not on welfare though they have welfare level incomes. Indeed, the only help they get is through these USDA programs because they do not fit into established welfare categories.

Some of these people are the elderly

living on limited pensions. Others are employed only part time. Still others are fully employed, but at wages that deny a decent standard of living.

I take some pride, too, in the fact that the variety of foods offered under the commodity donation program has been increased from only five in 1960 to 22 today.

And I am proud that one of the first acts by a concerned Kennedy administration was to restore, on a pilot basis, a food stamp program that subsequently was enacted into law in 1964.

Today, either the commodity distribution program or the food stamp program is operational in areas where no less than 85 percent of our population lives. I am told that one or the other is now in operation, or about to become operative, in all but 472 of the total counties and independent cities in the United States—including the 1,000 lowest income counties.

And I am proud of the record of the past two administrations in successfully encouraging the amendment of the National School Lunch Act to authorize a higher rate of payment per meal to schools that enrolled children of low-income families, in initiating a special supplementary food package to new and expectant mothers and to infants and young children in low-income areas, in persuading the enactment of the Child Nutrition Act of 1964, and the Vanik bill of 1968.

But, this said, let me hasten to add that in my opinion these new programs and program improvements are not enough to win the war on hunger in this country, not as some of them are presently constituted, not as some of them are presently encumbered at one or another administrative level, not as some of them are presently funded.

More than that, until we know the strength and the nature of the enemy, it will be most difficult to design and develop an appropriate arsenal to defeat him.

We do not yet know the enemy as we should. Senator McGOVERN pointed out last week that as recently as 2 years ago the Surgeon General of the United States was saying:

We do not know the extent of malnutrition anywhere in the United States.

When the Select Committee on Nutrition and Human Needs was established last July 30, it was specifically directed to examine the extent and cause of hunger and malnutrition in the United States and the success and failures of our present Federal food assistance programs.

It was given little more than this charge, for it was authorized to spend only \$25,000 for the months of October, November, December, and January.

Under this handicap, the committee has not yet had an opportunity to begin a full-scale evaluation of Federal programs involved in food assistance and nutrition efforts.

Through field hearings and inspection trips in from six to 12 States, the committee hopes to evaluate current Federal food and nutrition efforts. The committee proposes to supplement these field

trips through continued hearings in Washington and through intensive surveys by private consultants to evaluate State and local administration of Federal programs.

By cutting \$100,000 from the proposed budget for this year's committee operations, field trips and field hearings would have to be held to a minimum and the use of private consultants sharply curtailed.

These cutbacks, I fear, would severely handicap the mission of the committee.

If the Senate of the United States is serious about its charge to the committee—and what could be more serious than hunger and human needs—I respectfully submit that the cut in authorized expenditures must be restored with all the haste demanded by this tragically urgent situation.

Mr. McGOVERN. I thank the Senator from New Hampshire.

Mr. President, I now yield to a member of the committee, the Senator from Illinois (Mr. PERCY), who has participated in all the hearings to date and has been most helpful to the work of the committee.

Mr. PERCY. Mr. President, I accepted membership on the select committee with some reluctance. When I already sat on 15 committees and subcommittees, the last thing I needed was another committee.

I accepted, also, with a degree of skepticism. I really could not visualize the problem of hunger in the United States being of a consequence that would require the establishment of a special committee of the Senate for investigation. With the large agencies and the departments we had, I felt they should be competent to cope with the problem. However, I have found this committee the most valuable committee on which I have served so far, from the standpoint of informing myself of a part of America that I really did not know existed.

I have learned much about nutrition and about the lack of nutritional education we have in this country. I learned that in our foreign-aid programs we enrich foods to an extent that we do not with food given to people in this country.

Mr. President, I support the position taken by 54 Senators in a resolution, Senate Resolution 68, to authorize \$250,000 for the work of the Select Committee on Nutrition and Human Needs. Notwithstanding this indication of widespread support for the committee's activities, the Committee on Rules and Administration cut the budget request by 40 percent, or \$100,000.

Certainly, in this time when we are all gravely concerned with the ever-growing Federal budget and the tax burden it imposes, the Rules Committee's attempt to act in the best interests of "economy" is commendable. However, the committee acted without the benefit of having heard, as other members of the select committee and I have heard, the tragic testimony which, day after day, has revealed the extent to which the silent sickness of hunger is crippling millions of our fellow citizens.

This testimony has consistently shown the manner in which hunger and bad health blights the life of the individual.

It has also revealed the equally important fact that millions of our children, because they lack an adequate diet, will never be capable of assuming a productive role in society, and will, therefore, as they grow up, be added to our ever-increasing welfare rolls, and we will wonder why the welfare rolls rise.

We are concerned with the humanitarian aspect. Does it not make sense for us to investigate wisely the reason for ill health of people?

Let me illustrate this point in a very simple manner. In my own State of Illinois, monthly welfare payments to a family of four amount to \$181. In other words, it costs the State \$2,175 per year for each such family on welfare. Additionally, had the head of this family earned a median family income, he would have paid \$867 in Federal income tax. It is, therefore, plain to see that the gross financial loss to society is an excess of \$3,000 per year to maintain a family on welfare. If, through its efforts, the select committee can find ways to prevent the addition of only 30 families to our welfare rolls for a year—or three families for a period of 10 years—it will have recouped for the Nation the \$100,000 reduction proposed by the Rules Committee.

Mr. CURTIS. Mr. President, will the Senator yield at that point?

Mr. PERCY. I am happy to yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I wish to state again for the RECORD that as one member of the Committee on Rules and Administration I was not motivated by the savings of \$100,000 particularly at the expense of people who are either undernourished or suffering from starvation. My point is that the problem that apparently faces us is so massive and broad that we need a detailed and massive survey by a non-Government agency rather than what a senatorial committee could accomplish in 1 year by holding hearings.

Mr. President, I say that with the highest regard for Senators on the committee. I am not convinced that this is the best way to find out who is undernourished, where they are, and why they are there.

Mr. PERCY. If I may answer the distinguished Senator, as we analyzed the budget, we decided this committee should not be a continuing committee. The continuing function should be carried on by the agencies.

We had a question as to whether or not we could focus attention in a period of 12 months in various areas of the country, taking the Northern States, the Southern States, the Eastern and Western States, taking the rural and urban poverty, all types of families, and taking them as specific cases, so we could turn this body of evidence over and give impetus to a program that should be recommended and carried out by the administration.

We have a trained staff and a group of Senators dedicated, every one of us, to find answers to these problems. Yet I feel strongly that if the Senate turns us down for the \$100,000, I am going to leave the floor of the Senate and go out and raise the \$100,000 someplace. I am

certain that some industry would contribute; perhaps a foundation would do it. But I think it is a tragic thing if the Senate could not find \$100,000 to do a job. I feel absolutely certain that some foundation or private industry would be willing to give the money so we could carry on this work.

Looking at the committee hearings and the views expressed there, each of us is interested in finding the answers to these tragic problems we face in this country. We need to double the number of doctors graduating from medical schools. We do not have enough doctors to give prenatal attention to mothers. We know that one out of five mothers is from a poor family, and in poor families the incidences of premature births are twice as common as in affluent families. The undernourished mother is not able to give adequate nourishment to her child before it is born. Then we find that in a poor family where an infant is underfed he does not develop in body or in mind. In other words, for lack of food or nourishment millions of young children are not mentally equipped to cope with the problems they are going to face in a technical and industrially oriented society.

Mr. CURTIS. I cannot disagree with anything the Senator has said.

Mr. PERCY. Other than the fact that we are not going to get the \$100,000.

Mr. CURTIS. No. No. I do not think it is that. I think the charge of great undernourishment in this country is so grave that it should have a massive survey that goes block by block throughout the United States.

Mr. PERCY. The temptation is great to suggest to the chairman that we request \$200,000.

Mr. CURTIS. No, I do not think it is that. I think a survey is necessary. But I cannot quarrel with the objective or the need for finding out and identifying the problem and what to do about it. I feel strongly that we need to know where these people live, who they are, as individuals, if possible, and why. We have all of these programs in this country intended to do this which date back to the days of the first social programs which were undertaken. We were told that one-third of the Nation was underfed, ill clothed, and poorly housed. We have to identify the ones that are involved. I do not know of any better way to do it than has been mentioned here. I respect the position of the Senator from Illinois.

Mr. PERCY. I appreciate that very much and I will take the position that I will not request a penny over \$100,000 additional.

But I also agree very much with the distinguished Senator from Nebraska that independent judgment is needed. That is why we need this money. Part of it will go for outside, independent, unbiased, consultative services to obtain the best experts we can find in this country so that we can be competent to evaluate the facts.

Mr. McGOVERN. That is where the major part of the money will go.

Mr. PERCY. The committee has revealed the situation and brought it to light and it should be allowed to continue

its work and not be crippled by inadequate financing so that it cannot do the kind of job which I know the distinguished Senator from Nebraska would expect of us.

Mr. President, it is clear to me that the proposed reduction in the select committee's funds is not in the best interests of real economy: The \$100,000 "saved" if the Rules Committee action is sustained will cost us hundreds—or perhaps thousands—of times this amount in future years.

The effect of this proposed reduction would be to partially negate the progress made thus far by the select committee in determining the extent of hunger and malnutrition which exists in the country today. Even more important, it would preclude the committee's effective operation at the beginning of its most crucial and valuable period—that of developing and proposing workable solutions to the many problems which we have found to exist.

Again, to the distinguished Senator from Nebraska, I can only say that I accepted the assignment to the committee as a result of the action of the Senate. Once having been given that responsibility and having been told by the Senate, "This is what we want done," we would be derelict in our duty if we said that we would be satisfied to do just half a job. Of course, we cannot be satisfied with doing just half a job on a problem of this magnitude. We have been given the responsibility and we want to do a job which we feel is absolutely necessary, and we need the wherewithal to do it.

At present, we do not have either a sufficient knowledge of the many factors involved in the problem of hunger in America—although through the select committee's activities we are much closer to obtaining that knowledge than we were a few months before—nor do we have fully developed proposals to assure the solution of this problem. I am confident that we can do our job of finding the solution to these shameful conditions if the funds requested by the select committee are authorized. I am equally convinced that if these funds are not granted our past activity will have been largely in vain because the reduced activity which the committee will have to restrict itself to will be inadequate to the task.

If sufficient funds are not made available, it will be difficult for those of us who now know the seriousness of this problem. If I had not heard the tragic tales my conscience would not be bothered as it is now. My indignation at our past failures to act in this area would not be as great as it is if I did not know the effect of malnutrition on children—causing thousands of our 8-year-old children to have the height and weight of a normal 5-year-old child, or with their teeth in such a pitiful state that they cannot chew because it is so painful, or with an incidence of six to seven times the normal in respect to anemia, and in many cases with retarded brain development for which no remedy exists and which forever precludes them from playing a normal role in our society.

I would be less disturbed if I had not learned through our hearings that goi-

ter—which we had almost eliminated in this country 30 years ago and which can be prevented by the iodization of salt at a cost of less than one-fourth of a penny per person—is increasing and is already again widely prevalent in large areas of the country; or that serious problems of anemia exist, as shown by unacceptable hemoglobin levels in 23.5 percent of those people so far examined by the national nutrition survey.

I would be more complacent if our select committee had not heard Dr. Margaret Mead tell us:

We need to face the simple facts: the American people are less well-nourished as a whole than they were 10 years ago. Those with the fewest resources and least education, those who live in the worst areas and belong to the most disadvantaged groups, are suffering the most. Their need is urgent. The national need is urgent.

I would not be so concerned if I were not aware that, at the same time we pay our farmers not to grow food, over 10 million Americans are undernourished, or did not know that if our nutrition rate were to be brought on a par with that of most advanced European countries 35,000 children would not die unnecessarily each year—if I did not know all this perhaps I would be less concerned by this proposed reduction in funds.

I could perhaps accept this proposed reduction more easily if I had not read the account, "A Week of Welfare Meals," in a recent edition of the Chicago Sun-Times.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Chicago Sun-Times of February 2, 1969, written by Anthony Monahan, and entitled "I Was Hungry: A Week of Welfare Meals"; and an article entitled "Hunger Fight Waged Halfheartedly," written by Judith Randal and published in the Washington Star of February 13, 1969.

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

[From the Chicago (Ill.) Sun-Times, Feb. 2, 1969]

I WAS HUNGRY: A WEEK OF WELFARE MEALS
(By Anthony Monahan)

On the third day, the oranges and apples ran out—but who really needs fresh fruit?

On the fifth day, the potatoes, bacon, cereal, soup and most of the vegetables were gone—but not forgotten.

On the sixth day, the meat ran out; on the seventh day, the money was gone.

Welfare, 1969: For one week, my family and I—two adults and three children—lived on a welfare food allotment.

Are public aid food grants too high? Too low? The Church Federation of Greater Chicago is inviting Chicagoans and suburbanites to find out for themselves. In the week starting today, Feb. 2-8, families are being asked to live on welfare food budgets and report their experiences to the federation, 116 S. Michigan.

TWENTY-FIVE CENTS PER MEAL

Although welfare budgets vary, the federation specifies these food allotments for an average family: \$5.37 weekly for each adult; \$6.09 weekly for a teen-ager; \$4.86 for a child between 6 and 12, and \$3.25 for a child under 6. An additional 45 cents per day for lunch is allowed an employed person.

It worked out to 25 cents per meal for my

wife and myself; 23 cents per meal for 8-year-old Michael, and 15 cents each per meal for Patrick, 5, and Maureen, 4.

The burden falls heaviest, of course, on the woman; what is an annoying problem in planning for the middle-income wife on a single-week experiment is a daily fact of life—and nutrition—for the welfare mother.

The economics of our welfare week, Jan. 21-27, were simple—like our meals. Our total allotment was \$24.35. The week's milk, four gallons delivered by a dairy, cost \$4.32, leaving \$20.03. (Were we to do it over, we would further reduce the milk delivery, or eliminate fresh milk entirely and use powdered milk; dairy products generally are out on a welfare budget.)

Of the \$20.03, we spent \$18.51 of it on the single major shopping trip the evening before our budget week began. This left \$1.52 for incidentals—mainly bread—to be purchased during the week.

We didn't quite make it; our budget went over the limit by \$2.35—but that might have been avoided by better planning; the stark planning that extends into all areas of welfare living, from clothing to housing.

A DIFFERENT WORLD

"It means," my wife said, standing in the supermarket filled with light and music and bright packages, "that you have to go into a store with blinders on. If you're on welfare, most of these items are for people in a different world."

Certain items are automatically eliminated as luxuries, such as butter (84 cents a pound), orange juice (69 cents per concentrated double quart), ice cream (\$1.09 for two quarts.)

Others are obviously included: bony soup meat at 78 cents a pound; chicken pieces (\$1.56); large loaves of the cheapest white bread (2 for 49 cents); hot cereal (39 cents for 24 ounces), and casserole ingredients—soups, noodles, evaporated milk.

Simple fare, but not so simple decisions: For the week's seven breakfasts, you have 22 eggs (two are allocated for homemade biscuits), and a pound of bacon, 18 slices (you've counted them). Do the kids get any of my bacon? Do I have to eat their gritty hot cereal?

The meals, then, are simple but filling (almost; I lost four pounds in the week). Hamburger, casseroles, homemade soups, one slice of pressed chicken instead of two in your 8-year-old's lunch, a week of lunches of tomato soup (11 cents a can) and cold sandwiches for the younger children. No snacks, of course, and no desserts.

Your 8-year-old, one morning in midweek, takes eight sugar-wheat cookies from the one box of 36 cookies (29 cents), drops them in his lunch sack and scoots off to school. A minor crisis, like when the 5-year-old ate three of your week's supply of 12 oranges (69 cents). Minor crises—but what if the pot roast (\$1.09 a pound) had spoiled, or a gallon jug of milk (\$1.08) had been dropped and broken. . . ?

Each family's needs are different, and one can have little real insight into the total effects of poverty after seven days of skimpy meals, but certain experiences were sharp:

1. Late in the week, both my wife and I developed a strong urge for candy, or any sweets, to adults, who rarely eat candy, were suddenly craving candy bars as a heavy smoker craves a cigaret. During the week, we had taken in very little sugar—no desserts, no soft drinks, no breakfast rolls or jams, a cutback on coffee with cream and sugar, a few coffee breaks at work (couldn't afford the 10-cent machine coffee)—and the sugar deficiency was beginning to show.

2. There is little or no room on a welfare food budget for beverages, from soft drinks to beer, for napkins, special seasonings—or for friends for dinner. Restaurants, like butter and strawberries, are for other people.

3. The meals were filling, starchy filling:

homemade vegetable-and-beef soup for one dinner, a chicken casserole the next; potatoes, bread—lots of bread. (As our "incidentals" money dwindled, no large purchases were possible, so cheap items of filling food were needed—such as white bread.) Yet toward the ends of the workdays, I felt slight surges of dizziness, light headaches, an inability to concentrate. I was hungry. Hungry at noon, since I had eaten my lunch at 11, and hungry at 10:30 p.m.

On the last day of our budget week, a Monday, 8-year-old Michael came home from school listless, ill-tempered, and complaining of a "funny stomach." He was hungry; my wife, after calling me, promptly went to the store for extra food for a solid dinner, and we went over our budget. Welfare people have no self-discipline.

"We hope that this welfare week will be an experiment in empathy," said Jean Wetzel of the church federation about the group's project. "It's a chance for middle-income families to project their lives, at least for a week, into the life of poverty."

[From the Washington (D.C.) Evening Star, Feb. 13, 1969]

HUNGER FIGHT WAGED HALF-HEARTEDLY (By Judith Randal)

In times of galloping inflation and unbalanced budgets, the custodians of public monies cannot be too careful about holding the line on over-all government expenditures. When it becomes necessary to spend a little more here, fiscal responsibility requires that a little less be spent somewhere else, lest things get entirely out of hand.

Thus, the Senate Rules Committee's action on February 6 in cutting back another committee's funds by 40 percent can only be regarded as commendable. By this action, \$100,000 will be saved—a sum sufficient to offset the first year's salary increases for eight senators or to pay for some 3 percent of the cost of a single jet engine for a bomber.

It was unfortunate that the funds curtailed were those of the Select Committee on Nutrition and Human Needs, but when "economy" is the watchword, the chips must be expected to fall where they may.

The select committee, headed by Sen. George McGovern, D-S.D., had been planning to complete a definitive study of acute hunger and chronic malnutrition in the United States.

McGovern hoped to get \$250,000 for his committee this year—a sum that would fall \$5,000 short of the compensation for six senators. This amount would pay for the consultant services of a number of doctors, nutritionists and other experts needed to assess the effectiveness of federal food programs at the state and local level, as well as for the travel, maintenance expenses and stenographic fees incurred during "field hearings" by the committee. With the cutback there will be enough money for only five or six of these, and they will have to be held within easy distance of Washington instead of nationwide, as had been planned.

The beauty of this from the viewpoint of some is that it will be virtually impossible to get an accurate head count on exactly how many people are hungry or undernourished and where. The preliminary data of the first national nutrition survey ever conducted by the Public Health Service, or any government agency, already, as McGovern said February 7, "indicate that hunger and malnutrition in this richest of all nations is as severe as in some of the poorer nations of the world." Thus, some legislators understandably feel that they have been told more than they want to know about the problem and that further documentation of it will only strengthen a precedent dangerously begun.

Legislators are apparently not the only ones afraid of setting precedents about the nation's hungry—conservatively estimated at

10 million. The Department of Agriculture has disregarded a federal court order, handed down December 30 in San Francisco and upheld at a further hearing February 4, in which the agriculture secretary was instructed to promptly provide at its expense commodities or food stamps to 16 California counties presently without such programs. (By law, no county can have both programs.)

At the time of the initial action—which was brought on behalf of several counties by California Rural Legal Assistance, Inc., an organization funded by the Office of Economic Opportunity—USDA admitted that there was "substantial" hunger in the counties concerned, that people would suffer "immediate and irreparable harm" without food and that it had both foodstuffs and money to do the job.

Yet no remedial steps have been taken and, indeed, California Deputy Attorney General Richard L. Mayers has reported to the court that Agriculture is "wholly frustrating and interfering with the ability of the state" to comply with the court order to put food programs into effect quickly.

The department contends that it is reluctant to set up food programs in counties which will not take on the administrative costs of making food stamps or surplus commodities available—an argument that seems difficult to justify in view of the fact that 10 of the 16 counties have indicated a willingness to take on such responsibility. But even had they not done so, the department has \$300 million in unused reserves that, if not used by July 1, will revert to the Treasury, and feeding the poor in the counties in question would cost only \$200,000 a month.

Agriculture's explanation is that it acts unilaterally to introduce food programs only when the average income of a county is at or below the poverty line and that it does not want to start a different precedent. But are poor people any less hungry when their neighbors are affluent? In one of the 16 counties (San Benito), the average family income is well over \$4,000, yet a third of its 18,500 inhabitants are well below the poverty line.

It would seem that to feed the needy in some counties and not in others is a clear violation of the "equal protection" clauses found in the Constitution. But be this as it may, poor people continue to go hungry while the legal and administrative machinery grinds on. As an East African saying has it, "When elephants fight, the grass dies."

Mr. PERCY. Mr. President, this is the story of one of the many Chicago families who responded to the appeal of the Church Federation of Greater Chicago to live for 1 week on a welfare food budget and who reported their experience to the federation. This family said:

On the third day, the oranges and apples ran out—but who really needs fresh fruit? On the fifth day, the potatoes, bacon, cereal, soup, and most of the vegetables were gone—but not forgotten. On the sixth day, the meat ran out, on the seventh day the money was gone.

What does a welfare food budget mean? This one family found "it means that you have to go into a store with blinders on—if you are on welfare, most of these items are for people in a different world." What is not discussed in this article is how families who do not collect welfare manage to feed themselves at all.

The recent revelations as to the state of the hungry poor in America have shocked us; and we needed to be shocked. The question is, have they also shamed us and do we feel sufficiently that shame to take the collective actions necessary to erase these conditions? We cannot

exert less than our full efforts to fight the war against hunger, and as a member of the Select Committee on Nutrition I say the committee cannot accept less than what is needed in the attempt to fight this war to a successful conclusion by studying the situation and making recommendations for its solution.

We cannot have it said of this body, as it was said in the Washington Star of last Wednesday, that the hunger fight is being waged halfheartedly. In this article the writer pointed out that the proposed \$100,000 reduction to the select committee's budget will save "a sum sufficient to offset the first year's salary increases for eight Senators or pay for some 3 percent of the cost of a single jet engine for a bomber."

The "economy" proposed by the Rules Committee's resolution is a false economy and we cannot afford such false economies. Without these funds, the select committee will be unable to obtain the consultant services of those experts needed to assist in finding the solutions to our present dilemma. It will not be able to conduct many of the proposed field hearings; and those remaining field hearings which it can conduct will have to be restricted to the northeast seaboard, thus preventing the assessment of the problem of hunger on a truly nationwide basis.

In brief, the fight we have begun against hunger in America will be halted before it has really begun. I am convinced that this is not the desire of the American public nor of the Senate, and I urge, therefore, that the original budget of the select committee be approved by the full Senate.

Mr. MCGOVERN. I thank the distinguished Senator from Illinois for his helpful contribution this afternoon.

Mr. JAVITS. Mr. President, may I join the Senator from South Dakota in expressing my gratitude to the Senator from Illinois for the eloquence of such a distinguished member of our committee.

Mr. MCGOVERN. Mr. President, I now yield to the Senator from Kentucky who is a member of the committee.

Mr. COOK. Mr. President, I rise to speak in favor of the resolution, not so much in regard to what has been said but in regard to some of the things that have been obvious, having attended the hearings so far.

It has been a pleasure for me to be on the subcommittee with the distinguished Senator from South Dakota and, I might add, with the distinguished Senator from Louisiana. I have learned a great deal. One of the things I have learned is that it is also the duty and the responsibility of the committee—and I might suggest this to those who are members of the Appropriations Committee who saw fit to cut the budget—to see to it that those functions of government presently in existence function well. We have found that they do not function well.

This morning Senator HOLLINGS, from South Carolina, appeared before the committee, and in the questionings I asked specifically: Did he feel that the Department of Agriculture was doing a good job in its distribution and in its food stamp program? He stated emphatically that it was not doing a good job.

I asked if he felt the HEW program was doing a good job; and he said that it absolutely was not doing a good job.

I ask for the restoration of these funds—specifically going to the point of the Senator from Nebraska—for the purpose of determining why the agencies that are already in existence are crying “wolf” when they are not doing a decent job the way they ought to be doing it.

It was brought out in the hearing this morning by the Senator from South Carolina that a community in his State has spent 7 years trying to meet the guidelines of the Federal Government to get a water system, and the people there still have not cut across the red tape and guidelines to get that water system. He indicated that the price of the system, if it were to be approved today, would cost 400 percent more than it would have cost had it been approved some 7 years ago. Gentlemen, we find ourselves drowning in guidelines and red tape.

I look forward to the restoration of these funds, not so much to establish that which I will most readily admit is in existence in this country, but I look forward to the restoration of those funds to see to it that the agencies of the Federal Government that have been given such broad power and broad authority in regard to establishing guidelines are notified by this body, once and for all, that they are here to serve a purpose; that the Government is not an inverted pyramid, but it is an umbrella. And to that extent I would have to say that the questionings and the interrogations by the senior Senator from Louisiana have been tremendous in this regard; that he has hit to the core on many and many an occasion the fact that we are falling at this level; and we are falling because, as Dr. Drucker said the other day, the paperwork that must be done now on welfare projects takes as much as 70 percent of a social worker's time, to the extent that he or she is left with one hour and a half a day to deal with the problem and solution of the problem—namely, answering the problems of the poor in this country.

I would say to the Senator from Nebraska that I am asking for this restoration, not for a block by block survey in this country, because the situation is in existence—it is here now—but I am asking for his help on the sound and logical basis that an answer to this problem must be found. It can be found here. We can only hope that, by the restoration of these funds, and the fact that this resolution also calls for the specific cut-off for this committee, an answer to this problem can be found, because it must be found.

Mr. McGOVERN. I thank the Senator.

Mr. President, the ranking minority member of our committee, the senior Senator from New York (Mr. JAVITS), has been involved in the study of hunger and malnutrition in the United States longer than I have and longer than most of the Members of this body have. He was involved in the original investigation in Mississippi a few years ago, and has maintained his interest in this problem all along. I am very pleased to yield to him at this time.

Mr. JAVITS. Mr. President, if the Sen-

ator will do that, I shall take a few moments at this time.

Mr. President, I think the case has been argued very thoroughly, and I shall not for the moment endeavor to repeat the arguments which have been made so very ably.

There are two points, however, Mr. President, that stand out. One is that the whole history of the effort to bring the Nation to the realization that there was such malnutrition as to be equivalent to hunger in this country, pervasively covering millions of people; that this is not just a matter of a few in one county in a southern State, or a central State, or in New York, for that matter, where we have exactly the same problem in certain areas, but is a widespread situation.

We have always run against two hard rocks; one a controversy on the facts: Is it so? The other, if it is so, is it not a fact that the Government agencies are very well equipped to meet it, and it is the fault of the people, themselves, who have hungry children, or who are themselves hungry, and are not knocking on the right door, either State, local, or Federal. We have to prove the case in order to get relief.

It was the source of a very considerable controversy, which got very hot, between Secretary Freeman and myself, which first put this matter on the front pages. I was not very proud of that, because, for one of the very few times in my life, I lost my temper. It seemed inconceivable to me for a man to preside over the Department of Agriculture and not realize that \$2 for food stamps was too much when a person did not have it, or that there were many counties in the country where if a food stamp program were put in the place of a food distribution program, the impossible was substituted for a possible situation. There were many needed programs that were not in effect or were being avoided by local authorities.

We have to prove these things. We do not expect the Senate to take it on faith.

I think the Senator from Kentucky did well to refer to the work of the Senator from Louisiana. The Senator is the chairman of the Committee on Agriculture and Forestry, and knows of all these things and, regardless of what he thinks on the money resolution, knows that in this country, having the greatest production of food and fiber in the history of any nation, there is still a situation of actual hunger.

So we have to prove the facts. And how are we going to prove them? If we can get \$250,000, which is not a great deal of money, considering the way we spend money around here, with the firm commitment by Senator McGOVERN himself and the whole committee that it will last only until the end of the calendar year, it will go out and prove the facts on two grounds: First, that the situation exists; that it is pervasive; that it affects millions of people, including hundreds of thousands of children; second, that the governmental machinery, somehow or other, just is not working in order to deal with it. We have no other recourse but what I consider to be a commitment—and I think the whole committee

is committed to it, operating under a tight budget—to utilize the necessary resources to do the job.

Just one further thing and I shall be through. There is a very real question of conscience here. It seems to me that we must not now tell the Nation that our concern was only temporary, and that we have to tell the people that there is an estimated 10 million hungry Americans, as well as to tell the people and children who are suffering from physical and mental inhibition; and we can leave no doubt that the Senate and the Congress are willing to face up to the intolerable condition of hunger and malnutrition in our country.

I hazard the guess that the New York Times and other publications that have gone into it, including Newsweek, have spent 10 times \$250,000 just reporting on the situation. And here we are desirous of getting the basic facts, and the amount required is \$250,000. So it is really an appeal to the conscience of the Senate, 54 of whose Members joined Senator McGOVERN in sponsoring the original resolution, as to whether we are going to go through with this thing, as we said we would, or whether we are just not going to get the facts.

I appeal to the conscience of the Senate and to every one of my colleagues. Let us think of the mother whose child lies listlessly in its crib because it is severely malnourished, is discolored because he suffers from Kwashiorkor—severe malnutrition. And just as saddening, to think of the child in the third grade whose hunger for food exceeds his hunger for knowledge, causing him to peer aimlessly out of the window listening to the hunger pangs of his stomach rather than to the words of his teacher. These are the thoughts and the issues before us today and upon which we shall vote.

That hunger and malnutrition do exist in our country has been clearly illustrated by films shown to the committee and by distinguished witnesses. The preliminary results of the first nutrition survey ever conducted in the United States indicate that there is malnutrition among an unexpectedly large percentage of the population studied to date. To learn that there is high vitamin deficiency and growth retardation among our Nation's children, is indeed horrifying. As Dr. Arnold Schaefer, Director of the Nutrition Survey, stated:

It is unreasonable in an affluent society to discover such signs as those seen to date.

Mr. President, we are the most productive Nation in the history of mankind. But, the test of our strength is not how much we have in production, but whether we can provide enough to those who have too little. With this in mind, I ask that the Senate restore the original \$250,000 as requested by the committee.

Finally, it is very interesting to me that we have an excellent prima facie case to lay before the Senate based upon the findings of the new administration itself, though it is very new. Yesterday we heard a statement by Mr. Finch, Secretary of Health, Education, and Welfare, in which he recognized and accepted the findings of fact which have been made

here: and, according to his own analysis, it came to a situation in which among 12 million people—on his own analysis, not ours—there is a condition serious enough to warrant this kind of intercession that we are discussing.

Then we also have roughly similar evidence from the new Secretary of Agriculture, who said yesterday, and this reflects his experience with what I have just reported about our problems with the Department of Agriculture up to now:

The climate of the country seems to have shifted materially in the past four to five months. There, indeed, is substantial support for a stepped up campaign with relation to hunger.

Mr. President, with all of these facts before us, I appreciate the position of the Rules Committee. I have served on the committee. I understand exactly why, when they were faced with enormous requests, they felt they simply had to do their utmost to cut them down. It seemed more attractive to cut a temporary, ad hoc committee than one of the basic legislative committees, with extensive legislative oversight. I can understand that.

But I think the Senate, at the same time, should try to do what it must do in order to do justice, especially in view of the presentation now under debate, because, as the Senator from South Dakota has said, we had no debate in the committee. He presented the matter, and I presented it. We went away without any idea what the objections might be. We still do not know.

Now, with an opportunity for debate, which has been assisted by the Senator from Nebraska (Mr. CURTIS) and other Senators, I think we have demonstrated the case clearly. It is sustained by the new administration, and I hope very much that even the members of the Rules Committee themselves, having heard the matter, may now reconsider their own positions, and be persuaded to do what conscience clearly dictates, make available the committed amount for needs for 1 year, under the trust to which the committee is committed.

Mr. President, before sitting down, I wish to say a word in praise of the distinguished Senator from South Dakota (Mr. MCGOVERN), who has truly proceeded as a statesman in this matter, with head, with heart, and in every way, to do what he has done today. All of us should be grateful to him, and I am sure that all of us are.

Mr. YOUNG of Ohio. Mr. President, the action of the Rules Committee in cutting the budget for the Select Committee on Nutrition and Human Needs from \$250,000 to \$150,000 appeared shocking to me and, in my judgment, inexcusable. I hope very much for the restoration of these funds cut off in the Rules Committee.

The scourge of hunger—that compelling desire for food, that nagging emptiness in the stomach—should not be permitted to exist in this Nation. At least 10 million Americans, mostly children, suffer from chronic hunger or malnutrition. The health gap between the rich and poor is a continuing national disaster.

We are spending more than \$30 billion of taxpayers' money a year in our involvement in the ugly civil war in Vietnam—all blown up in smoke. In that useless and immoral war we are spending more than \$100,000 every 2 minutes of every hour of every day of the year. How can we justify cutting \$100,000 from the effort to eradicate hunger in our Nation when we willingly spend that amount every 2 minutes in an immoral and undeclared war in a little country 10,000 miles distant from our shores which is of no economic nor strategic importance whatever to the defense of our Nation?

It is inexcusable for one American to go to bed hungry, to grow up with the handicap of malnutrition.

How can we justify pennypinching on the investigation of hunger in our Nation when we spend hundreds of millions of dollars annually in payments to farmers for not growing crops, when many wealthy gentlemen farmers receive more than \$100,000 annually in Federal subsidies for leaving their fields idle? How can we justify taking money from hungry children, women, and men when we spend more than \$70 million a year on the civil defense boondoggle—a complete and utter waste of taxpayers' money and now propose to spend billions of dollars on the antiballistic-missile system which will be obsolete before completion? How can we refuse an additional \$100,000 a year for a committee to investigate the hunger afflicting the poor when we at the same time allow tax loopholes that permit wealthy individuals and corporations to evade their fair share of taxes or to pay no income taxes whatever?

Mr. President, I note that the Rules Committee recommended \$450,000 for the Internal Security Subcommittee of the Judiciary Committee—three times the amount approved for the Select Committee on Nutrition and Human Needs. Certainly the health and well-being of more than 10 million Americans is at least as important to our national security as the investigation of those very few in our society who do not conform to the norm or who supposedly are a danger to our democracy.

We would do well to heed the words of the Roman philosopher Seneca who 2,000 years ago said, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers," and those splendid words of Albert Einstein who once warned, "An empty stomach is not a good political adviser."

Mr. President, over the years Congress has enacted legislation to help stem hunger in our Nation—most notably the distribution of surplus food to the needy, the food stamp program, and the Federal school lunch program. Commendable as these efforts were, there are still millions of men, women, and children living on diets containing less than two-thirds of necessary minimum nutrients. The Federal school lunch program reaches less than one-third of children from impoverished homes. Children born in deep poverty too often are the victims of dietary deficiencies that affect development of the brain and stunt their physical growth. By the time these children reach public schools where they may receive one hot meal a day the damage has

been done and is irreversible. The food distribution program reaches less than one-fifth of citizens living in poverty. The food stamp program, while assisting millions of Americans has failed to solve the problem of hunger.

The fact is that millions of children and adults are nearly starving in the midst of plenty. It is obvious that much greater effort must be made by the Federal Government to provide all Americans regardless of their economic status with an adequate and balanced diet.

We simply cannot afford to maintain the status quo on the hunger front. We cannot afford to continue to condemn millions of Americans and thousands of babies born each year to a lifetime of second-class citizenship.

Before leaving office last month, Secretary of Health, Education, and Welfare Wilbur J. Cohen testified before the McGovern committee that food stamps and other Government food assistance programs do not even reach 14 million of the Nation's 22 million poor. The Select Committee on Nutrition and Human Needs chaired by the distinguished junior Senator from South Dakota (Mr. MCGOVERN) has done outstanding work in appraising the inadequacy of Government food programs to meet the needs of hungry Americans. It is of utmost importance to the security and well-being of our Nation that this committee be permitted to continue its important work and that \$100,000 be restored to its budget to enable it to do so.

Mr. SCOTT. Mr. President, I am cosponsor of Senate Resolution 68 to fund and extend for 6 months the Select Committee on Nutrition and Human Needs. When the committee was established by a unanimous vote, the Senate gave it a mandate to study the problems of hunger and malnutrition, and committed it to recommending ways to assure that the nutritional needs of our citizens are met.

Therefore, I wholeheartedly support adequate funding of the committee to enable it to carry out these two very necessary objectives.

The Select Committee on Nutrition and Human Needs must rely upon the know-how of national experts who can go into an area to investigate ongoing health and nutrition programs. We must have a detailed analysis of hardships, for example, why some needy persons do not participate in food programs, or if a food program is in operation. This, of course, is not all that is involved in the hunger and malnutrition problem in America so we must go look and see what is behind the story of Americans in such dire circumstances that hunger and malnutrition are the results.

The select committee will have to take advantage of consultants and experts who are equipped with investigative techniques. Their findings will form the basis for positive action against the conditions heavily documented by professionals in the field of health during testimony before the committee this past December and January.

It is my hope that the Senate will today renew its unanimous mandate to the Select Committee on Nutrition and Human Needs by providing adequate

funds for a penetrating investigation into the needs of our people so that we can effect some beneficial changes.

I am pleased to note that President Nixon's administration is moving decisively and quickly in this matter. Yesterday the Secretary of Health, Education, and Welfare made public his directive expanding the HEW study on the extent and effects of malnutrition. Secretary Finch said he plans to send copies of such reports to the Nation's Governors to enlist their support in fighting this critical problem.

The Secretary of Agriculture said his Department is "hoping to move every possible resource we can muster" to wipe out malnutrition in the United States.

I hope that Congress and the administration, working together, can quickly define the scope of this terrible problem and can as quickly take the necessary steps to eliminate hunger in the world's most prosperous Nation.

Mr. MONTROYA. Mr. President, the Rules Committee recently cut the budget of the Select Committee on Nutrition and Human Needs by more than 40 percent—\$100,000. I am most distressed by this action, and I would point out that this cut will make it impossible for the select committee to effectively fulfill its mandate from the Senate—that of thoroughly examining the serious problems of hunger and malnutrition in the United States.

If Congress is to address itself realistically to the needs of the millions of Americans who are malnourished, the select committee must be permitted effectively to examine and evaluate Federal, State, and local administration of food assistance programs such as the school lunch, food stamp, and commodity distribution programs. As the budget presently stands, however, these field activities will of necessity be extremely limited. Unless the cut is restored, the committee anticipates that it will be forced to cut the number of field hearings and inspection trips to five from the originally scheduled 12.

Mr. President, I have introduced in the past a number of measures to help to alleviate the hunger and malnutrition problems that exist in the United States. I was convinced then, as I am now, that there are people in this great country who are hungry, that there are millions of Americans who are malnourished because they have too little to eat or eat the wrong foods. Restoration of the full amount originally budgeted to the Select Committee on Nutrition and Human Needs would be a meaningful step toward a solution to these serious problems.

Mr. HART. Mr. President, I rise in support of the amendment offered by the Senator from South Dakota (Mr. McGOVERN) to restore \$100,000 to the funds available to the Senate Select Committee on Nutrition and Human Needs, on which committee I am proud to sit.

This committee, in the few months it has been in existence, has succeeded in focusing national attention on the problem of hunger in America. My own concern goes back to 1962 when I became aware that the school lunch program was widely available to well-to-do children

but was not adequately reaching the needy and hungry. The appeals which a few Members of Congress and I made that larger sums of money were imperative for the so-called needy schools, were not persuasive.

We made some small progress over the years, but all too little. Our programs of food for the disadvantaged were woefully inadequate.

With the shocking facts supplied last year by five responsible national women's organizations in their publication, "Their Daily Bread" and by the CBS documentary, "Hunger in America," the country was finally awakened.

Now comes the Senate select committee. Under the brilliant leadership of our colleague, Senator McGOVERN, the committee is doing the kind of sober, thorough, professional job which will permit us—later—to legislate wisely, with all the facts in hand.

In my book, it would be indefensible to cut back this investigation by more than 40 percent, as proposed by the Rules Committee. This is a job that must be well done and thoroughly done, so that the remedies we develop will meet the needs in all parts of the country and in all segments of our population.

Mr. WILLIAMS of New Jersey. Mr. President, I wholeheartedly support Senate Resolution 68, sponsored by Senator McGOVERN, which would provide funds for continuing the investigation of hunger and malnutrition in the United States.

In addition to the many important reasons for full funding set forth by my colleagues, another reason for immediate action in this area is to relieve the hunger and malnutrition problems of the migrant farmworker and his family.

My knowledge of the special problems faced by migrants is based on my 10 years experience as chairman of the Migratory Labor Subcommittee. The subcommittee conducted numerous field trips, investigations, hearings, and on-site visitations that all indelibly marked on my mind the singular fact that migrants and their families are underfed and malnourished.

On one trip to my own home State of New Jersey, within sight of the towers of Princeton University, we saw a migrant labor camp with parents and children suffering from hunger and malnutrition. And, although I am certain that considerable improvement has been made in New Jersey, I would welcome the possibility of the Hunger Committee coming to New Jersey to investigate precisely what the situation is today.

That continued investigation of hunger problems of migrants is imperative was made clear in an article appearing just yesterday in the New York Times. Mr. President, I ask unanimous consent that this article be reprinted in the RECORD at the close of my remarks.

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

(See exhibit 1.)

Mr. WILLIAMS of New Jersey. Mr. President, although not all migrant camps present such shocking conditions, far too many still do.

I know from personal experience that the problems of hunger and malnutri-

tion are particularly acute among migrant families. Yet, Mr. President, existing solutions to America's hunger problems, designed and administered for a stable population, are largely inapplicable and ineffective for migrants. Because they are constantly on the move, migrants do not have the nongovernmental resources such as local credit or private charity normally provided by a community to its residents. None of the Federal, State, or local public assistance programs are designed to accommodate nonresident in-stream migrants.

Either new programs specifically for migrants must be developed, or existing programs must be restructured to take into account the food needs of this large mobile population.

That is why the work of the select committee must continue and unfettered with full funding.

EXHIBIT 1

HUNGER IN AMERICA: POVERTY LEAVES MIGRANTS PREY TO DISEASE

(By Homer Bigart)

IMMOKALEE, Fla.—Ten miles southwest of here strung out like garbage along the edge of a cypress swamp is Smith's Camp, a gathering place for some of the migrant farm workers who flock here in winter to pick the vegetable crops.

It consists of a dozen or more windowless plywood shacks, all without toilets or running water, all painted a dull green and all facing a dark slough choked with bottles and trash.

Some distance away there are three smaller shacks, two of them privies, the third a cold-water shower. None shows signs of recent use. Few migrants are hardy enough to take cold showers out of doors in the dead of winter, even in Florida, and the latrines are unspeakably filthy, seats and floors smeared with dried defecation. So the people use the woods.

A spigot planted in the ground provides water for the shacks. But the 20 or 30 migrants who live here say the water is foul smelling and foul tasting. The only apparent amenity is the naked electric light bulb hanging from the ceiling of each shack.

Such a place is Smith's Camp, its condition of poverty far removed from the showy affluence of nearby Gulf Coast resorts and its people, during frequent periods of unemployment, vulnerable targets for hunger and disease. A Senate committee investigating hunger will be in the area March 10.

GATHERED IN CANTEN

On a recent Saturday, a visitor found most of the camp's adult population assembled in the canteen. The migrants had just been paid, apparently, and several men and women were finding release from the surrounding squalor by getting themselves soddenly drunk.

One woman, still sober enough to talk, said that in good times she made as much as \$60 for six days work in the fields, picking beans and peppers, but now work was slack because cold weather had retarded the crops.

"We've got to pay \$10 a week for these huts," she said. "Last week the water was up so high we had to wade to the door. I never would've left Carolina, but they told us the rent was free."

Someone had skinned a possum in front of one of the shacks, then left the meat for the flies. The cadaver of another skinned animal floated in the slough.

A man who introduced himself as "Hobo Bob" reeled out of the canteen and proudly produced an old photo that showed him with a wine bottle in one hand and a pistol in the other, a cigarette dangling from lips

creased in a grin. He said he was sending the photo to a cousin in South Carolina, to show the relative what a happy life migrants could lead.

"That's Hobo Bob," he laughed, patting the photo.

Retrieving a cardboard box from his shack, Hobo Bob offered visitors some cold grits mixed with beans and fatback.

Smith's Camp is one of 60 or 70 accommodations for migrants around Immokalee. Other camps seem less appalling in physical appearance but hold a greater potential for human degradation and misery because they swarm with children.

UNEMPLOYMENT HEAVY

Albert Lee, an energetic young Negro who heads the local antipoverty project, the Community Civic Workers, said it was a bad season for migrants, with heavy unemployment.

Immokalee, a town of 3,000 near the northern edge of the Everglades, normally has a mid-winter population of 12,000 migrants, he said, but now there were only about 10,000. Many who normally wintered in Immokalee had gone to Texas instead.

Immokalee is in Collier County. Many well-to-do retired people live in Naples, the county's biggest community, and this element, plus the big farm owners, have insured a highly conservative county government.

The county has a long history of snubbing Federal aid, even during the Depression era, and in recent years the county commissioners have stoutly rejected the food distribution programs of the Department of Agriculture. Today Collier County offers neither direct food distribution nor the food stamp program. Migrants who run out of money here are out of luck.

How do they keep alive Mr. Lee was asked. He said he had received on Christmas Eve \$500 from the Office of Economic Opportunity. The instructions were that the money could be distributed only for emergency food.

PINCHING AND PINCHING

"Now I've got a few dollars left," he said, "but I've been pinching and pinching and pinching."

He explained how he made the money last. He was doing out \$1 a day per person to the most desperately hungry, then cutting them off after 14 days.

"That's it," he said. "After 14 days if they can't get handouts from the neighbors they don't eat."

Two young lawyers from the O.E.O.-financed South Florida Migrant Legal Services Program, T. Michael Foster and William F. Dow 3d, said that their organization had been trying for years to get Federal food sent into Collier County.

Last summer Mr. Foster wrote to the then Secretary of Agriculture, Orville L. Freeman, telling of hunger and malnutrition in the labor camps, reporting the refusal of Collier County to participate, like most Florida counties, in making food surpluses available to the poor, and pleading for intervention.

ATTITUDE OF COUNTY AIDES

Washington did nothing. Congress had authorized the O.E.O. to take over the distribution of food in the poorest counties, which, for one reason or another, were not participating. But Collier County was not poor enough to qualify; the median annual family income, thanks to the wealthy Gulf Coast resorts, was \$4,673 a year.

"I've seen hunger in Immokalee as bad as in Latin America," said Mr. Dow, a graduate of Yale and Columbia, "yet the Collier County commissioners always say the problem doesn't exist, that the county always looks after its own 'worthy poor'."

Observers noted that the rural admonition, "root hog, or die," seemed to express the commission's attitude toward migrants. They recalled that at a hearing last August Vice

Chairman A. C. Hancock warned: "There are those sitting with their hands out waiting to be fed, and that's a situation we won't go for."

Other officials expressed the fear that if migrants were given food they would not work. Others thought that free food would drive the corner grocery into bankruptcy.

Immokalee, which calls itself the "watermelon capital of America," is a flat, sprawling, dusty town where people of different colors, black, brown, red and white, live in strict residential segregation. Smith's Camp, out in the swamp, is all black, but there are several other Negro camps inside the town.

These are in "The Quarters," an area that contains not only the Negroes but "Utopian" of concrete-block huts occupied by Mexican-Americans. Outside "The Quarters," scattered around the rest of the town, are camps for white migrants. A few score Seminole Indians live in grass huts on the eastern edge of the community.

RENT OF \$10 TO \$20 A WEEK

Most of the camps are clusters of wooden shanties, concrete huts, trailers. Rents range from \$10 to \$20 a week, plus utilities. Flush toilets are a rarity, most camps providing a communal latrine. Regardless of the color of the occupants, the camps appear universally mean and squalid.

Mrs. Angela Spencer, 38, and two small pallid children occupied a trailer in one of the white camps.

"I was lucky enough to get three days work this week," she said.

She said she had been averaging two and one-half days of work a week, earning \$25, out of which she had to pay a baby sitter \$3. The rent was \$15. That left \$7 for food and all other expenses. She owed \$19 in back rent, she said, and \$100 in doctor's bills.

There was a platter of green beans and hominy on the stove. Clouds of flies wheeled about. The refrigerator was empty except for three sticks of margarine, a partly empty bottle of milk and a box of powdered milk.

She had been helped from Albert Lee's meager allotment of cash, as had Mrs. Caroline Conner, an attractive blonde who lived in another white camp and was 10 days out of the hospital after delivering a baby girl. Her husband had abandoned her.

"We were real desperate," Mrs. Conner said of herself and the baby. "If it weren't for my friends, I wouldn't have been able to make it."

LIKES MICHIGAN BEST

Mrs. Conner said she had been migrating from Florida to the Great Lakes and back for the last four years, following the spring strawberry crop to northern Florida, then Arkansas, Illinois and Michigan; picking Michigan's blueberries, peaches and grapes during late summer and early fall, then going back to Immokalee for winter tomatoes, peppers and "cukes," or cucumbers.

She liked Michigan best, she said, because migrants got free quarters there. In Immokalee her rent was \$20 a week, and she had just about run out of the money she had received from Albert Lee.

"Whether she feels well or not, she's gotta go to work," Mr. Lee said.

"I got to do something," Mrs. Conner agreed.

Down in The Quarters, an elderly black named James Kelley and his yellow dog, Lady, found a way to beat the rent. A tolerant crew leader had let them take over an old abandoned bus.

Mr. Kelley, a diabetic whose fingers were gnarled and disfigured, was wearing two pairs of pants against the cold. An unvented oil heater had been installed near the front of the bus, and he had to keep a window open to avoid suffocation from the fumes.

He and Lady slept on piles of rags near the rear, where there was a little cookstove. The only food visible was a pan of fatback

and some pieces of fish heavily salted for preservation. Mr. Kelley said he had not worked in eight months, but he seemed happy. He had just received \$7 from Mr. Lee.

TEN CHILDREN IN HUT

In a black camp near Mr. Kelley's bus, Mrs. Pauline Milton and 10 children were crammed into a two-bedroom-and-kitchen hut.

"Me and two of the little ones sleep in this bed," said Mrs. Milton, "and there were two beds in the other room and one in the kitchen for the rest."

She had worked two days that week, earning \$11.05 each day, and paying \$2 a day for baby sitters.

"I couldn't afford to give them breakfast," she said, surveying the hungry brood, "but we had boiled beans, rice and potatoes for lunch, and I'll give them the same for supper."

Mrs. Milton is one of a comparatively few migrants eligible for county welfare, for she has lived in Immokalee for seven years. She said she had applied, but had been told that her application would take 30 to 45 days to process.

Of all the ethnic groups, the Mexican-Americans probably suffered most during times of hunger. Mr. Dow said as he drove past "Utopian Homes." Some of the Mexicans had tried to alleviate the bleakness by planting flowers around the huts.

"Mexicans are proud," Mr. Dow explained, "and feel they are violating cultural mores if they ask for help."

Mr. Foster said that the Florida State Board of Health had denied the existence of widespread malnutrition in Collier County.

PARASITIC INFECTION CITED

"People are hungry, no one can quibble about that," he insisted. "And there is a tremendously high incidence of parasitic infection."

Last March the state health board issued a report saying that a team of doctors had "closely observed" some migrant children at play or in schools and clinics and that "none had gross signs of malnutrition."

The report said that pellagra, a severe dietary deficiency disease, had been noted but only in "known chronic alcoholics."

In riposte, friends of the migrants released next day the results of clinical examinations of 23 migrant farm children of Immokalee by the Variety Children's Hospital of Miami.

The sampling uncovered 38 clinical diseases in the 23 children, ranging from pneumonia to worms.

The hospital's executive director, Gerald W. Frawley, described the findings as "rather incredible . . . a most extraordinary morbidity rate" and concluded: "The migrant population must be about the most underprivileged in the nation, at least in terms of medical attention."

In a few weeks Collier County will feel the spotlight of national publicity. The Senate Select Committee on Nutrition and Human Needs is making this county its first stop on a tour of suspected hunger areas.

The committee is seeking information on the failure of the Federal food programs to reach millions of poor Americans.

Mr. GOODELL, Mr. President, I wish to join Senators in urging full funding of the budget amount requested by the Senate Select Committee on Nutrition and Human Needs. The amount of \$100,000 or 40 percent has been cut from the budget estimate. I am hopeful that this amount will be restored.

At stake in this question of funds for the Senate committee investigating hunger is much more than an amount of money. What is at stake is people, hungry and malnourished people.

Mr. President, when was it that this

country first recognized the problem of hunger and the needs of hungry people, both at home and abroad? It will be said that surplus-disposal food programs began in 1935 and that they have been added to in degree and kind since that time.

But when was it that studies were undertaken to learn the extent of hunger in this country; to understand the consequence of hunger on a child, a family, community, and this nation? What do we know of world hunger and its consequences?

In 1967 the President's Science Advisory Committee forecast famine and mass starvation throughout the world in the years to come.

In 1967, a team of doctors returning from Mississippi told Congress that they had found hunger approaching starvation. They described the health of the poor children as "pitiful," "alarming," "unbelievable," and "appalling," even though, as they pointed out, Mississippi reached a higher percentage of its poor with food programs than other States. To these physicians, the conditions were "shocking."

In that same year 1967, as a member of the House Education and Labor Committee I heard testimony regarding effects of hunger on mental development, on motivation, on physical development, illness and life expectancy. During testimony, Dr. Joseph English of the Office for Health Affairs, OEO, raised a thought which is equally relevant today. He mentioned the Declaration of Independence and its language about the rights of life. And he said:

Today we wonder, as far as the poor are concerned, if that statement doesn't have something to do with their right not to have their lives whittled away by illness.

More than a year has passed since then, and with time more evidence has come to light on hunger and the mental and physical illness it breeds.

In 1968, "Hunger, U.S.A." was published and we heard that substantial numbers of newborn, who survive the hazards of birth and live through the first month, die between the second month and their second birthday from causes which can be traced directly and primarily to malnutrition; protein deprivation between the ages of 6 months and a year and one-half causes permanent and irreversible brain damage to some young infants; and nutritional anemia, stemming primarily from protein deficiency and iron deficiency, commonly ranges from 30 to 70 percent among children from poverty backgrounds.

While this report on hunger designated 256 counties in 20 States as "emergency hunger counties," and found over 10 million Americans malnourished, it also charged: "there is a shocking absence of knowledge in this country about the extent and severity of malnutrition."

Last year in an effort to find out more about nutrition needs of our people, I worked in the House with Representative THOMAS FOLEY to form a bipartisan "Coalition to Help Malnourished Americans." We asked for public hearings in the House on the extent of hunger in

this country and for the purpose of determining what should be done to improve and reform our programs to meet this problem.

We also asked the House to approve a Presidential Commission on Hunger with authority to study hunger and report its findings to the Nation. Hearings were held and the House passed our bill to establish a Hunger Commission.

While the House called for a Hunger Commission, the Senate established a Select Committee on Nutrition and Human Needs to further investigate the nutritional needs of our people.

Last year, I served as a member of this select committee. I have followed testimony before this committee, both then and now, and I can attest to the vitally important work it is doing.

While we have learned a great deal about hunger and malnutrition in this country and abroad, recent studies have shocked the country with facts we did not know. Dr. Arnold Schaefer, Director of the National Nutrition Survey, reported his initial findings to the Senate select committee in January. A survey based on 12,000 individuals in Texas and Louisiana found people suffering from what is described by doctors as "kwashiorkor" and "marasmus"—common in Biafra today but not the United States. Dr. Schaefer said he had not expected to find any such cases.

I asked Dr. Schaefer about the 1968 questionnaire addressed to county health officers in what have been termed "hunger counties." Many county health officers had expressed amazement that the county had been designated as a "hunger" area. Dr. Schaefer commented that only nutritionists can detect anything but the grossest malnutrition. Others not trained to detect tissues swollen by caloric deprivation, may miss this sign of malnutrition. Meanwhile unmet nutrition needs remain unmet. Still, there are at least 10 million Americans living on diets having less than two-thirds of the minimum nutrients required for good health.

Mr. President, I have taken this time to review a number of studies, reports, and assessments on hunger and malnutrition to outline what we know about hunger and what we do not know.

I have just returned from a fact-finding visit to Nigeria and Biafra. I was accompanied by a team of leading experts to examine the nature and extent of the critical problems of starvation in this area. This team included: Dr. Jean Mayer, noted Harvard nutritionist, Dr. Roy Brown, a leading pediatric epidemiologist, Dr. George Axinn, an expert in tropical agriculture, and Mr. George Orick who has lived and worked in Nigeria for 6 years.

What does hunger mean to the people in Nigeria and Biafra? Hunger means irreversible mental and physical damage for some; for millions of others hunger means death.

There are those who assert that maintenance of present relief efforts will hold future starvation deaths to far fewer than the million deaths in the past 6 months. The fact is, however, that present efforts are so inadequate that without dramatically increased relief,

more Biafrans will die of starvation in the next 6 months than in the past 6 months.

These are the kind of facts that the world needs to know. This week I shall be presenting a report on starvation in Biafra in an attempt to clarify the facts.

Similarly, facts of hunger in this country must be known. And investigation into causes—be they poverty, ignorance, or both—and consequences must continue.

How often must we hear and read about hunger as a "nutritional catastrophe" and described as "shocking," "a national disgrace," in fact an inexcusable disgrace before this means anything? How often must we be warned of world hunger as "a world crisis" before it seems real? And how long must it take before we do something more about hunger and the inhumanity of man to man? Doing something means both investigating hunger and eliminating it.

In Sunday's New York Times, headlines read: "Hunger in America: Stark Deprivation Haunts a Land of Plenty; Many Denounce Reports as Lies but Tour of Negro Shanties in Beaufort County, S.C., Yields Grim Evidence." Monday, we read "Poverty Leaves Migrants Prey to Disease." Today, the Times reports that there is not starvation in the Mississippi Delta, but that there is real malnutrition.

The administration has recognized the need to speed Government action against the problem of hunger in this country. It has called for improved and expanded means to attack this problem through cooperative efforts of Federal, State, and local agencies.

During the week, the Senate Select Committee on Nutrition and Human Needs will be reviewing evidence on hunger and malnutrition in efforts to establish the facts and to contribute to action against hunger.

Today, we ask only that this select committee be allowed to continue its investigation with funds necessary to carry out its important work.

Mr. ELLENDER. 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. The Senator from Louisiana (Mr. ELLENDER) proposes an amendment, on page 3, line 21, to strike "\$150,000" and insert in lieu thereof the amount "\$165,000".

Mr. ELLENDER. Mr. President, the RECORD will show that I acquiesced in the organization of this committee, and I am very proud to be a member of it.

The purpose of the committee, as I see it, is to explore a certain condition that exists all over the country, in the hope that Congress can be made wiser, and adopt a course of action based on the facts that may be discovered in any section of the Nation.

When this budget was presented to the committee for study, I objected to the item for consultants. We had, originally, provided \$90,000 to hire consultants. It was my view then, as it is now, that in this case we do not need consultants.

I cannot understand why they are thought to be needed. We know what the problem is. My idea is to get it set

out in black and white, get it understood by the people so that a public policy can be developed, so that more food and more funds can be provided to take care of the situation.

Mr. President, I have had considerable experience in this field. I coauthored, in 1940 I think it was, the school lunch program. That program, in my book, has worked well; and the reason why it has worked well is because of the complete cooperation that exists between the Federal Government, the States, the counties, and the municipalities in which the program is in operation.

But although that program has been on the statute books now for well over 20 years, the States that are complaining loudest now, in the Northeast, have never seen fit to provide this program in their schools.

It was said that many of the school districts in the United States could not afford to buy the necessary equipment to feed the school children, although most of the districts in the South were able to find the funds. The Agriculture Committee and the Congress met that situation by providing authority for these districts that complain that they do not have the money to obtain the necessary money through the Federal Government. But even with all of that money, there are districts, particularly in the cities of the Northeast, though in other places also, where the school lunch program is not in effect. It has not taken root in those areas.

It would seem to me that if those areas had taken advantage of the laws on the statute books, a good deal of the starvation which they speak of could have been alleviated.

In addition to the school lunch program, the committee of which I am chairman recommended the food stamp program to the Congress. Mr. President, that is a good program. It has been on the statute books for many years, and I must confess that I believe Congress has been somewhat derelict in not providing at least the moneys that we authorized.

Last year, as I recall, there was an authorization of more than \$250 million, but just under \$200 million was provided. If Congress had provided the full sum that was authorized, many of the States with malnutrition could have relieved much of that problem, simply by applying for funds in order to incorporate the program at the local level.

This morning, we had a classic example of what lack of cooperation at the local level means. The State of South Carolina is one of the few States in the Union in which every county has applied for and obtained a food-stamp program. They have it.

But somehow, the people at the local level will not cooperate to the extent that they should.

It seems to me that a good deal of the lack of food and the starvation in South Carolina that we heard about this morning could have been alleviated by the local people, if only they had followed and tried to enforce the rules and regulations established by the Department of Agriculture for providing food stamps for the people.

Under the regulations, a family receiving a mere \$3 of income can obtain in exchange for it food stamps amounting to a total of \$48. It was stated this morning that some of the people of South Carolina, although the programs were established in every county, did not know about it.

Mr. President, we can blame the local people for that, particularly as to two coastal counties that were discussed this morning. We had a State senator from that area, and he complained. So did my good friend, the Senator from South Carolina, complain that the program was there, but the people did not know about it.

Mr. President, the reason why they did not know about it was a laxity on the part of the local administrators in not making the information available to the people there.

The food-stamp program is a good program and it is very simple to administer. The Federal Government provides the printed stamps to the State. It makes an estimate of the amount of funds necessary for each county of that State. And each county is responsible for seeing that these stamps are sold to people entitled to them.

As I said a while ago, a person with \$3 can get \$48 worth of food stamps. And, as a rule, the Department of Agriculture provides that a family, in order to be entitled to the stamps, must spend at least the amount of money that is spent for food in the previous month. In other words, if a family spent \$25 for food this month, they must spend that same amount next month. And if they do, they will get from 50 to 70 percent more to spend by way of the food-stamp program. And I am confident that if the people of South Carolina whom we heard from this morning would simply administer the food-stamp plan as they should, we would have less people going hungry in that area of the country.

Mr. President, addressing myself to the pending amendment, as I said a while ago, I went along with the investigation. I think it is a good thing to expose this. However, I cannot see my way clear to having \$90,000 of the appropriated money used to employ consultants. Why, we have a survey being made today by HEW in 14 different States. And most of the evidence we are able to obtain up to now was furnished to us by HEW through investigations made in the States of Texas and Louisiana and some investigations that are now being made in the Northeast.

We are obtaining from the studies made by HEW all the information we desire in order to expose the fact that there are many areas in the United States in which people lack food. After all, that is all we desire to know.

If my amendment is agreed to, it would mean that the committee would obtain all of the money it asks for travel and all other expenses with the exception of the \$85,000 or \$90,000 that they ask for consultants.

I think that with the \$165,000 that my amendment would provide we could easily make the trips that my good friend, the Senator from South Dakota, suggests—trips to Massachusetts, Florida,

South Carolina, and other parts of the United States—to expose conditions in those localities so that Congress can in turn learn about the problem and come up with some kind of a solution. Perhaps some Indian reservations might be visited.

We have today our Extension Service which is scattered throughout the United States. We have in the Extension Service the county agents. We have ladies involved in home economics who take care of providing information to families concerning how to cook and do other things in the home.

Mr. President, instead of waiting a whole year to meet that problem, we could devise some ways and means now by which the Extension Service could be used at this time in order to tell the housewife what quality of food to serve.

We had several doctors testify before us. Some of them said that they could write out a prescription as to what food was necessary in certain areas of the country. They said that they could prescribe diets. If that can be done in any part of the country, it strikes me that the Extension Service could be easily used to disseminate the information that is furnished concerning what makes up proper diet in any part of the United States. Then, with the food stamp program enlarged to the point where all of the food necessary for a balanced diet is provided—and with the cooperation of the States—we can start now to ameliorate some of the conditions complained of today.

If we wait another year for the report of the committee, a lot of people will suffer in the meantime, if the conditions are as has been testified to in South Carolina.

I want to conduct the hearings. I want to go into the field and listen to what the local people have to say. I want to start on the program now. We do not need any consultant to tell us, in my view, whether there is starvation here or there. We can go out and find it. We can travel around, and we have the necessary funds to do that.

I am very hopeful that my amendment will be agreed to. If the amendment is adopted, the committee will obtain all the necessary money with the exception of that for the employment of consultants. We can certainly use the facilities of the HEW. A lot of people work for HEW all over the country. We can obtain information from them simply by asking them to come before the committee. And we can obtain information from traveling throughout the Nation.

I am very hopeful that we can get along with this matter. I feel confident that, with the \$165,000, by December of this year we will be able to make a final report. It is my hope that we can make a preliminary report as soon as possible to provide ways and means of starting a program at this time instead of waiting until the expiration date of the committee.

I am very much interested in the subject. I have taken the lead in the school-lunch program as well as the food-stamp program. What we really need now is to have the States utilize the tools now at hand in order to alle-

viate conditions in their own States. What we need is a program of intensive education, using the public schools, the school-lunch program, HEW, and all the other programs already on the statute books.

Mr. KENNEDY. Mr. President, I hope that the amendment of the distinguished Senator from Louisiana will be rejected this afternoon. I know that the Senator has served on the Select Committee on Nutrition and Human Needs. The record of the Senator from Louisiana in his concern for the disadvantaged and hungry of our Nation, which he has stated so well this afternoon, has been etched on the statute books of this country. He is a man of compassion.

I think that all of us who heard him and know of his work in the field know that he is deeply concerned and distressed about those who live in hunger in our country.

However, I think the issue before the Senate is whether the Senate is going to face up to what is a national issue and a national problem, or whether on the other hand, we are going to follow the suggestion of the Senator from Louisiana and take a half step on this matter. I believe we must provide reasonable and adequate funds to do the kind of job that should be done in this field, the kind of job outlined by the distinguished chairman of the committee, the Senator from South Dakota (Mr. McGOVERN).

The Senate must face up to the issue. We must realize that the problems of hunger are really national in scope, and that in not recognizing this fact 2 years ago, the Senate failed to meet its responsibility.

We know that during the past 2 years the Senate, through the work of this and other committees, has focused on this problem. There is a great need. The problem is not simply one of individual starvation in different parts of our country. There is solid evidence that mass malnutrition exists in many parts of the Nation—not only in the southern parts of our country but also in the Northeast, and even in my own State of Massachusetts.

This committee is really attempting to come to the root causes of the problem—not as HEW is attempting to do. As useful and as important as the investigations of HEW are, they are designed largely to examine the extent of malnutrition in certain areas. This committee is attempting to find out where the bottleneck is—whether it is in the Federal programs, whether it is in State activity or inactivity, whether it is in inefficient administration at the local level, the committee is also attempting to determine how extensive the problems of malnutrition are in this Nation. We must know the answers to these questions, Mr. President. I believe this committee is the appropriate committee to find them.

We are too rich and too powerful a nation to let people starve. Yet people are starving in our own land, and the Senate has only just begun to recognize the problem and to meet its responsibilities.

A year ago, before the Senate Select Committee on Nutrition and Human

Needs was established, the prevailing attitude in the Senate and in the Nation at large was that there was no need to study hunger in America, because hunger was not a significant problem in this country. We now know otherwise, as a result primarily of the deeply disturbing facts already presented to the committee in its hearings held last December and January. The issue we face today is whether the committee is to be funded at a level adequate to continue its important activities for the remainder of 1969.

The committee was established in July 1968, and a total of \$25,000 was appropriated to fund its initial operations for the 4-month period October 1968 to January 1969. The committee has requested \$250,000 to continue its activities in 1969. The Rules Committee has reduced this amount to \$150,000—a cut of 40 percent. I believe that this drastic cut should be restored, and that the committee should be funded at the full level it has requested.

To date, the committee has held significant hearings that clearly demonstrate the need for a thorough study of hunger in this country. In December 1968, the committee received testimony from a series of nutrition experts, who provided a broad general analysis of malnutrition in the United States, especially in children. Their testimony contained numerous sharp criticisms of our present inadequate efforts in this area, particularly the Federal food stamp and commodity programs. Extensive testimony was also heard on the present and potential role of private industry in helping to meet the problem. One of the most candid witnesses before the committee noted the surprise with which the Governor of the State of North Carolina greeted the discovery of a serious problem of hunger in his State, and his immediate and urgent efforts to remedy the problem.

Only yesterday, Secretary Finch, of the Department of Health, Education, and Welfare, and Secretary Hardin, of the Department of Agriculture, emphasized the need for better efforts by their agencies to study and eliminate the problem of hunger in the Nation. Their comments give strong impetus to the need for continuing and expanding the activities of the Nutrition Committee.

As these preliminary hearings made painfully clear, the Federal Government has had no articulated national policy on nutrition since the end of the Second World War.

Further hearings were held by the committee in January of this year. Several officials of the previous administration explained the roles of the Federal departments and agencies in combating malnutrition. Dr. Thomas Bryant, Assistant Director of the Office of Economic Opportunity, furnished the committee with an income analysis in which he concluded that 12 to 15 million citizens in the United States have incomes too low to purchase an adequate daily diet.

In addition, the committee also heard extensive testimony in January on the recent report of the National Nutrition

Survey. In this report, which presented preliminary findings on malnutrition in selected low-income areas in four States—Texas, Louisiana, New York, and Kentucky—the committee, the Senate, and the Nation learned for the first time that hunger and malnutrition are serious problems confronting modern America, both rural and urban, and are in no sense problems unique to the underdeveloped nations of the world.

Until the Nutrition Committee began to investigate these problems, most Americans were completely unaware that their fellow citizens in the hollows of Appalachia, the tenements of Harlem, the Indian reservations of Arizona, and many other parts of the country are suffering because they do not have enough food to eat.

Some people have scoffed at the committee's investigations. They claim it is a waste of time to study hunger. After all, it is said, anyone who does not have enough food in these times of prosperity must be too lazy to work for it.

That view is false, and demonstrably so. The Nutrition Committee received evidence that malnutrition and starvation may lead to physical and mental defects in childhood that endure throughout the lives of the persons affected. Equally tragic, we have learned that in many communities in the Nation, the food programs that the Federal Government operates to alleviate hunger is ineffective because of poor administration, insufficient funds, or both.

Before the Nutrition Committee began its investigations, many people who were aware of the problem of hunger insisted that it was confined to certain very limited areas of the country. Now we know that even in States like New York, Texas, Louisiana, and Massachusetts there are chronic conditions of malnutrition.

For too many years we have allowed people to believe that in this land of plenty, no one, or almost no one, is suffering the way we now know many of our citizens suffer.

We have simply ignored the problem.

Certainly there is more information about malnutrition that must be uncovered. The American people need to know the miserable nutrition conditions that exist for many of our people, and they need to know the urgent steps that can and must be taken to improve these conditions. To do less would be to violate the basic moral and humanitarian principles on which our society is founded.

Although little information is presently available to demonstrate the results that can be achieved by reducing malnutrition in the United States, substantial evidence is available from surveys of other nations. Numerous examples have been cited by Alan Berg in his perceptive recent article "Malnutrition and National Development" in the journal *Foreign Affairs*:

When malnutrition was relieved in southeast Brazil, improved health and life expectancy of the workers was largely responsible for a fivefold increase in productivity compared to nutritionally deficient areas in other parts of the nation.

Workers on the Pan-American Highway showed a threefold increase in pro-

ductivity within a few months after their diet was upgraded to three well-balanced daily meals.

A study in Guatemala estimated that the average cost of hospitalization resulting from malnutrition was more than 50 times the annual cost of preventing the malnutrition in the first place.

A study of the old East African Carrier Corps showed that improved nutrition produced a dramatic reduction in absenteeism and hospitalization due to illness, as well as a similar reduction in the accident rate among employees.

In India, at least 1 million cases of blindness caused by vitamin A deficiency could have been prevented by a few pennies each year for supplemental diets.

In the Philippines, the total economic loss due to beri beri—based on production and manpower loss and health costs—was estimated at over \$11 million per year.

Experimental enrichment of rice in seven municipalities of Bataan produced a 70- to 90-percent decline in beri beri.

In Newfoundland, compulsory enrichment of flour produced a 40-percent decrease in infant mortality.

These dramatic results in other nations offer important guidelines along which investigation and research should be conducted in the United States.

Preliminary results from the National Nutrition Survey in parts of Texas and Louisiana show that many people are suffering from high risk nutrition deficiencies comparable to those found in other areas of the world.

In testimony received by the Nutrition Committee, Dr. Arnold E. Schaefer reported that the Survey showed an alarming prevalence of characteristics associated with undernourished population groups. According to Dr. Schaefer, the most widespread nutritional problem in the areas he studied is multiple nutrient deficiency, in which a combination of essential ingredients is missing from the diet. It is shocking to realize—but important to recognize—that problems in the poverty groups in the United States seem to be very similar to those encountered in developing countries.

Among the specific findings of the nutrition survey, Dr. Schaefer reported the following results:

Three and one-half percent of children 1 to 3 years old have retarded bone growth.

Seven cases of marasmus and kwashiorkor were found in the States surveyed. Previously, it was believed that these severe diet-deficiency diseases existed only in certain areas of Africa, Latin America, and Asia.

Fifteen percent of those studied require medical treatment to alleviate marked anemia.

Up to 33 percent of those studied suffered critical vitamin deficiencies.

Ninety-six percent of the sample studied had serious dental problems.

The most shocking aspect of the entire problem of hunger in America is the failure of our governments, Federal, State, and local, to provide adequate food for our own citizens at the very time we are mounting extensive nutrition programs in other countries.

For example, fortified milk has been shipped to hungry people in Asia by our Government for several years. But until last summer, fortified milk was not included in food packages for Americans who received commodity food packages from the Department of Agriculture. Fortified milk is available in retail markets today only at a considerably higher cost than nonfortified milk.

This has not always been the case. Over 30 years ago, milk fortified with vitamin D was sold at no extra cost to the American consumer. Because fortified milk was easily available to all American families in the 1930's, the debilitating children's bone disease, rickets, was essentially eliminated for a generation of young Americans.

Now the picture has changed. The Nutrition Survey uncovered at least 18 cases of rickets in the population groups studied. Although these findings are only preliminary, they are deeply disturbing, because they raise grave doubts about the validity of our entire nutrition program. It is not enough to launch such programs. We must also monitor them closely to guarantee that they are administered efficiently and that their goals are achieved.

Perhaps the most wasteful part of our failure to properly feed our citizens is the immense loss of human ability due to mental retardation caused by malnutrition. In his testimony before the Nutrition Committee, Dr. Charles Lowe stated that nutrition is one of the most important keys to normal mental development of infants and children. The quality and quantity of nutrition during the first 2 to 4 years of life may determine the intellectual development of the individual for his entire life.

According to Dr. Lowe, evidence from several sources proves that when a fetus receives insufficient nutrition, the infant is born small and his brain fails to function at normal levels. In fact, the nutritionally deficient infant is likely to be born prematurely. As many as 50 percent of premature infants grow to maturity with an intellectual ability below that which would be expected when compared with normal infants of the same age.

In addition to the effect of malnutrition on mental development, significant correlations have been shown between malnutrition and reduced physical growth and life expectancy, as well as increased susceptibility to a wide range of childhood and adult diseases. The study of malnutrition is thus likely to have major significance for many other basic programs of Federal assistance in areas to which we have long committed substantial funds—areas such as education, health, and employment. I believe that the cost of combating malnutrition will be far less in the long run than the cost of combating the consequences of malnutrition under our existing programs.

The presence of malnutrition during the early years of life constitutes a danger not only to the individual child, but also to the Nation as a whole. We cannot afford to let millions of children grow to adult life compromised in intellect because we, in this rich land, have failed to feed them. Our goal must be the total

elimination of malnutrition. We can tolerate nothing less.

The feeding of our children is a pressing national emergency. All our current efforts hardly measure up to the challenge.

What can be done to meet the need? Pending completion of the Nutrition Committee's study, no definitive solution can be reached. It is possible, however, to suggest certain preliminary guidelines. To begin, we can follow the precedents established in our overseas aid programs: reorient eating habits by nutrition education at all levels, encourage local participation and implementation in nutrition programs, establish the necessary local agencies to perpetuate the programs once external sponsorship is ended.

The food industry can help to make such programs work. It has the financial resources to do so. In 1965 the food industry was the second largest manufacturing group in the country, with a value of manufactured products in excess of \$23 billion and a net income before taxes of over \$14 billion.

Moreover, the food industry has the technical knowledge of food production and research and its members are masters at the art of food distribution. As evidence we can cite the industry's success in producing fish protein concentrate and other nutrient supplements for developing countries such as "Vitasay" in Hong Kong, "Pronutro" in South America, and "Incapurina" in Latin America. These illustrations concern only food supplements, but the lesson learned can be applied to nutrition as a whole, as an indication of the critical role that the food industry can play in determining the success of such programs.

There are other significant steps that can be taken. We can utilize local food stores and supermarkets not only as distributive agencies, but also as educational arenas. We can assure that our basic Federal food support programs are operative, particularly the food stamp and commodity distribution programs. We can involve schools, churches, civic organizations, and community action programs. We can educate, distribute, improvise, and feed. In sum, we can demonstrate to the world that we have not only the food but the knowledge and imagination to insure that none in our land go hungry. To do so, we must develop a strong and creative program, spurred by government and private industry working together. To fail is to court disaster. Not to try is cowardly. To succeed is to open new vistas of national productivity.

There can be no doubt that the Select Committee on Nutrition and Human Needs has used its initial funds wisely and effectively. The crucial question now is whether the Senate will allow the committee to build on the extraordinary foundation it has already laid. The committee's request for \$250,000 for the remainder of 1969 represents an entirely reasonable extension of its operations. I believe that the reduction to \$150,000 made by the Rules Committee is wholly unjustified. In its brief existence, the Nutrition Committee has amply demonstrated its high level of competence to

investigate a problem that has been increasingly recognized as one of the most serious in our society. The committee has made an excellent beginning, and I urge that it be permitted to continue its activities at the full funding level it has requested.

It is not enough, however, for the Senate merely to appropriate funds for the committee. We must also take this opportunity to go on record with strong support of the kind of responsible efforts undertaken by the committee.

We must demonstrate that we are concerned about the problems of malnutrition and starvation, and that we are dedicating ourselves to do something about them. We must demonstrate also that where local government, State government, and Federal Government are failing to respond, these facts will be rooted out as well.

This issue is of great importance and great significance. I believe the issue is much more basic and fundamental than simply the restoration of funds. It is essential for the Senate itself to go on record as recognizing that hunger is a national problem, and that we are going to solve it.

I hope, therefore, that the amendment of the Senator from Louisiana will be rejected and that the full amount requested by the distinguished Senator from South Dakota will be restored.

Mr. JORDAN of North Carolina. Mr. President, I wish to point out that this committee was not singled out for special treatment before the Rules Committee. Thirty-seven money resolutions were presented before the Rules Committee, and 21 of them were reduced from the amount requested.

The Committee on Labor and Public Welfare was cut \$145,400, and that was accepted by the chairman. So no special treatment was given to any one committee.

Senate Resolution 68 as referred to the Committee on Rules and Administration would authorize the Select Committee on Nutrition and Human Needs to expend not to exceed \$250,000 through December 31, 1969, for a complete study or investigation of matters pertaining to the lack of food, medical assistance, and other related necessities of life and health.

During the close of the last session of Congress, \$25,000 was authorized to initiate the inquiry, of which \$13,437 was expended.

I believe I should emphasize that. But it had some bearing on how much the committee thought would be necessary for the committee to complete the task it set out to do.

The Committee on Rules and Administration has reported the resolution with an amendment reducing the requested amount from \$250,000 to \$150,000, a reduction of \$100,000.

It was the decision of a majority of the members of the Committee on Rules and Administration that \$150,000, representing a reduction of \$100,000 from the amount requested by the Select Committee on Nutrition and Human Needs, would be sufficient to conduct the 11-month study involved. In reaching this decision, the majority in no way mini-

mized the importance of the subject matter involved or displayed any lack of sympathy whatsoever for the worthy objectives encompassed under Senate Resolution 68.

In all candor, there was a difference of opinion concerning the amount which should be provided. There was sentiment in the Rules Committee to allow the full \$250,000, and there was also sentiment to reduce the amount drastically below the \$150,000 finally approved.

I know I speak for all members of the Committee on Rules and Administration when I say that if the Select Committee on Nutrition and Human Needs, during the course of the coming year, finds that additional funding is necessary to carry out its comprehensive program and a resolution for additional money is referred to the Rules Committee, it will be given prompt and sympathetic consideration.

I made that statement, in the Committee on Rules and Administration at the time this resolution was reported. We have done that time and time again when a committee exhausted its funds and requested additional funds, and they are provided with additional funds if they can show the need.

Let it be abundantly clear, Mr. President, that I am not insensitive to problems of human deprivation or unwilling to do anything to correct them. I think even casual examination of my record of support for realistic programs designed to cope with those problems will attest to that.

I do not think hunger has a place in the midst of our affluence where there are workable ways to eliminate it. While others may disagree, I think school lunch programs, the food stamp plan, and food distribution arrangements have, where properly handled, accomplished a good deal toward that end. I do not by any means say that this has completely cured the problem, either.

It may well be that other steps are necessary, and I welcome any new ideas or practical solutions which will be of additional benefit, whether they come from a Senate study or from other sources.

I have not at any time made light of either the scope of the problem or the projected Senate study, nor have I attempted to starve it financially.

The facts are these:

Just before the Senate adjourned last fall, the select committee presented a request for \$115,000 to the Rules Committee to cover the period through January 31 of this year. The request was trimmed to \$25,000, of which only a little more than \$13,400 had been used when the allotment period expired.

Several members of the select committee have told me they felt the \$250,000 requested for the remainder of this year was considerably too high a figure and more than could be used efficiently and economically. Some other members of the Rules Committee were given the same information.

As chairman, and having only one vote, I recommended the \$150,000 figure subsequently adopted after several members had proposed smaller amounts.

I felt that a higher amount than \$150,000 would not be accepted by the Rules

Committee majority in the absence of firm evidence that plans for the study were far enough along to insure need for the full requested figure during the budget period.

If the study progresses to the point that the necessity for more money can be shown, I will support such a supplementary request.

I hope the study will proceed rapidly and effectively and will clearly spotlight not only the scope of the needs but also the best ways of meeting it. I think it is more in the cure than the diagnosis that the question of spending level is really pertinent.

I should like to remind Senators that when the Senate Rules Committee considers resolutions requesting funds for studies and investigations, it considers each individual request against the backdrop of all of the others in an attempt to avoid duplication of effort and overlapping of particular investigations. In addition to the Select Committee on Nutrition and Human Needs, two subcommittees of the Senate will be carrying on somewhat similar studies during the coming year.

In his appearance before the Senate Rules Committee, Senator RIBCOFF, chairman of the Subcommittee on Executive Reorganization, of the Committee on Government Operations, emphasized that his subcommittee, during the coming year, would concentrate on the 21 separate departments and agencies involved in health care in America. Senator YARBOROUGH, chairman of the Subcommittee on Health, of the Committee on Labor and Public Welfare, also plans to make an intensive study of health problems and legislation related thereto.

In reducing the amounts requested by all three of the committees planning to study the health needs of our Nation, it was the thought of the members of the Committee on Rules and Administration that close coordination among them could bring about a measure of economy in their admittedly worthwhile objectives.

Mr. BYRD of Virginia. Mr. President, it is not often that the Senator from Virginia supports an appropriation greater than that recommended by the appropriate committee. Today, however, I have listened to the debate, and it seems to me that the Senator from South Dakota (Mr. McGOVERN) has made a good case. I am impressed also by the fact that the Select Committee on Nutrition and Human Needs has a termination date. In view of all this, it seems to me that the figure which the Senator from South Dakota (Mr. McGOVERN) seeks is not an unreasonable one, and I shall support his amendment.

Mr. HOLLAND. Mr. President, there are several things about the pending resolution which cause me concern.

I want to make very clear that in the Committee on Agriculture and Forestry the Senator from South Dakota (Mr. McGOVERN) has given leadership on matters of nutrition and food so far as the foreign segments we have been trying to help are concerned. He was, as we all know, the administrative head of the Food-for-Peace Agency—or whatever its name was at the time—for 2

years. I have tried to cooperate very fully with him in that regard.

Insofar as the domestic sector is concerned I felt that my distinguished chairman, the Senator from Louisiana, has been not only most generous but most practical and fair in seeking to deal with that aspect of the problem. He already stated for the RECORD what is a fact, that he has been over the years the father of the school lunch program, the father of the food stamp program, and he has been the father of all the refinements of the school lunch program which have enabled us in recent years to apply funds to enable poorer districts to have a greater portion of the funds without matching Federal funds as normal districts have been required to do. He has been responsible also for seeing that they get the equipment they need such as refrigerators, and stoves of every kind by Federal payments for that equipment.

In the conferences between the Committee on Agriculture and Forestry of the Senate and of the similar committee of the House year after year I have heard the Senator from Louisiana go to bat for the more liberal handling of this particular field.

When he puts out a note of warning here, so far as I am concerned I certainly want to listen to him because he is the one who has led the Senate so far in this field and led it ably, well, and compassionately.

Having said that, I want to make clear that I understand, and I hope Members of the Senate understand, that there is a fight going on between two Federal agencies as to who will be the principal handler of this program in the Federal field. The Department of Agriculture has been the principal handler of legislation I have mentioned and other legislation which I can mention and I think that by and large it has done a good job. However, the Department of Health, Education, and Welfare has been trying to get hold of that program.

All of us in the Senate remember that only last year the other body at the other end of the Capitol passed a bill which would have set up a much larger and much more poorly managed program, which we were required to consider here, which we allowed to operate only in part and only by adding it to the existing program. I remember that out of the action of the Senate we added some \$50 million to the appropriations which had been set up before that time for the handling of these domestic programs. Apparently that satisfied for the moment those in the other body who insisted that this entire field be turned over to the Department of Health, Education, and Welfare. I am one who does not want to see that happen. I want to see it remain in the Department of Agriculture. I think the department which handles food and the Federal subsidies for food, which handles section 32—which is for those who handle highly perishable crops who do not have price supports—and the food stamp program and other programs with which they have experience, should continue to handle those programs.

When I hear in this Chamber those who support this appropriation, who apparently last year wanted to turn this

matter over to the Department of Health, Education, and Welfare, I cannot help but have a red flag come up because as far as I am concerned, I want to see it remain in the Department of Agriculture.

I wish to call attention to two things and I shall be through except for one matter in my State that I wish to mention. First, if Senators will turn to page 5 of the report of the committee, they will find the very full letter so ably furnished by my able friend from South Dakota, who I have said in his absence has given leadership in foreign food programs. He mentions section 32 funds. My State produces very little other than the fruit crop, the vegetable crop, and meats which have had no price supports, and they want no price supports or regimentation at the hands of the Federal Government or anybody else. But when they have heavy surpluses, they like to have existing funds to take those surpluses off the market and to put them, where they can, to the use of the impoverished people of the country, and that is what has been done.

On one occasion in the last few years, \$100 million was used out of that fund to take care of excessive red meat. At another time, \$100 million, or approximately that amount—and the Senator from South Dakota will remember these two occasions—was used to take over excessive pork supplies and those, too, went to impoverished people of our country. There were other occasions when this fund was used for fruit and vegetable producers who, due to the bounties of nature in that particular year, produced much more than the market needed or could take. That section 32 fund has come in handy to take surpluses off the market and put them into the school lunch fund or the fund for distribution to the impoverished people generally throughout the country.

The reason I am concerned when I see section 32 mentioned here as one of the things being considered is that I remember two instances in the last few years when inroads into section 32 funds were sought to be made by those thinking about welfare rather than those in the agricultural field, which attempts were unreasonable, impractical, and violated provisions of the Welfare Act which they sought to increase.

One of those was an attempt to put all of the food stamp program into the section 32 fund with the admission at the time they were doing that—or trying to do it, because we were able to defeat it—that they were expecting to build up the food stamp program to where it would use up all—every bit—and more, too, than is found annually in the section 32 fund program.

Mr. President, on another occasion they sought to do the same thing with reference to the special school milk program, to take it over entirely into the section 32 fund. The point I make is that each time they were departing from the objectives of section 32 and were seeking, instead, to go into fields, primarily welfare fields—good fields, fields which I had supported as a member of the Committee on Agriculture and Forestry, and am still supporting, but which

I want to be supported out of general revenue funds rather than impoverishing the fund set up to take care of the great majority of agricultural producers.

Mr. President, whether the Senate realizes it or not, a great majority of the agricultural producers and agricultural production does not have regular support prices from the Federal Government but does exist under its own initiative and needs help only when it has surpluses which threaten to destroy the value of the whole crop or the whole product.

Thus, Mr. President, I am disturbed because I see that section 32 is one of the sources which is being examined in connection with this search, particularly when I see that in asking for this first appropriation, some Senators seem to think that welfare should supersede agriculture even in the handling of a fund which is set up primarily for the protection of agriculture and has always been so considered and stated to be by the terms of the very act that set it up.

Mr. McGOVERN. Mr. President, will the Senator from Florida yield to me momentarily?

Mr. HOLLAND. I am glad to yield to the Senator from South Dakota.

Mr. McGOVERN. I want to thank the Senator for his contributions and for his concern about this matter, and to assure him that I recognize him to be an expert on the whole subject of the section 32 programs and the commodity programs. I can assure him that before we would make any final recommendations relating to that program, we would certainly consider the suggestions of the Senator from Florida who has handled the program for many years. I, for one, have a very special appreciation of his knowledge and any suggestions and advice he might have to offer to the committee with reference to that program.

Mr. HOLLAND. Well, I thank my dear friend. As usual he is kind, courteous, and thoughtful; but, I am just afraid that this committee is planning to put welfare ahead of agricultural needs, and I must voice that opinion at this time as we consider this matter.

Mr. President, the second thing which causes me to stop, look, and listen, is on page 7 of the committee report as taken from the memorandum attached, as I understand it, to the letter of the Senator from South Dakota (Mr. McGOVERN). On page 7 appears part 3 which the committee proposes to examine. It is that part which I would feel reluctant to see the committee given any authority over.

I read for the RECORD that part 3, Mr. President:

3. *The role of the private sector.*—The committee will also assess the present and possible future roles of the food processing industry and other private for-profit and not-for-profit organizations in meeting nutrition and other basic needs, including Federal regulation of and restraints on the private sector. This study would cover the following topics:

The fortification of existing foods and development of new foods to meet the nutrition needs of the poor, including existing efforts of the food industry alone and in cooperation with AID and USDA;

I do not know why AID was brought into it except for the fact that the distinguished Senator from South Dakota

has had previous experience with it in great measure while he was administering the Food for Peace program.

Continuing to read:

The packaging, advertising, and marketing of present foods and the effect of food industry practices upon the poor;

Political and economic restraints upon food manufacturers;

Federal regulations affecting food fortification; and

The future development of local food processing businesses and agricultural cooperatives and the extent to which such endeavors have and can meet the needs of low-income groups.

Mr. President, one could not give a broader ticket to the committee to delve into everything that has to do with food production and processing—that is, after the food has been harvested from the fields—than would be given by this formula which is stated in the memorandum prepared by and furnished by the distinguished Senator from South Dakota.

It is evident to me that he and perhaps the members of his committee think they are to be evangelists in the food field, to discover what we know about fortification of foods and why we do not know more; why we are not doing more; why we are not processing more foods; why processing businesses are succeeding or are not succeeding; why agricultural cooperatives are succeeding or why they are not succeeding; or why all of them have any bearing upon the feeding of the poor.

Mr. President, my own feeling is that we would be making a great mistake to give this general license, this general ticket, this general authorization to this very able committee, because it goes so much further than the announced purposes of the resolution and the announced purposes of the study.

Mr. President, having said that, I shall make no further arguments; but I do want to comment upon a matter in my own State.

Yesterday, I noted on the front page of the New York Times—probably a bit of propaganda in connection with this very effort the Senate is discussing today—an article written by a reporter whose name is stated on the article regarding Immokalee in my own State, and who reported very terrible conditions existing there.

Let me say, first, that I invite the Senator from South Dakota and the committee—because we are certainly going to extend it—to send whomever they have that is most trustworthy down there and check into what is going on. If anything is found to be wrong, then to correct it, or report it here so that it can be corrected here.

I have no disposition at all to cover up anything in my own State.

I do want to call attention, however, to the fact that the able Senator from New Jersey (Mr. WILLIAMS), who is handling the problem of migrants on the floor of the Senate so ably and so successfully, has several times stated on the floor of the Senate that the State of Florida had done more than States that he had been to otherwise in connection with such things as housing for migrants, such things as medical supplies and hos-

pitalization for migrants, and such things as day-care schools.

I believe that we were the first ones to set them up. I remember that only last year my dear friend from Massachusetts (Mr. KENNEDY), reported, after a trip to Florida, that he found and gave high praise to the educational institutions set up in Florida to take care of the children of migrants. I just want those things to be borne in mind.

I repeat, however, my invitation to send down whomever you have and find out what the truth is at Immokalee.

It seems to me, from reading that article, that the reporter was concerned about two things in particular. One was that he found some poor, hungry, ill-fed and ill-housed people, whom he did not describe as migrants, but who I am sure were migrants, in a county where he said the average income per family was \$4,600 and where the county commissioners had not been willing to install a food stamp program or a program in the field of general commodity distribution. Perhaps he was overlooking the fact that migrants do come to Florida in the winter, just like everybody else, including the Evangelists, who always come to Florida in the winter; and they come to Florida sometimes before the work is available. Perhaps that might have been the case. I cannot state anything of my own knowledge, because while I was in Immokalee between Christmas and New Year's, I did not visit the migrants' homes. I did see some migrant workers on the streets, and they were, apparently, well fed, healthy, laughing, and happy, and I did talk to some merchants, who thought that the conditions there were excellent. But I want the conditions, whatever they are, to be explored and reported.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the article to which the Senator from Florida refers be inserted in the RECORD. It is the second of an excellent series of articles by Mr. Homer Bigart. I also ask that the third article of the New York Times series on Hunger in America, describing conditions in the Mississippi Delta, be inserted in the RECORD.

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

HUNGER IN AMERICA: POVERTY LEAVES
MIGRANTS PREY TO DISEASE
(By Homer Bigart)

(NOTE.—The second of a series of articles on reports of hunger in the United States.)

IMMOKALEE, FLA.—Ten miles southwest of here, strung out like garbage along the edge of a cypress swamp is Smith's Camp, a gathering place for some of the migrant farm workers who flock here in winter to pick the vegetable crops.

It consists of a dozen or more windowless plywood shacks, all without toilets or running water, all painted a dull green and all facing a dark slough choked with bottles and trash.

Some distance away there are three smaller shacks, two of them privies, the third a cold-water shower. None shows signs of recent use. Few migrants are hardy enough to take cold showers out of doors in the dead of winter, even in Florida, and the latrines are unspeakably filthy, seats and floors smeared with dried defecation. So the people use the woods.

A spigot planted in the ground provides water for the shacks. But the 20 or 30 migrants who live here say the water is foul smelling and foul tasting. The only apparent amenity is the naked electric light bulb hanging from the ceiling of each shack.

Such a place is Smith's Camp, its condition of poverty far removed from the showy affluence of nearby Gulf Coast resorts and its people, during frequent periods of unemployment, vulnerable targets for hunger and disease. A Senate committee investigating hunger will be in the area March 10.

GATHERED IN CANTEEN

On a recent Saturday, a visitor found most of the camp's adult population assembled in the canteen. The migrants had just been paid, apparently, and several men and women were finding release from the surrounding squalor by getting themselves soddenly drunk.

One woman, still sober enough to talk, said that in good times she made as much as \$60 for six days work in the fields, picking beans and peppers, but now work was slack because cold weather had retarded the crops.

"We've got to pay \$10 a week for these huts," she said. "Last week the water was up so high we had to wade to the door. I never would've left Carolina, but they told us the rent was free."

Someone had skinned a possum in front of one of the shacks, then left the meat for the flies. The cadaver of another skinned animal floated in the slough.

A man who introduced himself as "Hobo Bob" reeled out of the canteen and proudly produced an old photo that showed him with a wine bottle in one hand and a pistol in the other, a cigarette dangling from lips creased in a grin. He said he was sending the photo to a cousin in South Carolina, to show the relative what a happy life migrants could lead.

"That's Hobo Bob," he laughed, patting the photo.

Retrieving a cardboard box from his shack, Hobo Bob offered visitors some cold grits mixed with beans and fatback.

Smith's Camp is one of 60 or 70 accommodations for migrants around Immokalee. Other camps seem less appalling in physical appearance but hold a greater potential for human degradation and misery because they swarm with children.

UNEMPLOYMENT HEAVY

Albert Lee, an energetic young Negro who heads the local antipoverty project, the Community Civil Workers, said it was a bad season for migrants, with heavy unemployment.

Immokalee, a town of 3,000 near the northern edge of the Everglades, normally has a midwinter population of 12,000 migrants, he said, but now there were only about 10,000. Many who normally wintered in Immokalee had gone to Texas instead.

Immokalee is in Collier County. Many well-to-do retired people live in Naples, the county's biggest community, and this element, plus the big farm owners, have insured a highly conservative county government.

The county has a long history of snubbing Federal aid, even during the Depression era, and in recent years the county commissioners have stoutly rejected the food distribution programs of the Department of Agriculture.

Today Collier County offers neither direct food distribution nor the food stamp program. Migrants who run out of money here are out of luck.

How do they keep alive, Mr. Lee was asked.

He said he had received on Christmas Eve \$500 from the Office of Economic Opportunity. The instructions were that the money could be distributed only for emergency food.

PINCHING AND PINCHING

"Now I've got a few dollars left," he said, "but I've been pinching and pinching and pinching."

He explained how he made the money last. He was doing out \$1 a day per person to the most desperately hungry, then cutting them off after 14 days.

"That's it," he said. "After 14 days if they can't get handouts from the neighbors they don't eat."

Two young lawyers from the O.E.O.-financed South Florida Migrant Legal Services Program, T. Michael Foster and William F. Dow 3d, said that their organization had been trying for years to get Federal food sent into Collier County.

Last summer Mr. Foster wrote to the then Secretary of Agriculture, Orville L. Freeman, telling of hunger and malnutrition in the labor camps, reporting the refusal of Collier County to participate, like most Florida counties, in making food surpluses available to the poor, and pleading for intervention.

ATTITUDE OF COUNTY AIDES

Washington did nothing. Congress had authorized the O.E.O. to take over the distribution of food in the poorest counties, which, for one reason or another, were not participating. But Collier County was not poor enough to qualify; the median annual family income, thanks to wealthy Gulf Coast resorts, was \$4,673 a year.

"I've seen hunger in Immokalee as bad as in Latin America," said Mr. Dow, a graduate of Yale and Columbia, "yet the Collier County commissioners always say the problem doesn't exist, that the county always looks after its own 'worthy poor'."

Observers noted that the rural admonition, "root hog, or die," seemed to express the commission's attitude toward migrants. They recalled that at a hearing last August Vice Chairman A. C. Hancock warned: "There are those sitting with their hands out waiting to be fed, and that's a situation we won't go for."

Other officials expressed the fear that if migrants were given food they would not work. Others thought that free food would drive the corner grocery into bankruptcy.

Immokalee, which calls itself the "watermelon capital of America," is a flat, sprawling, dusty town where people of different colors, black, brown, red and white, live in strict residential segregation. Smith's Camp, out in the swamp, is all black, but there are several other Negro camps inside the town.

These are in "The Quarters," an area that contains not only the Negroes but "Utopian Homes," a group of concrete-block huts occupied by Mexican-Americans. Outside "The Quarters," scattered around the rest of the town, are camps for white migrants. A few score Seminole Indians live in grass huts on the eastern edge of the community.

RENT OF \$10 TO \$20 A WEEK

Most of the camps are clusters of wooden shanties, concrete huts, trailers. Rents range from \$10 to \$20 a week, plus utilities. Flush toilets are a rarity, most camps providing a communal latrine. Regardless of the color of the occupants, the camps appear universally mean and squalid.

Mrs. Angela Spencer, 38, and two small pallid children occupied a trailer in one of the white camps.

"I was lucky enough to get three days work this week," she said.

She said she had been averaging two and one-half days of work a week, earning \$25 out of which she had to pay a baby sitter \$3. The rent was \$15. That left \$7 for food and all other expenses. She owed \$19 in back rent, she said, and \$100 in doctor's bills.

There was a platter of green beans and hominy on the stove. Clouds of flies wheeled about. The refrigerator was empty except for three sticks of margarine, a partly empty bottle of milk and a box of powdered milk.

She had been helped from Albert Lee's meager allotment of cash, as had Mrs. Caroline Conner, an attractive blonde who lived

in another white camp and was 10 days out of the hospital after delivering a baby girl. Her husband had abandoned her.

"We were real desperate," Mrs. Conner said of herself, and the baby. "If it weren't for my friends, I wouldn't have been able to make it."

LIKES MICHIGAN BEST

Mrs. Conner said she had been migrating from Florida to the Great Lakes and back for the last four years, following the spring strawberry crop to northern Florida, then Arkansas, Illinois, and Michigan; picking Michigan's blueberries, peaches and grapes during late summer and early fall, then going back to Immokalee for winter tomatoes, peppers and "cukes," or cucumbers.

She likes Michigan best, she said, because migrants got free quarters there, in Immokalee her rent was \$20 a week, and she had just about run out of the money she had received from Albert Lee.

"Whether she feels well or not, she's gotta go to work," Mr. Lee said.

"I got to do something," Mrs. Conner agreed.

Down in The Quarters, an elderly black named James Kelley and his yellow dog, Lady, found a way to beat the rent. A tolerant crew leader had let them take over an old abandoned bus.

Mr. Kelley, a diabetic whose fingers were gnarled and disfigured, was wearing two pairs of pants against the cold. An unvented oil heater had been installed near the front of the bus, and he had to keep a window open to avoid suffocation from the fumes.

He and Lady slept on piles of rags near the rear, where there was a little cookstove. The only food visible was a pan of fatback and some pieces of fish heavily salted for preservation. Mr. Kelly said he had not worked in eight months, but he seemed happy. He had just received \$7 from Mr. Lee.

TEN CHILDREN IN HUT

In a black camp near Mr. Kelley's bus, Mrs. Pauline Milton and 10 children were crammed into a two-bedroom-and-kitchen hut.

"Me and two of the little ones sleep in this bed," said Mrs. Milton, "and there are two beds in the other room and one in the kitchen for the rest."

She had worked two days that week, earning \$11.05 each day, and paying \$2 a day for baby sitters.

"I couldn't afford to give them breakfast," she said, surveying the hungry brood, "but we had boiled beans, rice and potatoes for lunch, and I'll give them the same for supper."

Mrs. Milton is one of a comparatively few migrants eligible for county welfare, for she has lived in Immokalee for seven years. She said she had applied, but had been told that her application would take 30 to 45 days to process.

Of all the ethnic groups, the Mexican-Americans probably suffered most during times of hunger, Mr. Dow said as he drove past "Utopian Homes." Some of the Mexicans had tried to alleviate the bleakness by planting flowers around the huts.

"Mexicans are proud," Mr. Dow explained, "and feel they are violating cultural mores if they ask for help."

Mr. Foster said that the Florida State Board of Health had denied the existence of widespread malnutrition in Collier County.

PARASITIC INFECTION CITED

"People are hungry, no one can quibble about that," he insisted. "And there is a tremendously high incidence of parasitic infection."

Last March the state health board issued a report saying that a team of doctors had "closely observed" some migrant children at play or in schools and clinics and that "none had gross signs of malnutrition."

The report said that pellagra, a severe

dietary deficiency disease, had been noted but only in "known chronic alcoholics."

In riposte, friends of the migrants released next day the results of clinical examinations of 23 migrant farm children of Immokalee by the Variety Children's Hospital of Miami.

The sampling uncovered 38 clinical diseases in the 23 children, ranging from pneumonia to worms.

The hospital's executive director, Gerald W. Frawley, described the findings as "rather incredible . . . a most extraordinary morbidity rate" and concluded: "The migrant population must be about the most underprivileged in the nation, at least in terms of medical attention."

In a few weeks Collier County will feel the spotlight of national publicity. The Senate Select Committee on Nutrition and Human Needs is making this county its first stop on a tour of suspected hunger areas.

The committee is seeking information on the failure of the Federal food programs to reach millions of poor Americans.

HUNGER IN AMERICA: MISSISSIPPI DELTA

(By Homer Bigart)

(NOTE.—The third of a series of articles on reports of hunger in the United States.)

YAZOO CTRY, Miss.—"They aren't starving, really, but they are undernourished as hell."

Dr. Aaron Shirley, a Jackson pediatrician and civil rights leader, made this diagnosis during a recent visit to Negro homes in the Delta.

The degree of hunger among Delta Negroes has been a political issue ever since April, 1967, when Senator Robert F. Kennedy of New York and Senator Joseph S. Clark of Pennsylvania toured the Delta and reported that many people were "slowly starving."

Indignant denials came from the white establishment. The general response was "we treat our niggers fine," Dr. Shirley recalled. Gov. Paul B. Johnson, Jr., reportedly described as "fat and shiny" every Magnolia State Negro that met his eye.

The issue flared up anew after a team of doctors headed by Dr. Raymond M. Wheeler of Charlotte, N.C., reported to the Southern Regional Council a widespread and "desperate" need for food and medical care.

The Federal food programs were not only inadequate, they said, but were run by local authorities with flagrant political or racial bias. The doctors' indictment was harsh: "It is unbelievable to us that a nation as rich as ours, with all its technological and scientific resources, has to permit thousands and thousands of children to go hungry, go sick, and die grim and premature deaths."

Though many people may think first of Mississippi when the subject of hunger comes up, the state actually has a good record of participation in Federal food programs. Every one of its 82 counties is enrolled in either food stamps or direct commodity distribution, a better record than New York, where six counties (Sullivan, Rockland, Putnam, Chenango, Ontario and Otsego) do not participate and have no plans for joining the food programs.

Nor are the Delta counties the hungriest in the land. Stomachs of reservation Indians are probably emptier more often than stomachs of Delta blacks.

No one knows how many Americans are chronically hungry. The best educated guess comes from Dr. Thomas E. Bryant, assistant director of the Office of Economic Opportunity for Health Affairs.

According to Dr. Bryant, there are 12 to 15 million "hard-core poor." The "hard core" are defined as those families with an annual income of less than \$2,000, based on a family of four. Since the Department of Agriculture estimates that a family of four must spend \$1,284 for an adequate diet, Dr. Bryant concludes that a family earning less than \$2,000 would find it impossible to buy enough

food to meet minimum nutrition standards after meeting other essential human needs.

At present, the food programs of the Department of Agriculture reach about 6,333,000 persons, many of whom are better off than the "hardcore poor." So, by some official estimates there are at least six to nine million Americans for whom hunger may be almost a daily fact of life.

NEWSPAPERS COVER WALLS

It was cold and rainy the day Dr. Shirley led a visitor into a back-street shack where a Negro couple and several children were huddling at a fireplace. Most of the windows were plugged with cardboard, which rattled dismally against the wind and rain; old newspapers covered the walls.

Eight children were counted in the room and Dr. Shirley, poking carefully into a pile of ragged, musty quilts, found two more infants asleep in the bed. He said the woman had given birth to triplets four months before; one died at birth, and one of the survivors had nearly expired of diarrhea and was just back from a Jackson hospital. The infant was almost certain to get diarrhea very soon again under these living conditions, the doctor said.

The family was unable to get on the welfare rolls because the husband was considered able-bodied. He earned \$100 last month, but now, in midwinter, there was no farm work available. The family had nearly used up its food stamps, all that was left was sweet potatoes, condensed milk and grits, the mother said.

Dr. Shirley examined the babies, calling attention to the lack of subcutaneous tissue on their tiny arms and legs. "They need protein, calories and iron," he said.

"Too many people sleeping in that bed," the woman muttered from the fireplace.

"If I can run across a baby bed, I'll get it to you," Dr. Shirley promised.

BUDGET IS DESCRIBED

In another shack, where daylight could be seen through a corner rathole, a mother with seven children, living on social security payments of \$95.40 a month, described her budget. She had to make a cash contribution of \$38 to obtain \$96 in food stamps and "I run out of food in the third week." Her rent she said, was \$16 a month, plus \$5 or \$6 for gas, plus \$8 for lights and \$3 for water. That left about \$25 for all other essentials—clothes, soap and supplemental food to get eight people through the rest of the month.

Occasional housework for white families paid \$3.50 to \$5 a day, she said, then she had to hire a baby sitter. Baby sitters charge 50 cents a head, and with four children under six years that would come to \$2, leaving \$1.50 to \$3 for the day's work.

"If you could get a job would you work?" Dr. Shirley asked.

"I sure would," said the mother emphatically. "I never want to be on welfare, period."

"That's the tale you always hear in town: 'They don't want to work,'" Dr. Shirley said.

Negroes who get sick in Yazoo City are sent to the Afro-American Hospital, a county-supported institution that cannot afford a pathologist nor even a laboratory technician.

There, Dr. Cyril A. Walwyn, the director, contended that hunger in the Delta was not decreasing, as most whites insisted; he had seen too many pot-bellied, worm-infested youngsters.

"I feel they are slowly starving," he said. Dr. Walwyn was one of the six doctors who wrote the Delta hunger report.

"I have a quarrel with the welfare people," he continued. "They just don't care. Often they show a patronizing attitude toward the poor. If I am not as suppliant and cringing as they think I should be, they won't give me help."

Driving back to Jackson, Dr. Shirley said: "Black people have changed. A lot of the old fear is gone. But people are still dying unnecessarily of disease and poor nutrition has contributed to their dying."

CHANCES ARE DIMINISHED

"A baby's chances of recovering from pneumonia or severe diarrhea are diminished considerably if he's undernourished. So this kid will die, and its listed on the death certificate as diarrhea. Now, this kid didn't starve to death. But if he'd been in fairly good nutritive status he wouldn't have died."

Dr. Shirley said he had seen people eat almost anything they could chew, including tar from telephone poles—"they say its good for the gums"—and even clay. Pregnant women, especially, would pop a piece of earth in their mouths, explaining they "had a taste for it."

"And they might get some essential minerals out of it," he said.

Describing the plight of thousands of Delta families displaced by the mechanization of the cotton plantations, Dr. Shirley said he sometimes wondered if Negroes were not better off in slavery days.

"In open slavery times human life was of some value," he mused. "If master paid \$100 for a man he'd see that his property was well taken care of, just like a prize bull. But now the black people are no longer on the plantations. There is no feeling of responsibility toward them, no need to help them."

Dr. Shirley, as head of Mississippi Action for Progress, a Head Start program, recently received \$106,000 from the Office of Economic Opportunity to provide free food stamps for the desperately poor of three counties—Leflore, Scott and Claiborne—where the situation was called "critical."

But he accused the state Welfare department of trying to frustrate the effort by refusing to accept checks in payment for the stamps, even though the checks were backed by special cash deposits in the county banks. Meanwhile he had helped some families out of emergencies by giving them cash.

The main complaint about the Federal food programs in the Delta was that they simply were not reaching the most desperately poor.

MYSTERY FINALLY SOLVED

Even though the minimum cash investment for food stamps by the poorest families—those with an income of less than \$20 a month—had been reduced from \$2 to 50 cents, there were still hundreds of families that couldn't raise 50 cents.

It had taken former Secretary of Agriculture Orville L. Freeman several years to solve the mystery of why the number of participants in food programs always dropped sharply whenever a county switched from free distribution of Federal surplus commodities to food stamps. Finally some of his aides went to Mississippi and brought back the startling news: "There are families existing with no discernible income."

Today, families in the food stamp program complain that the amount of monthly food they obtain usually is exhausted after the third week. A board of inquiry headed by Dr. Leslie W. Dunbar, executive director of the Field Foundation, and Dr. Benjamin E. Mays, president emeritus of Morehouse College, and sponsored by the Citizens' Crusade Against Poverty, an organization with the backing of the United Auto Workers, reported a year ago that the money value of the stamps fell "consistently and deliberately below the amount necessary to secure a minimally adequate diet."

This indictment was substantiated last month when a preliminary report of the National Nutrition Survey, the first scientific attempt by the Federal Government to measure malnutrition in the United States, called the food programs inadequate.

In Greenville, Mrs. Frances Young said she had to feed herself and nine children on \$118 worth of food a month purchased by stamps for which she paid \$33. Her monthly income was \$55 from Aid to Dependent Children, plus \$50 sent by her elderly daughter in Detroit. Total, \$105.

Rent took \$25 a month, she said, and bills were overdue for gas, electricity and water. She had doctor bills totaling \$233.

AGED LIVE IN CABINS

"I can't feed this family," said Mrs. Young despairingly. "We have no pinto beans and bread. That's all for supper."

"And this here's what I'm sweeping with," she said, wrathfully snatching up a stringy broom worn down to a final clutch of straws.

But at least the Youngs were better off than some aged and lonely Negroes that remained in rural cabins after their youngsters had gone North to find work. The only nursing home for Negroes in the area burned down on Jan. 18, killing seven of the aged and destitute, including an old woman who had been restrained by chicken wire because she was senile.

The whole town was shocked, but no one, white or black, could find it in his heart to blame Carrie Weaver and her husband Wash, who ran the firetrap. After all, the victims had no other place to live.

Wash Weaver told of finding old Ann House, who must have been 80, he said, lying helplessly in her cabin, wasted down to 100 pounds because no one had brought food.

"She must have been layin' on the floor for days," Wash Weaver said. "I had to cut her clothes off with a knife."

Mrs. House was one of the fire victims.

Down in Issaquena County, one of the poorest counties in the Delta, Mrs. Unita Blackwell, a leader of the Freedom Democratic Party, said a few more commodities had become available under the direct distribution program but that people still weren't getting a balanced diet from the free surplus foods. (The Agriculture Department offers each county a choice between a free but very limited commodities distribution and the stamp program; no county can have both).

Mrs. Blackwell was worried about the children.

"Grown folks have been hungry a long, long time," she said, "but the kids just got here and we don't want them mixed up with blood disorders. If you can't get enough food, your brain won't work."

There are two developments in the Delta that promise better times.

A distinguished biracial group of Mississippians, including Dr. Temple Ainsworth, former president of the State Medical Association, and the Right Rev. John Allin, Protestant Episcopal Bishop of Mississippi; Dr. Robert E. Carter, dean of the Mississippi School of Medicine, and Dr. Albert B. Britton, a leading Negro doctor in Jackson, have proposed Federal funding for a crash program to lower the infant, maternal and child mortality rates in five Delta counties.

Delta counties have a history of the highest infant mortality rate among Negroes in the country—72.7 per 1000 live births in 1965. The maternal death rate among Negroes was 25.1 in the same year.

The biracial committee proposes as a "short-term objective" a 20 per cent cut in the excessively high infant, maternal and child mortality rates in the five counties—Sharkey, Issaquena, Holmes, Humphreys and Washington in the first year. Health services in the counties would be strengthened, scores of midwives and health aides trained and sanitation improved. The committee asked the Federal Department of Health, Education, and Welfare for \$3,405,000.

Some Negro leaders, including Dr. Shirley, have criticized the project, saying it would be dominated by whites. The committee is composed of five whites and four Negroes.

PROJECT IS EXPANDED

The other development is the further expansion of the Tufts Delta Health Project, sponsored by Tufts University, in Bolivar County.

Convinced of the "enormous futility" of trying to tackle health problems without changing other aspects of Delta life, such as housing, employment and education, Jack Geiger, director of the project, and other leaders, are now helping Negroes operate a farm cooperative, rebuild houses and plan Negro enterprises.

With guidance from the Government of Israel—Zev Barash, representative of Histadruth in New York City, has sent several Delta Negroes to Israel to study farm cooperatives there—the project has formed the Northern Bolivar Farm Cooperative, which last year grew over a million pounds of produce on rented land. Starting with 120 acres, the cooperative hopes to expand to 500 acres this year.

CANNERY FOR "SOUL FOOD"

There are tentative plans for a \$400,000 cannery that would process "soul food" for the ethnic market, such as collards, gumboes and mustard greens.

Meanwhile, Dr. Roy Brown, associate professor of pediatrics and preventive medicine at Tufts, and Dr. Florence Halpern, a psychologist from New York, are surveying the medical and social backgrounds of 400 Negro children up to age three.

Dr. Brown and Dr. Halpern are convinced that Negro children brought up in the Delta already suffer brain retardation because of crushing poverty before they are old enough—three to enter the Head Start programs.

"One of the things that pulls them down is the lack of verbal stimulation at home," Dr. Brown said. "Perhaps we should bring them into Head Start programs at three months, instead of three years."

Mr. HOLLAND. Mr. President, for the next thing, I want the committee to understand that neither Florida nor any other area can be held to take care, in advance, of migrants who come into that State before there is need for them, and find no adequate income to take care of themselves. We just have that situation.

It was reported that there was a welfare program there, and there is. It was not reported that there was a home demonstration worker there, and there is. It was reported that there was an OEO representative there who had been supplied with \$1,000 in cash to take care of emergency needs of any migrants who might need the money, but apparently there had not been enough to take care of some needs found there by the reporter.

I could not help but wonder why the reporter did not go to the established migratory labor camps and meet the very different conditions from the conditions in the huts he described, where he found those people and reported conditions, which were miserable, and which, I say again, should be reported exactly as they are.

Mr. President, there is more at stake here than meets the eye. This is a part of the battle between the two departments that are anxious to handle this program. That is evidenced by the fact that the resolution proposes that the members shall be drawn equally from the Labor and Public Welfare Committee and from the Agriculture Committee; and they are so drawn.

So far as I am concerned, I hope that this committee will be reasonable and practical in what it does.

I approve of what the chairman of the Rules Committee has said—that if it appears, during the course of this year, and this resolution covers only the 11 months of this year from February 1 to December—that additional funds are needed, then, quickly upon report, that problem can be remedied, and the Senator from Florida will be one to help remedy it. But when we learn that out of \$25,000 appropriated in October, only \$13,000 has been used, and when we learn that this money, if it becomes available, will become available to be spent in a little over 10 months, instead of 11 months, and when we learn, too, that there are objectives which can be properly dropped, without involving investigations into fields which I think this committee has no business investigating and which I think overrun the jurisdiction of the Commerce Committee very heavily, it seems to me they can do a good job. I hope they will. I will defend them in the effort to do a good job.

I supported the original enactment of the resolution. Only a few Senators were standing here when it was adopted. There were not 54 Senators here when the resolution was adopted. There were 54 names on the resolution, if the Senator says that was the case, but there was only a handful of Senators here at the time, because it was at a time close to, either just before or after, the conventions and just prior to the general elections. As I recall, several of the able members of the committee at the time were candidates and, very properly, could not be here and could not be heard upon this important matter. In their absence, and because those Members of the Senate who were here thought this was a proper field for investigation, we passed the resolution. I think it was passed without objection. Certainly, I supported it, and I still support it.

But I hope this committee would be a little more reasonable and a little more realistic in this investigation than is indicated from the memorandum from which I have read the part that had to do with packaging, processing, and fortification of food, and the like, which encroaches completely upon the field of the Commerce Committee, instead of being either in the field of welfare or agriculture.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana.

Mr. McGOVERN. Mr. President, I would like to comment for 1 minute on what is in effect a substitute amendment by the Senator from Louisiana. He knows the very high regard in which I hold him. It has been my privilege to serve on his committee since the first day I was in the Senate, and that has been to my profit. I do appreciate the long years of concern the Senator from Louisiana has demonstrated in the problems of hunger, most notably his authorship of the school lunch program that is now on the statute books, and some of the other important food and agricultural programs which have contributed much to the health and

strength of our country. Beyond that, no Member of the Senate has been more conscientious or helpful in asking searching questions of the witnesses that appeared before us. I think every member of the committee learned from Senator ELLENDER.

But I object to the substitute amendment now pending, for the same reason that I am asking the Senator to reject the earlier action of the Rules Committee, and that is the simple fact that it does not provide enough funds for this committee to do its work. So I urge the Senate to vote "nay" on the amendment offered by the senior Senator from Louisiana, and then we can get to a vote on the other matter.

Mr. ELLENDER. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. ELLENDER. The Senator well knows that, from the beginning, my real objection to the request was related to the consultants.

Mr. McGOVERN. I understand that. I understand the Senator's position.

Mr. ELLENDER. I never heard anyone give any reason why consultants should be necessary. That was my only objection to it.

Mr. McGOVERN. Before the Senator came on the floor I had a lengthy colloquy with the Senator from Nebraska, in which I pointed out to him, in response to his expression of the need for some kind of private consulting expertise, that that was the very reason why we so much needed the \$100,000. The Senator from Nebraska was making the point that the committee does not have the professional competence to examine the matters. I agree with him. I told him that was why we needed the money.

Mr. ELLENDER. We know the problem exists. We are exposing it. The best thing we can do is let the country know what the conditions are throughout. That can only be done, in my opinion, through the committee itself.

My amendment does not cut the amount of money the Senator asked for travel. That amount will remain in the resolution. It is my feeling that holding hearings throughout the country, as the Senator proposes, will do more good than hearing from 1,000 consultants.

Mr. McGOVERN. I appreciate the Senator's point. We are willing to go ahead with the field hearings. I think they are an absolutely essential part of our work. This is a matter of judgment in which I happen to feel strongly that we need to supplement our work with the employment of professional consulting firms who can assist us in certain specified areas. I think, on that basis, we will have information which will be more dependable and reliable.

I urge the Senate to reject the amendment.

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

Mr. McGOVERN. I yield to the Senator from New Hampshire.

Mr. COTTON. What portion of the \$100,000 that is in contest would be used for paying the salaries of present staff members or added staff members, or what portion of it would be used for special investigations around the country?

Mr. McGOVERN. Not a penny of it would be used for the present staff. Approximately \$91,000 would be used for the employment of professional consulting people. Our plan is to engage several such firms.

Mr. COTTON. I understand. I listened to the colloquy between the Senator from South Dakota and the Senator from Nebraska.

Mr. McGOVERN. Yes.

Mr. COTTON. The point of which I wanted to make sure is this: this \$100,000, if the committee receives it, will be used to employ nongovernment agencies or firms to make this survey?

Mr. McGOVERN. That is essentially correct, except for about \$9,000, which would be for a part of the committee's own field investigation work.

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

Mr. McGOVERN. I yield.

Mr. JAVITS. Is it not a fact that a majority of the committee are thoroughly convinced that this outside survey is really indispensable?

Mr. McGOVERN. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was rejected.

Mr. MANSFIELD. Mr. President, I wonder if I could have the attention of the distinguished chairman of the Committee on Agriculture and Forestry and the distinguished chairman of the Subcommittee on Malnutrition and Hunger.

Would it be possible for the distinguished Senator from South Dakota, at this time, to ask unanimous consent to withdraw the yeas and nays on the committee amendment, so that we may have a final vote on this matter immediately?

Mr. McGOVERN. Mr. President, I am convinced that it is the will of the Senate that we reject the Rules Committee recommendation and restore the fund to the full \$250,000. On that basis, I am perfectly willing to have it decided on a voice vote rather than further delay the Senate with a rollcall.

Therefore, I ask unanimous consent to withdraw my request for a ye and nay vote.

Mr. JAVITS. Mr. President, reserving the right to object, I have no objection, but so that we may understand, I just want to be clear. I ask the Senator from South Dakota, the vote now would be "nay," in order to restore the \$250,000; is that correct?

Mr. McGOVERN. That is correct. The parliamentary situation is that a nay vote would have the effect of rejecting the recommendation of the Rules Committee, and call for the restoration of the full \$250,000.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? Without objection, it is so ordered.

The question is on agreeing to the committee amendment.

The amendment was rejected.

The PRESIDING OFFICER. The committee amendment having been rejected, the question now is on agreeing to the resolution.

Mr. HOLLAND. Mr. President, I wish

to say just one thing. I am saying it with a smile, but I mean it.

I do not think there are any more compassionate Members of the Senate than the members of the Committee on Rules and Administration. I think they had good reason to suggest this cut. I do not think there is a more compassionate Senator than the distinguished senior Senator from Louisiana. I think he had reason behind his stand.

I hope that the committee will be a little more practical and a little more reasonable than they indicate by the memorandum that is attached to the report.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I join the distinguished Senator from Florida in the remarks he has just made. The mark of ALLEN ELENDRER is the food stamp program, the school lunch program, and all of the other programs which have come out of the Committee on Agriculture and Forestry while he has been chairman or ranking minority member of that committee.

As far as the distinguished Senator from North Carolina (Mr. JORDAN) is concerned, I know what he did to raise the amount in committee, and I wish to say that he is just as humanitarian as they come, as is the Senator from Louisiana. I appreciate the cooperative attitude shown by both in connection with the request which I made of the distinguished Senator from South Dakota.

Mr. JORDAN of North Carolina. Mr. President, I appreciate very much the remarks of the majority leader and of the distinguished Senator from Florida.

I can assure the Senate and everyone concerned that I have just as much concern for poor people, and poorly nourished people, as anyone else.

I wish to say just one further thing in this connection: As I stated a while ago, we did not single out this one committee. We cut \$803,660 from the total amount the committees asked for. It was across the board, as far as we could make it.

We cut \$145,400 off the Labor Committee, so it is a much larger cut than this one. We were simply trying to do what we thought it was the duty of the Rules Committee to do.

Mr. MANSFIELD. The Senator has no need to apologize. We know him. We know where his heart is.

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

Mr. JORDAN of North Carolina. I yield.

Mr. JAVITS. I join with the Senator from Florida, the Senator from Montana, and the Senator from North Carolina in the statements they have made. There is no question of the depth of their concern. It was an honest difference on the question of money and figures, as to what was needed.

I am grateful to the Senator, on the contrary, for the generous way in which he has just handled this matter.

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

Mr. JORDAN of North Carolina. I yield.

Mr. McGOVERN. I join with the other Senators in expressing my appreciation to the Senator from North Carolina. I

happen to know what he did, which had the effect of raising the sum that other members of the committee were suggesting cutting very substantially. I know it was with some effort that he got the figure up to \$150,000. So, while it fell somewhat short of what I thought it ought to be, I do appreciate the efforts of the Senator from North Carolina in trying to save a part of our request.

Mr. MUSKIE. Mr. President, the Select Committee on Nutrition and Human Needs has begun a task which Congress and the American people have shirked for too long. Because malnutrition saps the human spirit, its victims are quiet and easily forgotten. In a land where more people are concerned about obesity than starvation, hunger has been ignored.

Because of the work of the Select Committee on Nutrition and Human Needs, the problems of hunger and malnutrition are finally receiving the attention they need. The committee has started information flowing to Congress and the Nation. It has given hope to people who have suffered so long and so unnecessarily from hunger.

The Rules Committee's action in reducing the select committee's budget by 40 percent is a serious blow to the effort to eradicate hunger. The budget cut would eliminate many of the select committee's most promising efforts at investigation and research.

Cutting the select committee's budget is false economy. Congress cannot afford to deny itself the information it needs to make a successful attack on hunger. The Nation cannot afford to back away from a human problem of such urgency.

As a cosigner of the resolution providing a full budget for the Select Committee, I asserted my belief that the problem of hunger is of the highest priority. I intend to reaffirm that belief by voting to restore the Select Committee's budget to the full amount of \$250,000.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 68) was agreed to.

The preamble was agreed to, as follows:

Whereas the Senate has voted unanimously to establish a Select Committee on Nutrition and Human Needs to study the food, medical, and other related basic needs among the people of the United States: Therefore be it.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

REMARKS OF SECRETARY OF DEFENSE LAIRD ON THE SOVIET THREAT AND PROVOCATIONS

Mr. THURMOND. Mr. President, the position taken by the Honorable Melvin R. Laird, Secretary of Defense, on the CBS television program, "Face the Nation," February 9, fully recognized the Soviet threat and provocations. His evaluation of the extensive Soviet buildup, the risk of arms control talks now and

need for our ABM system are very much the same that has been expressed by the majority of my distinguished colleagues here in the Senate. I would like to congratulate our new Secretary of Defense for his astute assessment of the realities of the Soviet's intentions. Deeds not words of promise are the only indicators of Soviet intentions.

Mr. President, in the words of Secretary Laird:

The Soviet Union is escalating the arms race and has done it during the last twenty four months.

Before we can move into talks with the Soviet Union, Mr. Laird said:

We have to have some signs, and I think those signs of progress have not moved forward as rapidly as I would like to have them move forward.

Mr. President, I support that assessment. I am not aware of any genuine signs of Soviet progress toward peace that would lead to serious negotiations. Is Czechoslovakia a sign? Is the ABM system in the Soviet Union a sign? Is the most recent Soviet intimidation of Berlin a sign? Is military assistance to Nasser and North Vietnam a sign? Is there any significant evidence of Soviet influence for peace at the Paris conference? I do not need to tell my eminent colleagues that the answer to all these questions is No. Then, how can anyone rationalize that the United States should cut back on defensive weapons for the security of our Nation while the Soviets accelerate their offensive and defensive weapons programs. Mr. Laird revealed startling expenditures the Soviets are making for weapons. The Secretary's latest estimate indicates the Soviets are spending about \$3.70 to our \$1 for anti-strategic weapons systems. When you consider that our gross national product is twice that of the Soviets, the Secretary stated earlier that the Soviets are outspending the United States in dollars by a 7-to-1 ratio for defensive weapons systems.

Mr. President, I interpret Mr. Laird's recent announcement of a review of the Sentinel system as one of how, not whether, the Sentinel will be deployed. In view of the bold Soviet actions and buildup the past few years, the risk is entirely too great not to move ahead with our ABM system. I am confident that our new Secretary of Defense will not waver in one of his first challenges from the same voices that were in the minority last year. The Soviets have increased their provocative actions, not decreased them. For once, let the Soviets make the first tangible move toward peace.

Mr. President, it is encouraging that Mr. Laird believes in negotiating from strength and that he desires evidence of progress in genuine Soviet deeds for peace before talking arms control. The view and assessment which Secretary Laird expressed on the CBS television program on February 9, 1969, are so significant at this particular time that I would like for this interview to be placed in the CONGRESSIONAL RECORD.

Mr. President, I ask unanimous consent that the transcript of this interview be printed in the CONGRESSIONAL RECORD.

There being no objection, the tran-

script was ordered to be printed in the RECORD, as follows:

FACE THE NATION

(CBS Television Network, CBS Radio Network, Sunday, February 9, 1969, Originator: Washington, D.C.)

Guest: The Honorable Melvin R. Laird, Secretary of Defense.

Reporters: George Herman, CBS News; William McGaffin, Chicago Daily News; Steve Rowan, CBS News.

Producers: Prentiss Childs and Sylvia Westerman.

Mr. HERMAN. Mr. Secretary, just a few hours ago Communist East Germany banned all travel into Berlin by members of the West German Parliament and other West German officials. Is the United States prepared to defy this ban with another airlift, if necessary?

Secretary LAIRD. Well, as you know, the same set of regulations were put out by East Germany in 1965, when a similar situation existed as far as a meeting of the West German Parliament. I believe that the same means will be used to handle the situation in 1969, this year, as was used in 1965. This is a matter for the West German government, however. It is not a matter that we are directly involved in. This is a decision that was made by the West German government to conduct their meeting in Berlin, and this is not a matter that directly involved the United States.

ANNOUNCER. From CBS Washington, in color, "Face the Nation," a spontaneous and unrehearsed news interview with Secretary of Defense Melvin Laird. Secretary Laird will be questioned by CBS News Correspondent Steve Rowan, William McGaffin, of the Washington Bureau of the Chicago Daily News, and CBS News Correspondent George Herman. We shall resume the interview with Secretary Laird in a moment.

Mr. HERMAN. Mr. Secretary, you said that the matter of West German officials' access to Berlin did not directly involve the United States.

Secretary LAIRD. The decision to hold the meeting was a decision that was made by the Federal Republic of Germany and was not a decision that was influenced by the United States.

Mr. HERMAN. But do we not—

Secretary LAIRD. Similar to the situation of 1965.

Mr. HERMAN. Do we not support the treaty rights of West Germany to access to West Berlin?

Secretary LAIRD. Yes, we have always supported that, and in 1965, the situation which I referred to, we supported it then.

Mr. MCGAFFIN. Mr. Secretary, do you feel that the military-industrial complex, which President Eisenhower warned us about, had anything to do with the pressures which resulted in the go-ahead in the last session of Congress for the thin ABM system, or the Sentinel system, as it is called?

Secretary LAIRD. No, I don't. I think that the situation that we face in the world today influenced the Congress, in the fact that the Chinese were moving into a position where they had an intercontinental ballistic missile capability. And I believe that we will see the Red Chinese firing an ICBM with a capability of long range within the next eighteen months. And I think that the Chinese Communists, in the development of strategic weapons, on the part of the Chinese, influenced the Congress much more than any industrial complex could have influenced them. But it was the capability being developed by the Chinese that influenced the Congress.

Mr. ROWAN. Mr. Secretary, it is generally believed that the Nixon administration has no choice now but to cancel the thin Sentinel missile defense system, because of opposition in Congress. Is there going to be

a fall-back position of continued research and development on an alternate system?

Secretary LAIRD. Well, first, there are two questions involved in your one question. I have not seen a great change, as far as the shift of opinion in the Congress. I haven't seen any vote switches in the United States Senate, since the new Congress has been back here in town. Most of the people that are taking the position against the antiballistic missile system, whether it be thin or thick, took that position in the last session of Congress. The second part of your question, we are reviewing this whole matter. A week ago last Thursday, at my press conference, I announced that a complete review would be made of the Sentinel system, along with the other major items that are in the 1970 budget. This review is currently taking place, and we will have a position stated publicly early in March as to what we will push in this 1970 budget. But, as I said at the press conference a week ago Thursday, we will give consideration in this review to the possible situation that the United States faces, vis-à-vis the Soviet Union, in possible antimissile and offensive missile capabilities of the two countries, and we want to go into those talks in a strong position. And in this budget review this is one of the many things that is being considered by the individuals making the budget review.

Mr. ROWAN. Well, Mr. Secretary, somebody over in that building where you now serve believes that the decision has been made, at least tentatively, to cancel Sentinel because they are very diligently selling alternate proposals over on Capitol Hill to the persons who had been the proponents of the Sentinel system.

Secretary LAIRD. Well, this is news to me, because there has been no decision made. This is being reviewed and there has been a great deal of speculation. As you know, Secretary Clifford stopped the site acquisition in Seattle and Chicago. This last week there was some confusion, I was advised by the Army, that the construction contract had been stopped in Boston a week ago Thursday, at the time of my press conference. We found that there was a second construction contract that started up this last week, and as soon as that was called to my attention that was also stopped. It had only been in progress for some two days and had to do with some footings for the perimeter acquisition radar. And that has been stopped, pending this review of the budget. And there has been no decision made. There has been no slow-down in research and development. There has been no slow-down as far as procurement is concerned. And this is very much in the budget review.

Mr. ROWAN. Pursuing that—

Secretary LAIRD. In this study of the budget review, we must consider that it is important for the United States of America to maintain its strength. It is important for the United States of America to be in a strong position. And, as Secretary of Defense, if there are any errors that are going to be made, as far as my administration of the department is concerned, they will be made on the side of the safety of the people of this country. The security and the safety of our people will be protected, and in this budget review this is very much in the forefront of the whole review.

Mr. ROWAN. Pursuing that business about the stopping of work, the stopping of site acquisition and construction, for just a minute, as of 4:30 in the afternoon this past Thursday, two days after you got a letter from Congressman Mendel Rivers, supposedly a week after you had ordered the stopping of construction of the Boston site, and sometime after Secretary Clifford order the stopping of acquisition—

Secretary LAIRD. The acquisition was stopped on the 15th of January, I believe, by Secretary Clifford, as far as Seattle and Chicago.

Mr. ROWAN. The Corps of Engineers had received no instructions to that extent as of Thursday afternoon at 4:30. They were still working and they were still acquiring sites.

Secretary LAIRD. That was on contract number two. The situation was the Army had informed me that contract number one, as far as construction, the work on that had been suspended. That is the tree clearing and the road acquisition in Boston. I assumed, based on that information, that they had suspended work. Later we found that a second contract was involved and the contractor immediately moved forward to start work. And as soon as that information was relayed to me by Congressman Bill Bates' office, of Massachusetts, the Army was contacted and that contract was placed in a state of suspense, as was the first contract on construction.

Mr. HERMAN. Mr. Secretary, since you put this very frankly in the context of protection of the United States, in a theoretical world situation, for background purposes, can you tell us—or for perspective—can you tell us what the Russians' antiballistic missile situation is? How many cities? How fast a deployment? Has it been speeded up or slowed down? How do they compare?

Secretary LAIRD. Well, this past year the Russians have spent \$4 for every \$1 that we have spent on anti-strategic weapons systems. This is defensive strategic weapons systems. The Russians have outspent us \$4 for each \$1—almost \$4, it is \$3.7 to \$1, based on the best information which has been made available to me as Secretary of Defense. In the area of the offensive strategic weapons, they are out-spending us at the rate of \$3 to \$2. Now, I point this out because this is really a much greater effort than the dollar figures would represent, because their gross national product is simply one-half of ours. And, so, when you take a 3.7 to 1 dollar ratio, you are really getting very close to a \$7 ratio as far as effort is concerned. They are making a much greater effort in the field of the defensive strategic weapon capabilities. And we live in a world where we must face this supposed buildup which is based upon the best figures that are available to me, as Secretary of Defense, and we must understand that the Soviet Union is escalating the arms race and has done it during the last twenty-four months.

Mr. HERMAN. Just for a moment to concentrate—the numbers are interesting but they didn't really tell me what I wanted—perhaps you didn't fully understand what I wanted—are the Russians putting ballistic missiles around any city besides Moscow? Have they not slowed down the deployment and the expense around Moscow recently? I am trying to get a perspective, simply, on the antiballistic missile.

Secretary LAIRD. If you want the number of missiles, I believe that is a classified figure. But the Russians have deployed an antiballistic missile system around Moscow and have gone forward with other developments in that area to a much greater extent than the United States has. But I would like to go back and give you that ratio once again, that as far as the defensive strategic missile systems are concerned, and the defensive capabilities of the strategic weapons of the Soviet Union, in this last year—and this started more than twenty-four months ago—they have gone to the point where in terms of effort, it is a 7 to 1 effort ratio. As far as dollars and cents, it is about 3.7 to 1 dollar, based on the best information available to me, as Secretary of Defense.

Mr. ROWAN. Is that 3.7 to 1 dollar for missile defense or for all—

Secretary LAIRD. That is for strategic weapon defense.

Mr. ROWAN. In other words—

Secretary LAIRD. It is all defensive system in the strategic weapons area.

Mr. ROWAN. Well, how much are they

spending on missile defense? Are they, as a matter of fact, stopping or continuing or expanding their missile defense effort?

Secretary LAIRD. They are continuing their missile defense effort.

Mr. HERMAN. Are they not slowing it somewhat?

Secretary LAIRD. It has not reached the stage that we thought twelve months ago it might, in the briefings before our Defense Appropriations Committee, but it is a substantial system that has been deployed at this time. It is true, it is not as large as we had anticipated, but it is a greater effort overall, as far as defensive strategic weapons are concerned, than we had anticipated twelve months ago.

Mr. MCGAFFIN. Mr. Secretary, is it not true that when you were in Congress you were opposed to the idea of the Sentinel system?

Secretary LAIRD. The question that you ask has to do with the capabilities of the Chinese. I had certain questions about whether we should move with an ABM system, as far as the Chinese were concerned, because I questioned the statements of Secretary McNamara that the Chinese would be in a position to fire an ICBM at the United States early in 1970. It may turn out that Secretary McNamara's estimate of that situation was more correct than mine. But I did raise certain questions regarding the capability of the Chinese and the projections as far as the Chinese capability was concerned, and I think that is what you refer to, in the colloquies that I had in the Congress.

Mr. MCGAFFIN. Well, Mr. Secretary, I have the impression that at that time, at any rate—and I am not asking you to commit your present position, because I know it is a different one than before, as you have pointed out—but when you were in Congress, did you not feel that a thick system, if we were going in for the ABM defensive system, a thick one would make more sense than a thin one?

Secretary LAIRD. Well, it seemed to me that it was necessary for us to move forward, as far as research and development, in this whole area of the ABM system. I would like to make clear one thing: I have changed my role somewhat. In the Congress I was a member of the minority. I served a very important function, I thought, in the legislative process, that of a critic and a questioner. And I think the legislative process has to serve that particular role. I have now assumed the new role, at the request of President Nixon—and I shall try to serve the President and my country to the best of my ability—but my role as Secretary of Defense is a somewhat different role than that of a legislator.

Mr. MCGAFFIN. I understand that.

Secretary LAIRD. I will be judged, as Secretary of Defense, on the basis of whether, at the close of this administration, we are able to have peace, whether we are able to restore peace and maintain peace in the world. And this is the test of whether a person has served well in the office of Secretary of Defense—

Mr. MCGAFFIN. Could I just—

Secretary LAIRD. And I hope that this will be the test that can be used, and we shall be successful in restoring peace in this world.

Mr. MCGAFFIN. Mr. Secretary, could I just interrupt for a moment, please? I mean, there is no—

Secretary LAIRD. You can interrupt any time you would like to, because this is your program.

Mr. MCGAFFIN. There is no argument to that position, sir. Of course, we all want the strongest possible defenses. But so many eminent scientists have argued about the whole idea behind the ABM system, whether it is thin or thick. The points have been made, for example, questions have been raised

as to whether this sort of system really would work under combat conditions, and they feel that it would be a waste of money and would, in fact, be putting us into a psychology of trying to shelter behind an electronic Maginot line. I mean, can you address yourself to this criticism?

Secretary LAIRD. Bill, I would like to say one thing, and that is, as I announced a week ago Thursday, this is a subject of very thorough and critical review by a group headed by the Deputy Secretary of Defense, David Packard, and this matter is being studied in the Department of Defense, and we will have our recommendation, as far as the ABM program, early in March. I would just like to say that, during this period of review, no more site acquisitions are going forward and construction has been stopped at the Boston site until we can study the question of whether the suggestion of Congressman Bates to move that site fifteen miles to the north is, indeed, a feasible proposal. But all of this matter is being considered in this budget review, and we will have an answer for that early in March.

Mr. HERMAN. Mr. Secretary, you say that what a Defense Secretary may be judged on after he leaves office is the posture of the country. You have also said in the past, as I recall, that the period of maximum danger, in what you call the security gap of the United States, might come in the year 1973. Is it going to come at that time, or will you be able to stave it off?

Secretary LAIRD. I am hopeful we will be able to stave it off. But, as you project—

Mr. HERMAN. How?

Secretary LAIRD. The figures of the Chinese threat and the Soviet threat and move to the period of 1972 and 1973, the balance that exists at that time is not as it should be as far as the United States of America is concerned. And that is what I am concerned about, and, as Secretary of Defense, I will do what I can to see that we have sufficient and adequate military power to protect the security and the safety of our people, and this is most important, I think, if we are going to maintain peace in the world and restore the peace which we so badly want in Southeast Asia.

Mr. HERMAN. I just want to seek one point of clarification. You talked about the Soviet and the Chinese forces in 1972 and 1973. When you talk about our strength, are you talking about a sufficiency or superiority, or whatever it may be, against the combined Chinese and Soviet forces?

Secretary LAIRD. I am talking particularly in regard to the Soviet forces and not the Chinese forces. I believe that, as far as the Chinese force level in 1973, that that by itself does not represent the threat. But the Soviet threat is great in that particular time period, particularly if you look at the tremendous buildup that has gone forward, not only as far as strategic weapons in the defensive and offensive areas, but also as far as the Soviet navy is concerned during this time period.

Mr. ROWAN. Mr. Secretary, you've been a continuing supporter of more research and development on ballistic missile defense systems for some years now. Are you encouraged by what you've seen since you've gone to the Pentagon, to believe that there is an alternate way of approaching this whole question, a way other than the Sentinel system that we're now talking about?

Secretary LAIRD. Well, we are looking into all of the possibilities in this area, and to say that I have been encouraged that there was another better means at this time, I think, would be misleading, not only you but the American public. But we are looking at all the options that we have available that will protect the United States of America, in this overall budget review.

Mr. HERMAN. Mr. Secretary, some of your generals and admirals are writing very fierce

articles these days, saying the war in Vietnam is all but won, if we persisted for another week or month, or what have you, it would be won without the Paris peace talks, and that it is a shame that we may be throwing it away at the peace table. Is the war in Vietnam all but won by us?

Secretary LAIRD. I think it is most important that we have successful negotiations in Paris. The situation is such that I believe that it is important for us, in this whole context of the world situation, to look to the talks that are taking place in Paris, also the talks that are going to take place in the Security Council as far as the Mideast is concerned, and put this in the overall context of whether the Soviet Union is willing to move towards peace in the world today. And I think we have to show some progress, not only in Paris but also in the Middle East, before we move into the talks with the Soviet Union, as far as the antimissiles, offensive and defensive missiles and the whole arms limitation question. I think we have to consider this all in the context of some progress, shown not only in Paris but also as far as the Middle East talks are concerned, and then I believe we can look to an era of cooperation between the Soviet Union and the United States. But we have to have some signs, and I think those signs of progress have not moved forward as rapidly as I would like to have them move forward. But this administration is giving this the maximum effort, because I think the charge that the President has made to Secretary Rogers and to me, that we should be peace-makers, is an important charge, and our two departments—my responsibility in Defense and Secretary Rogers in the field of foreign policy and foreign affairs—we will make this the basic underlying concept of the administration of our departments.

Mr. MCGAFFIN. Mr. Secretary, I think you strayed a bit from the point which Mr. Herman was trying to make to you. This was relating to the super optimism which seems to be coming from your generals and admirals in Vietnam these days. Mr. Secretary, you have said that you hope to visit Vietnam in the fairly near future, as soon as you can make it. Is that not right? You plan a trip to Vietnam?

Secretary LAIRD. I certainly do, Bill. I hope to get to Vietnam soon.

Mr. MCGAFFIN. Mr. Secretary, do you think, when you go out there, that you can do a better job of avoiding a brainwashing, as Secretary Romney did when he visited Vietnam?

Secretary LAIRD. Well, I expect to consult with General Abrams. I have met with General Brown, the Air Commander in Vietnam, this week. I would hope to receive good briefings and to get around the country as much as possible on my own, to make an on-the-spot investigation of the situation in Vietnam.

Mr. ROWAN. Mr. Secretary, isn't it true that studies are already under way in the Pentagon that would lead to the reduction of the force, the American force in Vietnam this year by a significant number of men?

Secretary LAIRD. Well, certainly, it is important that we be prepared. We are now pressing forward in Paris on three points, the first is on the DMZ; the second, on mutual troop withdrawal; and, the third, as far as the release of prisoners. Now, the second major point that we are making is to exert as much pressure and influence as we can on the North Vietnamese to withdraw troops to the North, and by that into North Vietnam. And, certainly, we will be making plans, in the event that this mutual troop withdrawal program works out and is successful, as far as the Paris negotiations are concerned, to be prepared to withdraw troops on a mutual basis.

Mr. ROWAN. But President Nixon didn't tie it to the Paris peace talks, in his news conference the other day. He suggested that

there might be troop withdrawals by the United States as a result of, for example, the increasing effectiveness of South Vietnam's army.

Secretary LAIRD. Well, of course, as you know, as a member of the Defense Appropriations Committee, we have funded over the last two years a tremendous increase in the amount of funds available for the South Vietnamese army, and that buildup has gone forward in a very fine fashion and they are much better off this year than they were last year. And I intend to look into that matter when I am in Vietnam, and I am hopeful that the plans that were set in motion and funded several years, going in last year's budget, are successful and that a greater share of the war effort can be turned over in Vietnam.

Mr. HERMAN. But, sir politically—
Secretary LAIRD. By that, I don't want to give the impression that this has already been decided, because I think that this would certainly not strengthen our position in Paris if we move toward unilateral withdrawal at this time.

Mr. HERMAN. Politically, diplomatically, can you afford any withdrawal of American troops when you try to negotiate in Paris the mutual withdrawal of American and North Vietnamese troops?

Secretary LAIRD. Well, I think that situation has to be looked at, and we will look at the troops situation in Vietnam. I want to assure you that not a single American will be kept in Vietnam, as far as the military is concerned, any longer than they are absolutely needed to protect the objectives of the United States in Vietnam and to protect the fighting forces that have been assigned to Vietnam.

Mr. MCGAFFIN. Mr. Secretary, last July 11th Mr. Clifford said at a press conference that it would be a mistake when the war is over in Vietnam to assume that there would be a sharp and substantial drop in defense expenditures. Do you agree with him?

Secretary LAIRD. I do agree with Secretary Clifford. I think the projection used in President Johnson's economic report that in the war being over there will be some \$21 billion available for other spending is very optimistic, and I don't believe that is a realistic target to shoot at because we would have to assume that the Soviet Union and the Red Chinese cut down tremendously on their military capabilities, and I have not seen anything, as of today, that would lead me to believe that the Soviet Union was moving in that direction.

Mr. ROWAN. How much do you think—
Secretary LAIRD. We have to rebuild certain stocks that have been drawn down in Western Europe.

Mr. MCGAFFIN. Mr. Secretary—
Secretary LAIRD. We have a fleet, the Sixth Fleet and other fleets that have been steaming all over the world—

Mr. MCGAFFIN. Would you say \$1 billion or \$2 billion?

Secretary LAIRD. I would not want to give you an estimate on the amount that could be saved. There would be substantial savings, but the figure that you use is not a realistic figure and I do not want to mislead anyone by putting my stamp of approval on the projection in the Johnson economic report. I believe it is far too optimistic.

Mr. HERMAN. We have half a minute left. Can you tell me, when you say very substantial, do you mean several billions? Do you—I don't want to try to force you to say something you don't want to say—but can you give us some idea of what you mean?

Secretary LAIRD. Yes, I believe that it would be in a much better estimate in the area of perhaps some \$7 billion for the first few years. I do not believe that you can project a greater savings than that because of the draw-down in stocks and because of our military position all over the world.

Mr. HERMAN. And on those \$7 billion, we

have run out of time. Thank you very much, Mr. Secretary, for being here today to "Face the Nation."

ANNOUNCER. Today, on "Face the Nation," Secretary of Defense Melvin Laird was interviewed by CBS News Correspondent Steve Rowan, William McGaffin, of the Washington Bureau of the Chicago Daily News, and CBS News Correspondent George Herman. Next week, another prominent figure in the news will "Face the Nation." "Face the Nation" originated, in color, from CBS Washington.

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate adjourns today, it stand in adjournment until 12 o'clock noon tomorrow.

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

ORDER FOR RECOGNITION OF SENATOR KENNEDY TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that on tomorrow at the end of the tributes that will be paid to the late beloved Senator from Alaska, Mr. Bartlett, under the order of yesterday, I be recognized for 1 hour.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object, of course—I inform the Senator that we expect a rather important message tomorrow on matters of health, education, and welfare.

If the eulogies take very much time, would the Senator permit me to talk about that matter?

Mr. KENNEDY. I certainly will.

TRIBUTE TO PATRICK HYNES

Mr. MANSFIELD. Tomorrow, one of the most capable and dedicated attachés of the Senate, Patrick Hynes, who has performed magnificently for a decade or more in the Democratic cloakroom, leaves with his brother to join the Army and undertake the duty which will be incumbent upon him as a result.

As the majority leader, I want to state how much we will miss Patrick Hynes, because we are deeply appreciative of his outstanding work, his integrity, his dedication, and his loyalty.

I only hope that it will not be too long before Patrick Hynes will be back with us once again. I take this means to thank him personally for the many contributions he has made, for the fine job he has done, and for the great dedication which has marked his service in his years as an official of the Senate.

DISRUPTION OF NORMAL CAMPUS ACTIVITIES AT MAJOR UNIVERSITIES

Mr. BYRD of Virginia. Mr. President, the amount of violence being practiced on the campuses of many of the major universities of the Nation is continuing to increase.

I call to the attention of the Senate the fact that yesterday the president of the University of Notre Dame warned of on-the-spot expulsion of any student or faculty member who disrupts normal campus operations.

The Reverend Theodore M. Hesburgh said:

Anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given 15 minutes of meditation to cease and desist.

After that, he will be out of the university.

Father Hesburgh added:

We welcome and protect orderly dissent, but we're not going to let anybody destroy the place.

I commend the statements made by the president of the University of Notre Dame. I think it would be well if other university presidents would study his remarks. I ask unanimous consent to have printed at this point in the RECORD an article entitled "Notre Dame Gives Warning," written by John Leo, and printed in the New York Times of February 18, 1969.

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

NOTRE DAME GIVES WARNING
(By John Leo)

SOUTH BEND, IND., February 17.—The president of the University of Notre Dame warned today of on-the-spot expulsion for any student or faculty member who disrupts normal campus operations.

"Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent," said the Rev. Theodore M. Hesburgh, "will be given 15 minutes of meditation to cease and desist."

At that point, he said, demonstrators would be asked for campus identity cards. Those with cards would immediately be suspended and given five minutes more to cease demonstrating before being expelled from the university. Those without cards would be presumed to be nonmembers of the university community and would be subject to arrest as trespassers.

"STAND MUST BE MADE"

"Without the law," said Father Hesburgh, "the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. Somewhere a stand must be made."

Father Hesburgh's statement came in an eight-page open letter to faculty and students. He said the letter reflected "a clear mandate" from the university community to draw a line between orderly demonstrations and obstructive tactics.

The letter came three months after small groups of students obstructed access to on-campus recruiters from Dow Chemical and the Central Intelligence Agency, and a week after some students forced their way into a campus building to show stag movies that had been withdrawn from a student-sponsored conference on pornography and the law.

"No one wants the forces of law on this or any other campus," Father Hesburgh wrote, "but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay."

"We cannot allow," he said, "a small minority to impose their will on the majority who have spoken regarding the university's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right and proper."

"The last thing a shaken society needs is more shaking," he said. "The last thing a noisy, turbulent and disintegrating community needs is more noise, turbulence and

disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Complicated social mechanisms, out of joint, are not adjusted with sledge hammers."

"All I tried to say," Father Hesburgh added in an interview, "is that we welcome and protect orderly dissent, but we're not going to let anybody destroy the place."

S. 1072—INTRODUCTION OF A BILL TO EXTEND THE APPALACHIAN REGIONAL REVIEW DEVELOPMENT ACT

Mr. RANDOLPH. Mr. President, for myself, Senator JOHN SHERMAN COOPER, and 60 other Senators, I introduce a bill to extend the Appalachian Regional Development Act for 2 additional years—until June 30, 1971. We would also extend for 2 years—until June 30, 1971—title V of the Public Works and Economic Development Act of 1965, pursuant to which five other regional commissions have been established for: the Ozarks region, the upper Great Lakes region, the New England region, the Coastal Plains region, and the Four Corners region in the Southwest.

The Appalachian region comprises the following States: New York, Pennsylvania, Maryland, West Virginia, Ohio, Kentucky, Virginia, North Carolina, South Carolina, Tennessee, Georgia, Alabama, and Mississippi.

Included in the Ozarks region are parts of Missouri, Arkansas, Oklahoma, and Kansas. The Four Corners region includes major parts of New Mexico, Arizona, Colorado, and Utah.

The New England region covers all six New England States: Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, and Connecticut.

Michigan, Wisconsin, and Minnesota form the Upper Great Lakes region, and Virginia, North Carolina and South Carolina also belong to the Coastal Plains region.

Under the chairmanship of Senator JOSEPH MONTOYA, of New Mexico, the newly established Subcommittee on Economic Development of the Committee on Public Works will soon begin extensive and intensive hearings, both in Washington and around the country. The purpose will be to ascertain to the fullest extent possible the capability of the agencies that have been created in the various development regions to carry out the responsibilities that the Congress has assigned to them.

The members of the committee felt that the earlier Special Subcommittee on Economic Development, in order better to perform its legislative function, should be transformed into a standing subcommittee. The members, under Senator MONTOYA's chairmanship, are the Senator now speaking, Senators EDMUND S. MUSKIE, of Maine; WILLIAM B. SPONG, JR., of Virginia; THOMAS F. EAGLETON, of Missouri; MIKE GRAVEL, of Alaska; HOWARD H. BAKER, JR., of Tennessee; JOHN SHERMAN COOPER, of Kentucky; ROBERT J. DOLE, of Kansas; and ROBERT W. PACKWOOD, of Oregon.

The Appalachian regional development program has already proved to be a successful experiment. In submitting the annual report of the Appalachian

Regional Commission for fiscal year 1968, on January 18, 1969, President Johnson took note of the visible results "not only on the landscape but in the new hopes of the people." He mentioned the new highways, the new or expanded airports, the new vocational education schools, the new or improved hospitals, the new aid to institutions of higher learning, the libraries, the housing projects, the new educational television stations, the new water and sewage systems, and the hundreds of other new and separate projects going forward in the 13 States of Appalachia. These effective efforts are aimed at restoring and enhancing the living conditions and the environment of the millions of people who live in this good region of our land.

This program, underway only three and a half years, merits continuance. Recommended funding for the program is at a level of \$225 million for the next 2 fiscal years, an increase of \$55 million over the past 2 fiscal years. As in the past, the new funds for Appalachia will be expended on projects developed only after detailed study by the Governors of the States that form the regional commissions.

Mr. President, the excellent record of contributions by the Governors of the Appalachian region to the success of this program merits commendation. Their earnest support and enthusiastic participation have been truly valuable to the growth and accomplishments of this new dimension—this partnership—in our federal system.

The committee hopes, as a result of anticipated findings in the projected hearings on this bill, that it may prove possible to finance the other regional commissions more adequately. The amounts suggested by the Bureau of the Budget are bare bones. We must do more if we are to meet with realism the needs of these lagging areas of our economy.

We have held preliminary discussions among our committee's members and with representatives of our counterparts in the other body. I can assure the Senate that the operation of each of the regional commissions during the past 2 years will be thoroughly reviewed and that their plans for the next 2 years will be carefully examined.

The point of departure for these title V commissions was the act of 1967, under which, finally, some funds were appropriated for their activities. We came to that point due, in large measure, to the efforts of Senator EDMUND S. MUSKIE, of Maine, Senator JOSEPH MONTOYA, of New Mexico, Senator FRED HARRIS, of Oklahoma, and Senators JOHN McCLELLAN and WILLIAM FULBRIGHT of Arkansas. I salute their vision and thank them for their strong support.

Mr. President, I express tribute to the splendid cooperation we have always received in these efforts from the minority members of the committee, from my able friend, JOHN SHERMAN COOPER, and from the ranking minority member of the subcommittee on Economic Development, the diligent junior Senator from Tennessee, HOWARD H. BAKER.

The bipartisan nature of this endeavor will, I am sure, continue and prosper.

The successes already attained under the Appalachian program augur well for what can be achieved in the other subsequently established development regions.

At a later date the committee plans to study the general program of the Economic Development Administration, but only after the new administration has had time to look into it and to make recommendations with respect to it. We are not seeking to press the administration unduly for its overall views on this matter. The hearings we plan are designed to help us face realistically the fact that the money for Appalachia and the other five regional commissions will expire in June of this year and should be renewed. Later we will counsel with the officers of the new administration on the Federal EDA program when we can have the benefit of their considered judgment.

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

Mr. RANDOLPH. I yield.

Mr. MUSKIE. As the Senator knows, I am a cosponsor of the bill. As the Senator also knows, I had some reservations about it, because I believe we need some additional legislation to deal with the New England problem.

May I qualify what I have just said, to express my appreciation to the Senator for his support in the past for the extension of the Appalachian region to New England and other regions of the country.

I think it might be appropriate to indicate today in the RECORD that tomorrow I will introduce a bill of my own, undertaking to expand the legislation dealing with the regions other than Appalachia.

I express my appreciation to the distinguished Senator, the chairman of my committee for cosponsoring the bill I will introduce tomorrow.

Mr. RANDOLPH. Mr. President, I am delighted to associate myself with the effort the distinguished Senator from Maine is making to spell out the needs of New England.

Of course, this region of New England is the only one that has been established where all the States—not parts of the States—are members of the developmental region.

I know of the need in the State of Maine in reference to a developmental road which would run from the west side of the State to the ocean.

As the Senator well knows, I have given very careful thought to what I believe to be a rather substantial sum of money for the development of the five regions, keeping in mind, that in the Appalachian region we have approximately 16 million persons. In the five regions including New England we have approximately the same number of persons. In those 17 States that will supplement the 13 States in the Appalachian region, we have in process the development of this program in 30 States.

The amounts of money which are proposed for the continuation of the program in Appalachia would be not to exceed \$225 million for the 2-year fiscal period ending June 30, 1971; and for the five new regions, we would authorize \$175 million for the same 2-year fiscal period.

The differential between the \$225 million and the \$175 million is for the reason that in the Appalachian States this program has been in progress for 4 years, and was based on a presidential task force report.

This program is an attempt to work these problems out not on Pennsylvania Avenue but in the valleys and on the mountains and in these great areas of Appalachia.

Now, to a degree, the people in the area of the Senator from Maine have suffered from their later start, but our experiences will help them. The few errors we have committed in part will be their successes.

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

Mr. RANDOLPH. I yield.

Mr. MUSKIE. One mistake we do not want to make is to delay too long in getting the money to implement the projects in New England.

Mr. RANDOLPH. That is correct.

Mr. MUSKIE. We have learned that lesson from the Senators who represent the Appalachian region.

Mr. RANDOLPH. I thank the Senator. When we brought the Appalachian regional development idea to the floor of the Senate, I promised that I would follow through with the other regions of this country which had common problems that needed to be attacked—not by timid steps, but by an all-out frontal effort to stimulate and generate business, industry, and the well-being of the people.

Mr. President, there will be hearings on the proposed legislation in New England, and I say to the distinguished Senator from Maine that the hearings will be on his measure as well. We will not confine the hearings to the proposal that I introduce this afternoon with the support of the Senator from Maine and the Senator from West Virginia (Mr. BYRD), my colleague, who has such an intricate knowledge of this program.

Mr. MUSKIE. May I suggest to the distinguished Senator that his proposed legislation is essentially a continuation of the present programs for Appalachia and the other regions.

The measure I shall introduce tomorrow will seek an expansion of the program to permit the implementation of the projects that have been developed by the regional commission and which could not be fully implemented under the existing authorization.

So I believe there is sense to separating the two at this point, until we have had an opportunity to judge my measure on its merits and in the light of the projects which have been recommended by the New England Regional Commission.

Mr. President, again, I appreciate the Senator's cooperation in cosponsoring the legislation I shall introduce tomorrow.

Mr. RANDOLPH. It is my privilege to cooperate with the able Senator from Maine in these matters as in other matters that concern the strengthening of our economy and the well-being of our people. I commend him for the effort he makes here, particularly for New England. We feel it is important, however, as best we can, to keep all of them in concert.

Mr. President, I ask unanimous consent that the text of the bill be made a part of the RECORD, and I ask unanimous consent also that the excellent report submitted by Gov. Mills E. Godwin, of Virginia, to the Council of Appalachian Governors at the January 19, 1969, meeting held in Washington be printed in the RECORD following my remarks. Governor Godwin reported to the Appalachian Governors' Council for the period covered by his incumbency as the cochairman for the 13 States in the Appalachian Regional Development Commission. His summary is worthy of our study and attention as we move into legislative consideration of measures to extend and authorize appropriations and expenditures for the Appalachian Commission and those for the Ozarks, the Upper Great Lakes, New England, the Southeastern Coastal Plains, and the Four Corners region of the Southwest.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and report will be printed in the RECORD.

The bill (S. 1072) to authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965 as amended and title V of the Public Works and Economic Development Act of 1965 as amended, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1072

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1969

SEC. 101. This title may be cited as the "Appalachian Regional Development Act Amendments of 1969".

SEC. 102. The Appalachian Regional Development Act of 1965 as amended is amended as follows:

(1) The last sentence of subsection (b) of section 105 is amended to read as follows: "To carry out this section there is hereby authorized to be appropriated to the Commission, to be available until expended, not to exceed \$1,780,000 for the two-fiscal-year period ending June 30, 1971. Not to exceed \$400,000 of such authorization shall be available for the expenses of the Federal cochairman, his alternate, and his staff."

(2) Subsection (b) of section 205 is amended by striking out "and 1969." and inserting in lieu thereof "1969, 1970, and 1971."

(3) The first sentence of subsection (c) of section 214 is amended by striking out "December 31, 1967," and inserting in lieu thereof "December 31, 1969,".

(4) Section 401 is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and not to exceed \$225,000,000 for the two-fiscal-year period ending June 30, 1971, to carry out this Act."

TITLE II—THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENTS OF 1969

SEC. 201. Title V of the Public Works and Economic Development Act of 1965 as amended is further amended:

(1) By striking out in subsection 509(c) "December 31, 1967," and inserting in lieu thereof "December 31, 1969,".

(2) By adding at the end of subsection

509(b) the following: "There is hereby authorized to be appropriated to the Secretary for all of the regional commissions for the purposes of this section the total sum of \$175,000,000 for the two-fiscal-year period ending June 30, 1971."

The report of Governor Godwin, presented by Mr. Randolph, is as follows:
REPORT OF THE PAST CHAIRMAN, GOV. MILLS E. GODWIN, COUNCIL OF APPALACHIAN GOVERNORS MEETING, JANUARY 19, 1969, WASHINGTON, D.C.

May I first report that my experiences as Chairman of the Council and States' Co-chairman of the Appalachian Commission have confirmed and strengthened certain feelings I have held regarding the nature and worth of the Appalachian endeavor. Closer familiarity sometimes breeds contempt. In this case, my opportunity to work closely with our Program has intensified respect.

Specifically, during the past six months, we have seen:

1. Our overall Program effort undergird such confidence in the national administration that the budget request now before the Congress is considerably larger than that for any previous year.

2. Our States move ahead in the important highway construction program to the point that planning of the entire regional system is virtually complete and construction capability far exceeds available funds.

3. Our Demonstration Health Programs—said to be the nation's most innovative and comprehensive efforts in this critical field—have moved into action.

4. Our new Housing Program has brought action in several States which is breaking down long standing frustrations to the creation of needed housing—and even of a strong housing industry as well. This Program may well bring more jobs—in private enterprise—in many parts of Appalachia than would other forms of industry or Commerce. In addition, it offers the Nation some important lessons in solving key problems in the housing field.

5. The States have made significant beginnings in the organization of new, multi-county Development Districts. From personal experience in my own State I would say that the formation of these Districts may well be one of the most fundamental accomplishments under way at this time. In Appalachia and in all areas of our States, these Districts can serve as "building blocks" in planning and administering development programs, and as pioneering steps in helping local government to revitalize itself in dealing with the complex problems of today.

6. The Commission has approved recommendation of its Education Advisory Committee for beginning action on a program of priorities in what may become the most important aspect of the overall program of improvement for Appalachia. After careful consideration by the Advisory Committee and leadership of each of our state education departments, the Commission is now moving to work with the States in concentrated efforts for Comprehensive Educational Planning, Early Childhood Training, Occupational Information Courses, Job Relevant Vocational-Technical Education, Teacher Preparation, and Multi-District Regional Education Agencies.

7. The State Development Plans—keystones in establishing strategy for action in Appalachia—have matured to the point where they are now correlated into a Regional Development Plan for the first time. This achievement—melding thirteen State sets of plans for local, state and federal government and private action into a common strategy while retaining the individual differences of each State area—is a most significant expression of the "creative federalism" upon which the Appalachian Program

was based. But, even more important, this means that the Commission is now in a position to project, within this year, a specific future plan of action in which the steps necessary to meet set goals can be identified, given a priority rating and an evaluation for budget costs and time schedules. The Executive Director's Report sets forth plans for doing this which will be considered for decision at the March Commission meeting.

8. As the Nation's rural and urban problems have become more critical, our program has attracted greater national attention as a model for national development policies; intergovernmental and public-private cooperation; and common treatment of both rural and urban problems in a regional context. As a result, and acting upon the agreement of our Governors at our meeting in South Carolina in June, we have taken steps to secure some organized approach to bringing the interest of the Nation's Governors and the national administration to bear upon the possible formulation of a National Regional Development Program as a unified framework for future action.

As you know, the Statement signed by our thirteen Governors in June was forwarded to the Platform Committees of the major political parties. I believe this statement had a marked impact on the party platforms and upon a number of statements made by various candidates during the campaign. Subsequently, I forwarded similar draft statements and background material to the Chairmen of the other six Regional Commissions and, more recently, to all fifty Governors. As of today, twenty-seven Governors have responded favorably—and none negatively—to the proposition that the National Regional approach should be studied and receive priority consideration as an alternative future course of action.

In December, I presented this material to the National Governors' Conference Executive Committee, of which our colleague, Governor Buford Ellington of Tennessee is Chairman. The Executive Committee accepted the material and has placed it upon the Agenda of the Committee on Executive Management and Fiscal Affairs. I am hopeful that this Committee will develop the material for recommendation and consideration by the full Conference and then by the National Administration and the Congress.

Let me make clear that it is not our intent to bring this item into any conflicting consideration with our pending Appalachian legislation—this must have immediate and singular priority. However, it is just as important to give separate but equal attention to the longer process required to develop an acceptable version of national legislation consistent with our Program to be ready for consideration at the critical time when the Congress looks at the proliferation of national programs to be up for decision this year. By working through the National Governors' Conference, and Presidential, Congressional or private study committees and task forces, the meritorious elements of our Program experience can have great impact upon the design of the programs in which our States will have real concern—for Appalachia and for all of our States.

In time the question of our Appalachian legislation—and, perhaps, compatible national legislation—will be before the Congress. Certainly we have fared well in the considerations of the Congress and, as I express great appreciation for the Congressional leadership and action that has made Appalachia possible, so will we ultimately trust the judgement of the men of Congress on the national issue.

Finally, let me pay respect and appreciation for the fine sincerity, ability and hard work of each of our State Representatives, the Federal Cochairman Pat Fleming, the States' Regional Representative John Whisman and Executive Director Ralph Widner—

and for the many staff people who have responded to the extra challenge of this program with the extra effort required to deliver the successes it is my pleasure to report. We cannot take such success for granted—it has not been easy. The Appalachian effort is working in a practical way because these people have worked constantly to make it happen.

I express to all of you my appreciation for the opportunity to have this rewarding experience. I want to pledge to the new Co-chairman Governor Rhodes, and to all of you, that the Appalachian Program will continue to hold a high priority in my time and interest.

Mr. COOPER. Mr. President, I am very glad to join with Senator RANDOLPH, the distinguished chairman of the Senate Committee on Public Works, in introducing this bill to continue the Appalachian regional development program—so well begun under the Appalachian Regional Development Act of 1965, as extended by the 1967 amendments—which I think it is fair to say had its origin in eastern Kentucky. We have done so not only as neighbors, for West Virginia and Kentucky have problems in common, situated as they are in the very heart of Appalachia, but also in our positions as chairman and ranking minority member of the Senate Committee on Public Works, which has legislative and oversight jurisdiction in this field.

The Senate will recall that I joined with Senator RANDOLPH in cosponsoring the Appalachian Regional Development Act of 1965, following the initiative of the late President Kennedy and the 1964 recommendations of the President's Appalachian Regional Commission. We were very happy that, following thorough hearings, the Senate adopted the Appalachian program by a large vote of 71 to 12. That act established a 6-year program for Appalachian development highways—directed to the principal problem of the isolation of the region—and included also vocational education, health, conservation, water resource, and supplemental grant authorities, but for a 2-year period with the intention that they be renewed in 1967 and in 1969. These nonhighway authorities were renewed in 1967, together with certain modifications and improvements in the program, which Senator Randolph and I again joined in sponsoring, and which were again adopted in the Senate by a large majority including, I am glad to say, a majority of Republicans as well as of Democratic members voting.

The bill Senator RANDOLPH and I introduce today would extend the nonhighway authorities of the act for 2 more years, and would also extend the title V authorizations of the Public Works and Economic Development Act of 1965, under which five other regional commissions have been established. As Senator RANDOLPH has stated, the purpose of introducing this bill is to place the subject before the Committee on Public Works, so that hearings may be held at an early date and the recommendations of the Governors and others received.

We are glad, also, that the bill has attracted a number of cosponsors, including Senator MONTOYA, of New Mexico, chairman of the Economic Development Subcommittee, and Senator BAKER, of

Tennessee, whose State is included within the Appalachian region and who is now the ranking minority member of the Economic Development Subcommittee.

I emphasize at this time that the Appalachian program has proved successful. The wide acceptance and broad support this program has received is, I believe, evidence that it was well conceived and has been well executed.

The Appalachian program is bringing new opportunities and hope to the people of the region. And I must say it appears to be a happy exception among the new programs of recent years—for it has not created conflicts in administration, jurisdiction, or priorities. On the contrary, it has achieved cooperation, developed priorities, and fixed responsibility.

This has been accomplished through principles which have been talked about often, but in this case applied: local initiative; State responsibility; and the application of priorities through Federal assistance programs already established.

The great thing about the Appalachian regional development program has been its demonstration of what can be accomplished by relying on State responsibility in carrying out Federal assistance programs. We are all concerned about overlapping programs, duplication, and waste. But the Appalachian concept has shown that when the States are given responsibility and the authority for ordering priorities, existing Federal assistance programs can be better directed to the diverse needs of the States and utilized more effectively.

The Appalachian Regional Development Act established a program which was experimental at its inception. Initiated by the Governors and developed through the State governments, it has been more successful than many—perhaps even any—other endeavors in the economic development area because it has from the outset paid more than lip service to the concept of Federal-State partnership in the development and prosecution of grant-in-aid programs.

From the experience of the last 4 years, we have learned again that local initiative and participation is essential throughout the process of bringing leadership and resources to bear on the problems of communities. The Appalachian Regional Development Commission has stressed an areawide approach to planning, with State and local determination of priorities, in order to coordinate and focus the authorities and programs of existing line agencies in the most effective manner.

We are learning that a comprehensive approach which includes education, training, job development, facility construction, public works and medical assistance is an approach which can break the deprivation cycle in areas of unemployment and poverty.

Through the Appalachian regional development program we have recognized that regions of the country, and regions within States, vary widely in their needs and that programs of stimulus must be tailored to these particular problems. We know that only with State cooperation in designing these programs and setting priorities can we hope to maximize re-

turns on the investment of limited resources, and achieve effective program development and implementation.

President Kennedy, President Johnson, the Congress, and the Nation have recognized the deep-rooted and persistent problems of the Appalachian region, which justified designing a program to at last come to grips with its needs. I consider that the Congress, with the support of the people of the country, has been generous and sympathetic in providing this program for the Appalachian region. Most recently, we were very glad to see the expression of support for the Appalachian program by President Nixon, including the assurance that the independent position of the Appalachian Regional Commission in the Office of the President would be maintained.

The Appalachian program has had an important and effective beginning. It must be extended as we continue toward the development of areas of our country which, with all the progress in our country, have been left behind.

Mr. MONTROYA. Mr. President, the chairman of the Committee on Public Works has just introduced a bill to extend for 2 years both the Appalachian Regional Development Act of 1965 and also title V of the Public Works and Economic Development Act. I am proud to be one of the 55 cosponsors of this bill.

Chairman RANDOLPH alluded to the establishment within our committee of a new Standing Subcommittee on Economic Development. I have the honor, Mr. President, to serve as chairman of this subcommittee. It will be my responsibility and my pleasure to conduct the public hearings on this legislation.

As Senator RANDOLPH stated, these will be extensive and intensive hearings. Hearings on the legislation will begin on Wednesday, March 6, and continue on March 6 and 7, in room 4200, New Senate Office Building.

The subcommittee plans to hear testimony from the Federal and State co-chairmen of the Appalachian Regional Commission and from each of the title V regional commissions.

There will also be field hearings later across the country. The subcommittee will travel to the regions where development commissions are operating. It will go to the people of those areas in Appalachia, in the Ozarks, in my home territory of the Four Corners, in the upper Great Lakes, in Alaska, in New England and in the Southeast coastal region.

The subcommittee will be particularly concerned with the extent to which the title V commissions have made progress toward putting into action well-conceived programs of economic development. The Congress, in my judgment, has been very patient while waiting for the commissions to make the necessary preliminary studies and to draw up comprehensive plans. The time has now come for these plans to be put into effect. We will want to determine not only how far along they have progressed but also what further assistance, financial or otherwise, they require from the Federal Government.

We will, of course, welcome the views of all Members of the Senate who repre-

sent the States involved in the several regions, as well as from the Governors of those States. I ask any Senator wishing to testify in person kindly to call the subcommittee professional staff member, Stewart E. McClure, on extension 6176 to make arrangements.

The legislation in which I am joining Senator RANDOLPH today would authorize \$175 million for the five regional commissions other than Appalachia for fiscal years 1970 and 1971. These funds would enable the States and other entities within economic development regions to take maximum advantage of Federal grant-in-aid programs for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share. Under criteria provided for in the act, these funds would be used for the purpose of increasing the Federal contribution to projects under such programs above the fixed minimum portion of the cost of such projects otherwise authorized by the applicable law.

One of the areas to be explored during the subcommittee hearings will be to determine if this level of funding is sufficient and to determine what might be the best way to insure that whatever funds are authorized and appropriated are put to the most effective and efficient use possible.

The subcommittee will also, at a later date, in addition to other activities, look into the applicability of the overall economic development program to the great urban areas of the country.

I look forward to the same fine cooperation with the other members of the subcommittee, both majority and minority, that we have enjoyed in the past, and I will welcome their advice and counsel.

Mr. BAKER. Mr. President, I join with my colleagues here today in enthusiastic support for this legislation and for the programs that it would extend.

It was not my privilege to be a Member of this body in 1965 when the Appalachian Regional Development Act and the Public Works and Economic Development Act established the six regional commissions that are the subject of the bill just introduced. But since coming to the Senate a little over 2 years ago, I have had the honor of serving on the Committee on Public Works and its Subcommittee on Economic Development. As a child and product of the heart of Appalachia, I have taken a particular personal interest in the activities of that commission and attach a great importance to what it has done and to what it yet can do. Deeply convinced of the efficacy of the commission approach, I have no less enthusiasm for the promise of the five fledgling commissions now organizing in other sections of our Nation.

Accidents of geography, demography, and changing industrial requirements have combined to isolate from full participation in the life of the Nation certain readily identifiable areas of our land. Areas once prosperous or at least promising have fallen further and further behind by any criterion: production, income, education, health facilities, mobility. Most of these areas are largely in-

habited by a proud and independent people who do not beg for charity, be they American Indians in the Southwest or northern Great Lakes regions, farmers, and sharecroppers who work the soil in the Atlantic coastal plains, or the vigorous men and women who have long struggled for a decent life in the Ozarks or the Appalachians. But to overcome the natural disadvantages of environment and resources, they need our help so that they may help themselves.

The genesis of the Appalachian Regional Development Act, which has served as the precursor of and model for other regional development efforts was a unique event in the long and successful history of our federal system of government, and it was an event that holds out great promise for our national future, not only in those areas where commissions have already been established but in many other areas as well.

The impetus for the creation of the President's Appalachian Regional Commission in 1963, on whose recommendations the formal program was devised, came, as we all know, from the late John F. Kennedy, whose interest in and compassion for the people of that region is well known. He was able, through his eloquence and skill, to focus national attention on the need that was plainly there.

But while much of the Nation may have been unaware of the quiet crisis in the Appalachian mountains, the people of the region and their elected representatives had long been very much aware of it. Well before the national program was conceived or thought of as being politically or economically feasible, extensive local action was underway to improve conditions in the region. Each State in Appalachia had established a unit for economic development. Private individuals and private corporations and public officials and bodies of every size and description had been both inventive and tireless in their efforts to accomplish whatever they could with the sorely limited resources available to them.

But it was clear that these efforts, though valiant and productive of some progress, were not equal to the task. It began to be understood that by joining forces and working together toward solutions for mutually shared problems, the individuals and corporations and government bodies could avoid wasteful duplication and materially benefit by pooling their experience and expertise. And so the Conference of Appalachian Governors was formed. The chief executives of eight of the States most severely affected by the Appalachian syndrome voluntarily assembled to work together toward the hopeful resolution of common problems. Out of this governors' conference grew the President's commission and the Appalachian Regional Development Act of 1965.

The Governors of the 13 States, parts of which now fall within the statutory definition of the Appalachian region, have continued to participate personally and with great enthusiasm in the activities of the commission. Single individuals in each State government have been given primary responsibilities as State

regional representatives to coordinate the activities of State programs with the programs of the commission and of other constituent States. Although much remains to be done in the way of economic and social development, little remains to be done in terms of fostering meaningful and fruitful regional cooperation.

Mr. President, the promise of regional cooperation is very great. The part that it can play in the harmonious development of our Nation is very large.

And its usefulness must not be restricted to areas of severe economic hardship and deprivation, although the need for it is perhaps greatest in such areas. Regional development agencies could be used to great advantage in quite a different order.

Take, for example, the internecine competition and infighting that has for years impeded the equitable development and use of water resources in the western third of our Nation. Take, as another example, the tremendous advantages that could be found in a coordinated development of our tidewater and marine resources by a close cooperation of those States bordering on the sea. We are already beginning to see the first fruits of cooperation among States in the Delaware River Basin for the control of water pollution and the formation of compacts for the control of air pollution that likewise respects no political boundaries.

It makes no sense at all for neighboring jurisdictions who share common problems to pursue separate and often contradictory solutions. The regional concept can and will become a prime reinforcement of our federal system of government.

And so, Mr. President, it is with great enthusiasm and dedication that I support the legislation just introduced. As the distinguished chairman of the committee and chief sponsor of the bill, Senator RANDOLPH, has said, the bill is a point of departure for an in-depth look at what the various commissions have done and to obtain an understanding of what their future capabilities might be. I look forward to working closely with Senator RANDOLPH and Senator COOPER and other committee members in this endeavor. Having recently been honored by being made ranking minority member of the Subcommittee on Economic Development, I particularly look forward to my work with the distinguished new chairman of that subcommittee, Senator MONTROYA, whose dedication to economic opportunity and social progress for all Americans is well known in this body and throughout the country.

Mr. SCOTT. Mr. President, I am pleased to be a cosponsor of the Appalachian Regional Development Act extension, introduced today by my most able and distinguished colleague, Senator JENNINGS RANDOLPH, of West Virginia. The bill provides for a 2-year extension of the act, and authorizes appropriations of \$175 million for that period.

Aid to Appalachia is proving daily to be one of the most efficiently operated programs ever to come out of Congress. Its great success, I believe, can also be attributed to the fact that a reasonable balance has been maintained between

direction from Washington on the one hand, and control in the States and localities on the other. This Federal approach may prove to be the key factor in the solution of some of our other very great problems.

Since 1965, Pennsylvania has received approximately \$46.3 million in Federal money, which has since gone into 52 counties with a population of 6 million people. All Pennsylvanians look forward to the continued success and operation of this program. I commend Senator RANDOLPH for his vigor and dedication to the people of the Appalachian region.

THE JAMES MADISON MEMORIAL COMMISSION—APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 86-417, appoints the Senator from Nebraska (Mr. HRUSKA) to the James Madison Memorial Commission in lieu of the Senator from Kansas (Mr. CARLSON), retired.

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

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

S. 1075—INTRODUCTION OF BILL TO ESTABLISH A NATIONAL STRATEGY FOR THE MANAGEMENT OF HUMAN ENVIRONMENT

Mr. JACKSON. Mr. President, I am today introducing legislation which has as its purpose the establishment of a national strategy for the management of the human environment.

The purpose of this legislation is to lay the framework for a continuing program of research and study which will insure that present and future generations of Americans will be able to live in and enjoy an environment free of hazards to mental and physical well-being.

This measure, if enacted, would place a new emphasis on two aspects of Federal efforts in this critically important field:

First, title I of the proposed legislation authorizes the Secretary of the Interior to conduct investigations, studies, surveys, and research relating to the Nation's ecological systems and environmental quality. It is critically essential that basic research in this neglected area be properly funded and immediately undertaken. The data and the knowledge necessary to an understanding of man's impact on the environment is needed before Government and private industry can make knowledgeable decisions about how their activities and decisions affect man-environment relationships.

The need for basic research may be seen in connection with the current controversies over the short- and long-term impact of chemicals and pesticides on both human and animal life. Another example is the need for research on the social and legal aspects of weather modi-

fication, so that appropriate controls over the use of this emerging technology may be developed.

A contemporary example which has aroused great public concern in recent weeks is the Santa Barbara oil spill. An editorial in the February 14, 1969, issue of the Washington Post stated in part:

It is often man's crass indifference to the consequences of technological advance in exploiting nature which is leading to the despoiling of nature. That is to say, the gains from technology seem to run only one way—from profits rather than to preservation of a planet on which man can comfortably live.

The editorial went on to say:

The time has come to turn around the thesis under which natural resources have long been regarded. Instead of deciding that we must exploit them because we are technically able to do so, we ought to postpone exploiting them until the need is great or our knowledge of what damage exploitation may do is substantially larger.

In my judgment, more must be done, and it must be done soon, if we are to develop the data and the knowledge necessary to an understanding of the impact of man and his intrusive technology upon an environment that is unceasingly subject to growing pressures.

Second, title II of the bill would establish in the Office of the President a Council on Environmental Quality to study and analyze environmental trends; the factors that affect these trends; and how they relate to the conservation, social, economic, and health goals of the Nation. The Council would also advise and assist the President on the formulation of national policies to foster and promote the improvement of environmental quality, and in the preparation of an annual report on the quality of the environment as required by section 203 of the bill.

It is my judgment that a more effective process of policy review on matters affecting our entire biological and physical resources can be achieved by establishing a forum in the Office of the President for the consideration of alternative solutions to all environmental problems.

Our present governmental institutions are not designed to deal in a comprehensive manner with problems involving the quality of our surroundings and man's relationship to the environment. The responsibilities and functions of government institutions as presently organized are extremely fractionated. We have, for example, separate agencies and separate policies on shipping, fisheries, mines, forests, and water resource development. At some point in our history we felt it was wise to organize Government around these concepts. This organization reflects our early national goals of resources exploitation, economic development, and conquest.

Our national goals have, however, changed a great deal in recent years. Today Government organization does not reflect this change in objectives and the new demands which are being placed on the environment.

At present the Federal programs of significant concern to environmental management are scattered throughout 11 of the major executive departments and

16 independent agencies. The problems of coordination and control are obvious. In my judgment, it is clear that new approaches are required if we are to be successful in the management of our future environment. Better concepts and better institutions must be designed to supplement the programs and goals of existing agencies.

I introduced similar legislation during the second session of the last Congress on behalf of Senator Thomas Kuchel and myself. The text of the bill as introduced in the 90th Congress, together with other relevant materials, may be found in the CONGRESSIONAL RECORD, volume 113, part 27, page 36850. Further materials from various sources discussing the need for a national strategy on environmental management may be found in the CONGRESSIONAL RECORD, volume 114, part 2, page 2248.

One of the major problems which any effort to undertake a meaningful study of environmental and natural resource administration faces is that the subject spans the jurisdiction of many of the major committees of the Congress. In an effort to begin the process of review without impinging upon the legitimate legislative and jurisdictional interests of any committee of the Congress, Congressman GEORGE MILLER, chairman of the House Science and Astronautics Committee, and I served as cochairmen for the purpose of convening a unique and highly successful Joint House-Senate colloquium to discuss a national policy for the environment last July 17, 1968. The participants at the colloquium included five Cabinet Secretaries, the President's Science Adviser, Mr. Laurance S. Rockefeller, Dean Don K. Price, of Harvard, and many concerned Members of the Congress. A varied group of scholars and Government officials also submitted statements and reports on the need for a national environmental policy and offered suggestions as to the content of such a policy.

The colloquium considered the broad policy implications of environmental legislation that had been introduced in the 90th Congress. More than 120 Members had introduced bills which were referred to 19 separate committees of both the House and Senate. Most of these measures dealt with individual resource management problems, environmental pollution, or the general decline in the quality of urban and rural living conditions. The colloquium was not, however, directed to a discussion of specific legislative proposals. In view of the widespread congressional interest in improving and maintaining the quality of the human environment, the colloquium was directed at the general question of the need for a national environmental policy.

A special report to the Senate Committee on Interior and Insular Affairs on "A National Policy for the Environment" was prepared for the committee's use prior to the convening of the colloquium. This report was written by Prof. L. K. Caldwell, of Indiana University, with the assistance of Mr. William Van Ness, special counsel to the committee. Mr. President, because the report is now out of print and because it summarizes the requirements for policy effectiveness and

the questions of implementing an effective program of environmental administration so well, I ask unanimous consent that selected portions of the report be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JACKSON. Mr. President, following the colloquium, a congressional white paper was prepared by the Library of Congress Legislative Reference Service. This document, which was distributed to the Congress in October, summarized the key points raised in the dialog between Members of Congress and the colloquium participants. It also suggested a number of approaches that the Congress might follow in formulating a clear and forceful strategy of environmental management.

The colloquium disclosed that environmental management is one of the most difficult issues facing Congress and the administration today. This fact has long been recognized in academic and scientific circles. For example, last year the American Society for Public Administration devoted an entire issue of its journal, Public Administration Review, to the interaction of well-known environmental problems and the efficacy of existing Government programs to deal with conflicts and controversies over the use of the environment. The editor of the issue, Prof. Lynton K. Caldwell, of Indiana University, called attention to the numerous statutes that have been enacted by Congress on behalf of air and water pollution, public health, urban planning, atmospheric research, oceanography, rural conservation, and related fields. Yet he emphasized that these measures "do not cumulate to give us basic political doctrine that would guide social conduct as it impinges upon the environment."

In recent months a number of major conferences sponsored by philanthropic foundations and universities, including the Industry and Environment Conference held at Williams College in October 1968, have pinpointed very serious gaps in our private and public research effort to understand the long-term social implications of the environmental changes being wrought by rapidly expanding technologies and their industrial applications.

The bill I am introducing today would authorize the Council of Environmental Advisers to periodically review all existing programs and activities carried out by Federal agencies, as well as the private sector, to document and anticipate imminent environmental alterations, and to make appropriate recommendations to the President. The Council would thus help the President evaluate the trends of new technologies and developments as they affect our total surroundings, and to develop broad policies, including those related to anticipatory research, to prevent future man-induced environmental changes which could have serious social and economic consequences.

The aim of this legislation is not to duplicate any existing research evaluation functions such as those carried out by the Office of Science and Technology. However, it is clear that scientific knowl-

edge must be advanced and related to the public's interest in maintaining a quality environment and in establishing better man-environment relationships. The aim of my bill is to provide a continuing and thorough consideration of our Nation's overall progress in meeting national and international problems of environmental management which are critically important to the well-being of this country.

The need for an information gathering body such as the proposed Council in the Office of the President is clear. It is obvious that we must do more to anticipate environmental problems and develop strategies for their resolution before they assume crisis proportions. It is far cheaper—in human, social, and economic terms—to anticipate these problems at an early date and to find alternatives before they require the massive expenditures we are now obligated to make to control air and water pollution and to deal with recurring problems such as the recent Santa Barbara oil spill. The proposed Council could perform this function of problem anticipation, overview, and informal coordination.

It is noteworthy, Mr. President, that the present administration has been given recommendations along these lines. Early this year, the Brookings Institution issued a report, edited by Kermit Gordon, entitled "Agenda for the Nation" in which some of the Nation's leading observers of public affairs identify the major issues the executive branch must face in the months ahead. This report contains an essay by Prof. Stephen K. Bailey, dean of the Maxwell Graduate School of Public Affairs, Syracuse University, on the subject "Managing Our Federal Government." Professor Bailey described the need for restructuring the President's Office to reflect what many public administration experts consider the prime concerns of the Nation as viewed from the vantage point of the Chief Executive. These prime concerns are identified as first, national security; second, economic stability and growth; third, human resource development; and, fourth, environmental management and control.

In the first three areas cited, the President's Office has steadily strengthened its policy review capabilities by creating special councils and Presidential advisers. But as Professor Bailey noted, in the increasingly troublesome area of protecting the integrity and viability of our environment, the President's Office is patently deficient:

Aside from ad hoc task forces (many of which have been extremely productive and catalytic), there is no effective agent or agency . . . charged with the study of emerging public problems and the development of effective programs to deal with them in terms of continuing and changing presidential perspectives of the public interest.

Professor Bailey went on to note:

The presidency is the only institution in the American polity whose overarching and long-range public imperatives can be coherently analyzed and melded.

The structure of the Executive Office of the President must reflect the prime concerns of the nation as viewed from the vantage point of the chief executive. In the present age, as already noted, these prime concerns are four: national security, economic stabil-

ity and growth, the integrity and viability of the physical environment, and the promotion of human welfare and of human resource development. In these four areas, the President must have at his disposal institutional arrangements that can help him plan wisely, sort options judiciously, and effect coordinated responses. (Emphasis added.)

At present, the President does not have at his disposal institutional arrangements that can help him plan wisely, to sort options judiciously, and to effect coordinated responses in the field of environmental administration.

While Professor Bailey's essay does not directly endorse the councilor approach for Presidential policy review in the environmental field, as I am now proposing, I think his arguments for more satisfactory machinery than now exist to devise a national strategy of environmental management are particularly significant and should be studied by the Congress and all others who are interested in maintaining a quality environment for present and future generations. Mr. President, I ask unanimous consent that excerpts from his chapter on this subject be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JACKSON. Mr. President, I also ask unanimous consent that an article by Mr. Peter Khiss from the January 14, 1969, issue of the New York Times be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 3.)

Mr. JACKSON. Mr. President, the article discusses recommendations made to President Nixon by his Task Force on Resources and the Environment. It is reported that the task force recommend the naming of a Special Assistant for Environmental Affairs to the President and the establishment of a Presidential Council on the Environment. The new Council would, according to Mr. Khiss' article, represent a broadening of the membership and areas of responsibility of the present Council on Recreation and Natural Beauty. This report is for the President's confidential use, and it is not known whether the task force's recommendations will be followed. It is, however, my tentative view that the magnitude of the problems faced will require a more effective instrument than a revamped Council on Recreation and Natural Beauty.

Mr. President, the concept of man's total environment has emerged in the last few years as a new focus for public policy. Not long ago the ideal of a governmental responsibility for the health of the individual, for the state of the economy, for consumer protection and for housing was considered revolutionary. Today, we have come to take these responsibilities for granted. We must now proceed to make the concept of a governmental responsibility for the quality of our surroundings an accepted tenet of our political philosophy.

It is time that we reexamine our national goals and purposes in managing the environment. New goals and new policies which are in the long-range pub-

lic interest are clearly required. Their successful development will require the active participation of the States and private enterprise as well as the Federal Government.

In the Federal Government—and I suppose this may also be true of State government—we have sometimes indulged ourselves in the illusion that we are doing a grand job of environmental management. But the facts do not support this. Many of our approaches and programs have involved merely a cosmetic approach—"clean-up, paint-up, and fix-up." The conditions we are dealing with, however, are not cured by cosmetology. Many will require major surgery.

Our responses have been too narrow, too limited, and too specialized. In the past, we have established costly programs without a clear enough perception of the objectives and the goals we seek to attain.

Mr. President, we have reached the point in our national life where this country can no longer rely on the time-worn method of simply convening ad hoc study groups and task forces to make recommendations which are easily filed away and forgotten every time there is a new environmental crisis such as the recent oil spill off Santa Barbara, Calif.

I believe that President Nixon was correct in directing Dr. DuBridge, the President's Science Adviser, to bring together a panel of scientists and engineers to review the oil pollution problem. What is of grave concern, however, is that we are still only reacting to crisis situations in the environmental field. What we should be doing is setting up institutions and procedures designed to anticipate environmental problems before they reach the crisis stage.

We need to know what the risks are, and we need to know what options and alternatives are available in the development of our resources and in the administration of our environment. It is far cheaper in human, social, and economic terms, to anticipate these problems at an early stage and to find alternatives before they require the massive expenditures we are now obligated to make to control air, water, and oil pollution.

It is my judgment that the bill I am introducing today will, if enacted, go a long way toward giving the Federal Government an environmental problem anticipatory capacity.

In conclusion Mr. President, I urge President Nixon to consider very carefully the establishment of a Council of Environmental Quality Advisers in the Executive Office of the President.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1075) to authorize the Secretary of the Interior to conduct investigation, studies, surveys, and research relating to the Nation's ecological systems, natural resources, and environmental quality, and to establish a Coun-

Bill on Environmental Quality, introduced by Mr. JACKSON (for himself and Mr. STEVENS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to promote and foster means and measures which will prevent or effectively reduce any adverse effects on the quality of the environment in the management and development of the Nation's natural resources, to produce an understanding of the Nation's natural resources and the environmental forces affecting them and responsible for their development and future well being, and to create and maintain conditions under which man and nature can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations of Americans, through a comprehensive and continuing program of study, review, and research.

TITLE I

Sec. 101. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this title, is authorized—

(a) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(b) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(c) to develop and maintain an inventory of existing and future natural resource development projects, engineering works, and other major projects and programs contemplated or planned by public or private agencies or organizations which make significant modifications in the natural environment;

(d) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(e) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(f) to make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment.

(g) to initiate and utilize ecological information in the planning and development of resource-oriented projects;

(h) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(i) to conduct research and studies within natural areas under Federal ownership which are under the jurisdiction of the Secretary and which are under the jurisdiction of other Federal agencies; and

(j) to assist the Council on Environmental Quality established under title II of this Act.

Sec. 102. In carrying out the provisions of this title, the Secretary is authorized to make grants, including training grants, and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, and to accept and use donations of funds, property, personal services, or facilities to carry out the purposes of this Act.

Sec. 103. The Secretary shall consult with and provide technical assistance to other

Federal agencies, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this Act. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

Sec. 104. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

Sec. 105. Nothing in this Act is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating any unnecessary duplication of effort.

Sec. 106. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

TITLE II

Sec. 201. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, aesthetic and cultural needs and interests of this Nation. The President shall designate the chairman and vice-chairman of the Council from such members.

Sec. 202. (a) The primary function of the Council shall be to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Council shall—

(1) report at least once each year to the President on the state and condition of the environment;

(2) provide advice and assistance to the President on the formulation of national policies to foster and promote the improvement of environmental quality;

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment and make such information available to the public.

(b) The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President.

(c) It shall be the duty and function of the Council and the Secretary of the Interior to assist and advise the President in the preparation of the biennial environment quality report required under section 203.

Sec. 203. The President shall transmit to the Congress annually beginning June 30, 1970, an environmental quality report which shall set forth (a) the status and condition of the major natural, man-made, or altered environmental classes of the Nation, in-

cluding, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

Sec. 204. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

Sec. 205. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this title.

EXHIBIT 1

A NATIONAL POLICY FOR THE ENVIRONMENT—
A REPORT ON THE NEED FOR A NATIONAL POLICY FOR THE ENVIRONMENT; AN EXPLANATION OF ITS PURPOSE AND CONTENT; AN EXPLORATION OF MEANS TO MAKE IT EFFECTIVE; AND A LISTING OF QUESTIONS IMPLICIT IN ITS ESTABLISHMENT

(A special report to the Committee on Interior and Insular Affairs, U.S. Senate, together with a statement by Senator HENRY M. JACKSON)

STATEMENT BY SENATOR HENRY M. JACKSON

Over the years, in small but steady and growing increments, we in America have been making very important decisions concerning the management of our environment. Unfortunately, these haven't always been very wise decisions. Throughout much of our history, the goal of managing the environment for the benefit of all citizens has often been overshadowed and obscured by the pursuit of narrower and more immediate economic goals.

It is only in the past few years that the dangers of this form of muddling through events and establishing policy by inaction and default have been very widely perceived. Today, with the benefit of hindsight, it is easy to see that in America we have too often reacted only to crisis situations. We always seem to be calculating the short-term consequences of environmental mismanagement, but seldom the long-term consequences or the alternatives open to future action.

This report proposes that the American people, the Congress, and the Administration break the shackles of incremental policymaking in the management of the environment. It discusses the need for a national environmental policy and states what some of the major elements of such a policy might be. It also raises a number of questions implicit in the establishment of such a broad-based and far-reaching policy.

The report does not purport to deal exhaustively with these subjects. Rather, it attempts to place some of the fundamental questions concerning the needs for and the elements of a national environmental policy in the arena of public debate. If the report is successful in encouraging discussion and in refining some of the issues involved, it will have performed a worthwhile purpose. In the last few years, it has become increasingly clear that, soon, some President and some Congress must face the inevitable task of deciding whether or not the objective of a quality environment for all Americans is a top-priority national goal which takes precedence over a number of other, often competing, objectives in natural resource management and the use of the environment. In my judgment, that inevitable time of decision is close upon us.

If we are to make intelligent decisions which are not based on the emotion of conservation's cause célèbre of the moment or on the error of simply perpetuating past practices, there is a very real need to develop a national capacity for constructive criticism of present policies and the development of new institutions and alternatives in the management of the environmental resources of land, air, water, and living space. Developing this capacity will require that representatives from all elements of our national life—industry, the university, Federal, State, and local government—participate in forming this policy. It will require the creative utilization of technology to improve environmental conditions and to prevent unanticipated future instances of costly abuse. It will also require that government business, and industry pay closer attention to a far greater range of alternatives and potential consequences when they make environment-affecting decisions than they have in the past.

Finally, it needs to be recognized that the declaration of a national environmental policy will not alone necessarily better or enhance the total man-environment relationship. The present problem is not simply the lack of a policy. It also involves the need to rationalize and coordinate existing policies and to provide a means by which they may be continuously reviewed to determine whether they meet the national goal of a quality life in a quality environment for all Americans. Declaration of a national environmental policy could, however, provide a new organizing concept by which governmental functions could be weighed and evaluated in the light of better perceived and better understood national needs and goals.

This report was prepared for the use of the Senate Interior Committee by Prof. Lynton K. Caldwell, Department of Government, Indiana University, with the assistance of Mr. William J. Van Ness, special counsel to the committee, and the Natural Resources Division, Legislative Reference Service, Library of Congress. Professor Caldwell's contribution was, in part, made possible through an arrangement with the Conservation Foundation.

"Scientists from this country and the Soviet Union—and from 50 other countries—have already begun an international biological program to enrich our understanding of man and his environment.

"I propose that we make this effort a permanent concern of our nations. I propose that the United States scientists join with the scientists of the Soviet Union and other nations to form an international council on the human environment."—*From President Lyndon B. Johnson's Commencement Address at Glassboro State College, Glassboro, N.J., June 4, 1968.*

PREAMBLE

It is a major function of the Congress to propose and consider policies "to provide for the common defense and the general welfare of the United States." Today, a challenge to the safety and welfare of the United States and of the American people has arisen. The challenge is the rapid deterioration of the environmental base, natural and man-made, which is the indispensable foundation of American security, welfare, and prosperity. Congress has recognized this challenge, and in accord with its responsibilities is preparing a response. Numerous proposals are now before the Congress to deal with what some of our best informed scientists and political leaders describe as an "environmental crisis." The purpose of this report is not to "view with alarm," but to raise the issue of whether there is a need for a national environmental policy and to discuss some of the major elements which might be considered for inclusion in such a policy. This report is intended to bring the issue of environmental policy into as sharp a focus as the complexity of its

subject matter permits, and to identify some of the basic questions that would be encountered in shaping a national policy.

The threat of environmental deterioration, which the President of the United States has described as "a crisis of choice," is largely the result of the unprecedented impact of a dual explosion of population and technology upon limited resources of air, water, land, and living space. This challenge has not occurred before in American history nor in the history of civilization. Today the threat this challenge presents is widely recognized. Calls for action have come from many sectors of American society: from labor, from business, from agriculture, from science, from civic bodies, from religious, cultural and ethnic groups, from public agencies and from the elected representatives of the people. Symbolizing the national concern, the Department of the Interior entitled its 1968 Conservation Yearbook "Man—An Endangered Species?"; and the Chamber of Commerce of the United States has issued a call for action in a pamphlet bearing the headline "The Need: To Manage Our Environment." These publications, together with many others listed in appendix A, document the evidence and provide an understanding of the dangers and costs of environmental deterioration. When these dangers and costs are understood, the need for a continuing effort to refine and establish a countervailing policy is apparent.

Therefore, the issue before the American people and their elected representatives is the kind of policy that will meet the need. To be effective, a national policy for the environment must be compatible and consistent with many other needs to which the Nation must respond. But it must also define the intent of the American people toward the management of their environment in terms that the Congress, the President, the administrative agencies and the electorate can consider and act upon. A national policy for the environment—like other major policy declarations—must be concerned with principle rather than with detail; but it must be principle which can be applied in action. The goals of effective environmental policy cannot be counsels of perfection; what the Nation requires are guidelines to assist the Government, private enterprise and the individual citizen to plan together and to work together toward meeting the challenge of a better environment. At the risk of some oversimplification, the task may be summarized in these terms:

(1) To arrest the deterioration of the environment.

(2) To restore and revitalize damaged areas of our Nation so that they may once again be productive of economic wealth and spiritual satisfaction.

(3) To find alternatives and procedures which will minimize and prevent future hazards in the use of environment-shaping technologies, old and new.

(4) To provide direction and, if necessary, new institutions and new technologies designed to optimize man-environment relationships and to minimize future costs in the management of the environment.

The challenge of environmental management is, in essence, a challenge of modern man to himself. The principal threats to the environment are those that man himself has induced. A national policy for the environment is thus above all else a national policy for the welfare and survival of man. It is one more step in the journey of the American people from political independence toward knowledgeable self-determination in its most fundamental and democratic sense.

A NATIONAL POLICY FOR THE ENVIRONMENT

Introduction

This report is based upon the assumption that the threat of environmental mismanagement and deterioration to the security and welfare of the United States has been established. (See app. A.) There are differ-

ences of opinion as to the security and relative urgency of various hazards to the environment. Some scientists believe that man's environmental relationships have reached a point of crisis; others do not see the condition of the environment generally as having yet reached a critical stage. But there is, nevertheless, general consensus throughout most walks of life that a serious state of affairs exists and that, at the least, it is approaching a crisis of national and international proportions. The focus of this report is therefore on national policy to cope with environmental crisis, present or impending, rather than with documenting the facts relating to environmental deterioration.

Part I. Requirements for policy effectiveness

Effective policy is not merely a statement of things hoped for. It is a coherent, reasoned statement of goals and principles supported by evidence and formulated in language that enables those responsible for implementation to fulfill its intent. This section of the report describes some of the interrelating conditions that appear necessary to an effective national policy for the environment. The discussion will be developed under the following five headings:

- (1) Understanding Imminent Need.
- (2) Recognizing Costs.
- (3) Marshaling Relevant Knowledge.
- (4) Facilitating Policy Choice.
- (5) National Policy and International Cooperation.

1. Understanding Imminent Need

An effective and enlightened environmental policy is a response to the needs of man in relation to his environment. The response may involve the control of man's behavior on behalf of the larger interests of mankind where those interests are clearly perceived and widely held. Man's relationships with his environment are, of course, multitudinous and complex. Control by governments, by international organizations, or by other institutions, cannot feasibly be extended to every aspect of the environment nor to more than a fraction of the actual points of impact of individual man upon his environment. Policy effectiveness consequently depends very largely upon the internalization, in the human individual, of those understandings, values, and attitudes that will guide his conduct in relation to his environment along generally beneficial lines. A major requisite of effective environmental policy is therefore intelligent and informed individual self-control.

There is substantial evidence to indicate that large numbers of Americans perceive the need for halting the spread of environmental decay. It is also evident, however, that few recognize the connection between the conditions which they deplore and the absence of any explicit and coherent national policy on behalf of environmental quality.

Man is confronted by a circumstance that is totally new in human history. He has rapidly completed the occupancy of the easily inhabitable areas of the earth while his numbers have increased at an exponential and accelerating rate. Simultaneously, unprecedented economic power and advances in science and technology have permitted man to make enormously increased demands upon his environment. In no nation are these coincidental developments more dramatically evident than in the United States. And yet many Americans find it difficult to understand why sound environmental management should now suddenly become "everybody's business." Long-accepted ways of thinking and acting in relation to one's surroundings are now being called into question. Understanding of what has happened can be helped by a simple exercise in arithmetic.

At the time of the American Revolution the total human population of the present-

day continental United States could hardly have exceeded 3 million individuals. The demands of the American Indian and European colonists on the Atlantic seaboard were very light when contrasted with current exactions. By the close of the 20th century, if the population of this same area approximates 300 million, the daily stress man places on the environment will, on the basis of mere numbers, have increased 100 times over. Technology has alleviated some forms of stress (as on forests for fuel or on wild-life for food), but it has greatly increased environmental stress in general. The net result has been enormously increased demands upon the environment in addition to the increase in population. Calculation of an average per man-year stress upon the environment, estimated from A.D. 1700 to 2000, and adjusted for technological factors at particular historical periods, would be a powerful persuader of the need for a sensitive and forward-looking national environmental policy. The exponential increase in the pressure of man and his technology upon the environment, particularly since World War II, is the major cause of the need for a national environmental quality effort.

The rate at which the Nation has changed since 1890 when the frontier officially ceased to exist has been unexceeded by any other social transformation in history. Scarcely one long generation removed from the last days of the frontier, America has become an urbanized and automated society with publicly institutionalized values in social security, labor relations, civil rights, public education, and public health that would have been utopian less than a century ago. In the absence of a system for adequately assessing the consequences of technological change, who could have predicted the many ways in which applied science would transform the conditions of American life? Powerful new tools applying the discoveries in chemistry, physics, biology, and the behavioral sciences were put to work for improving the health, wealth, comfort, convenience, and security of Americans. Utilizing the vast natural resources of the American environment, the world's highest standard of living was achieved in an amazingly short period of time. Unfortunately, our productive technology has been accompanied by side effects which we did not foresee. Experience has shown us that there are dangers as well as benefits in our science-based technology. It is now becoming apparent that we cannot continue to enjoy the benefits of our productive economy unless we bring its harmful side effects under control. To obtain this control and to protect our investment in all that we have accomplished, a national policy for the environment is needed.

Although Americans have enjoyed prodigious success in the management of their economy they have been much less successful in the management of natural resources. As a people we have been overly optimistic, careless, and at times callous in our exactions from the natural environment. The history of soil exhaustion and erosion, of cut-over forest lands, of slaughtered wildlife document a few of our early failures to maintain the restorative capacities of our natural resources. Fortunately many of these early failures have been corrected or are now being remedied. But our exploding population and technology have created more subtle dangers, less easily detected and more difficult to overcome.

These more recent dangers have been documented in testimony before the Congress and in the reports of scientific committees (app. A). They confront us with the possibility that the continuation of present trends affecting, for example, (a) the chemistry of the air, (b) the contamination of food and water, (c) the use of open land and living space, and (d) the psychophysical stress of crowding, noise and interpersonal tension on urban populations, may infinitely degrade

the existence of civilized man before the end of this century. These are not the exaggerated alarms or unsubstantiated predictions of extremists; they are sober warnings of competent scientists supported by substantial demonstrable evidence. The practical course is, therefore, to forestall these threats before they have outgrown our technical, economic, legal, and political means to overcome them. Fortunately, we still have a choice in this matter. We still have a relatively wide range of alternatives available in managing the environment.

It may be contended that the problems of the environment must wait until more urgent political issues are resolved. Problems of national security, poverty, health, education, urban decay, and underdeveloped nations have just and appropriate claims for priority in national attention and public expenditure. Yet many aspects of these problems involve environmental policy. Three of the most urgent—the slums and ghettos of the great cities; increasing disability and death from diseases induced by environmental factors (for example, cancer, emphysema, mental disorders); and the decline and decay of rural areas (for example, in Appalachia) furnish persuasive reasons for a national environmental policy. Before billions of dollars are spent in attempts to alleviate these social ills, it would be wise to be sure that environmental factors causing or accompanying these conditions are properly identified and remedied. We may otherwise worsen the state of our economy and environment without solving the underlying social problems.

In summary, within the present generation the pressures of man and technology have exploded into the environment with unprecedented speed and unforeseen destructiveness. Preoccupied with the benefits of an expanding economy the American people have not readily adopted policies to cope with the attendant liabilities. Popular understanding of the need to forestall the liabilities in order to preserve the benefits is now becoming widespread, and provides the political rationale for the development of a national policy for the environment, and for a level of funding adequate to implement it.

2. Recognizing Costs

The nation long ago would probably have adopted a coherent policy for the management of its environment, had its people recognized that the costs of overstressing or misusing the environment were ultimately unavoidable. This recognition was arrived at belatedly for several reasons: *First*, environmental deterioration in the past tended to be gradual and accumulative, so that it was not apparent that any cost or penalty was being exacted; *second*, it seemed possible to defer or to evade payment either in money or in obvious loss of environmental assets; *third*, the right to pollute or degrade the environment (unless specific illegal damage could be proved) was widely accepted. Exaggerated doctrines of private ownership and an uncritical popular tolerance of the side effects of economic production encouraged the belief that costs projected onto the environment were costs that no one had to pay.

This optimistic philosophy proved false as many regions of the Nation began to run out of unpolluted air and water, as the devastation of strip mining impoverished mining communities, as the refuse of the machine age piled up in manmade mountains of junk, as the demand for electricity and telecommunications arose to festoon the Nation with skeins of cables strung from forests of poles, and as the tools of technology increasingly produced results incompatible with human well-being. Under the traditional "ground rules" of production, neither enterprise nor citizen was called upon to find alternatives or to pay for measures that would have prevented or lessened ensuing loss of environmental quality. Payment continued to be

exacted in the loss of amenities the public once enjoyed, and in the costs required to restore resources to usefulness and to support the public administration that environmental deterioration entailed. When the public began to demand legislation to control pollution and to prevent environmental decay, the reaction of those involved in environment degrading activities was often one of counter-indignation. Businessmen, municipalities, corporations and property owners were confronted with costs in the form of taxes or the abatement of nuisances that they had never before been called upon to pay. They were now about to be penalized for behavior which America had long accepted as normal.

What is now becoming evident is that there is no way in the long run of avoiding the costs of using the environment. The policy question is not whether payment shall be made; it is when payment shall be made, in what form, and how the costs are to be distributed. Hard necessity has made evident the need for payment to obtain air and water of quality adequate to meet at least minimum standards of health and comfort. Scientific knowledge and rising levels of amenity standards have added to public expectation that protection against environmental damage will be built into the products and production costs of manufacturers.

Lack of a national policy for the environment has now become as expensive to the business community as to the Nation at large. In most enterprises a social cost can be carried without undue burden if all competitors carry it alike. For example, industrial waste disposal costs can, like other costs of production, be reflected in prices to consumers. But this becomes feasible only when public law and administration put all comparable forms of waste-producing enterprises under the same requirements. Moreover it has always been an advantage to enterprise to have as clear a view as possible of future costs and requirements. When public expectations and "ground rules" change, however, as they have been changing recently on environmental quality issues, the uncertainty of resulting effects upon business costs, and the necessity for adjustment to unexpected expenses and regulations, is disconcerting and hardly helpful.

A national policy for the environment could provide the conceptual basis and legal sanction for applying to environmental management the methods of systems analysis and cost accounting that have demonstrated their value in industry and in some areas of government. It has been poor business, indeed, to be faced with the billions of dollars in expenses for salvaging our lakes and waterways when timely expenditures of millions or timely establishment of appropriate policies would have largely preserved the amenities that we have lost and would have made unnecessary the cost of attempted restoration. A national system of environmental cost accounting expressed not only in economic terms but also reflecting life-sustaining and amenity values in the form of environmental quality indicators could provide the Nation with a much clearer picture than it now has of its environmental condition. It would help all sectors of American society to cooperate in avoiding the overdrafts on the environment and the threat of ecological insolvency that are impairing the national economy today.

It is not only industrial managers and public officials who need to recognize the unavoidable costs of using the environment. It is, above all, the individual citizen because he must ultimately pay in money or in amenities for the way in which the environment is used. If, for example, he likes to eat lobster, shrimp or shellfish, the citizen must reconcile himself to either paying dearly for these products or indeed finding them unobtainable at any price, unless we find ways to

preserve America's coastline and coastal waters. The individual citizen may also have to pay in the cost of illness and in general physical and psychological discomfort. And these costs, of course, are not incurred voluntarily.

In the interest of his welfare and of his effectiveness as a citizen the individual American needs to understand that environmental quality can no longer be had "for free." Recognition of the inevitability of costs for using the environment and of the forms which these costs may take is essential to knowledgeable and responsible citizenship on environmental policy issues.

In summary, the American people have reached a point in history where they can no longer pass on to nature the costs of using the environment. The deferral of charges by letting them accumulate in slow attrition of the environment, or by debiting them as loss of amenities will soon be no longer possible. It is no longer feasible for the American people to permit it. The environmental impact of our powerful, new, and imperfectly understood technology has often been unbelievably swift and pervasive. Specific effects may prove to be irreversible. To enjoy the benefits of technological advance, the price of preventing accidents and errors must be paid on time. From now on "pay-as-you-go" will increasingly be required for insuring against the risks of manipulating nature. This means merely that provision must be made for the protection, restoration, replacement, or rehabilitation of elements in the environment before, or at the time, these resources are used. Later may be too late.

3. Marshaling Relevant Knowledge

For many years scientists have been warning against the ultimate consequences of quiet, creeping, environmental decline. Now the decline is no longer quiet and its speed is accelerating. The degradation is destroying the works of man as well as of nature. We are confronted simultaneously with environmental crisis in our cities and across our open lands and waters. The crisis of the cities and the crisis of the natural and rural environments have many roots in common, although they may erroneously be viewed as extraneous to one another, or even as competitive for public attention and taxation. In fact, both crises stem from an ignorance of and a disregard for man's relationship to his environment.

An effective environmental policy in the past might have prevented and would certainly have focused attention upon the wretched conditions of urban and rural slums. It would surely have stimulated a search for knowledge that could have helped to correct and prevent degraded conditions of living. It is now evident that the fabric of American society can no longer contain the growing social pressure against slum environments. Today, remedial measures are being forced by social violence and by the social and economic costs of environmental decay; but it is not certain that the remedies take full account of the nature of the ailment. The pressure upon the urban environment is acute and overt; it is dramatized, it has obvious political implications, and it hurts. Conversely, the degradation of natural and rural environments is more subtle. Stress may reach the point of irreparable damage before there is full awareness that a danger exists. What is needed therefore is a systematic and verifiable method for periodically assessing the state of the environment and the degree and effect of man's stress upon it, as well as the effect of the environment and environmental change on man.

One would expect to be able to look to the universities and to the great schools and institutes of agriculture, engineering, and public health as constituting an environmental intelligence system. Unfortunately however, no such system exists. Man-environment relationships per se have seldom been

studied comprehensively. Various disciplines have concerned themselves with particular aspects of environmental relationships. Geographers, physiologists, epidemiologists, evolutionists, ecologists, social and behavioral scientists, historians, and many others have in various ways contributed to our knowledge of the reciprocal influences of man and environment. But the knowledge that exists has not been marshaled in ways that are readily applicable to the formulation of a national policy for the environment. At present, there are many gaps in our knowledge of the environment to which no discipline has directed adequate attention.

It should not be surprising that there is a lack of organized knowledge relating to environmental relationships. Society has never asked for this knowledge, and has neither significantly encouraged nor paid for its production. By way of contract, public opinion has supported the costs of high-energy physics as reasonable, even though direct and immediate applications to public problems are relatively few. But public opinion has been guided in part by the judgment of the scientific community and of the leaders of higher education. Only recently have the scientific community and the universities begun to interest themselves institutionally in man-environment relationships, perceived in the totality in which they occur in real life.

Environmental studies in the universities are as yet largely focused on separate phases of man-environment relationships. This, in itself, is not undesirable; it is in fact necessary to obtain the degree of specialization and intensive study that many environmental problems require. The inadequacy lies in the lack of means to bring together existing specialized knowledge that would be relevant to the establishment of sound policies for the environment. There is also need for greatly increased attention to the study of natural systems, to the behavior of organisms in relation to environmental change, and to the complex and relatively new science of ecology. There is need for synthesis as well as for analysis in the study of man-in-environment.

A reciprocal relationship exists between the interests of public life and the activities of American universities. Public concern with a social problem when expressed in terms of public recognition or financial support, stimulates related research and teaching in the colleges and universities. Research findings and teaching influence the actions of government and the behavior of society. This relationship has been exceptionally fruitful in such fields as agriculture, medicine, and engineering. It has not, as yet, developed strength in the field of environmental policy and management. Nevertheless a beginning is being made in some colleges and universities, and in a number of independent research organizations and foundations, to provide a more adequate informational base for environmental policy.

Recognition of the need for a more adequate informational base for environmental policy has not been confined to academic institutions or to government. Speaking to the 1967 plenary session of the American Institute of Biological Sciences, Douglas L. Brooks, president of the Traveler's Research Center, declared that " * * * We need to recognize environmental quality control as a vital social objective and take steps to establish the field of environmental management as a new cross-disciplinary applied science professional activity of extraordinary challenge and importance."

To date, action by Government to assist the marshaling of relevant knowledge has been uncoordinated and inconstant. With the exception of defense and space-related technical investigations, the amount of money made available for environmental research has been relatively meager and has been allo-

cated largely along conventional disciplinary lines. Specialized aspects of research on man-environment relationships have been well funded by the Atomic Energy Commission, the Department of Defense, and the National Aeronautics and Space Administration. But much of this work is highly technical and is appropriately directed toward problems encountered in the missions of these agencies. More broadly based are the interests of the National Science Foundation, but the Foundation's resources for funding academic research relating to environmental policy are small. For a brief period the most promising source of support for the kind of knowledge needed for environmental policy effectiveness was the U.S. Public Health Service. In the mid-1960's, the Service began to assist the establishment of broadly based environmental health science centers in selected universities. But a shift of emphasis in the Public Health Service brought this effort to an untimely standstill. The National Institutes of Health fund a significant body of health-related environmental research, but little of it appears to be policy-related.

The Science Information Exchange of the Smithsonian Institution, surveying the general field of Government-funded research for the Senate Interior and Insular Affairs Committee, found (not unexpectedly) that there were heavy concentrations of research where Government funding was heaviest—notably in physical science and the biomedical aspects of the environment. Government-funded research of broadly cross-disciplinary or policy-oriented character appeared to be almost negligible in volume and in funding. It is probable that policy problems are investigated in the course of substantive research; but it is evident that we have not yet made a conscious decision to organize and fund the effort which students of environmental policy and management see as the necessary first step to an adequate environmental information system.

To provide facilities and financial support for new research on natural systems, environmental relationships and ecology on an independent, but publicly financed basis, a National Institute of Ecology has been proposed by a group of scientists associated with the Ecological Society of America and assisted by the National Science Foundation. The functions proposed for this institute are worth restating in brief, as indicative of the contribution that ecologists would like to make toward strengthening the Nation's capacity to cope with its environmental problems. Defining ecology to be " * * * the scientific study of life-in-environment," the proponents of a National Institute of Ecology state that it is needed (1) to conduct large-scale multi-disciplinary field research beyond the capacities of individual researchers or research institutions, (2) to provide a central ecological data bank on which ecologists and public agencies can draw, (3) to coordinate and strengthen activities of ecologists in relation to ecological issues in public affairs, and to promote the infusion of ecology into general education at all levels, and (4) to perform advisory services for government and industry on action programs affecting the environment. The principal purpose of the proposed institute is not, however, to study public policy or education, but to do more and better ecology.

These efforts and proposals, and many others unreported here, are constructive contributions to the task of marshaling the knowledge needed for an effective national policy for the environment. They do not, however, add up to a national information system, nor do they necessarily present information and findings relative to the environment in forms suitable for review and decision by the Nation's policymakers. The ecological research and surveys bill introduced by Senator Gaylord Nelson in the 89th Congress would have established a national research and information system under the direction of the

Secretary of the Interior. Similar proposals have been incorporated in a number of bills introduced in the 90th Congress, including S. 2805 by Senators Jackson and Kuchel. (See app. B.) An important difference between the proposals before the 90th Congress and the efforts and proposals described in the preceding paragraphs is that in pending legislation the knowledge assembled through survey and research would be systematically related to official reporting, appraisal, and review. The need for more knowledge has been established beyond doubt. But of equal and perhaps greater importance at this time is the establishment of a system to insure that existing knowledge and new findings will be organized in a manner suitable for review and decision as matters of public policy.

In summary, to make policy effective through action, a comprehensive system is required for the assembly and reporting of relevant knowledge; and for placing before the President, the Congress, and the people, for public decision, the alternative courses of action that this knowledge suggests. With all its great resources for research, data processing, and information transmittal, the United States has yet to provide the financial support and operational structure that would permit these resources to implement a public policy for the environment.

4. Facilitating Policy Choice

The problem of organizing information for purposes of policy-oriented review leads directly to the need for a strategy of policy choice. Environmental policymaking presents certain organizational difficulties. It must draw heavily upon scientific information and yet it embraces important considerations and issues that are extraneous to science policy. Insofar as environmental policy is dependent upon scientific information, it is handicapped by the insufficiency of the research effort and by the inadequacies of information handling described in the preceding paragraphs. In a review of U.S. science policy by the Organization for Economic Cooperation and Development, the European examiners cited environmental problems as one of the areas of inquiry that American science was not well organized to attack. The criticism was directed not at the accomplishments of American science in support of major technical undertakings; it was instead concerned with the absence of a system and a strategy adequate to deal with the problems of the environment, and of social relationships and behavior, on a scale which their comprehensive and complex subject matters require.

Insofar as science is an element in environmental policymaking, the Office of Science and Technology affords a mechanism for enlisting the resources of the scientific community, for establishing study groups and advisory panels on specific issues, and for presenting their recommendations to the President. In the coordination of scientific aspects of environmental policy, the Federal Council of Science and Technology, in association with the Office of Science and Technology, is the more general of several coordinative or advisory bodies in the executive branch. (See app. C.) The establishment of special councils for marine resources and engineering development, for water resources, for recreation and natural beauty, among other purposes, complicates to some extent the function of policy advice. None of these bodies are constituted to look at man-environment relations as a whole; none provide an overview; none appear fully to answer the need for a system to enable the President, the Congress, and the electorate to consider alternative solutions to environmental problems.

Possible answers to the need for a system to assist national policy choice may be found in legislative proposals to create councils on environmental quality or councils of ecological advisers. These councils are conceived as bridges between the functions of environ-

mental surveillance, research, and analysis, on the one hand, and the policymaking functions of the President and the Congress on the other. The particular and indispensable contribution of the Council to environmental policy would be twofold. The first would be, using S. 2805 for purposes of illustration, " * * * to study and analyze environmental trends and the factors that effect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation." Most proposals call for a report on the state of the environment from the Council to the President and from the President to the Congress. S. 2805, for example, states that the Council shall provide advice and assistance to the President in the formulation of national policies, and that it shall also make information available to the public. The bill further provides that " * * * The Council shall periodically review and appraise new and existing programs and activities carried out directly by Federal agencies or through financial assistance and make recommendations thereon to the President."

From this enumeration of the Council's functions several inferences may be drawn. *First*, the proposed environmental advisory councils are not science advisory bodies. They are instructed in pending legislative proposals to take specified factors, including the scientific, into account in the course of their analysis and recommendations on environmental policy issues. *Second*, the councils are not primarily research or investigating bodies even though they have important investigatory functions. They are essentially policy-facilitating bodies. *Third*, their functions are those of analysis, review, and reporting. Their nearest functional counterpart is probably the Council of Economic Advisers. *Fourth* and finally, councils on the environment, such as proposed by some of the measures listed in appendix B, must be located at the highest political levels if their advisory and coordinative roles are to be played effectively. For this reason the proposals have generally established the Council in the Executive Office of the President. However, the Technology Assessment Board proposed by Representative Emilio Q. Daddario, which would perform many functions similar to those of the environmental councils, would be an independent body responsible primarily to the Congress.

This brings the discussion to the role of the Congress in facilitating policy choice. Some have found the formal committee structure of the Congress to be poorly suited to the consideration of environmental policy questions. Senator Edmund Muskie has proposed a Select Committee of the Senate on Technology and the Human Environment to facilitate consideration of related environmental issues that would normally be divided among a number of Senate committees. Others have proposed that a Joint Committee on the Environment, representative of the principal committees of the House and the Senate concerned with environmental policy issues, should be established to review a proposed annual or biennial report of the President on the state of the environment. Many Congressmen, however, feel that the policy of establishing new committees to deal with each new problem area should be resisted and that the present committees should assume their legislative and oversight responsibilities in this area. Meanwhile the informal and practical operations of legislative business permits the present standing committees to function with remarkable speed and dexterity where the will to legislate exists.

In summary, policy effectiveness on environmental issues will require some form of high-level agency in the executive branch for reviewing and reporting on the state of the environment. No existing body seems appropriate for this function. To meet this

need, and under various names, a council for the environment has been suggested and has been incorporated in numerous legislative proposals. Provision for a policy assisting body in the executive branch suggests to some the desirability of a comparable committee in the Congress.

5. National Policy and International Cooperation

In his address to the graduating class at Glassboro State College on June 4, 1968, President Lyndon B. Johnson called for the formation of a permanent "International council on the human environment." The ecological research and surveys bill first offered in 1965 by Senator Gaylord Nelson authorized participation by the United States with "other governments and international bodies in environmental research." Similarly, S. 2805 and other pending measures authorize " * * * environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations * * *."

These and other expressions of the willingness and intent of the United States to cooperate with other nations and with international organizations on matters of environmental research and policy reinforce the argument for a national environmental policy. Although the United States could cooperate internationally on many specific issues without a national policy, it could do so more effectively and comprehensively if its own general position on environmental policy were formally and publicly enunciated.

The United States, as the greatest user of natural resources and manipulator of nature in all history, has a large and obvious stake in the protection and wise management of man-environment relationships everywhere. Its international interests in the oceanic, polar, and outer space environments are clear. Effective international environmental control would, under most foreseeable contingencies, be in the interest of the United States, and could hardly be prejudicial to the legitimate interests of any nation. American interests and American leadership would, however, be greatly strengthened if the Nation's commitment to a sound environmental policy at home were clear.

Part II. Questions of implementation

What significance would adoption of a national policy for the environment hold for the future of government in the United States? At the least, it would signify a determination by the American people to assume responsibility for the future management of their environment. It would not imply an all-inclusive Federal or even governmental environmental administration. The task is too widespread, multitudinous, and diverse to be wholly performed by any single agency or instrumentality. There are important roles to be played at every level of government and in many sectors of the nongovernmental economy. Nevertheless a new policy, and particularly a major one, is certain to arouse some apprehensions.

In the Federal agencies, among the committees of the Congress, in State governments, and among businesses whose activities impinge directly upon the environment and natural resources, there would be understandable concern as to what changes for them might be implicit in a national policy for the environment. The objection is certain to be raised that Government is already too large and that there are already too many agencies trying to manage the environment. "Please—not one more," will be an oft-repeated plea. These fears, however, are largely those that always accompany a new public effort regardless of its purpose, direction, or ultimate benefit. Very few people oppose, in principle, public action on behalf

of quality in the environment. It is implementation that raises questions and arouses apprehension.

It would be unconvincing to assert that no interest, enterprise, or activity will be adversely affected by a national environmental quality effort. There is no area of public policy that does not impose obligations upon, nor limit the latitude for action of important sectors of society. But while activities harmful to man's needs and enjoyments in the environment must necessarily be curbed, it is also true that all Americans, without exception, would benefit from an effective national environmental policy. In brief, although all would benefit, a relative few might be required to make adjustments in business procedures or in technological applications.

For the foregoing reasons, a report on the need for a national policy for the environment would be incomplete if it did not raise, at least for the purposes of discussion, some major questions that the establishment as such a policy would imply. These are mainly questions of how a decision to establish a national policy would be implemented in practice. They are questions to be answered by the Congress and by the President. But in their answers, the policy-determining branches of Government will need to consider a number of issues subsidiary to those major questions.

To better illustrate the issues involved in these questions, reference will be made to S. 2805. No claim of special priority is implied by these references. Many of the bills now pending on this issue have similar provisions. Any one bill might serve as well as any other.

1. What Are the Dimensions of an Environmental Policy and How Are They Distinguishable From Other Areas of National Concern?

This is the fundamental question. It would be unreasonable to expect that its metes and bounds could be defined more clearly than those of the more familiar policy areas of national defense, foreign relations, civil rights, public health, or employment security. The field of definition can be narrowed, however, by identifying those concepts with which it might be confused but from which it should be clearly distinguished.

Environmental policy, broadly construed, is concerned with the maintenance and management of those life-support systems—natural and manmade—upon which the health, happiness, economic welfare, and physical survival of human beings depend. (See app. D.) The quality of the environment, in the full and complex meaning of this term, is therefore the subject matter of environmental policy. The term embraces aspects of other areas of related policy or civic action, and it is important that environmental policy and environmental quality, in the broad sense, be distinguished from these related but sometimes dissimilar policies or movements.

Environmental policy should not be confused with efforts to preserve natural or historical aspects of the environment in a perpetually unaltered state. Environmental quality does not mean indiscriminate preservationism, but it does imply a careful examination of alternative means of meeting human needs before sacrificing natural species or environments to other competing demands.

Environmental quality is not identical with any of the several schools of natural resources conservation. A national environmental policy would, however, necessarily be concerned with natural resource issues. But the total environmental needs of man—ethical, esthetic, physical, and intellectual, as well as economic—must also be taken into account.

Environmental policy is not merely the application of science and technology to problems of the environment. It includes a broader range of considerations. For this rea-

son S. 2805, in proposing a Council on Environmental Quality, does not stipulate that its five members be scientists, although it obviously would not preclude scientists among them.

One of the few differences in emphasis among the environmental policy bills now before the Congress has to do with the role of ecologists and of the science of ecology in the shaping of national policy. The need for a greatly expanded program of national assistance for ecological research and education cannot be doubted by anyone familiar with present trends in the environment. The science of ecology can provide many of the principal ingredients for the foundation of a national policy for the environment. But national policy for the environment involves more than applied ecology, it embraces more than any one science and more than science in the general sense.

The dimensions of environmental policy are broader than any but the most comprehensive of policy areas. The scope and complexities of environmental policy greatly exceed the range and character of issues considered, for example, by the Council of Economic Advisers. One may therefore conjecture, without derogation to the unquestionable importance of the economic advisory function, that a council on the environment would, in time, perhaps equal and even exceed in influence and importance any of the specialized council bodies now in existence. For this reason its membership should be broadly representative of the breadth and depth of national interests in man-environment relationships. The ultimate scope of environmental policy, and the relationship of a high-level implementing council to existing councils, commissions, and advisory agencies, are not questions that can be, or need to be, decided now, nor even at the time that a national policy may be adopted. The important consideration is to develop a policy and to provide a means that will permit its objectives to be considered and acted upon by the Congress, the President, and the executive agencies. If we wait until we are certain of the dimensions of environmental policy and of how it will relate to other responsibilities and functions of Government, our assurance will be of no practical value. It will have come too late to be of much help.

2. Upon What Considerations and Values Should a National Environmental Policy Be Based?

If it is ethical for man to value his chances for survival, to hope for a decent life for his descendants, to respect the value that other men place upon their lives, and to want to obtain the best that life has to offer without prejudicing equal opportunities for others, then the cornerstone of environmental policy is ethical. That cornerstone is the maintenance of an environment in which human life is not only possible, but may be lived with the fullest possible measures of personal freedom, health, and esthetic satisfaction that can be found. No government is able to guarantee that these values can be realized, but government is able to assist greatly in the maintenance of an environment where such values are at least realizable.

Ethics, like justice, is not easily quantifiable, yet few would argue that society should not seek to establish justice because justice cannot be adequately defined or quantified. Environmental policy is a point at which scientific, humanistic, political, and economic considerations must be weighed, evaluated, and hopefully reconciled. Hard choices are inherent in many policy issues. The sacrifice of a plant or animal species, for example, or of a unique ecosystem ought not to be permitted for reasons of short-run economy, convenience, or expediency. The philosophy of reverence for life would be an appropriate guiding ethic for a policy that

must at times lead to a decision as to which of two forms of life must give way to a larger purpose.

The natural environment has been basically "friendly" toward man. Man's survival is dependent on the maintenance of this environment, but not upon the unaltered operation of all of its myriad components. Pathogenic micro-organisms, for example, are not revered by man. Protection against them is a major task of environmental health and medicine. But even here, respect for the incredible variety, resilience, and complexity of nature is a value that environmental policy would be wise to conserve. Frontal attacks upon man's environmental enemies or competitors, identified as pathogens or as "pests," have miscarried too often to encourage the thought that direct action on threats in the environment are always wise, economical, or effective.

The range of values to be served by environmental policy is broad and an indication of how its scope might be defined may be obtained from the provisions of S. 2805 which specify the considerations to which the Council on Environmental Quality should respond: "Each member shall, as a result of training, experience, or attainments, be professionally qualified to analyze and interpret environmental trends of all kinds and descriptions and shall be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of this Nation."

The assessment and interpretation of these needs and interests is obviously a function that the members of the Council would have to perform to the best of their ability. No more than in the election of legislators or in the appointment of judges, would it be possible to stipulate how these or other values should be understood and weighted. The reputations and characters of the individuals appointed to the Council would offer the best indication of how the specifications of the law might be construed. But the findings and conclusions of the Council need not be wholly subjective or based upon speculative data. The methods of systems analysis, cybernetics, telemetry, photogrammetry, electronic and satellite surveillance, and computer technology are now being applied to a wide range of environmental relationships. New statistical and computerized simulation techniques are rapidly bringing ecology from what has been described as "one of the most unsophisticated of the sciences," to what may become one of the most complex, intellectually demanding, and conceptually powerful of the sciences.

In brief, the values and considerations upon which a national environmental policy should be based should be no less extensive than the values and considerations that men seek to realize in the environment. In the interpretation of these values and considerations science can play a role of great importance. But neither science, nor any other field of knowledge or experience, can provide all of the criteria upon which environmental policies are based. The full range of knowledge and the contributions of all of the scientific and humanistic disciplines afford the informational background against which value judgments on environmental policy may most wisely be made.

3. How Should the Information Needed for a National Environmental Policy Be Obtained and Utilized?

Of all major questions on the implementation of environmental policy, this one is probably the least difficult. It is in part a technical question; yet to describe it as technical is not to suggest that it can be easily answered. There is no present system for bringing together, analyzing, collating, digesting, interpreting, and disseminating existing information on the environment. There is accordingly no reliable way of ascertaining what aspects of man-environment

relationships are unresearched or hitherto unidentified. The question is less difficult than others primarily because it is clearly possible to design an information system, to fund its implementation, and to put it into effect. The particular form in which the data should finally appear, and the method of its subsequent disposition are more problematic.

Title I of S. 2805, and other measures proposed on behalf of a national environmental policy, make provision for the functions of information gathering, storage and retrieval, dissemination, and for enlarging the available information through assistance to research and training. The detailed provisions of S. 2805 on an environmental information system are numerous and need not be repeated here. The significant feature of these provisions is that they create an information system designed and intended to serve the policymaking processes of government.

Most of the environmental quality bills place this information function under the direction of the Secretary of the Interior. But they relate its data-gathering functions to those of other Federal agencies and they provide for the transmittal of its findings to a high-level reviewing body and to the President and the Congress. In the provision for organizing environmental information into a form that is usable for policy formation, this proposal represents a step toward greater rationality in government and toward the more effective use of modern information systems and technology to serve public purposes.

4. How Should a National Environmental Policy Be Implemented and Periodically Reviewed for Refinement or Revision?

Some innovation and restructuring of policy-forming institutions will be required to achieve the purposes of a national environmental policy. Our present governmental organization has not been designed to deal with environmental policy in any basic or coherent manner. (See app. C.) The extent to which governmental reorganization may be necessary cannot be determined absolutely in advance of experience. But it does seem probable that some new facility at the highest levels of policy formulation will be needed to provide a point at which environmental policy issues cutting across the jurisdictional lines of existing agencies can be identified and analyzed, and at which the complex problems involved in man's relationships with his environment can be reduced to questions and issues capable of being studied, debated, and acted upon by the President, the Congress, and the American people. As we have seen, some of the bills on environmental policy now pending in the Senate and the House of Representatives (see app. B) provide a point of focus for this new area of policy through a high-level board or council. Many of these bills provide for periodic reports on the state of the environment to the policy-determining institutions of the Nation—the President and the Congress—and, as these reports are matters of public record, to the American people who must be the final judges of the level of environmental quality they are willing to support.

As noted in the preceding paragraphs, improved facilities for the finding, analysis and presentation of pertinent factual data are needed. A vast amount of data is now collected by Federal agencies and by private research organizations; but this data is uneven in its coverage of the various aspects of environmental policy. For example, there is a superabundance of technical information on some aspects of environmental pollution, but comparatively little research on the social and political aspects of environmental policy. Much of the data now available is in a form unsuitable for policy purposes. The sheer mass of data, much of it highly technical on certain major environmental problems, is a serious impediment

to its use. For this reason the legislative proposals on national environmental policy provide a system for reinforcing, supplementing, and correlating the flow of information on the state of the environment.

These two major needs, (a) a high-level reviewing and reporting agency and (b) an information gathering and organizing system, are the essential structural innovations proposed in bills now before the Congress for implementing a national environmental policy. Would these additions to the present structure of government be sufficient to implement a national environmental quality program and how in particular would the proposed high-level Council be related to other agencies in the federal structure of government?

New policies and programs imply structures appropriate to their functions and may call for new relationships among existing agencies. To construct a comprehensive structure for environmental administration will require time, and meanwhile the need for leadership in informing the people and in formulating policy recommendations and alternatives grows more urgent. It is for this reason that some of the measures which have been introduced propose that a Council for Environmental Quality be established in the Executive Office of the President. In effect, the Council would be acting as agent for the President. It would need information from the various Federal departments, commissions, and independent agencies that, under prevailing organization, it could not as easily obtain if it were located at a level coequal or subordinate to the divisions of Government whose programs it must review. Reinforcing this consideration is the distribution of environment-affecting activities among almost every Federal agency.

Objection may be raised that there are already too many councils and committees established in the Executive Office of the President. Some students of public administration argue that a simplification of structure and a clarification of existing responsibilities should take precedent over any new programs or agencies. The answer to this objection lies in an assessment of relative priorities. Is each of the councils or comparable agencies now established in the Executive Office of the President more important, of greater urgency, or of more direct bearing upon the public welfare, than the proposed Council on Environmental Quality? What criteria indicate how many conciliar bodies are "too many"? These questions are not merely rhetorical. Although they cannot be answered here, they are obviously germane to the issue of governmental organization and to the way in which national environmental policy is formulated and made effective.

A strong case can be made of a major restructuring of the Federal departments in which public responsibility for the quality of the environment would, like defense or foreign relations, become a major focus for public policy. Proposals tending in this direction and chiefly affecting the Department of the Interior have been made over several decades. A prominent news magazine took up this line of reasoning in a recent editorial declaring that " * * * the Secretary of the Interior ought to be the Secretary of the Environment." But a major restructuring of functions in the Federal administrative establishment cannot be accomplished easily or rapidly. Such a development would be most plausible as a part of a more general restructuring of the executive branch. The multiplication of high-level councils and interagency committees may indicate that a restructuring is needed. (See app. C.) Some of the complexity of present arrangements for policy formulation and review reflects the confusion often attending a transition from one set of organizing concepts to another.

Among the concepts that have been proposed to reduce the burden of the Presiden-

tial office and to provide a more simple and flexible administrative structure, is that of the "superdepartment." One of these agencies already exists as the Department of Defense. A Department of the Environment might be another. The substance and character of the organizational changes that superdepartments might imply are germane to a discussion of environmental administration, but they require no further exploration in this report beyond the following three points: *First*, they would be fewer in number than present departments, probably no more than seven to nine; *second*, they would be oriented broadly to services performed for the entire population, and *third*, they would be planning and coordinative rather than directly operational, assuming, to some degree, certain of the tasks that now fall heavily on the Executive Office of the President.

There may be another answer to the need for a more effective review and coordination of related functions in diverse agencies in the concept of "horizontal authority" or matrix organization. This organizational arrangement has been employed in multifunctional, cross-bureau, projects in the Department of Defense and in the National Aeronautics and Space Administration. Under a temporary structure for project management, it structures across normal hierarchical lines and working relationships among the necessary personnel and skills. The concept might be applicable to interagency attack upon specific problems of environmental policy.

Review of national policy, and revision if and when needed, are functions that the Congress performs for all major policies of Government. The device of an annual or biennial report from the President to the Congress on the state of the environment offers the logical occasion for an examination by the Congress, not only of the substance of the President's message, but of national policy itself. In many respects, the transmission of an annual report on the state of the environment accompanied by a clear and concise statement of the Nation's goals, needs, and policies in managing the environment could attain many of the ends sought by those who propose reorganization.

SUMMATION

Although historically the Nation has had no considered policy for its environment, the unprecedented pressures of population and the impact of science and technology make a policy necessary today. The expression "environmental quality" symbolizes the complex and interrelating aspects of man's dependence upon his environment. Through science, we now understand, far better than our forebears could, the nature of man-environment relationships. The evidence requiring timely public action is clear. The Nation has overdrawn its bank account in life-sustaining natural elements. For these elements—air, water, soil, and living space—technology at present provides no substitutes. Past neglect and carelessness are now costing us dearly, not merely in opportunities foregone, in impairment of health, and in discomfort and inconvenience, but in a demand upon tax dollars, upon personal incomes, and upon corporate earnings. The longer we delay meeting our environmental responsibilities, the longer the growing list of "interest charges" in environmental deterioration will run. The cost of remedial action and of getting onto a sound basis for the future will never be less than it is today.

Natural beauty and urban esthetics would be important byproducts of an environmental quality program. They are worthy public objectives in their own right. But the compelling reasons for an environmental quality program are more deeply based. The survival of man, in a world in which decency and dignity are possible, is the basic reason

for bringing man's impact on his environment under informed and responsible control. The economic costs of maintaining a life-sustaining environment are unavoidable. We have not understood the necessity for respecting the limited capacities of nature in accommodating itself to man's exactions, nor have we properly calculated the cost of adaptation to deteriorating conditions. In our management of the environment we have exceeded its adaptive and recuperative powers and in one form or another must now pay directly the costs of obtaining air, water, soil, and living space in quantities and qualities sufficient to our needs. Economic good sense requires the declaration of a policy and the establishment of an environmental quality program now. Today we have the option of channeling some of our wealth into the protection of our future. If we fail to do this in an adequate and timely manner we may find ourselves confronted, even in this generation, with environmental catastrophe that could render our wealth meaningless and which no amount of money could ever cure.

EXHIBIT 2

MANAGING THE FEDERAL GOVERNMENT

(By Stephen K. Bailey, in "Agenda for the Nation," Brookings Institution, 1968, pp. 301-321)

The President of the United States faces a crisis of public confidence in the capacity of the federal government to manage itself and to carry out with efficiency, equity, and dispatch its own legislative mandates.

The seriousness of this issue can hardly be overstated. In question is the capacity of an eighteenth century constitutional arrangement of widely diffused and shared powers and a nineteenth century system of political pluralism to deal effectively with twentieth century problems of technological, social, and economic interdependencies—at home and abroad.

Unless the President devotes substantial attention to making the system work—an effort involving persistence and the employment of high political skills—the consequences for the future of the American polity could be serious in the extreme.

The programs and policies of the government of the United States are currently carried out by a diverse collection of political, administrative, and judicial systems. (The last of these is not treated in this paper.)

The descriptive and taxonomic problems alone are almost grotesque in their complexity. One may list and classify the obvious. The federal government of 1968 contains: three constitutional branches—legislative, executive, and judicial; an Executive Office of the President with a half dozen major constituent units and scores of minor councils and committees; four operating agencies exclusively responsible to the Congress, which itself is divided into two houses, forty standing committees, and more than two hundred subcommittees; twelve cabinet departments; fifty independent agencies, nine of which are independent regulatory commissions with both quasi-legislative and quasi-judicial authority; fifty-statutory interagency committees; 2.8 million civilian employees, 90 percent of whom are employed in federal field offices outside of the Washington, D.C., area; and 3 million military employees.

This gross breakdown suggests the magnitude and diversity of the enterprise, but it is only the tip of the iceberg. For federal policies are today carried out through a bewildering number of entities and instrumentalities: subdepartmental and subagency offices, branches, divisions, units—headquarters and field; hundreds of nonstatutory, but more or less permanent, intra-agency and interagency committees and commissions; grants-in-aid to fifty-five state and territorial governments and their hundreds of subdivisions, including tens of thousands

of local governments, with more than 20,000 local school districts; a growing number of quasi-public, nonprofit corporations; scores of international and regional organizations; and myriad contracts to private industries, universities, professional groups, and charitable institutions.

Many of these subsidiary agents have their own separate identities, legal bases, and agenda of priorities apart from their instrumental (and often incidental) role in federal policy implementation.

This almost limitless diffusion presents internal problems of communication and control and often makes terms like "accountability" and "responsibility" words of art to cover a kaleidoscope of administrative fragmentation.

Even if the scene were not so cluttered, even if the formal structure of executive departments, agencies, and personnel were exclusively responsible for the implementation of federal policy, our constitutional system of shared powers and the pluralistic and oligarchical nature of political parties and interest groups would interfere with any neat model of hierarchical loyalty and public accountability. Elmer E. Schattschneider once commented that the history of the federal government could be written in terms of a struggle between the President and the Congress for control of the bureaucracy. But even this is too simple. For the struggle is not just between the President and the Congress: within the Congress, committee and subcommittee chairmen, often allied with powerful private group interests, exercise extraordinary control over the policies and administrative arrangements of subdepartmental and subagency units of the bureaucracy.

If we lived in a simpler and less apocalyptic age, such a complex arrangement might be tolerated without fear of untoward disruptions to basic social values. But this is not the case. The American national government is confronted with unprecedented factors that place an absolute premium upon improved managerial competence in the public sector:

Government decisions involve increased stakes and risks, while mistakes are much harder to retrieve.

Science and technology have penetrated national security, environmental, and social strategies in a way that imposes acute moral and philosophical burdens upon public policy.

The dimensions of public spending require a modern President to monitor spending, taxing, and wage-price relationships with unprecedented precision, and to take stabilization actions without regard to the costs to his political credit balances; he is now obliged to be a conscientious student of economics.

"People" problems no longer lend themselves to straight-line solutions, and a President finds that he must work overtime to compensate for failures of administrative response and to teach a new administrative style to reluctant bureaucrats and congressmen.

Shortened decision intervals and reaction times drive a President to form his calculus of strategy on the run, as it were, placing a premium on accurate and adequate information systems and analytic support.

The modern President lives with a relentless social criticism that generates dissatisfactions with the quality of life and leadership and tends to force his timing and priorities.

In this kind of world, the President, by the logic of his position, must have two overriding managerial concerns:

How can the federal government identify, mobilize, train, and release the energy of the most impressive talent in the nation for developing and carrying out federal policy?

How can staff and line arrangements in

the executive branch contribute to more rational and imaginative policy inputs to political decision making, and how can they contribute to more effective and coordinated policy implementation?

These two concerns must be specifically related to the modern President's inevitable preoccupations in the field of public policy: national security, economic stability and growth, environmental management and control, and human resource development.

Concretely, in national security affairs modern Presidents cannot afford a series of "Bay of Pigs" episodes, nor can they afford contradictions between diplomatic and military initiatives. In domestic affairs, they cannot afford to allow brave legislative responses in the fields of environmental management and control and human resource development to be blunted by ineptness and confusion in implementation, as has been the case with much of the Great Society legislation of 1964-65. In economic affairs, Presidents cannot afford to return to earlier days when the varying power centers of economic stabilization policy making (notably key congressional committees, the Budget Bureau, the Council of Economic Advisers, the Treasury, and the Federal Reserve Board) went their separate ways. To do so would be to invite economic disaster.

The difficulty is that the magnitude of the political as well as administrative tasks in assuring some modicum of competence and coherence in these preeminent areas of public policy is staggering. For there are no organizational gimmicks capable of overcoming the enormous centrifuge of governance in our pluralistic society.

An attack upon the managerial inadequacies of the federal government should encompass at least the Executive Office of the President, the departmental and agency structure, the federal field office structure, the devolution system for the transfer of federal funds and functions to nonfederal agencies, and the federal personnel system. As we shall note later, none of these five points of attack can be negotiated without major presidential attention to the configurations of power dominating the Congress.

Before examining policy alternatives and recommendations relating to each of these separately and in combination, a brief review of federal reorganization efforts of the past several decades is in order, for future possibilities are inevitably conditioned by the legacy of the past.

REORGANIZATION: A BRIEF HISTORY

Concern with the organization and management of the national government goes back a long way. The first study was commissioned by the Continental Congress in 1780. For the first century of this nation's history, however, investigations into these issues were feeble and intermittent.

It was only when the federal budget approached the billion-dollar mark, during the administration of President William Howard Taft, that a major attempt was made to examine questions of overall structure and procedures. And even the Taft Commission on Economy and Efficiency (the Cleveland Commission, 1910-13) devoted most of its energies to minute problems of internal management. The major fruit of its labors was the Budget and Accounting Act of 1921, which established the Bureau of the Budget (BOB) in the executive branch and the General Accounting Office in the legislative branch. The Bureau of the Budget was the first nonwartime centripetal staff agency available to the President for the conduct of his managerial responsibilities.

The 1920s witnessed a variety of additional proposals, both legislative and executive, focused on administrative reorganization. Most of the major recommendations got nowhere. Occasional authorizations were given to the President for minor reassignments of functions across agency lines, but Congress

systematically pigeonholed or voted down any major delegation of power to the President for reorganizing executive branch functions.

In 1932, President Herbert Hoover submitted a message to the Congress calling for a massive reorganization of the executive branch. In a classic statement of the "practical difficulties of such reorganization," he commented as follows:

"Not only do different fractions of the Government fear such reorganization, but many associations and agencies throughout the country will be alarmed that the particular function to which they are devoted may in some fashion be curtailed. Proposals to the Congress of detailed plans for the reorganization of the many different bureaus and independent agencies have always proved in the past to be a sign for the mobilization of efforts from all quarters which has destroyed the possibility of constructive action."¹

How penetrating this observation was can be judged by the fact that after the law was passed every executive order submitted by President Hoover to implement the act was disapproved. Furthermore, the law itself provided for key exceptions to the President's sphere and requested him to set up consolidations of the following governmental activities:

"Public Health (except that the provisions hereof shall not apply to hospitals now under the jurisdiction of the Veterans Administration), Personnel Administration, Education (except the Board of Vocational Education shall not be abolished) . . . and to merge such other activities, except those of a purely military nature, of the War and Navy Departments, as . . . may be common to both . . . except that this section shall not apply to the United States Employees Compensation Commission."²

This was not the first nor was it to be last of such explicit exceptions to the reorganization authority of Presidents.

The coming of the New Deal brought a totally new dimension to the policies and organization of the executive branch. A bevy of new laws created a host of new agencies and a variety of new functions within old agencies. And President Franklin D. Roosevelt had no institutional machinery for rationalizing and resolving emerging administrative issues, or for supervising in any meaningful sense the hundred-odd separate departments and agencies that reported directly to him.

In 1936, President Roosevelt created the Committee on Administrative Management under the chairmanship of Louis Brownlow. The report of the Brownlow Committee was probably the most sensible and impressive ever made on federal government organization. Many of its recommendations, notably those concerned with the independent regulatory commissions, the Civil Service, the General Accounting Office, and new cabinet departments, were largely ignored by the Congress. Its lasting contribution was the successful recommendation to create an Executive Office of the President (EOP) containing an expanded White House staff, the Bureau of the Budget (until then housed in the Treasury Department), and a National Resources Planning Board. Although the last was killed by congressional action in withholding appropriations in the early 1940s, the essential rubric of the Executive Office has remained. It is inconceivable that the government could have successfully

negotiated the turbulent currents of the past quarter century without it.

The Second World War saw the inevitable proliferation of war-related agencies, most of which disappeared at the end of the conflict. But the experience of war, especially the difficulties of relating separate military services to the consolidated demands of amphibious warfare and the serious problems of interrelating diplomatic and military initiatives and intelligence, led in 1947 to the National Security Act which created a National Defense Establishment, a National Security Council, and a Central Intelligence Agency. It would take time for these components to emerge into any kind of structural coherence, but the 1947 act set the foundation stone for the future.

In the immediate postwar years, the other major organizational development was the creation of the Council of Economic Advisers in the Executive Office of the President. This added staff resource has been of invaluable help to the President and the Congress in analyzing the state of the economy, in planning fiscal policy, and in acting as the major catalyst of interagency (BOB, Federal Reserve, Treasury) cooperation on fiscal matters.

Also in 1947 President Harry Truman asked Congress to create a bipartisan, twelve-man Commission on Organization of the Executive Branch of the Government.

The Commission (the First Hoover Commission) reported, and at length, in 1949. A number of its recommendations were adopted, under President Truman and later under President Dwight D. Eisenhower: the creation of a Department of Defense (replacing the National Defense Establishment); the assignment of the National Security Council to the Executive Office of the President; the creation of a cabinet-level department of Health, Education, and Welfare (HEW); and the centralization of increased authority in department heads, cutting away at some of the statutory authority that Congress had assigned at the subdepartment level. But many sacred cows were left undisturbed, and the commission's pleas for a "sharp reduction" in the number of federal administrative agencies fell upon deaf congressional ears.

A Second Hoover Commission was created in the mid-1950's; but its mandate, to examine governmental functions which should be discontinued, was preposterous, for it invaded the constitutional prerogatives of President and Congress. The commission's effective residue was little more than a chemical trace.

Aside from Secretary Robert S. McNamara's progress in transforming Defense from a *de jure* to a *de facto* department, the creation of an Office of Science and Technology in the Executive Office of the President, and the assigning of a White House role to the chairman of the Civil Service Commission, no substantial success greeted the John F. Kennedy administrations' various attempts to reorganize the government.

President Lyndon B. Johnson has succeeded in adding two new cabinet departments: Housing and Urban Development (HUD), and Transportation. He also added the Office of Economic Opportunity (OEO) to the Executive Office of the President. During his administration a number of task forces have addressed themselves to questions of government organization—especially in the increasingly tangled thicket of intergovernmental relations as they relate to problems of poverty, race, welfare, urbanism, and education.

However, most of the underlying problems of organization remain. These have been illuminated time and again by presidential task forces, by congressional committees, by journalists, pamphleteers, and scholars. Congressional literature is particularly rich. Notable in recent years have been the studies

of the Jackson Subcommittee on National Security Staffing and Operations and the Muskie Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations. More recently committees in both the Senate and the House have examined the adequacy of federal organization for mounting a coherent attack upon problems of the physical environment.³

Although these various studies, investigations, and proposals have differed in viewpoint and attack, there has emerged in recent years a consensus on two major issues: (1) the federal government lacks machinery for the effective development, implementation, and coordination of public policy; and (2) the conduct of the government's business is overcentralized in Washington.

Proposed remedies have included recommendations for the enlargement and restructuring of the Executive Office of the President; the consolidation of federal programs and functions into a few major departments; the strengthening of staff offices at the level of the secretary; making a departmentwide (secretary's) presence felt in federal field establishments; upgrading the quality and enlarging the power and discretion of federal field offices at home and abroad; devolving the conduct of federal business increasingly upon state and local authorities and upon private or quasi-public instrumentalities; and reform of the career services and upgrading of public personnel charged at various levels of government with the conduct and control of federal policy.

Whatever merit these various recommendations have had (and this paper will later explicate and endorse a number of them), they have tended to suffer from two overriding limitations: first, as commonly set forth, they have ignored the realities of congressional power, the rigidities of the present congressional committee structure, and the mutual deference patterns within the legislative branch, all of which affect the organization and conduct of federal programs; second, many of them have failed to articulate some of the administrative and policy costs and consequences possibly attendant upon their adoption. It is possible, for example, that unless extreme care is taken program coordination can be the enemy of program energy. "Keeping track" may be the enemy of "making tracks."

It may be argued, of course, that this dilemma is false; that topside planning and coordination is the precondition, not the enemy, of effective subordinate energy; that if program coordination is not rationally produced at the top it will be irrationally and wastefully accomplished through survival-of-the-fittest skirmishes at lower levels. This, in fact, is the author's own considered judgment. But to state the ideal is a far cry from realizing it in practice, and history suggests that arrangements constructed to achieve this ideal are inherently unstable—tending to veer toward the Scylla of a debilitating overcentralization on the one hand, or the Charybdis of programmatic anarchy on the other. All one can say at this moment is that historically in the United States more bones have been scattered around Charybdis than around Scylla. To change the idiom, constitutional and political beliefs and forces tend to run against generalist "kings" in favor of functional "barons."

THE LIMITATIONS OF EXISTING DEVICES

The validity of the foregoing proposition hardly needs elaboration. It can be readily documented by examining the weakness of centripetal devices now in vogue or recently

³ See esp. *Managing the Environment*, Report of the House Committee on Science and Astronautics, 90 Cong. 2 sess. (1968); and *Report of the Joint House-Senate Colloquium to Discuss National Policy for the Environment*, 90 Cong. 2 sess. (1968).

¹ W. Brooke Graves (comp.) *Reorganization of the Executive Branch of the Government of the United States: A Compilation of Basic Information and Significant Documents, 1912-1948*, Library of Congress, Legislative Reference Service, Public Affairs Bulletin No. 66 (1949), p. 96.

² Graves (comp.), *Reorganization of the Executive Branch* (emphasis supplied.)

tested in almost every level and branch of government.

First, there is the device of statutory or ad hoc interdepartmental and interdepartmental committees. There are thousands of them in the federal government alone, including a number in the Executive Office of the President. Most of them suffer from three chronic ailments: (1) confederationitis, (2) progressive deputization, and (3) implemental anemia. The first leads to common-denominator "paper" solutions for problems frequently calling for uncommon-denominator practical solutions. The second, marked by preoccupied secretaries requesting under secretaries to sit in for them, who in turn deputize assistant secretaries, who in turn deputize deputy assistant secretaries, ad infinitum, leads inevitably to a loss in the plenipotentiary capacity of the committee members, and to the necessity of referring every important issue back to each agency for topside clearances. The third means that, even if and when consensus can be reached within an interdepartmental committee, such consensus is not self-enforcing and can, in fact, be rendered inoperable by the failure of constituent units to implement the decision reached. When such committees are established by congressional mandate, further complications arise, for they cannot easily be disbanded nor their agenda adapted to new issues. If they become well-staffed and effective, they may interpose themselves between the President and his department heads and develop a policy line out of phase with both.

Necessary as such committees are, their numbers should be drastically pruned, and in any case they are no solution to most problems of program planning, coordination, and operational effectiveness that afflict the public sector.

Second, the "lead agency" notion, however attractive in theory, seems to have similar limitations. Bringing all relevant agencies together for specific program purposes under the chairmanship of the head of the department that has major concern or competence in a particular policy area would seem on its face to be a reasonable approach. But, since everyone likes to coordinate and few like to be coordinated—especially by one's peers—this device tends to degenerate into a simple interdepartmental committee with all of the inadequacies suggested above. Low-level issues may be thrashed out and clarified; tough issues of jurisdiction and authority rarely are, for disgruntled committee members have the option of appeal to centers of power in the presidency or in the Congress that can effectively override the decisions of the lead agency. The history of OEO, HUD, and HEW in that role is not encouraging, although some promise can be found in some of the lead-agency functions performed in foreign affairs by the Department of State.

A third device is coordination by presidential advisers, White House assistants, or by other representatives of the Executive Office structure. This has been attempted in various forms over the past decades. Sometimes the job has been given to individual men of considerable stature and ability (for example, Colonel Edward M. House, Harry Hopkins, "Jimmy" Byrnes, Sherman Adams, a vice president). The de facto "prime" minister, or executive vice president, device suffers, however—at least, in our form of government—from two intractable flaws. If he is strong, he tends to shield the President from issues, information, and forces essential to presidential judgment and power; if he is weak, he tempts others to go around him, thereby creating rather than solving problems for the chief executive.

More often, the President has used his "anonymous" White House assistants and his major institutional staffs in the Executive Office of the President to assist him in program planning and coordination. However successful this fairly flexible arrangement has

been (and, if it had not been partially successful, the federal government could not operate at all), it has serious weakness. If the President defends his intimate staff too often, he has created a supercabinet; if he does not defend them at all, they are powerless. If he institutionalizes them, their time is preoccupied with managing their own subordinates, limiting their time and tolerance for intimate contacts with the President; if he does not institutionalize them, they become swamped by paper from below and expectations from above. And in many areas of public policy where the President himself is weak (programs under the jurisdiction of independent regulatory commissions; agencies like the Atomic Energy Commission and the Army Corps of Engineers that are effectively controlled by congressional committees), presidential staff, no matter how brilliant, are limited by legal and political reality.

This rather melancholy sample of centripetal coordinating devices and their weaknesses is not meant to suggest that nothing has been done or can be done to improve the coordination of policy planning and implementation in the federal government. There have been many evidences of at least partially successful endeavors along these lines. The Bureau of the Budget at its best is a remarkable and indispensable coordinating device, especially when buttressed by informational and analytical skills of cognate agencies like the Council of Economic Advisers and the Office of Science and Technology. Presidential assistants play out a daily drama of conflict resolution and program rationalization. The transformation of the Department of Defense under Robert McNamara is an indication of what at the departmental level can be done, in Paul Appleby's felicitous phrase, "to make a mesh of things." The development of analytical instruments like PPBS (Program Planning and Budgeting System) shows promise of making resource allocation choices more coherent and rational.

But enormous inadequacies remain and they cannot be redressed effectively without a sober recognition of the fact that the battle for improved federal management must be fought on a number of fronts simultaneously. The five major salients already identified need particular attention: the Executive Officer of the President; departmental arrangements; federal field establishments; the devolution system; and personnel systems at all levels.

Executive Office of the President

The presidency is the only institution in the American polity where overarching and long-range public imperatives can be coherently analyzed and melded. This is true both because of the ubiquity of the presidential constituency, and because the President is mandated to recommend to the Congress a coherent program for allocating resources to and within the executive branch.

The structure of the Executive Office of the President must reflect the prime concerns of the nation as viewed from the vantage point of the chief executive. In the present age, as already noted, these prime concerns are four: national security, economic stability and growth, the integrity and viability of the physical environment, and the promotion of human welfare and of human resource development. In these four areas, the President must have at his disposal institutional arrangements that can help him plan wisely, sort options judiciously, and effect coordinated responses.

Because priorities change and, more important, because each President has his own leadership style, he must be given very substantial latitude in organizing, reorganizing, and adjusting the constituent units of his executive office. He must also have at his disposal substantial discretionary funds (\$25,000,000 per year as a minimum) to permit him to tap selective expertise across the nation on an ad hoc basis, and to initiate

in-house experimental capabilities for improving the planning and management functions of the office. The present discretionary funds of the President for "special projects" (\$1.5 million) are totally inadequate.

If the President can secure from Congress the right to structure and manage his own office without restriction—including the right to make in-office appointments without Senate confirmation and the right to create, shift, and abolish constituent units and personnel assignments as he deems necessary for the effective conduct of presidential business—he will have won a major victory for effective public management. These prerogatives are essential if he is to have authority anywhere near commensurate with his administrative and policy-making responsibilities.

Granted this kind of authority and discretion, what should he do with it? Although each President will and must use them according to his own temperament and administrative proclivities, three weaknesses exist in Executive Office of the President capabilities so glaring as to merit special emphasis.

First is the office's weakness in policy development. The presidency is perched on top of what one astute observer has called "a bottom-heavy administrative system." Policy proposals tend to emerge from levels of operational enthusiasm, which are likely to be the lower and middle governmental levels, coupled with discrete, single interest segments of the private sector. Aside from ad hoc task forces (many of which have been extremely productive and catalytic), there is no effective agent or agency in the Executive Office of the President charged with the study of emerging public problems and the development of effective programs to deal with them in terms of continuing and changing presidential perspectives of the public interest. This is less true, of course, in the occult fields of economic stabilization policy and national security policy where the Council of Economic Advisers and the staff of the National Security Council have increasingly strengthened their policy-review capabilities. But in the increasingly troublesome and important areas of environmental management and "people" programs (health, poverty, education, welfare, housing, urban renewal, and the like) the EOP is patently deficient. Existing budgetary and legislative clearance reviews are inadequate. There is no underlying statistical and informational system of social and environmental indicators comparable to the economic indicators available to and through the Council of Economic Advisers. Whatever its original intent, the Office of Economic Opportunity has become an operational advocate, not a reflective center of governmentwide policy analysis. Since the demise a quarter of a century ago of the National Resources Planning Board, no presidential staff has concerned itself full-time with ecological interdependencies. The only gestures in this direction in recent years have been the Committee on Environmental Quality of the Office of Science and Technology, and a Water Resources Council independent of the Executive Office structure. The former is too small and weak to be effective (ideally, it should be reconstituted as a separate, strongly staffed office in the Executive Office of the President); the latter is limited by statute to water resources alone.

Whether effective policy analysis staffs in the environmental and human resource areas should be combined or kept separate, should be created inside the Bureau of the Budget or as a new and separate agency within the EOP (on balance, the author's choice) is perhaps of secondary importance. What is essential is that such a capability exists in the Executive Office of the President. Coherence and rationality in federal programming in these areas is impossible

without such a capability. This is true in Washington; it is increasingly true in the complex arena of intergovernmental relations. State and local governments are federal partners in the purveyance of public services; their capacity to develop programs that effectively complement and implement national policies is today a matter of crucial importance. Too often they are bound by rigidities and categorical overprescriptions imposed by federal legislation and by administrative regulations and guidelines. There is a pervasive need to loosen existing categorical boundaries without destroying the basic thrust of federal categorical grants designed to promote the national interest.

One possible device to meet this need might be for the President to assign staff from his executive office and/or relevant departments and agencies to ride budgetary circuits in the fall of each year. Such staffs, with advance congressional approval, might be empowered to permit state and local governments to shift up to, say 25 percent of approved categorical federal grants from one category to another; this would make the grants more relevant to varying state and local needs and would promote a series of useful dialogues between the partners of the federal system.

The second weakness of the President's office is the inadequacy of machinery for command and control within the sphere of his own executive competence. As suggested earlier, there are many areas of policy in which for reasons *de jure* or *de facto* the President has authority only to persuade and cajole, or in which he must repair to informal powers deriving from his political rather than his constitutional status. But even when his legal authority is clear, he lacks efficient means of enforcing his political will. Little is gained in strengthening the policy analysis capabilities of his office unless he can effect more coherence in policy implementation. It is true that knowledge can be power, and the President's directive responsibilities can probably be exercised with greater effectiveness if his policy analysis staffs are able to create information systems that include hard and systematic evaluations of federal programs. But the President's present span of control is so unwieldy, his budgetary flexibility is so limited, and his managerial universe is so ponderous that intelligence alone will not give his directives appropriate clout. If two or more agencies chart collision courses or if they determine to ignore presidential guidance, there is little the chief executive can do short of ultimate sanctions (such as firing) that often have prohibitive political costs.

It is this reality, of course, that has led a number of administrative reformers to suggest that the President needs one or more executive vice presidents or presidential coordinators to whom he can delegate command functions over parts of the executive branch, including his cabinet departments, in Washington and in federal field establishments. The inconveniences and political hazards of such devices and developments have already been traced. But the problem remains, and the need is real.

There is no single and easy solution to the problem, but if the President is given the kind of flexible control over his own office called for above, he should certainly use this elaborated discretion to experiment with a number of command-control devices. At the very least, he should create a team of two or three or four presidential "administrators" or "expeditors," removed from the day-to-day preoccupations of existing White House aides, who could be assigned on an ad hoc and short-term basis as troubleshooters to straighten out jurisdictional conflicts among agencies, both in Washington and (on an itinerant basis) in the field. "Ad hoc" and "short-term" must be underlined, for permanent and long-term portfolios for such assistants could only produce impossible tensions

with cabinet secretaries, agency heads, and key legislators. Furthermore, they might easily create centers of power in the executive branch competitive with, rather than derivative of, presidential authority. Such administrators or expeditors must be men of considerable personal stature. As surrogates for the chief executive in a system inherently unfriendly to surrogates, they must be skilled in mediation, soft of voice, wise in the ways of politics, and utterly devoted to the President—institutionally and personally. The President must be prepared to support their judgments in the overwhelming majority of cases while being willing on occasion to overrule them on appeal. This complex prescription may prove to be impossible of implementation, but it is the only one that, in the judgment of this author, gives promise of success.

The third and final major weakness of the presidential office is in communicating with the public and with state and local officials. Here, too, there are constraints. Too "open" a presidency can build impossible expectations, induce claimants to bypass channels of access to departments and to Congress, clog the President's information system, and preclude that measure of confidentiality necessary for face-saving negotiations. Too frequent use by the President of the mass media dilutes the President's "Nielsen rating" with the consequent danger of limiting his impact when real crises appear.

But inadequate communications, both inward and outward, can be equally perilous. Fresh ideas from creative citizens, and from public officials at all levels of government, can be lost or ignored. A public bewildered by complex public problems can be denied the clarifying and unifying voice of the President. In such circumstances, the chief executive can easily become vulnerable to surprise and miscalculations.

Adequately mandated policy analysis staffs and presidential expeditors with sensitive antennae can remedy some of the existing defects in communication flows, but far more needs to be done to help the President develop effective techniques and policies. A public information competence must be built into the White House, possibly in an enlarged office of the press secretary, and at least one unit in the White House should be devoted to intergovernmental liaison with governors and with top officials of local government.

There are still other weaknesses in the Executive Office at the President. First, there are far too many statutory and ad hoc interdepartmental councils and committees with fuzzy mandates, little or no power, and only intermittent and unsatisfactory access to the President himself; these should be abolished or consolidated with more permanent staff operations. For example, the National Aeronautics and Space Council and the Marine Resources Council should probably be placed under a comprehensive Office of Environmental Analysis. The whole structure of citizens' advisory committees to the President should be reviewed and rationalized.

Second, the White House needs an even greater capability to identify talent for appointive federal positions in both domestic and international departments and agencies. It is an unfair strain upon the chairman of the Civil Service Commission to serve both as director of the President's personnel operations and as the policy chairman of the major career service of the federal government.

Third, the operational aspects of the Office of Emergency Planning (for mobilizing the services of all levels of government to meet emergencies of war or natural disaster) and the Office of Economic Opportunity should devolve upon other agencies (the General Services Administration for Emergency Planning; HEW and/or Labor for OEO), although

in the case of OEO extreme care must be taken to insure that the innovative and flexible characteristics of many of its programs are not destroyed by transfers to more traditional and conservative bureaucratic superiors. It should be possible for some civilian counterpart to the "Green Beret" or Marine Corps mission-oriented services, often competitive with more massive and sodden bureaucracies, to be established (and disestablished) within existing departments or as functions of independent agencies. The Executive Office of the President is not the appropriate rubric for these kinds of operating line activities.

Fourth, the staff competence within the Executive Office (presumably within the Bureau of the Budget) for studying and recommending structural changes and procedural improvements throughout the executive branch organization, on a continuing basis, needs to be strengthened in quality, size, and funding.

All of these are important addenda to the three essential areas of concern identified earlier. Progress along all of these lines can best be promoted by giving to the President effective control over the organization, staffing, and missions of the Executive Office of the President. If this is to happen, as we shall note below, the President must ask for and receive the understanding, support, and assistance of the United States Congress.

Departmental structure

One of the basic tenets of public administration is "span of control." In its simplistic form, at least in the federal government, it is a silly notion. The number of units reporting to a single administrator is not the essential factor in determining topside control. Ten units are too many if each has its own base of power in the legislature or in clientele groups of significant political influence. A hundred units are manageable if most of them lack an independent base of power, and if their mission is precise and low voltage. Little is gained or lost in terms of "good management" in the executive branch if the Corregidor-Bataan Memorial Commission, the American Battle Monument Commission, the Commission of Fine Arts, the Foreign Claims Settlement Commission, and the Panama Canal Company are allowed to continue as independent, free-wheeling agencies. Those who would tidy up the administrative structure of the executive branch by putting everything under four or five giant-sized superdepartments, or under fifteen of twenty economy-sized regular departments, on the ground that only then can the President enjoy a manageable "span of control," overestimate the importance of the precept and underestimate the difficulties of achieving intradepartmental, let alone interdepartmental, coherence in anything as complex and diffuse as the federal government.

This is not to say, however, that the present structure of departments and agencies is either logical or efficient. Some regrouping and much internal reorganization, especially at the bureau level, is patently necessary. But since both of these kinds of moves involve political headwinds of gale force, a President should pick and choose a few major objectives and should calculate his political rations with extreme care.

The difficulty is that across-the-board generalizations about federal departments and agencies are inherently dangerous or irrelevant. Some are probably too large and heterogeneous (for example, HEW); some are too small and/or clientele-oriented (Labor, Commerce, Veterans Administration (parts of Interior, Agriculture, and HUD)); some are too independent (certain regulatory commissions); some are too dependent upon Congress (Atomic Energy Commission, the Corps of Engineers, the FBI); some are miscast as cabinet departments (Post Office); some are too plagued with ingrown career service elit-

ism (State); some lack the internal capacity or external support to generate and sustain high morale (Agency for International Development). A general diagnosis and a general therapy are, in short, effectively impossible.

It is possible, however, to raise questions about departmental and agency structure relating to at least two of the four overarching concerns of the President: environmental management and control, and human resource development.

This is not to say that is well in the field of administering national security policy and economic stabilization policy—though the administrative machinery in the latter field has functioned relatively smoothly in recent years. While space does not permit an extended discussion here of problems in the national security area, it must be noted that the overseas mishmash of federal agency representatives still escapes effective control by the ambassador in the field or by the Department of State in Washington. The inflow of information and intelligence by cable and pouch has long since passed the point of digestibility. Horizontal and lateral clearances absorb an unconscionable amount of time and effort and involve delays that are sometimes dangerous. Some of these difficulties defy organizational rationalization; others might be partially obviated by an appropriate delegation of authority to regional assistant secretaries of state and by a more elaborate and effective staffing of the office of the Secretary of State. In 1962 the Herter Committee on Foreign Affairs Personnel recommended an executive under secretary of state, a further administrative option that deserves careful consideration.

On major and critical issues of foreign affairs the threat of apocalyptic consequences has a way of crystallizing small cadres of influentials under the immediate direction of the President. Emerging policies may not always be wise, and the ponderousness of the structure and the system of communications may at times create crossed signals of serious consequence (as when in 1966, peace negotiations with North Vietnam were reportedly shattered by the President's uncollected prior approval of bombing selected targets near Hanoi). But after a decade of review of national security machinery, the Jackson Subcommittee, although it has recommended a number of incremental improvements, has found no magic formula for a major structural reorganization. All that can be said is that the importance of the issue suggests that urgent and continuing attention must be given to the adequacy of staff arrangements for serving the President in this area of preeminent executive concern.

On the domestic front some major structural changes may well be needed in organization. Those involving the Executive Office of the President have already been discussed. At the departmental and agency level, four questions especially warrant hard analysis and viable answers:

First, how can the management responsibilities of cabinet secretaries and the heads of important line agencies be strengthened without throwing a wet blanket on the morale, energy, and discretion of subordinate operating bureaus?

Second, how can a gigantic hydra like HEW be split up without losing the benefits that logically accrue from reviewing health, education, and welfare as interrelated programs and values?

Third, how can the rule-making power of independent regulatory commissions be more effectively related to the policy mandates assigned by Congress to the President and to departments and agencies without jeopardizing the integrity of the quasi-judicial role of regulatory commissions?

Fourth, how can agency functions be regrouped in the human and environmental

resources area in such a way as to promote more coherent program planning and implementation without taking on more battles with vested interests than any single administration can afford?

Again, there are no simple answers to any of these dilemmas, but certain directions seem more promising than others.

On the first question, the essential controls of an agency head over constituent units are three, and only three: (1) control of legislative proposals; (2) control of budgetary totals; and (3) control of major personnel appointments and assignments. Each department secretary and agency head should have a staff, a management information system, and adequate legal and political authority to develop and maintain competence in these areas. The staff need not be large, but it must be highly competent and must be supported with a flow of information that will enable it to present rational policy alternatives to the agency head. With these tools of general, overall management at his disposal, an agency head can delegate to line subordinates a substantial amount of operating discretion. He can also be equipped to serve the President and the Congress in their roles of making politically accountable decisions. Many departments lack the staff, the information system, and the legal and political authority essential for responsible management. The President should urge, and Congress should support, reforms leading to the improvement of this condition.

On the second question, there is probably more to be gained than lost in splitting up HEW. The issue is not the number of employees; Defense, Post Office, Agriculture, and the Veterans Administration all have a larger civilian work force. The issue is the heterogeneity of constituent functions, the size of the budget (HEW's budget is five times greater than the next largest civilian agency), the extensiveness of mandated intergovernmental relations, and the limitations that the present structure imposes on attracting top-grade personnel to man programs of extraordinary national consequence—education, for example. A separate Department of Education would not only symbolize the importance of the federal government's commitment to an essential and growing public function; it would serve as a rubric for gathering together at least some of the educational activities being carried out by departments and agencies outside of HEW (for example, National Science Foundation, OEO, Veterans Administration, National Humanities Foundation, Bureau of Indian Affairs). A Department of Health and Welfare should have no more difficulty in relating to a Department of Education than HEW presently has in relating its disparate activities to cognate functions in HUD, Labor, OEO, in the human resource development area; or to Interior, Agriculture, and the Corps of Engineers in the area of environmental management and control. Granted that these difficulties are substantial, a strengthened program planning and implementation capacity in the Executive Office of the President could more than compensate for any loss in integrating functions now lodged unsuccessfully in the top echelons of an overgrown HEW.

On the rule-making authority of certain independent regulatory commissions, the analyses and advice of the Cushman Report (part of the Brownlow Committee study, 1937) and of the First Hoover Commission (1949) need rereading and studied implementation. America will never have a coherent transportation policy until the rule-making functions (making general legislative mandates specific) of the Interstate Commerce Commission and the Federal Maritime Commission are integrated with the policy responsibilities of the new Department of Transportation. America will never

have a coherent power policy until the rule-making functions of the Federal Power Commission and the Atomic Energy Commission are consolidated with those carried out by the Department of the Interior. There have been until now sufficient political barriers to changing the structure and functions of independent regulatory commissions to raise serious questions about the viability of new or reiterated recommendations. But the problem is real, and there are no inherent difficulties in separating rule making from the quasi-judicial functions (making judgments about the legality of activities pursued under laws and rules) of regulatory agencies, preserving the integrity of the latter while making the former subject to responsible and coordinated political control.

The fourth question, on the regrouping of agency functions in the human and environmental resource areas in the face of vested interests, is the toughest. It can be answered in practice only by sophisticated management studies buttressed by executive-legislative concordats. In the absence of major structural changes, some experiments in establishing multiagency operational task forces under the command of presidential designees might well be undertaken—at least where target problems are fairly precise and short-term.

EXHIBIT 3

NIXON TASK FORCE URGES CREATION OF TOP-LEVEL ENVIRONMENTAL AFFAIRS POST

(By Peter Khiss)

President-elect Nixon has received a strong recommendation for naming a Special Assistant for Environmental Affairs, working out of the White House for the first time to dramatize concern over increasing pollution.

"The real stake is man's own survival—in a world worth living in," one of 10 task forces he named on domestic planning has reported to Mr. Nixon in an opening report that said Federal performance in the field thus far had been "disappointingly low."

"The gap between need [as indicated by authorized funding] and appropriations in the air and water pollution abatement programs is critical and growing," the task force advised Mr. Nixon.

"For example, in fiscal 1969, in the water pollution control program, there is an authorization of \$836-million, an appropriation of \$302.8-million and a possible demand in available state and local matching funds of \$1.2-billion," it was stated.

The initial report was submitted to the President-elect last Saturday in New York by a 20-member Task Force on Resources and Environment, headed by Russell E. Train, president of the Conservation Foundation.

On that same day Mr. Train was reported to be under consideration for the post of Under Secretary of the Interior and was briefing the Secretary-designate, who is Gov. Walter J. Hickel of Alaska.

DETERIORATION CITED

Urging that "improved environmental management be made a principal objective of the new administration," the task force cited "progressive environmental deterioration," including the following:

"The poisoning of our lakes and rivers, the pollution of our air, the changing carbon dioxide content of the atmosphere, the progressive deterioration of the organic fertility of our soils, the pesticides and other chemicals that permeate our living environment, visual ugliness and urban sprawl, the growing inhumanity of our cities, the rising tide of human numbers that threatens to overwhelm us and our civilization."

The group said it was not suggesting any "mammoth new programs" but rather putting emphasis on "performance—on making existing programs work."

While noting that "a host of conservation-environmental legislation" had been enacted,

it said the disappointing performance had "a similarity here to the civil rights and poverty fields."

Appointment of a special assistant in the field, it was said, "would give the President for the first time a means of effectively influencing environmental policy across a wide range of agencies."

The new office, it was suggested, would "deal with the problems of compartmentation and conflict—often between Cabinet officers—that arise constantly in resources and environmental matters."

LIAISON FORESEEN

The new assistant, the report went on, should work closely with the President's science adviser, the chairman of the Council of Economic Advisers and the Budget Director.

It was also proposed that the new assistant be executive secretary of a new President's Council on the Environment, which would represent a broadening of the present inter-agency Council on Recreation and Natural Beauty.

The task force proposed that Vice President-elect Spiro T. Agnew serve as chairman of the reconstituted council "to provide leadership superseding the interests of any single department."

"Federal programs with major environmental impacts, such as highway construction," it was said, "should take into account the side effects, such as air pollution, which are the program responsibility of completely separate agencies. Present structure and, more important, present practice are grossly inadequate in this respect."

A supplementary paper on pollution asserted that "appropriations should be brought up close to authorizations" in Federal programs, but suggested that it would be better to reduce authorizations rather than let states and localities delay action "in unwarranted hope of Federal contributions."

SUGGESTION ON COSTS

This suggestion for possible Federal cuts drew a note from one task force member, Lelan F. Sillin, Jr., president of Northeast Utilities in Hartford, Conn., that it "should be eliminated."

The report's discussion of difficulties in tax incentives for reducing pollution or effluent charges as a means of control drew adverse comment from another member, John H. Meler, executive aide of Hughes-Nevada Operations, of Las Vegas, Nev.

Mr. Meler's comment was that "most of the polluters involve large-scale industry" and "should be required to carry the burden of removing the danger to the rest of the environment."

"If sufficient standards are set to guarantee public health and the enforcement is not interfered with by special interests who lobby against regulation rather than spend money on cleaning it up, the problem can be solved," Mr. Meler wrote.

Other task force members include:

Edward A. Ackerman, executive officer, Carnegie Institution.

Stanley A. Cain, professor, University of Michigan.

Charles H. Callison, executive vice president, National Audubon Society.

Joseph L. Fisher, president, Resources for the Future.

Loren V. Forman, vice president, Scott Paper Company.

Charles H. W. Foster, consultant, Conservation Foundation.

Maurice K. Goddard, Secretary of Forests and Waters, Pennsylvania.

Norman B. Livermore, Jr., Secretary of Resources Agency, California.

Charles F. Luce, chairman, Consolidated Edison Company.

H. Byron Mock, Salt Lake City lawyer.

Bernard L. Orell, vice president, Weyerhaeuser Company.

Nathaniel P. Reed, conservation adviser to Governor of Florida.

S. Dillon Ripley, secretary, Smithsonian Institution.

Laurance S. Rockefeller, chairman, Citizens Advisory Committee on Recreation and Natural Beauty.

John O. Simonds, Pittsburgh landscape architect.

M. Frederik Smith, American Conservation Association.

John W. Tukey, Princeton professor and executive-director of Bell Laboratory.

S. 1076—INTRODUCTION OF YOUTH CONSERVATION CORPS ACT OF 1969

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to establish a Youth Conservation Corps. This program would be administered by the Departments of Interior and Agriculture with the objective of providing summer employment opportunities for the youth of this country in conservation programs on National Park lands, National Wildlife Refuges, National Forests, and areas administered by the Bureau of Land Management. This program would be open to young men and women of all socio-economic background.

As envisioned in the Youth Conservation Corps Act of 1969, the Corps would be composed of young men and women 14 through 18 years of age. They would be employed for periods not to exceed 90 days in any 1 year by the Secretaries of Interior and Agriculture. Their employment would be without regard to Civil Service classification laws or regulations. Members of the Corps would be considered Federal employees only for purposes of the Tort Claims Act, and laws relating to compensation for injuries. Rates, hours and other conditions of employment would be jointly determined by the two Secretaries, and each would be authorized to make appropriate provisions for transportation, lodging, and subsistence.

Mr. President, many of our Nation's youth—not just the underprivileged and the school dropouts—but also the average teenager often never have an adequate opportunity to be engaged in meaningful employment during the summer months. Because of the employment problems these young men and women face, especially in our urban areas, they are tempted to roam the streets in pursuit of less desirable goals. The Youth Conservation Corps could help correct this problem by providing an alternative. The alternative is employment. Jobs which would furnish young people an opportunity to get off the streets and to engage in productive work and important learning experiences in our parks, forests, and our public lands.

This program is in some respects a preventive measure. It would offer many young people an alternative to the boredom and the frustration of inactivity which often arises during the summer recess from school. It would create an opportunity for young people to earn, to learn, and to work in meaningful programs which are important to their future and to the future of this country.

As members of the Senate are aware,

once a young man or woman becomes a school dropout, once they have had a brush with the law, once their attitudes toward family and society take an anti-social turn, rehabilitation becomes an exceedingly difficult, expensive, and frequently unsuccessful task. It is appropriate that we should continue to improve and expand our rehabilitation programs. But, it is also important that we treat the root causes of boredom, anger and frustration by providing employment opportunities for our young people.

Projects which could be undertaken by members of the Corps include the maintenance and construction of campgrounds, bridges, trails, water control structures, picnic facilities, plus assistance in forest reseedling, timber stand improvement and other basic forest, soil and conservation and wildlife habitat measures. Time would also be devoted to teaching these young men and women the basic concepts of ecology, fish and game management, forest and range management, and other principles which would give them a greater appreciation and understanding of our Nation's great natural resources and the necessity for preserving and maintaining this great national heritage.

Knowledge and understanding are essential to the development of responsibility. It is my judgment that exposure to public service conservation projects could be a maturing, stabilizing influence for the young people of this country which would return benefits in later years that are now incapable of being assessed.

There is today a great backlog of conservation work of all kinds which must be reduced if we are to permit ourselves to believe that we are properly managing our natural resources. Present personnel and budgetary limitations have not permitted employment of sufficient staff to meet the increased demand for maintenance and services. Participants in the programs I envision could perform tasks within their capabilities, thus freeing permanent employees for other crucial work.

I also firmly believe that participation in this program would be both constructive and instructive to young people and, in many instances, would afford them an experience which many of the participants might not otherwise have.

The total benefits accruing from this program would far exceed just the tangible results of their work. These young men and women would return to their homes and schools with an understanding of why a national park or a national forest is an irreplaceable national asset. Too many of our young people never see the side of America which our parks and forests represent. When they see the Federal Government in action firsthand, it is too often in the form of the military draft or some Federal regulatory activity.

In addition, these young people would return to their homes and schools with a sense of accomplishment for having bettered our environment, and a sense of involvement in this Nation's efforts to provide a quality life and quality surroundings for all Americans. They would acquire an appreciation for our natural

resources and an understanding of our conservation programs which is not, and apparently cannot be, taught in our schools. In addition, they would develop good work habits and attitudes which would persist for the remainder of their lives.

For some, this experience might provide the incentive to look and work toward a rewarding career in natural resources and wildlife management or outdoor recreation.

Mr. President, I ask unanimous consent that the text of the bill be printed at the conclusion of my remarks. As presently drafted, this measure represents only the bare outline of the concept I have in mind. I am sure that the executive reports on the bill and testimony at public hearings will develop many new ideas which will merit inclusion in the measure.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1076) to establish in the Departments of the Interior and Agriculture Youth Conservation Corps, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. STEVENS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

POLICY AND PURPOSE

SECTION 1. The Congress finds that the gainful employment of American youth in the healthful outdoor atmosphere afforded in the national park system, the national forest system, the national wildlife refuge system, and other public land and water areas administered by the Secretary of the Interior and the Secretary of Agriculture creates an opportunity for understanding and appreciation of the Nation's natural environment and heritage. Accordingly, it is the purpose of this Act to further the development and maintenance of the natural resources of the United States by the youth upon whom will fall the responsibility for maintaining and managing these resources.

YOUTH CONSERVATION CORPS

SEC. 2. (a) To carry out authorized programs with respect to the lands and waters referred to in section 1 of this act, there is hereby established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter referred to as the "Corps"). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, or possessions, who have attained age fourteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the Civil Service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining lands and waters of the United States under the jurisdiction of the appropriate Secretary. Members of the Corps shall be appointed without regard to geographical location or economic status.

(b) The Secretary of the Interior and the Secretary of Agriculture shall determine the areas under their administrative jurisdictions which are appropriate for carrying out programs using employees of the Corps. The rates and hours and other conditions of

employment in the Corps shall be as jointly determined by the two Secretaries: *Provided*, That members of the Corps shall not be deemed to be Federal employees other than for the purposes of the Act of June 25, 1948, as amended (28 U.S.C. 2671 *et seq.*), and the Act of September 6, 1966 (5 U.S.C. 8102 *et seq.*), and *provided further*, That no member of the Corps may be employed for a term in excess of 90 consecutive days during any one calendar year.

(c) The Secretary of the Interior and the Secretary of Agriculture may provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties.

(d) The provisions of Title II of the Revenue and Expenditure Control Act of 1968 (82 Stat. 251, 270) shall not apply to appointments made to the Corps.

(e) There are hereby authorized to be appropriated to each Department such sums as are necessary to carry out the purposes of this act.

ALASKA NATIVE LAND CLAIMS REPORTS

Mr. JACKSON. Mr. President, the claims of Alaska natives to the land and resources of Alaska have been a source of conflict between the State of Alaska, the natives, and the Federal Government for a number of years. In view of the interest expressed in this long-standing controversy, I am today releasing two reports on this problem which were prepared for the Senate Interior and Insular Affairs Committee by the Federal Field Committee for Development Planning in Alaska.

These reports were prepared at my request by the Federal Field Committee under the direction of its Chairman, Mr. Joseph FitzGerald. Together, they provide an excellent framework for subsequent discussions and hearings which should lead to a resolution of this long-standing problem by the 91st Congress.

The first report released today, "Alaska Natives and the Land," is a heavily documented and thorough 565-page study which brings together all relevant information on the land claims issue, the social and economic condition of the Alaska native, the resources of Alaska and the alternatives which might be followed in arriving at a settlement acceptable to all of the parties involved.

The second report is based on the first and is a proposal recommending the terms for a legislative settlement of the Alaska native land claims controversy.

As chairman of the Senate Interior and Insular Affairs Committee I had requested the Federal Field Committee to prepare both of these reports following the committee's field hearings on the Alaska native land claim issue in Anchorage, Alaska, in February 1968. I felt the reports were necessary because it was apparent that no one—including the Federal Government, the State of Alaska and the Alaska natives—had the basic information necessary to work out a wise and just settlement of this complex social, legal and political issue.

I am releasing the Federal Field Committee's report on legislative recommendations because it is essential that the Bureau of the Budget, the Department of the Interior, the State of Alaska and

the Alaska natives all have an opportunity to carefully review the Field Committee's proposed settlement before bills are introduced and before the parties involved become locked into set positions.

The Field Committee's acceptance and completion of the assignment is an important innovation in executive branch service to a legislative committee. I wish to express my praise and gratitude to Mr. FitzGerald and his staff of research analysts for conducting the study and preparing these excellent reports.

A very important precedent was established as a result of the Field Committee's reports. Too often the Congress acts on complex issues such as this without demanding that the executive branch develop and analyze all pertinent information.

The Field Committee's analysis stresses that consideration of claims legislation should be seen by Congress not only as a means of settling the legal claims, but also as an opportunity to provide a foundation for social and economic advancement of Alaska Eskimos, Indians, and Aleuts, most of whom, according to the study, live under poorer circumstances than any other Americans.

The committee's study is the most comprehensive portrayal of the native people, the land, and the resources of Alaska ever assembled. In addition to serving the needs of the committee and the Congress for factual information relating to native land claims, it will be highly useful to the Congress and executive agencies in other matters affecting Alaska.

I am very concerned that a legislative settlement of the native land claims problem should not result in a repetition of some of the problems which have been experienced by the American Indians in the lower 48 States. A fair and generous settlement is required, but there must be provisions in the legislation which will insure that the native peoples of Alaska get the full and continuing benefits of the settlement, and that they be given a full and fair opportunity to attain quality lives for themselves and for their children.

Release of the Federal Field Committee's recommendations for the terms of a legislative settlement does not constitute an endorsement on my part or the Interior Committee's. It is clear, however, that these recommendations are based on a very thorough study and they cannot be dismissed lightly. Subsequent events may, however, require change. It is possible for example, that all of the parties involved may endorse and support a settlement which is different in some respects than that recommended by the Field Committee. I am hopeful that a final legislative settlement can be reached in the 91st Congress. Any further delay is not in the best interests of the people of Alaska, the State or the Federal Government.

Mr. President, I ask unanimous consent that summaries of both reports and a brief biographical sketch of the authors be printed in the RECORD at the end of my remarks. I also ask unanimous consent that the Field Committee's Proposal for a Legislative Settlement be printed in the RECORD.

There being no objection, the material

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

REPORT ON A PROPOSED LEGISLATIVE SETTLEMENT

The first bill on Alaska Native land claims was introduced in Congress in June 1967. When the 90th Congress adjourned, there were six bills pending. The settlement proposed in the Federal Field Committee's report draws heavily on these previous bills. It differs, however, in several important ways.

The proposal recommends grants of land in fee simple as well as protecting the Alaska Natives in their right to use the surface resources of the land for all present Native needs including hunting, fishing, trapping and other rights. The proposal seeks to resolve the potential conflict among individual Natives—urban and rural, those residing in resource rich areas and those residing in barren areas, and those who live in Alaska and those who live elsewhere—by providing a state-wide compensation package. Like those in some of the previous bills, this package is composed of lands, cash, and shared future revenues. Unlike earlier proposals, the Field Committee proposal places greater emphasis on money and revenue sharing as the primary form of compensation. (Although the report emphasizes money and revenue sharing as the primary form of compensation, an alternative proposal with land grants as the principal form of compensation is developed and could be followed.)

An adequate source of funds would be provided by opening more lands to competitive mineral leasing. These funds would not be distributed directly to Natives or to village groups, but would be channelled through one investment corporation owned by all Alaska Natives.

The grants of land proposed in the revenue sharing proposal are to individuals for their use or to legally recognized communities—not to tribes or bands or to other racially defined groups. Most existing Native reservations would be abolished. Specifically, the proposal would—

1. Give Native individuals the lands they use or occupy for homes, businesses, hunting, fishing, trapping, and reindeer management camps;
2. Provide for emergency protection for subsistence hunting and fishing on public domain lands;
3. Grant to any Native Village which incorporated under Alaska State law, up to 36 square miles of land for community use and expansion;
4. Grant to a new corporation, owned by Alaska Natives, \$100 million from the U.S. Treasury as payment for Native rights taken in the past; and,
5. Grant to the Native Corporation in compensation for rights extinguished by this legislation, 10 percent of the income from the leasing or sale of minerals and other resources from Federal lands for a period of 10 years, including lands selected by the State during the land freeze or after it is lifted.

The total lands granted in fee simple would range between 4 and 7 million acres, while the money payments would be a minimum of \$100 million, plus the sharing in Alaska resources up to a maximum of \$100 million each year for 10 years.

The Federal government would not make cash payments directly to Native individuals, but the corporation would pay dividends to Natives as stockholders out of the income from its investment; it could also make grants as loans to individuals, to communities, or to Native organizations. For the first 10 years the corporation would be managed by a board of directors, some of whom would be appointed by the President and others elected by the Alaskan Natives. During this 10 year period the management and investments of the corporation would be closely

supervised by the Government. At the end of 10 years a new board of directors would be established, elected entirely by the corporation stockholders, and after a final review by Congress, all special supervision of its affairs would end.

The President would also appoint a five man Alaska Native Commission to supervise the enrollment of Natives eligible for a share of the settlement and the administration of land grants to individuals and communities.

ALASKA NATIVES AND THE LAND

The 565-page analysis of issues relating to the land claims, carried out by the Federal Field Committee for Development Planning in Alaska, urges prompt resolution of the aboriginal claims by a Congressional settlement emphasizing money compensation over land grants. The study notes that money is the most flexible form of compensation to meet the needs of both urban and rural claimants and suggests that Congress grant to them a percentage of future revenues from the resources of the land. It calls also for grants of land of up to one township for each village and grants of land to individuals and families for hunting and fishing camps, in most cases even if such sites are in federal withdrawals.

Behind the Committee's work lay these facts: Most of Alaska's 53,000 Eskimos, Indians, and Aleuts—who call themselves "Alaska Natives"—are not residents of reservations, but instead live in 178 remote and isolated villages along the rivers and coastline of the state on federal land to which they have no established legal right. Of numerous claims filed by Native groups over the past thirty years with the Court of Claims or the Indian Claims Commission, only one has been adjudicated. While successive acts of Congress appeared to protect lands used by Natives, transfers to the state and others continued to take place. In late 1966 and early 1967 a flurry of new claims and protests by regional Native groups against the transfer of federal lands pushed the total acreage claimed to about two-thirds of Alaska's 375 million acres. Before the filings were complete, Secretary of the Interior Stewart Udall in December 1966, imposed a halt to the transfer of any federal lands to the state or any others in an area covered by a Native protest, explaining that transfers could resume once Congress defined the rights of Native claimants. While a few transfers of small parcels were made in the ensuing year with the permission of the claimant group, the "freeze" as it was called, brought an end to the state's program of acquiring the 103 million acres granted by the Statehood Act, and, in the opinion of the state, was acting as a brake on the economic development of Alaska.

In early 1967, the state filed suit against the Secretary of the Interior to compel a lifting of the freeze to allow the state's selection program to move ahead. The state's position was subsequently upheld and the case moved on appeal to a higher court. Meanwhile, four different legislative proposals were introduced in the Congress and made the subject of hearings in Alaska and Washington, D.C. but none was enacted before the 90th Congress adjourned.

It was the complexity of the land claims issue and the likely far-reaching consequences of any solution that led Senator Jackson to request the Field Committee to carry out a detailed analysis. Since its establishment in 1965, the Field Committee had gained a considerable reputation for the thoroughness of its research and planning activities, and for its ability to be independent of agency viewpoints. The Committee had also earlier declared the highest priority task of the Federal government in Alaska to be a search for means of improving the circumstances of Alaska Natives, and had stimulated innovative programs affecting their employment, training, and housing.

The Committee's analysis surveys social and economic conditions among Alaska Natives and their historical patterns of land use, catalogues the resources of the state regionally, reviews the application of land laws to Alaska Natives, and describes the present status of lands in Alaska. It discusses economic development within the context of Native claims and concludes with a framework of alternatives for resolution of the claims.

THE AUTHORS OF ALASKA NATIVES AND THE LAND

Alaska Natives And The Land and the Recommendations for a Proposed Legislative Settlement were prepared under the direction of Joseph H. FitzGerald, Chairman, Federal Field Committee for Development Planning in Alaska, by his staff of research analysts, Robert D. Arnold, David M. Hickok, Esther C. Wunnicke, Douglas N. Jones, and Arlon R. Tussing.

FitzGerald, an economist and lawyer, supervised the analysis, the eighteenth study to be produced under his direction in his three years as Chairman of the Field Committee. An official of Alaska's state government prior to his appointment to the federal post of Chairman, FitzGerald had earlier been president of a large midwestern airline after a long career with the Civil Aeronautics Board. A Rhodes Scholar (1932-1935), he has also been a private attorney and a consultant to the U.S. Department of State. In 1968 he was awarded an honorary LL.D. by the University of Alaska.

Arnold, who authored the chapters portraying the social and economic circumstances of Alaska Natives today, serves the Field Committee as policy planner for programs affecting Alaska Natives. A 1956 Woodrow Wilson Fellow in Political Science, he framed and co-authored a 1967 study that produced a program for increasing employment and training opportunities for Natives in government installations, and later stimulated an innovative program to provide training, jobs, and housing at one of the larger Eskimo villages. His work affecting Natives had begun when he served as an aide to the late Senator E. L. Bartlett. Before this he has been a congressional assistant, state official, teacher, and newsmen.

Hickok, who was principal author of chapters describing the resources of Alaska and ethnic relationships as well as supervisor of publication, is Natural Resources Planning Officer with the Field Committee. Experienced in several natural resource and science fields, he moved to the Committee from Washington, D.C., where he had been an official of the Department of Commerce concerned with regional natural resource planning and earlier where he had served on the Science Policy staff of the Library of Congress in oceanographic and earth science affairs. A Congressional Fellow from the Department of Interior during the 89th Congress, Hickok had earlier held policy planning positions in the Department of Interior and worked on field assignments in ecology, watershed engineering, and fish and wildlife and forest management.

Mrs. Wunnicke, who authored the chapter on the land issue and prepared a comparative analysis of pending legislative proposals, was co-author with Arnold of the 1967 Committee study, *Alaskan Natives and Federal Hire*. Formerly an attorney in private practice in New Mexico and a college instructor in Colorado, she was editor of the *George Washington Law Review* in 1950.

Dr. Jones, the co-author with Dr. Tussing of the chapter, "Economic Development," came to the Field Committee in 1965 from the Air Force Academy where he had been an associate professor of economics for five years. As chief economist and research director of the Field Committee he authored or co-authored four economic studies and directly supervised the preparation of numerous others. He earned his doctoral degree at

Ohio State University in 1960. Since August, 1968, Jones has been a special assistant to the Secretary of Commerce in Washington, D.C.

Dr. Tussing is an associate professor of economics at the University of Alaska, presently on leave to serve with the Field Committee. The principal author of *Alaska-Japan Trade Relations*, an analysis and program to increase Alaska-Japan trade, Tussing is a staff member of the Institute for Social, Economic, and Government Research at the University. Before moving to Alaska in 1965, he taught at several west coast universities.

ALASKA NATIVE CLAIMS: MAJOR ELEMENTS OF A PROPOSED SETTLEMENT

The specific aims of the legislation are: (1) to provide to the Native people, where possible from federal lands, the lands actually occupied and utilized by them for homes, businesses, and fishing and hunting camps; and to provide to the communities in which they live land for community use and for expansion; (2) to provide, where the federal government retains the power, for the protection of subsistence biotic resources and, where necessary, to implement a priority for local subsistence in the utilization of these resources; (3) to compensate Alaska Natives in cash for lands taken in the past by withdrawal for federal purposes or by patent to the state or to other third parties; and (4) to extinguish all remaining aboriginal rights in the public domain in Alaska and, in compensation for these rights, to provide specific legal and economic rights in those lands or in the revenues from the resources on them.

The proposal which follows is intended to accomplish these aims fairly, with certainty, and in conformity to the real economic and social needs of Alaska's Natives today (1) without establishing any permanent racially defined institutions, rights, privileges, or obligations; (2) without creating a reservation system or lengthy wardship or trusteeship; (3) without adding to the categories of property and institutions enjoying special tax privileges or to the legislation establishing special relationships between the United States government and the State of Alaska; and (4) in accordance with sound financial principles and wise land and resource management principles.

The mechanisms recommended to achieve these aims are: (1) an Alaska Native Commission whose main functions will be to direct the enrollment of Native persons, to supervise and adjudicate in the grant of individual lands for occupancy and settlement, and to determine proper compensation where it is outside the power of the federal government to provide lands for these purposes; (2) an Alaska Native Compensation Fund to provide a depository for monies appropriated, or accruing from shares of resource revenues provided, for compensation; and (3) an Alaska Native Development Corporation to be owned by, with a board of directors ultimately elected by, eligible Alaska Natives to manage the lands and to invest or otherwise dispose of the monies received by them for compensation. Specific safeguards are recommended against dissipation of these assets and against conflicts of interest.

The intention is that these transfers and compensation be completed within a period of ten years, and that at the end of that time all special status, rights, privileges, or obligations of Alaska Natives or of their institutions *qua* Native, either arising from aboriginal title or from the provisions of this Act, be terminated. In accordance with this end, final enrollment is to be completed within ten years after the effective date of the Act. Authority for the Alaska Native Commission would expire in ten years, together with all special rights, privileges, obligations, and restrictions on the Alaska Native Development Corporation which do not apply to

all business corporations in Alaska. Immediately prior to this time, Congress would review the provisions of the Act; specifically, the desirability of continuing or modifying any revenue-sharing provisions, the disposition of monies remaining in the Alaska Native Compensation Fund, and the continuation or extension of any land-selection rights.

PROVISIONS OF THE ACT

I. Enrollment

Enrollment is to be conducted by the Department of the Interior under the direction of the Alaska Native Commission, with the right of appeal to any federal District Court in Alaska chosen by the petitioner. Persons to be enrolled shall be Alaska Eskimos, Indians, or Aleuts of one-fourth or more Native blood or those Alaska Natives accepted as such in a Native community. Because they are a Canadian immigrant group, with a Congressionally established reservation, the Tsimshian Indians of Metlakatla are to be excluded from the enrollment. The enrollment of the Tlingit and Haida Indians would be brought up to date. As is explained below, Tyonek Indians of the Moquawkie Reservation would be given the choice of enrollment under this provision or legislative confirmation of the *status quo* with respect to their reservation. Under the structure of the settlement proposed, it will make no difference to a person *where* he is enrolled inasmuch as, except for identification as Native, enrollment will be designed solely to determine those entitled to be shareholders in the Alaska Native Development Corporation.

An initial enrollment would be taken as of December 31, 1968, and a final enrollment ten years later.

II. Alaska Native Commission

An Alaska Native Commission would be appointed by the President, consisting of a chairman, whose appointment would be confirmed by the Senate, with a paid staff selected by him according to Civil Service procedures and standards, and four other members paid on a *per diem* basis, all to serve for five-year terms. The chairman should be paid on the Executive Pay Scale at level V. There would be no limitations or restrictions on membership or conflicts of interest, but specific provision should be made that the Commission shall be based in Alaska and shall conduct its public hearings in the judicial districts within Alaska where land in question is located or where disputants reside. Powers and duties of the Commission would be chiefly adjudicatory to settle questions of entitlement of beneficiaries or the boundaries ownership of between individuals or groups of beneficiaries, and to determine in certain cases individual compensation. All decisions of the Alaska Native Commission would be subject to judicial appeal in any federal District Court in Alaska of the petitioner's choosing.

III. Land for occupancy and settlement

A. Townsite Withdrawals

As a first step upon the effective date of the Act, the Congress would withdraw and reserve wherever available from any federal lands other than (a) defense withdrawals, except Naval Petroleum Reserve No. 4 and other specific exceptions, and (b) land occupied by or directly appertaining to federal buildings, equipment, and installations, all those whole townships (a) enclosing all or part of any Native village on the accompanying list or (b) any adjacent township(s) containing land apparently necessary to the village's expansion or access or (c) any adjacent township(s) necessary to insure that the total area of land (including bodies of fresh water not in state ownership) withdrawn around and adjacent to the village is equal to at least one whole township (23,040 acres). The bill would include a list of townships to be withdrawn.

In the event Congress wished to grant as

part of a total settlement more lands than provided here, one method would be expansion of the townsite withdrawals and of the community land selection provision. The basic formula now suggested is 23,040 acres per village; the maximum acreage granted under this formula would be approximately 4.6 million acres. An alternative formula might be based on a population criterion; with 160 acres per person in each village, for instance, the statewide total would approximate 5 to 6 million acres.* Multiples of this figure might be employed. One problem involved in a major expansion of grants of community land is that it would increase the apparent inequity to those villages where little or no federal land is available for grant and to those Native individuals who do not live in eligible villages.

In addition to the townships withdrawn above, the Secretary of the Interior would also be authorized similarly to withdraw and reserve from available federal lands during the ten-year life of the Act, after a public hearing, any other township containing or necessary to (a) a settlement of 25 or more Alaska Natives on January 1, 1969, or (b) an historic Native village, such as Ukiyak on King Island, from where the actions of government have directly or indirectly caused the village population to move, and to which 25 or more adult Natives wish to return and reside or (c) a place which constitutes a new village location to which, by virtue of natural phenomena or direct or indirect governmental actions, 25 or more adult Natives wish to relocate. Action of the Secretary of the Interior in these cases shall be initiated by certification by the Alaska Native Commission that one of the pertinent criteria is met.

B. Land for Individual Use: Home, Businesses, Campsites

The Secretary of the Interior would carry out a program of community surveys and plat determinations to locate and define the lands occupied by individuals, groups, institutions, associations, or corporations for homes, businesses, subsistence campsites, religious, educational, community, charitable, and other purposes, and would convey patent to the surface estate to those entities. Lands owned or occupied for private purposes by Natives under the Act's definition should be patented to them as a grant. Lands occupied by religious, educational, community, charitable, or other nonprofit groups, institutions, associations, or corporations should be granted to them. Lands occupied for private purposes by others than Natives should be patented to them at fair market value.

Native persons who would otherwise be eligible to receive grants of land under this provision, but for whom the above conditions cannot be met because within ten years previous to the effective date of the Act (a) they were directly or indirectly forced by government actions to move to another location where such lands are not available or (b) the lands which they occupy or occupied have been patented to the State of Alaska or to another third party, should receive compensation in lieu of land which would otherwise be granted under this provision. Compensation would then be made from the Alaska Native Compensation Fund upon a determination of its amount by the Alaska Native Commission.

C. Community Lands

The Secretary of the Interior would, upon application by any local government body

* These preliminary estimates, based on the 1967 village population, take into account the existence of (1) villages where indicated acreages of federal lands are unavailable, (2) villages otherwise ineligible for grants of community lands, and (3) the fact that many Natives do live outside the eligible villages.

established under Alaska state law,* grant patent to the surface estate of any lands remaining within the townsite withdrawals and within that local government body's jurisdiction after the grant of land for individual use. He would also transfer, upon application and after a public hearing, patent to the surface estate of lands chosen by local government bodies within the withdrawals and outside their boundaries provided that the maximum land to be granted to any community shall be 23,040 acres. Alternative maximum acreage formulas for expanding the land grants are discussed above in connection with the townsite withdrawals. The lands selected should be contiguous except where separated by bodies of water and should be in units corresponding to a least civil division of one-quarter sections.

Where more than one local government body makes application for grant of the same lands, and the disputants comprise more than one level of local government under state law, title should be granted to the smallest unit of government. Where the lands in dispute are outside the political boundaries of all the disputants, the determination would be made, after a public hearing, by the Alaska Native Commission.

D. Mineral Rights

The mineral estate beneath the lands conveyed to individuals, associations, or communities under this provision would be granted to the Alaska Native Development Corporation. Sale or transfer of these mineral rights would not be permitted, however, except to the United States or to the State of Alaska. A similar restriction now exists regarding the mineral rights on public lands selected by the state.

E. Residual Lands Within the Withdrawals

Lands within the townsite withdrawals not conveyed to individuals, associations, or local governing bodies would be managed by the Department of the Interior and would be open to settlement and occupation under regulations and procedures established by

* These provisions are expected to encourage the formation of fourth-class cities under Alaska law. The present laws governing the formation of municipal corporations involve: (1) a petition with the signature and resident address of ten adult permanent inhabitants of the village, (2) class of city proposed, (3) the name, (4) maps and documents required by the Local Affairs Agency. To qualify as a fourth-class city, the village may be incorporated if it is not part of an organized borough, or within ten miles of an incorporated city or five miles of an organized borough, and has at least 25 permanent inhabitants of voting age. These must reside within a radius of three miles from a designated central point. The costs of incorporation of a village are to be borne by the state. The petition is reviewed by the Local Affairs Agency, and the report of its findings made to the Local Boundary Commission, who is charged with the responsibility of holding a public hearing on the incorporation proposal and approving or refusing the petition for incorporation. Upon approval, an election is held in the proposed city to determine whether the voters desire incorporation. Congress may wish to inquire of the state to propose a more simplified procedure for the incorporation of fourth-class cities. The present procedure is no more complicated, however, than is the procedure under the Indian Reorganization Act. It has the merit of bringing viable villages into the state governmental system and of avoiding racially defined forms of land ownership. However, it does interpose a condition upon the granting of patent to community lands which may result in the continuation of a trust in those areas which cannot qualify as fourth-class cities.

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the Alaska Native Commission. These rules and procedures would not be allowed to discriminate between Native persons and others except that a requirement may be allowed that lands occupied by Natives be conveyed to them as a grant and that non-Natives must pay fair market value.

The Secretary of the Interior should manage the resources of the withdrawals and deposit any revenues derived from their leasing or sale or from the sale of lands within the withdrawals into the Alaska Native Compensation Fund.

All lands within the withdrawals not patented, nor in process of patent, to individuals, associations, or local governing bodies ten years after the effective date of the Act, would be returned to their previous status.

F. Isolated Homesites

The Secretary of the Interior would be authorized, upon application from Alaska Natives 19 years of age or older whose primary place of residence is outside the limits of the townsite withdrawals, to grant patent to the surface estate of one quarter section, the mineral estate remaining with the United States.

G. Hunting, Fishing, Trapping, and Other Subsistence Campsites

The Secretary of the Interior would be authorized to grant patent to the surface of any public lands used by Native individuals, families, groups of families, or village communities who have historically used such sites for the harvest of fish, wildlife, berries, fuel, or other products of the land (1) in five-acre grants for each subsistence-use campsite located apart from the campsite of any other applicant; (2) in forty-acre grants where the juxtaposition of applicant campsites are in such a proximity as to preclude the practical granting of five acres, and it is in the interest of Native applicants or the government to pass title on a tract larger than five acres and, further, to subdivide the plat of said forty acres in accordance with lot sizes predicated on actual use and need; or (3) in grants of larger tracts where individuals can establish historic occupancy and use of those tracts. Pending final patent, the Secretary would be authorized to grant use permits to these sites.

H. Lands for Reindeer Husbandry

The Secretary would be authorized to grant patent to the surface estate, with the United States retaining title to minerals, from any federal land currency leased, permitted, or used for reindeer management purposes, including summer and winter range facilities and intervening line camps, up to a total of 2,560 acres to each bona fide reindeer husbandryman, family, or village community reindeer association, or village community governing body practicing reindeer management. These lands would not be in lieu of other rights—homesites, campsites, etc.—under the Act.

I. Priorities

The townsite withdrawals and the grant of isolated homesites, subsistence campsites, and reindeer management lands would be subject to valid existing rights but would generally take precedence over other appropriations including mineral lease applications and state selections. Where the United States, or the State of Alaska under a management agreement with the Department of the Interior on state-selected lands, has executed a mineral or other lease, or a timber sale contract, that lease or sale would continue to be administered by the original agency for the life of the contract, with the proceeds, less administrative costs, paid to the Alaska Native Development Corporation.

Within the townsite withdrawals, the order of precedence should be as follows: land for individual use, subsistence campsites, community lands. Outside the townsite withdrawals, the priority should be: isolated

homesites, subsistence campsites, lands for reindeer husbandry, and appropriation under other laws.

IV. Protection of subsistence resources

Legislative jurisdiction over fish and wildlife, except migratory birds, passed to the State of Alaska with statehood, but the federal government retains control over entry upon federal lands. While the management of subsistence biotic resources ultimately depends upon the state, there is a partial federal remedy available for the depletion of local subsistence resources as the result of pressure from nonresident sports or commercial hunters, fishermen, or trappers. We propose that upon petition by residents of a locality and after a public hearing, or upon petition by the State of Alaska Department of Fish and Game, the Secretary of the Interior may determine that an emergency exists with respect to the depletion of subsistence biotic resources in a given locality and may thereupon delimit and declare an area which will be closed to entry for hunting, fishing, or trapping except by residents of that area for subsistence purposes. In order to preclude the establishment of permanent reservations, a maximum duration of these closures should be limited to two or three years and should not be renewable without a new public hearing. Suitable penalties should be provided for violation and should allow confiscation of gear, vehicles, boats, or aircraft used in the violation.

It is obvious that this provision is inadequate to protect completely subsistence biotic resources and their habitat and that major responsibility in this area lies with the state. Congress may wish to question the state as to its intentions in this regard. The Department of the Interior does, however, have authority under present laws to furnish additional habitat protection by means of land classification. Rural Natives themselves also have machinery under Alaska state law to organize area-wide borough governments which would have the power to regulate land use through zoning. Since organization of a borough requires assumption of the educational function, it is probable that among the predominantly Native regions of the state only the Arctic Slope (Barrow election district) or Northwest Alaska (Barrow, Kobuk, and Nome elections districts together) now has sufficient economic activity to support the mandatory functions of borough government. One objective and outcome of the compensation provisions of the Act might, however, be to give rural Alaska, which is largely coincident with Native Alaska, additional financial resources to assist in supporting its own self-government functions.

V. Alaska native compensation fund

The Act would establish in the United States Treasury an Alaska Native Compensation Fund to provide a depository for monies appropriated in compensation for lands taken, revenues from the sales of lands, and from sale or lease of resources on undistributed portions of the townsite reserves, and interest accruing to these monies. Payments would be made from the fund according to the provisions of the Act to individuals in compensation for lands used and occupied by them, and to the Alaska Native Development Corporation under the terms of the Act.

VI. Compensation for lands previously taken

An initial compensation of \$100 million would be authorized and appropriated by Congress and paid into the Alaska Native Compensation Fund. The rationale for the sum of \$100 million as monetary compensation can be found by assigning a value of a little more than \$1 an acre to Native rights in the lands already withdrawn for other purposes by the federal government and those already selected by the State of Alaska. It would be preferable if this amount were

immediately appropriated; but, if Congress for fiscal reasons should prefer to extend the appropriation over ten years, it should be kept in mind that a present value of \$100 million, if granted in ten equal annual payments commencing at the present and discounted at 6½ percent, would require appropriations of slightly more than \$13 million per year.

VII. Compensation for rights extinguished by this legislation

The premise of the recommendations which follow is that Alaska Natives have a substantial claim upon all the lands of Alaska by virtue of their aboriginal occupancy, and thereby ought to be entitled to claim some share of their present and future commercial value. There has never been a precise definition of these claims or of what they mean in the context of an economy and legal institutions far removed from the Natives' original use of the land. The intention of the specific provisions suggested is to extinguish all claim based on aboriginal occupancy and, in compensation for this, to grant Natives a precisely defined legal claim upon the value of the lands in modern society.

Congress might attempt to estimate the market value of the remaining public domain in Alaska or the capitalized value of its expected future net produce, and provide for authorization and appropriation to Alaska Natives of a specified proportion of this value from the United States Treasury. Determining the proper amount would, however, be an enormously difficult task, and the political and fiscal problems involved in a large cash settlement might be insuperable. The most practical approach, therefore, is one tied directly to the actual commercial yield of the land itself. What is recommended is a settlement somewhere in the order of 10 percent of the present value of these resources, which amount is to come from the actual yield from the resources of Alaska's public domain itself without any specific disbursement from the Treasury. If possible, the best settlement would be one which does not cause additional problems for the State of Alaska's land-selection program, nor institutionalize conflicts of interest between the State of Alaska and the Federal government or between the State of Alaska and Alaska Natives.

The preferred approach is to make no grant of lands in compensation but to provide roughly a 10 percent share of the revenue income from all lands over a ten-year period with a ceiling of \$100 million in any one year, leaving to Congress the option of continuing this share beyond the ten years if the total revenues produced are determined to have been inadequate. (At a 6½ percent discount rate, the present value of the first ten years of a constant income stream is 46.5 percent of the present value of the same income stream in perpetuity.) The advantage of this approach is that it preserves the principle of public ownership of land not used for actual occupation and particularly of the mineral estate, and that it requires the minimum modification of or addition to present land laws. It is an unsatisfactory approach, however, unless it deals with two particularly serious difficulties:

(1) The State of Alaska is entitled to select the remainder of approximately 103 million acres from the vacant and unappropriated public domain in Alaska and has understandably expressed the intention of selecting the commercially most valuable lands. When the present temporary withdrawal is lifted, the potential revenue-producing capacity of federal lands in Alaska will be rapidly reduced to a fraction of its present value. The state's incentive to select lands of commercial mineral value is now diluted by the 90 percent share it presently receives of the revenues from mineral leases on federal lands in the state, and by the dependency of fed-

eral highway-aid formulas on the proportion of federal land within the state's boundaries. Reserving to the Natives, however, an additional share of the revenues from federal lands in Alaska will, by reducing the state's share of those revenues, give the state an additional incentive for selection. These two considerations will, unless offset by some formula in effect giving the Natives a share of revenues on lands patented to the state after the lifting of the freeze, both make the revenues available for compensation for Native claims grossly inadequate, and will create a continuing direct conflict of interests between the Natives and the state.

(2) Potential revenues available for sharing with Alaska Natives are seriously dissipated or reduced by two provisions of the general mining laws and of the Mineral Leasing Act: (a) free access to locatable minerals and (b) the requirement of noncompetitive leasing in the absence of a "known geological structure." The Department of the Interior has defined "known geological structure" most narrowly: in the case of oil and gas, it has meant existence of a producing well. The lifting of the temporary withdrawal may require the Department of the Interior to accept applications and to grant noncompetitive leases on most of the presently valuable public domain in Alaska, at the probable sacrifice of hundreds of millions of dollars in potential lease bonuses. This situation, incidentally, also gives the State of Alaska an additional incentive to select lands of potential mineral interest in order to avoid the loss of bonus revenues.

Unless the legislation deals with both these problems, it is unlikely that a revenue-sharing provision on the remaining federal lands of Alaska would actually produce enough income, particularly in the first ten years, to approach the amount required for a fair and adequate compensation for the Native rights extinguished under the legislation. The provisions suggested below attempt to offset some of these difficulties; in addition, to provide a higher likelihood that adequate sums would become available, the suggestions attempt to provide for sharing from a variety of revenue sources. If it is not legislatively feasible to deal with both the fundamental problems mentioned above and to provide several kinds of revenue source, we must reluctantly move to a less preferable form of compensation—rights in the land itself.

VIII. Preferred form of compensation—share of Federal revenues

A. Leasable Minerals

In accepting applications for mineral leases under the Mineral Leasing Act in Alaska, the Department of the Interior should be directed to publicize the filing of all lease applications and to interpret the filing of any other application on the same land within sixty days after publication as prima facie evidence of the existence of a "known geological structure" as required under the Mineral Leasing Act. If this is not feasible, other provisions should be made to assure competitive leasing of all leasable minerals in which there is evidence of competitive interest, particularly in that portion of Alaska north of the 68th parallel, whose potential lease bonuses are necessary to any settlement of adequate magnitude.

Ten percent of the revenues (bonuses, rentals, and royalties) during the life of the Act should be deposited into the Alaska Native Compensation Fund. This portion would be deducted before calculating the State of Alaska's share of these same revenues under the Statehood Act.

B. Naval Petroleum Reserve No. 4

Congress would authorize the Secretary of the Interior, with the concurrence of the Secretary of Defense, to open Naval Petroleum Reserve No. 4 for competitive mineral leasing. Ten percent of the revenues obtained from

mineral leases on Naval Petroleum Reserve No. 4 would be returned to the Treasury to cover administrative costs. Of the remaining revenues, 45 percent of the total up to a total of \$50 million would be returned to the Treasury to compensate the government for the expenses of past exploration conducted by the United States Navy. The remainder of the revenues would be deposited into the Alaska Native Compensation Fund.

C. Outer Continental Shelf Minerals

Ten percent of the revenues received by the United States from mineral leases on the Outer Continental Shelf adjoining Alaska during the life of the Act would be deposited into the Alaska Native Compensation Fund.

D. Locatable Minerals

A royalty of 5 percent of their value at the mine would be collected on the extraction of locatable minerals from mining claims on federal lands in Alaska, including mines patented after the effective date of the Act. Authority might be given to the Secretary of the Interior to renegotiate this rate downward on a showing that the mine's operating costs, including the royalty, exceed its operating revenues.

Ten percent of the revenues from this royalty would be returned to the Treasury to cover administrative costs, and the remainder should be deposited into the Alaska Native Compensation Fund.

E. Surface Resources

Ten percent of the revenues derived from the sale of surface resources on federal lands in Alaska would be deposited into the Alaska Native Compensation Fund. This proportion would be deducted before calculating the state's share of these revenues.

F. Credit for Revenues From Lands Selected by the State of Alaska

An amount equal to 10 percent of the revenues from sale of or mineral leases on lands patented from the public domain in the State of Alaska after December 31, 1968, and collected by the state or accruing to it during the ten years following the effective date of this Act, would be deducted from the monies paid during that period by the United States to the State of Alaska as its share of mineral revenues on public lands in Alaska, and as federal grants in aid to the State of Alaska. The same amount would be deposited by the United States into the Alaska Native Compensation Fund. The effect of this provision would be to deposit into the Fund, in effect from state sources, an amount approximating the amount which would be deposited had these lands not been patented to the state, without in any way altering the land-selection process as such.

A table is attached showing the respective revenue shares of the United States the State of Alaska, and the Alaska Native Compensation Fund, under present law and under the above proposals.

IX. Alternative compensation package—Rights in land

If for legislative or administrative reasons a substantial portion of the above package should not be feasible—particularly the portions concerning leasable minerals and lands patented to the state after December 31, 1968—we propose a solution based upon grants of rights in land as such. In keeping with the proposition that the intention of this portion of the legislation is to provide compensation (not land for occupation, nor protection of subsistence resources), and in view of the fact that a vast bulk of the presently expected commercial value of public domain in Alaska resides in its mineral estate, we see no compelling reason to transfer to Alaska Natives under this heading surface management of large amounts of land. Two alternative mechanisms are suggested: the grant of specific sections out of each eligible township, and a right of selection.

REVENUE-SHARING PROPOSAL, NATIVE CLAIMS LEGISLATION

Present shares or status	Proposed shares, Federal land	Proposed shares, lands patented to State after effective date of act
Leasable minerals: United States, 10 percent; State, 90 percent.	Natives, 10 percent; United States, 9 percent; State, 81 percent.	Natives, 10 percent; State, 90 percent.
Outer Continental Shelf: United States, 100 percent.	Natives, 10 percent; United States, 90 percent.	Not applicable.
Locatable minerals: No revenue.....	Natives, 90 percent; United States, 10 percent; (of new 5 percent royalty).	Natives, 90 percent; State, 10 percent; (of new 5 percent royalty).
NPR No. 4: Not open to leasing or location....	United States, 55 percent, 110 percent; Natives 45 percent, 190 percent.	Not applicable.
Surface resources: United States, 75 percent; State, 25 percent.	Natives, 10 percent; United States, 67.5 percent; State, 22.5 percent.	Natives, 10 percent; State, 90 percent.

¹ After United States receives \$61,100,000.

A. Variant 1—Specific Sections

The subsurface estate of all vacant and unappropriated public lands in sections 1, 6, 31, and 36 of each township in Alaska would be patented to the Alaska Native Development Corporation. In addition to vacant and unappropriated public lands, the corresponding sections should also be granted in any withdrawal vacated by this Act or reservation abolished by this Act. Title to the mineral estate in the corresponding section of the following withdrawals would also be granted subject to the provision that the management of mineral development on these lands and the regulation thereof should be retained by the government and shall be permitted only where consistent with the purposes of the federal withdrawal: (1) national forests, (2) Naval Petroleum Reserve No. 4, (3) wildlife refuges and ranges.

The surface estate of public domain lands so granted should remain subject to appropriation under all procedures, including selection by the State of Alaska, to which these lands would otherwise be subject.

These grants of the mineral estate to the Alaska Native Development Corporation would be subject to existing rights but would take precedence over all other forms of appropriation under the same qualifications and restrictions as with the land granted for occupancy and use.

B. Variant 2—Native Land Selection

Since land of commercial mineral value in Alaska is very unevenly distributed, the value which would be conveyed by the right of land selection would be far greater on a *per acre* basis than would the grant of specific sections throughout the state. While the grant of mineral rights to four sections in each township can be expected to approach in value exactly one-ninth of the total mineral value of all the eligible lands (and probably somewhere in the vicinity of one-tenth of the total commercial value thereof), no such statement can be made with confidence about the right to *select* mineral rights under any given number of acres. The number of acres chosen must in any case be wholly arbitrary, but it is no more arbitrary than our suggestion that the value of aboriginal rights in the remaining public domain amounts to about 10 percent of its total value. With these reservations in mind, a right of selection amounting to the mineral estate beneath 5 million acres is suggested. This contrasts with the state's selection rights of approximately 100 million acres. This selection right should, for one or two years, take precedence over state selection and all other forms of appropriation, and after that time be coequal with the state's selection rights on a "first come, first served" basis. *Its adequacy will, as in the previous two alternatives, depend on whether or not this legislation takes effect before lands presently under application for selection by the state, including those at the state of tentative approval, are patented to the state, and before mineral leases presently applied for are granted.*

The legislation should provide for the ability of the Alaska Native Development Corporation to select land presently under fed-

eral mineral lease but with the provision that existing leases shall continue to be managed during their life by the Department of the Interior, with revenues, less administrative costs, accruing thereto paid to the Alaska Native Development Corporation.

The right of land selection would expire ten years after the effective date of the Act.

X. Alaska Native Development Corp.

We have chosen to recommend that compensation for lands taken be made on a statewide basis except those actually occupied lands which can clearly be identified with particular individuals. Compensation to individuals, villages, or regional groups in terms of specific lands or shares of revenues from resources on specific lands would undoubtedly make some individuals very wealthy but would result in little benefit to greater numbers of Natives. Since the commercial value of particular lands in Alaska is only accidentally related to past and present aboriginal occupancy and use, and since ability to manage assets wisely will vary widely among individuals and villages, we believe that a statewide settlement would be the fairest and would contribute the most to the overall welfare of Alaska Natives. Rights to this statewide settlement, however, would be vested in individuals through their ownership of stock in an Alaska Native Development Corporation, whose scale of assets would be large enough to justify the employment of first-rate managerial talent.

A. Corporate Charter

The chairman of the Alaska Native Commission should, in behalf of the Natives of Alaska, apply under the corporation laws of the State of Alaska for a charter for an Alaska Native Development Corporation. The number of shares of common stock authorized would be 1 million and the number of shares of common stock outstanding would be equal to ten times the number of Natives on the Native enrollment at the date of chartering.

Each enrolled Native would be given an interest for life to ten shares of common stock in the Alaska Native Development Corporation and would be entitled to receive any dividends paid by the Corporation on that stock, but the common stock would be distributed to individual Natives ten years after the date of chartering on the basis of ten shares to each Native person alive and enrolled on that date.

B. Board of Directors

The initial board of directors would be one of nine members composed as follows: the chairman of the Alaska Native Commission, who shall serve *ex officio*; four other members appointed by the President for staggered terms; and four Native members elected by the Natives of Alaska for staggered terms according to procedures determined by the Alaska Native Commission. The terms of two of the elected directors would expire three years after the date of chartering. At that time another election would be held to elect four new Native directors, resulting in an elected majority of an eleven-member board. Board members would not be federal employees but their qualifications

should follow the Comsat criteria, and they should be subject to all federal requirements with respect to conflicts of interest.

Immediately after the distribution of common stock to enrolled Natives at the end of the ten-year period, a board of directors would be elected by the Corporation's common stockholders in accordance with Alaska corporation law.

C. Management Employees

While the Corporation managerial staff would not be federal employees, during the ten-year period they would be subject to standards and requirements similar to those of the federal government.

D. Payments From Alaska Native Compensation Fund

The United States would pay to the Alaska Native Development Corporation on the date of its chartering and on the first day of each fiscal year thereafter (a) all monies in the Alaska Native Compensation Fund or (b) \$100 million, whichever is less.

Payments from the Alaska Native Compensation Fund would not be liable for taxes either under federal or state laws.

E. Corporate Powers

The powers of the Corporation would include (1) investment of monies and management of lands or rights in land granted to the Corporation, for the benefit of the stockholders; (2) payment of cash dividends to common stockholders; (3) the lending of funds to individuals or businesses for construction of homes or for other development purposes; (4) loans or grants of funds to village or regional governing bodies or regional or village Native corporations for the purpose of fostering the welfare of the people of those regions or villages; (5) investment in the education of individual Natives; (6) emergency or charitable grants and loans to individuals or communities in times of distress.

F. Temporary Provisions, Powers, and Restrictions

The purpose of these provisions is to provide a ten-year period of transition during which the assets granted to the Alaska Native Development Corporation will be protected from dissipation, during which a Native financial leadership may be trained, and during which common stockholders in the Alaska Native Development Corporation can come to appreciate the value of stock in the Corporation. At the end of the ten-year period the Corporation will become an ordinary business corporation under the laws of the State of Alaska.

The Corporation's common stock would not be distributed to stockholders until the end of the ten-year period, but would be held in trust for them by the Board of Directors. Dividends may be paid, however, during this period to the common stockholders of record.

For a period of ten years following the chartering of the Alaska Native Development Corporation, it may not distribute in any one fiscal year as the sum of (a) dividends on common stock.

D. Locatable Minerals

A royalty of 5 percent of their value at the mine would be collected on the extraction of locatable minerals from mining claims on federal lands in Alaska, including mines patented after the effective date of the Act. Authority might be given to the Secretary of the Interior to renegotiate this rate downward on a showing that the mine's operating costs, including the royalty, exceed its operating revenues.

Ten percent of the revenues from this royalty would be returned to the Treasury to cover administrative costs, and the remainder should be deposited into the Alaska Native Compensation Fund.

E. Surface Resources

Ten percent of the revenues derived from the sale of surface resources on federal lands

in Alaska would be deposited into the Alaska Native Compensation Fund. This proportion would be deducted before calculating the state's share of these revenues.

F. Credit for Revenues From Lands Selected by the State of Alaska

An amount equal to 10 percent of the revenues from sale of or minerals leases on lands patented from the public domain in the State of Alaska after December 31, 1968, and collected by the state or accruing to it during the ten years following the effective date of this Act, would be deducted from the monies paid during that period by the United States to the State of Alaska as its share of mineral revenues on public (b) grants or charitable contributions, and (c) unsecured loans, more than an amount equal to one-half the sum of the Corporation's profits and additions to capital from the Alaska Native Compensation Fund during the previous fiscal year.

For ten years after the chartering of the Alaska Native Development Corporation, it would be considered a public or governmental body for the purpose of applying for and receiving federal grants or assistance for planning and development programs.

For a period of ten years after the chartering of the Alaska Native Development Corporation, its profits should not be liable for taxes under either federal or state corporate tax laws, but would be liable for all other federal, state, and local taxes on its assets and activities. Common stockholders likewise would be liable for personal income taxes on dividends from the Corporation.

During the ten years after the chartering of the Alaska Native Development Corporation the Corporation would be subject to audit by the General Accounting Office. Ten years after the date of chartering of the Alaska Native Development Corporation and after a final audit by the General Accounting Office and a summary financial report to the Congress, all restrictions and special powers and conditions established under the Act would cease, and the Alaska Native Development Corporation would become an ordinary business corporation under the laws of the State of Alaska.

XI. Review by Congress

The Alaska Native Commission and the Department of the Interior would submit to Congress annual progress reports on implementation of the Act. The authority granted under the Act would expire ten years from its effective date. The Congress would review the provisions and authority granted under the Act, including specifically (1) continuation of the emergency closure authority for the protection of subsistence resources; (2) extension of the period during which land selections may be made for use or occupancy and (if provided for in the legislation) for compensation; (3) continuation of the leasing and royalty provisions and the provisions relating to the sharing of royalties, if these are part of the legislation; (4) continuation of the Alaska Native Compensation Fund and disposition of monies remaining in it. Immediately prior to the expiration of the Act, the Alaska Native Commission and the Department of the Interior would submit summary reports, including recommendations for further Congressional action.

XII. Existing reservations

The Tanaina Indians of the Moquawkie Reservation (Tyonek) have received and are continuing to receive substantial income from mineral leases on their reservation, administered by the Department of the Interior. We propose that these Indians be granted the choice among (a) complete exclusion from all other terms of this Act and a grant to the existing Tyonek Council, as a private organization, of patent to the 26,918 acres of the Reservation, with a provision that mineral title not be sold or transferred except

to the United States or to the State of Alaska; (b) complete exclusion from all other terms of this Act, abolition of the Moquawkie Reservation, and grant of patent of the lands of the Reservation, with the above reservations concerning mineral rights, to a local government body organized under the laws of the State of Alaska; or (c) abolition of the Moquawkie Indian Reservation and inclusion of the Tyonek Indians under all the terms of this Act. In either of the first two cases, the Department of the Interior would be authorized to contract with the new land owners for continued management of minerals on these lands.

With this exception and that of the Annette Islands Indian Reservation, the legislation would abolish all existing Legislative, Executive Order, or Secretarial Reservations in behalf of Alaska Natives.

XIII. Claims pending before the Indian Claims Commission

There may be difficult policy and legal questions in the termination of claims now pending before the Indian Claims Commission. In Chapter VII of *Alaska Natives and the Land* it was pointed out that the most recent settlement proposals by their terms dismissed the pending claims. But in order to allow as many decisions as possible by the Native people themselves, they should be given the option of proceeding under the terms of this legislation or pursuing their claims before the Indian Claims Commission. The most difficult aspect of the problem probably lies in the group nature of the claims which have been filed, whereas what is attempted under these proposals is to create rights in individuals. Unless all Indian Claims Commission claims are wiped out by this legislation, against their wishes individuals may be bound by group action and prevented from obtaining their individual rights under this proposal.

XIV. The Tlingit-Haida settlement

The Tlingit and Haida Indians have already obtained judgment from the Court of Claims and appropriation from Congress of \$7.5 million for lands taken before 1935. We propose to include the Tlingits and Haidas in this Act, but to provide that the amount of the earlier settlement, including attorneys fees and cost of suit, be credited against future compensation paid to them through the machinery of this Act. One procedure might be to make the earlier compensation a lien against the beneficiaries' shares in the Alaska Native Development Corporation. This amount would be withheld from dividends paid by the latter. If dividends credited against the lien had been insufficient to fulfill this requirement when the Corporation shares were distributed (ten years after the Corporation's chartering), individual shares could be sold or assigned only upon repayment of the appropriate portion of the remaining lien.

A further problem arises from the confirmation by the Court of Claims of Tlingit-Haida "Indian Title" in about 2.6 million acres of land in southeast Alaska. Congress may choose to give legislative confirmation to this judgment by a grant in fee simple of these lands. But, inasmuch as the Tlingits and Haidas have already received compensation for lands taken in the past, relinquishment of "Indian Title" to the remaining lands, aside from those provided for use and occupancy, might be required as a condition of participation in the statewide compensation settlement.

XV. Inclusion of lands for computation of Federal highway funds

There is no apparent justification for including lands granted under this Act as federal lands for computation of federal highway funds. The present aid formula is intended as compensation for the exemption from state and local taxes of federal lands

and their resources. The lands or rights in land transferred under this Act would not be a large proportion of federal lands in the state in any case. But as they will be among the more valuable of federal lands, they will increase the state's potential tax base by a greater proportion than they would decrease the federal share of the state's highway funds.

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

The VICE PRESIDENT. 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 VICE PRESIDENT. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 16 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 19, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 18, 1969:

DEPARTMENT OF DEFENSE

Roger T. Kelley, of Illinois, to be an Assistant Secretary of Defense.

IN THE AIR FORCE

Maj. Gen. Selmon W. Wells, XXXXXX, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

Maj. Gen. Duward L. Crow, XXXXXX, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

In the grade of lieutenant general

Lt. Gen. Bertram C. Harrison, XXXXXX (major general, Regular Air Force) U.S. Air Force.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Charles Allen Corcoran, XXXXXX, U.S. Army.

IN THE NAVY

Vice Adm. Andrew McB. Jackson, Jr., U.S. Navy, for appointment to the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

Vice Adm. John M. Lee, U.S. Navy, for appointment as a senior member of the Military Staff Committee of the United Nations pursuant to title 10, United States Code, section 711.